

AGENDA HEARING

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :

AGENDA HEARING

- - - - -X

Wednesday, April 6, 2016

Whereupon, the above referenced matter came on for hearing at the Alcoholic Beverage Control Board, Reeves Center, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

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4 OTHER PERSONS PRESENT:

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6 NICK ALBERTI, BOARD MEMBER

7 RUTHANNE MILLER, BOARD MEMBER

8 JAMES SHORT, BOARD MEMBER

9 MIKE SILVERSTEIN, BOARD MEMBER

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1 P R O C E E D I N G S

2 CHAIRPERSON ANDERSON: I'm going to now move
3 to our licensing agenda. This first matter on our
4 licensing agenda is to review an application for
5 safekeeping for license -- the original request for
6 Field to City, License Number 076751. I make a motion
7 that we approve this request through September 30th,
8 2016. Is there a second?

9 MR. SHORT: Second.

10 CHAIRPERSON ANDERSON: Mr. Short has
11 seconded the motion. Those in favor say aye. [Chorus
12 of ayes]. Those opposed. [No audible response]. The
13 matter passed 5-zero-zero.

14 The second matter is to review an
15 application for safekeeping of license for Java House,
16 License Number 072780. I make a motion that this be
17 approved through September 30th, 2016. Is there a
18 second?

19 MR. ALBERTI: Second.

20 CHAIRPERSON ANDERSON: Mr. Alberti has
21 seconded the motion. Those in favor say aye. [Chorus
22 of ayes]. Those opposed. [No audible response]. The

1 matter passed three-zero-zero.

2 The next matter is to review a request for
3 change of hours for Modern Liquors, License Number
4 084387. I make a motion to refer this to -- to
5 licensing. Is there a second?

6 MR. SHORT: Second.

7 CHAIRPERSON ANDERSON: Mr. Short has
8 seconded the motion. Those in favor say aye. [Chorus
9 of ayes]. The matter passed 4-zero-zero.

10 The next matter is to review a request to
11 change hours for Sol Mexican Grill, License Number
12 092192. I make a motion that this matter be placarded.
13 Is there a second?

14 MS. MILLER: Second.

15 CHAIRPERSON ANDERSON: Ms. Miller has
16 seconded the motion. Those in favor say aye. [Chorus
17 of ayes]. Those opposed? [No audible response]. The
18 matter passed 4-zero-zero.

19 The next matter is to review a request to
20 extend premises into second floor to increase the
21 occupancy for Sol Mexican Grill, the License Number
22 092192. I make a motion that this matter be placarded.

1 Is there a second?

2 MS. MILLER: Second.

3 CHAIRPERSON ANDERSON: Ms. Miller has
4 seconded the motion. Those in favor say aye. [Chorus
5 of ayes]. Those opposed. [No audible response]. The
6 matter passed 5-zero-zero.

7 The next matter is to review a request for
8 change of hours for Jocelyn Restaurant Bar & Lounge,
9 License Number 099451. I make a motion that this matter
10 be placarded. Is there a second?

11 MS. MILLER: Second.

12 CHAIRPERSON ANDERSON: Ms. Miller has
13 seconded the motion. Those in favor say aye. [Chorus
14 of ayes]. Those opposed. [No audible response]. The
15 matter passed 5-zero-zero.

16 The next matter is to review a request for
17 Sidewalk Cafe with seating of ten for Nido, License
18 Number 097981. I make a motion this matter be
19 placarded. Is there a second?

20 MR. SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Silverstein has
22 seconded the motion. Those in favor say aye. [Chorus

1 of ayes]. Those opposed. [No audible response]. The
2 matter passed 5-zero-zero.

3 The next matter is to review an application
4 for a summer garden with seating of 24 for Cafe 8,
5 License Number 077797. I make a motion this matter be
6 placarded. Is there a second?

7 MS. MILLER: Second.

8 CHAIRPERSON ANDERSON: Ms. Miller has
9 seconded the motion. Those in favor say aye. [Chorus
10 of ayes]. Those opposed. [No audible response]. The
11 matter passed 5-zero-zero.

