

## DISTRICT OF COLUMBIA

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## ALCOHOLIC BEVERAGE CONTROL BOARD

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## MEETING

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 IN THE MATTER OF:                   :  
   :  
 Cancellation Agenda                :  
 Investigative Agenda               :  
 Legal Agenda                         :  
 Licensing Agenda                    :  
   :  
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Wednesday  
 March 28, 2018

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

## PRESENT:

DONOVAN W. ANDERSON, Chairperson  
 NICK ALBERTI, Member  
 BOBBY CATO, JR., Member  
 DONALD ISAAC, SR., Member  
 MIKE SILVERSTEIN, Member  
 JAMES SHORT, Member

## P-R-O-C-E-E-D-I-N-G-S

4:00 p.m.

CHAIRPERSON ANDERSON: All right. So what I'll do while we are here, let's do our Legal Agenda.

All right. The first matter on our Legal Agenda is review of West End Citizens Association's Motion for Reconsideration, Foggy Bottom Grocery t/a FoBoGro, License No. 082431.

I make a motion that we deny this request. Is there a second?

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON ANDERSON: All those opposed? The matter passes 6-0-0.

The second matter on our schedule is review of licensee's opposition to West End Citizens Association's Motion for Reconsideration. FoBoGro, License No. 082431.

1                   This matter is now moot.

2                   The third matter on our agenda is  
3 review of West End Citizens Association's reply  
4 in support of Motion for Reconsideration.  
5 FoBoGro, License No. 082431.

6                   This matter is also moot.

7                   The next matter on our agenda is  
8 review of a settlement agreement dated March 7,  
9 2018 between Infusion, Advisory Neighborhood  
10 Commission 1C, the Kalorama Citizens Association  
11 and two Groups of Five or More for Infusion,  
12 License No. 108251.

13                   I make a motion that we approve this  
14 agreement with modification. Is there a second?

15                   MEMBER SHORT: Second.

16                   CHAIRPERSON ANDERSON: Mr. Short has  
17 seconded the motion.

18                   All those in favor say aye.

19                   ALL: Aye.

20                   CHAIRPERSON ANDERSON: All those  
21 opposed? The matter passes 6-0-0.

22                   The next matter is the review of Cedar

1 Hill Bar and Grill/Uniontown's Motion to Extend  
2 Time to Submit Findings of Facts and Conclusions  
3 of Law, License No. 091889.

4 I make a motion that we approve this  
5 request. Is there a second?

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein  
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: All those  
12 opposed? The matter passes 6-0-0.

13 The next matter is review of a  
14 settlement agreement dated March 14, 2018 between  
15 ANC-4C and Catherine's Kitchen, License No.  
16 108846.

17 I make a motion that we approve this  
18 matter with modification. Is there a second?

19 MEMBER CATO: Second.

20 CHAIRPERSON ANDERSON: Mr. Cato  
21 seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON ANDERSON: All those  
3 opposed? The matter passes 6-0-0.

4 The next matter is review of a letter  
5 dated March 19, 2018 from the Shaw-Dupont  
6 Citizens Alliance requesting that the ABC Board  
7 placard Pal, The Mediterranean Spot. Pal, The  
8 Mediterranean Spot, License No. 092484.

9 This is an FYI for the Board.

10 The next matter on our agenda is  
11 review of a letter dated March 19, 2018 from a  
12 neighbor requesting the ABC Board placard Pal,  
13 The Mediterranean Spot's application for  
14 substantial change. Pal, The Mediterranean Spot,  
15 License No. 092484.

16 This is also an FYI for the Board.

17 The next matter is review of the first  
18 amendment to settlement agreement dated March 19,  
19 2018 between ANC-6D and Chloe, License No.  
20 106997.

21 I make a motion that we approve this  
22 agreement. Is there a second?

1 MEMBER SILVERSTEIN: Second.

2 CHAIRPERSON ANDERSON: Mr. Silverstein  
3 has seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: All those  
7 opposed? The matter passes 6-0-0.

8 The next matter is review of the first  
9 amendment to settlement agreement dated March 19,  
10 2018 between ANC-6D and District Winery, License  
11 No. 098684.

