

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)	
)	
CS Bond St. AB-C Holdings, LLC)	Case No.: 16-PRO-00006
t/a The Carlyle Hotel)	License No: 090805
)	Order No: 2016-047
Application for a Substantial Change to a)	
Retailer's Class CH License)	
)	
at premises)	
1731 New Hampshire Ave., N.W.)	
Washington, D.C. 20009)	

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ALSO PRESENT: CS Bond St. AB-C Holdings, LLC, t/a Carlyle Hotel, Applicant

Jessica Farmer, Esq., of the law firm Holland & Knight LLP, on behalf of the Applicant

Bruce A. Cohen, Petitioner

William Sawicki, Petitioner

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING MOTION FOR STAY

CS Bond St. AB-C Holdings, LLC, t/a The Carlyle Hotel (Applicant) filed an Application for a Substantial Change to Retailer's Class CH License (Application) at premises 1731 New Hampshire Ave., N.W. Petitioners Bruce Cohen and William Sawicki filed a Motion to Stay consideration of the pending Application for an indefinite period of time pending the issuance of an order of the Board of Zoning Adjustment (BZA) in a matter of a building permit issued to the Applicant. This motion was opposed by the Applicant. The Alcoholic Beverage Control Board (Board) reviewed the motions on February 3, 2016.

The Roll Call Hearing in this matter was originally scheduled for January 25, 2016, but had to be rescheduled for February 8, 2016, due to a snow emergency in the District of Columbia and surrounding areas. At this juncture neither the Applicant, the Petitioners, or any other party have been granted standing; therefore, it is premature for the Board to grant any motions related to this case until all potential parties are granted standing.

Moreover, the Petitioner's motion does not provide sufficient information to determine that the order issued by the BZA prevents the Board from reviewing the Application or issuing a license. Nevertheless, at this juncture, it is the Board's intent to hold a Fact Finding Hearing to obtain more information on the matters addressed by the BZA for the purpose of determining whether it has any impact on our review.

ORDER

Therefore, the Board, on this 10th day of February 2016, hereby **DENIES** the Motion to Stay the proceedings. The Board notes that the Fact Finding will be scheduled at a later date. The ABRA shall deliver copies of this Order to the Applicant and others individuals listed above.

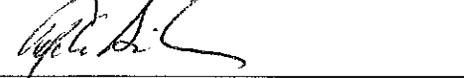
District of Columbia
Alcoholic Beverage Control Board



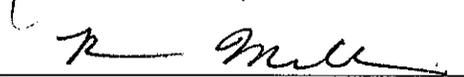
Donoyan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, Member



James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).