12 The next matter is to review a request to
13 extend existing premises to include -- to include a seat
14 count of 93 for Et Voila, License Number 078332. I make
15 a motion that this matter be placarded. Is there a
16 second?

17 MR. SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has second
19 educated the motion. Those in favor say aye. [Chorus
20 of ayes]. Those opposed. [No audible response]. The
21 matter passed 5-zero-zero.

22 The next matter is a review a request to

1 extend premises to include a new total occupancy load of
2 78 for the Showtime, License Number 089186. I make a
3 motion that this matter be placarded. Is there a
4 second?

5 MR. ALBERTI: Second.

6 CHAIRPERSON ANDERSON: Mr. Alberti has
7 seconded the motion. Those in favor say aye. [Chorus
8 of ayes]. Those opposed. [No audible response]. The
9 matter passed 5-zero-zero.

10 The next matter is to review a request to
11 extend premises and current seating from 45 to 223 for
12 Ivy City Tavern, License Number 093795. I make a motion
13 this matter be placarded. Is there a second?

14 MR. ALBERTI: Second.

15 CHAIRPERSON ANDERSON: Mr. Alberti has
16 seconded the motion. Those in favor say aye. [Chorus
17 of ayes]. Those opposed. [No audible response]. The
18 matter passed 5-zero-zero.

19 The next matter is to review a request for
20 temporary operating permit for Rosewood Washington
21 Hotel, License Number 102245. I make a motion that this
22 matter be approved. Is there a second?

1 MR. SHORT: Second.

2 CHAIRPERSON ANDERSON: Mr. Short has
3 seconded the motion. Those in favor say aye. [Chorus
4 of ayes]. Those opposed. [No audible response]. The
5 matter passed 5-zero-zero.

6 The next matter is to review application for
7 manager's license for Jose Juan Carrasco Ramirez, ABRA
8 License Number 101293. I make a motion that this be
9 approved. Is there a second?

10 MR. ALBERTI: Second.

11 CHAIRPERSON ANDERSON: Mr. Alberti has
12 seconded the motion. Those in favor say aye. [Chorus
13 of ayes]. Those opposed. [No audible response]. The
14 matter passed 5-zero-zero.

15 We now move to our supplementary licensing
16 agenda. The first matter on our supplementary licensing
17 agenda is to review a request for a TORP for the
18 Doubletree Washington Hotel, License Number 079383. I
19 make a motion that this be approved. Is there a second?

20 MR. SHORT: Second.

21 CHAIRPERSON ANDERSON: Mr. Short has
22 seconded the motion. Those in favor say aye. [Chorus

1 of ayes]. Those opposed. [No audible response]. The
2 matter passed 5-zero-zero.

3 The next matter is to review a request to
4 reconsider noncompliance status of member John Xereas
5 for Penn Social, License Number 086808. I make a motion
6 that we approve this request. Is there a second?

7 MR. SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Silverstein has
9 seconded the motion. Those in favor say aye. {Chorus
10 or ayes]. Those opposed. [No audible response]. The
11 matter passed 5-zero-zero.

12 The next request is to review an application
13 for sidewalk cafe for Bistro Bohem, License Number
14 101583. I make a motion that this matter be placarded.
15 Is there a second?

16 MS. MILLER: Second.

17 CHAIRPERSON ANDERSON: Ms. Miller has
18 seconded the motion. Those in favor say aye. [Chorus
19 of ayes]. Those opposed. [No audible response]. The
20 matter passed 5-zero-zero.

21 We now move to our second supplementary
22 license agenda, and the first matter on the agenda is to

1 review criminal history of applicant Jerome Bailey for
2 Smith Commons, License Number 084598. I make a motion
3 that we approve this request. Is there a second?

4 MR. ALBERTI: Second.

5 CHAIRPERSON ANDERSON: Mr. Alberti has
6 seconded the motion. Those in favor say aye. [Chorus
7 of ayes]. Those opposed. [No audible response]. The
8 matter passed 5-zero-zero.