12 I make a motion that we approve this  
13 request. Is there a second?

14 MEMBER SILVERSTEIN: Second.

15 CHAIRPERSON ANDERSON: Mr. Silverstein  
16 has seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: All those  
20 opposed? The matter passes 6-0-0.

21 We now move to our Supplemental Legal  
22 Agenda.

1           The first matter on our Supplemental  
2           Legal Agenda is the review of settlement  
3           agreement dated March 15, 2018 between Advisory  
4           Neighborhood Commission 2F, the Group of Five or  
5           More and French 75, License No. 108192.

6           I make a motion that we approve this  
7           request with modification. Is there a second?

8           MEMBER ALBERTI: Second.

9           CHAIRPERSON ANDERSON: Mr. Alberti has  
10          seconded the motion.

11          All those in favor say aye.

12          ALL: Aye.

13          CHAIRPERSON ANDERSON: All those  
14          opposed? The matter passes 6-0-0.

15          The next matter is review of a  
16          settlement agreement dated March 19, 2018 between  
17          ANC-6D and Mission Dos, License No. 108928.

18          I make a motion that we approve this  
19          agreement with modification. Is there a second?

20          MEMBER SILVERSTEIN: Second.

21          CHAIRPERSON ANDERSON: Mr. Silverstein  
22          has seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: All those  
4 opposed? The matter passes 6-0-0.

5 The next matter on our agenda is  
6 review of a settlement agreement dated March 22,  
7 2018 between ANC-2B and Magnolia, License No.  
8 109097.

9 I make a motion that we approve this  
10 request. Is there a second?

11 MEMBER SHORT: Second.

12 MEMBER CATO: Second.

13 CHAIRPERSON ANDERSON: Mr. Cato has  
14 seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: All those  
18 opposed? The matter passes 6-0-0.

19 The next matter is review of a letter  
20 from Legal Seafood dated March 2, 2018 informing  
21 the ABC Board of an employee's previous  
22 conviction in accordance with 23 DCMR Section

1 709.1. Legal Seafood, License No. 060194.

2 This is just an FYI for the Board.

3 The next matter is the review of  
4 settlement agreement dated March 26, 2018 between  
5 FoBoGro and ANC-2A. FoBoGro, License No. 082431.

6 I make a motion that we approve this  
7 agreement with modification. Is there a second?

8 MEMBER ALBERTI: Second.

9 CHAIRPERSON ANDERSON: Mr. Alberti has  
10 seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: All those  
14 opposed? The matter passes 6-0-0.

15 We now move to our Second Supplemental  
16 Legal Agenda.

17 The first matter on our Second  
18 Supplemental Legal Agenda, I make a motion that  
19 the Board issue a Cease & Desist Order for the  
20 Macombo Lounge, License No. 000771.

21 Is there a second?

22 MEMBER SILVERSTEIN: Second.

1                   CHAIRPERSON ANDERSON: Mr. Silverstein  
2 has seconded the motion.

3                   All those in favor say aye.

4                   ALL: Aye.

5                   CHAIRPERSON ANDERSON: All those  
6 opposed? The matter passes 6-0-0.

7                   We now move to our Licensing Agenda.

8                   The first matter on our Licensing  
9 Agenda is to review application for safekeeping  
10 of license for Senart's Oyster and Grille Room,  
11 License No. 107079.

12                   I make a motion that we grant this  
13 request through September 30, 2018. Is there a  
14 second?

15                   MEMBER ALBERTI: Second.

16                   CHAIRPERSON ANDERSON: Mr. Alberti has  
17 seconded the motion.

18                   All those in favor say aye.

19                   ALL: Aye.

20                   CHAIRPERSON ANDERSON: All those  
21 opposed? The matter passes 6-0-0.

22                   The next matter is review application

1 for safekeeping of license, Premier Wines,  
2 License No. 093868.

3 I make a motion that we approve this  
4 request through September 30, 2018. Is there a  
5 second?

6 MEMBER ALBERTI: Second.

7 CHAIRPERSON ANDERSON: Mr. Alberti has  
8 seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: All those  
12 opposed? The matter passes 6-0-0.