9 Then we move to -- then we move to our legal
10 agenda. And the first matter on our legal agenda is to
11 review a settlement agreement dated March 31, 2016
12 between Grand Central -- Grand Central 2437 18th Street,
13 Retailer License Number 076693. I make a motion that we
14 approve this matter with modification. Is there a
15 second?

16 MR. ALBERTI: Second.

17 CHAIRPERSON ANDERSON: Mr. Alberti has
18 seconded the motion. Those in favor say aye. [Chorus
19 of ayes]. Those opposed. [No audible response]. The
20 matter passed 5-zero-zero.

21 The next matter is to review a settlement
22 agreement for Seoul Spice, License Number 101493. I

1 make a motion that this matter be approved. Is there a
2 second?

3 MR. SHORT: Second.

4 CHAIRPERSON ANDERSON: Mr. Short has
5 seconded the motion. Those in favor say aye. [Chorus of
6 ayes]. Those opposed. The matter passed 5-zero-zero.

7 The next matter is to review a petition to
8 terminate settlement agreement for Khan's, License
9 Number 84082. I make a motion that we deny this matter.
10 Is there a second?

11 MR. ALBERTI: Second.

12 CHAIRPERSON ANDERSON: Mr. Alberti has
13 seconded the motion. Those in favor say aye. [Chorus
14 of ayes]. Those opposed. [No audible response]. The
15 matter passed 5-zero-zero.

16 The next matter is to review a petition to
17 terminate settlement agreement for Corado's Guatemalan
18 Restaurant, License Number 015941. I make a motion that
19 this matter be placarded. Is there a second?

20 MR. SHORT: Second.

21 CHAIRPERSON ANDERSON: Mr. Short has
22 seconded the motion. Those in favor say aye. [Chorus

1 of ayes]. Those opposed. [No audible response]. The
2 matter passed 5-zero-zero.

3 The next matter is to review a petition to
4 terminate settlement agreement for The Popal, License
5 Number 075836. I make a motion that that matter be
6 placarded. Is there a second?

7 MR. ALBERTI: Second.

8 CHAIRPERSON ANDERSON: Mr. Alberti has
9 seconded the motion. Those in favor say aye. [Chorus
10 of ayes]. Those opposed. [No audible response]. The
11 matter passed 5-zero-zero.

12 The next matter is to review a motion to
13 lift stay of Board Order 2014-287 for The Shadow Room,
14 License Number 075871. I make a motion that this matter
15 be approved. Is there a second?

16 MR. SILVERSTEIN: Second.

17 CHAIRPERSON ANDERSON: Those in favor say
18 aye. [Chorus of ayes]. Those opposed. [No audible
19 response]. The matter passed 5-zero-zero.

20 The next matter is to review a request for
21 fact-finding for Penn Social, License Number 086808. I
22 make a motion that we postpone this matter for a week.

1 Is there a second -- for two weeks. Is there a second?

2 MR. ALBERTI: Second.

3 CHAIRPERSON ANDERSON: Mr. Alberti has
4 seconded the motion. Those in favor say aye. [Chorus
5 of ayes]. The matter passes 5-zero-zero.

6 The next matter is to review a petition from
7 Langdon Park -- Langdon Park Community Association and
8 ANC 5C for a liquor license moratorium on Class
9 C/D (CN/DN, CT/DT, CR/DR, CX/DX). I make a motion that
10 we set this matter for a hearing for a date to be
11 determined. Is there a second.

12 MR. SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has
14 seconded the motion. Those in favor say aye. [Chorus
15 of ayes]. Those opposed. [No audible response].

16 And I make a motion that -- to review notice
17 of second emergency and proposed rulemaking for Pub
18 Crawl. I make a motion that we approve this. I make a
19 motion that we approve this. Is there a second?

20 MR. ALBERTI: Second.

21 CHAIRPERSON ANDERSON: Mr. Alberti has
22 seconded the motion. Those in favor say aye. [Chorus

1 of ayes]. Those opposed. [No audible response]. The
2 matter passed 5-zero-zero.