13 The next matter is review application  
14 for safekeeping of license, Safeway #4205,  
15 License No. 097707.

16 I make a motion that we grant this  
17 request through September 30, 2018. Is there a  
18 second?

19 MEMBER CATO: Second.

20 CHAIRPERSON ANDERSON: Mr. Cato has  
21 seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON ANDERSON: All those  
3 opposed? The matter passes 6-0-0.

4 The next matter is review application  
5 for safekeeping of license, Ping Pong Dim Sum,  
6 License No. 105730.

7 I make a motion that we grant this  
8 request through September 30, 2018. Is there a  
9 second?

10 MEMBER CATO: Second.

11 CHAIRPERSON ANDERSON: Mr. Cato has  
12 seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: All those  
16 opposed? The matter passes 6-0-0.

17 The next matter is review application  
18 for safekeeping of license for Touche Live,  
19 License No. 104866.

20 I make a motion that we grant this  
21 request through September 30, 2018. Is there a  
22 second?

1 MEMBER SILVERSTEIN: Second.

2 CHAIRPERSON ANDERSON: Mr. Silverstein  
3 has seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: All those  
7 opposed? The matter passes 6-0-0.

8 The next matter is review request to  
9 extend safekeeping of license, The Roberts Law  
10 Group, PLLC, License No. 083728.

11 I make a motion that we grant this  
12 request through September 30, 2018. Is there a  
13 second?

14 MEMBER SILVERSTEIN: Second.

15 CHAIRPERSON ANDERSON: Mr. Silverstein  
16 has seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: All those  
20 opposed? The matter passes 6-0-0.

21 The next matter is review request to  
22 extend safekeeping of license for L'Enfant Plaza

1 Hotel, License No. 093846.

2 I make a motion that we grant this  
3 request through September 30, 2018. Is there a  
4 second?

5 MEMBER SHORT: Second.

6 CHAIRPERSON ANDERSON: Mr. Short has  
7 seconded the motion.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON ANDERSON: All those  
11 opposed? The matter passes 6-0-0.

12 The next matter is review request to  
13 extend safekeeping of license, Twelve and K  
14 Hotel, License No. 095442.

15 I make a motion that we grant this  
16 request through September 30, 2018. Is there a  
17 second?

18 MEMBER ALBERTI: Second.

19 CHAIRPERSON ANDERSON: Mr. Alberti has  
20 seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON ANDERSON: All those  
2 opposed? The matter passes 6-0-0.

3 The next matter is review request to  
4 extend safekeeping of license for TBD, Thor 3000  
5 M Street, LLC, License No. 102572.

6 I make a motion that we grant this  
7 request through September 30, 2018. Is there a  
8 second?

9 MEMBER CATO: Second.

10 CHAIRPERSON ANDERSON: Mr. Cato has  
11 seconded the motion.

12 All those in favor say aye.

13 ALL: Aye.

14 CHAIRPERSON ANDERSON: All those  
15 opposed? The matter passes 6-0-0.

16 The next matter is review request to  
17 extend safekeeping of license for Serengeti,  
18 License No. 022889.

19 I make a motion that we grant this  
20 request through September 30, 2018. Is there a  
21 second?

22 MEMBER ALBERTI: Second.

1 CHAIRPERSON ANDERSON: Mr. Alberti has  
2 seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON ANDERSON: All those  
6 opposed? The matter passes 6-0-0.

7 The next matter is review request to  
8 extend safekeeping of license, The Levy  
9 Restaurants At Verizon Center, License No.  
10 060462.

11 I make a motion that we grant this  
12 request through September 30, 2018. Is there a  
13 second?

14 MEMBER ALBERTI: Second.

15 CHAIRPERSON ANDERSON: Mr. Alberti has  
16 seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: All those  
20 opposed? The matter passes 6-0-0.

21 The next matter on our agenda is  
22 review request to extend safekeeping of license

1 for Jubilee Market, License No. 074162.

2 I make a motion that we grant this  
3 request through September 30, 2018. Is there a  
4 second?

5 MEMBER SHORT: Second.

6 CHAIRPERSON ANDERSON: Mr. Short has  
7 seconded the motion.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON ANDERSON: All those  
11 opposed? The matter passes 6-0-0.

12 The next matter on our agenda is to  
13 review application for a Tasting Permit for  
14 Shipley Super Market, License No. 109067.