3 Then we now move to our second -- our
4 supplemental legal agenda. And the first matter on our
5 supplemental legal agenda is to review a settlement
6 agreement for Masala Art, License Number 094766. I make
7 a motion that we approve this with modification. Is
8 there a second?

9 MR. ALBERTI: Second.

10 CHAIRPERSON ANDERSON: Mr. Alberti has
11 seconded the motion. Those in favor say aye. [Chorus
12 of ayes]. Those opposed. [No audible response]. The
13 matter passed 5-zero-zero.

14 The next matter is to review a proposed
15 finding of fact and conclusion of law filed by parties
16 in HH -- HRH Services, License Number 097969, and this
17 is an FYI. All right.

18 We now then move to our cancellation agenda.
19 I make a motion that the following licenses be
20 cancelled:

21 The first one on our -- the cancellation
22 agenda is Posto, License Number 079141.

1 grk Fresh Greek, License Number 094847.

2 The next one is Mehak Restaurant, License

3 Number 060062.

4 Then the other -- the next one is Chef

5 Geoff's Downtown, License Number 060577.

6 The next case on the cancellation agenda is

7 Tian Tian Fang, License Number 012671.

8 Then we have Capitol Prague, License Number

9 091613.

10 Then we have Red Fire Grill Kabob, License

11 Number 090419.

12 The next one is Zula Restaurant, License

13 Number 060547.

14 The next -- the next licensee is Ancora,

15 License Number 091312.

16 Then we have Lapis, License Number 085260.

17 We now move to Chufly Imports, License

18 Number 098113.

19 The next licensee is Walter Johnson Liquors,

20 License Number 075411.

21 The next licensee is Canada Sweets and

22 Treats, License Number 093246.

1 And the last licensee is Guckenheimer @ the
2 National Public Radio, License Number 093535.

3 I make a motion that all these
4 establishments on our cancellation agenda be cancelled.
5 Is there a second?

6 MR. SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein has
8 seconded the motion. Those in favor say aye. [Chorus
9 of ayes]. Those opposed. [No audible response]. The
10 matter passed 5-zero-zero.

11 All right. As Chairperson of the Alcoholic
12 Beverage Control Board for the District of Columbia in
13 accordance with D.C. Official Code Section 2574B, closed
14 meetings and 2574, notice of meetings of The Open
15 Meetings Amendment Act I move that the ABC Board hold a
16 closed meeting on April 20th, 2016 for the purpose of
17 discussing and hearing reports concerning ongoing or
18 planned investigations of alleged criminal or civil
19 misconduct or violations of law or regulations and
20 seeking legal advice from our counsel on The Board's
21 investigative, legal, and licensing agenda for April
22 20th, 2016 as published in the D.C. Register on April

1 14th, 2016. Is there a second?

2 MR. SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has
4 seconded the motion. I will now take a roll call --
5 roll call vote on the motion before us now that it has
6 been seconded. Mr. Silverstein.

7 MR. SILVERSTEIN: I agree.

8 CHAIRPERSON ANDERSON: Mr. Short.

9 MR. SHORT: I agree.

10 CHAIRPERSON ANDERSON: Mr. Alberti.

11 MR. ALBERTI: I agree. I'm still awake.

12 CHAIRPERSON ANDERSON: Ms. Miller.

13 MS. MILLER: Agree.

14 CHAIRPERSON ANDERSON: Mr. Anderson. I
15 agree. As it appears that the motion has passed, I
16 hereby give notice that the ABC Board will hold this
17 aforementioned closed meeting pursuant to The Open
18 Meetings Act. Notice will also be posted on the ABC
19 Board -- ABC Board hearing room bulletin board, placed
20 on the electronic calender on ABRA's website, and
21 published in the D.C. Register in as timely a manner as
22 possible. It's now 8:48, and we are adjourned for the

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1 day. Thank you.

2 (Whereupon the above-entitled matter was
3 concluded.)

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