15 I make a motion that we grant this  
16 request. Is there a second?

17 MEMBER ALBERTI: Second.

18 CHAIRPERSON ANDERSON: Mr. Alberti has  
19 seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: All those

1       opposed? The matter passes 6-0-0.

2                   We now move to our Supplemental  
3       Licensing Agenda.

4                   The first matter on our Supplemental  
5       Licensing Agenda is to review request to extend  
6       safekeeping of license for Phoenix Restaurant  
7       Lounge, License No. 107011.

8                   I make a motion that we grant this  
9       request through September 30, 2018. Is there a  
10      second?

11                   MEMBER ALBERTI: Second.

12                   CHAIRPERSON ANDERSON: Mr. Alberti has  
13      seconded the motion.

14                   All those in favor say aye.

15                   ALL: Aye.

16                   CHAIRPERSON ANDERSON: All those  
17      opposed? The matter passes 6-0-0.

18                   The next matter is review application  
19      for a class change from Wholesale A to Wholesale  
20      B, RAPP Distributing Company, License No. 103929.

21                   I make a motion that we approve this  
22      request. Is there a second?

1 MEMBER CATO: Second.

2 CHAIRPERSON ANDERSON: Mr. Cato has  
3 seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: All those  
7 opposed? The matter passes 6-0-0.

8 The next matter is to review request  
9 for change of hours for Pal, The Mediterranean  
10 Spot, License No. 092484.

11 I make a motion that we placard this  
12 matter. Is there a second?

13 MEMBER CATO: Second.

14 CHAIRPERSON ANDERSON: Mr. Cato has  
15 seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: All those  
19 opposed? The matter passes 6-0-0.

20 The next matter is to review letter  
21 requesting to remove entertainment endorsement  
22 from ABC License, Jenny's at the Wharf, License

1 No. 098041.

2 I make a motion that we approve this  
3 request. Is there a second?

4 MEMBER CATO: Second.

5 CHAIRPERSON ANDERSON: Mr. Cato has  
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON ANDERSON: All those  
10 opposed? The matter passes 6-0-0.

11 The next matter is review letter  
12 requesting to remove Tasting Permit from ABC  
13 License, Cotton & Reed, License No. 099505.

14 I make a motion that we approve this  
15 request. Is there a second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIRPERSON ANDERSON: Mr. Silverstein  
18 has seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: All those  
22 opposed? The matter passes 6-0-0.

1           The next matter is to review letter  
2 requesting to withdraw Brewpup endorsement  
3 application for ANXO Cidery & Tasting Room,  
4 License No. 102866.

5           I make a motion that we approve this  
6 request. Is there a second?

7           MEMBER ISAAC: Second.

8           CHAIRPERSON ANDERSON: Mr. Isaac has  
9 seconded the motion.

10          All those in favor say aye.

11          ALL: Aye.

12          CHAIRPERSON ANDERSON: All those  
13 opposed? The matter passes 6-0-0.

14          We now move to our Second Supplemental  
15 Licensing Agenda.

16          The first matter on our Second  
17 Supplemental Licensing Agenda is to review  
18 request for a stipulated license with letter of  
19 ANC support for Magnolia, License No. 109097.

20          I make a motion that we approve this  
21 request. Is there a second?

22          MEMBER CATO: Second.

1                   CHAIRPERSON ANDERSON: Mr. Cato has  
2 seconded the motion.

3                   All those in favor say aye.

4                   ALL: Aye.

5                   CHAIRPERSON ANDERSON: All those  
6 opposed? The matter passes 6-0-0.

7                   The next matter is review request to  
8 extend safekeeping of license for the Dancing  
9 Crab, License No. 090297.

10                  I make a motion that we have a Fact-  
11 Finding Hearing on this matter. Is there a  
12 second?

13                  MEMBER ISAAC: Second.

14                  CHAIRPERSON ANDERSON: Mr. Cato has  
15 seconded the motion. I think it was Mr. Cato.  
16 Mr. Isaac has seconded the motion.

17                  All those in favor say aye.

18                  ALL: Aye.

19                  CHAIRPERSON ANDERSON: All those  
20 opposed? The matter passes 6-0-0.

21                  The next matter is to review request  
22 for change of hours of alcoholic beverage sales

1 and consumption for District Cider, License No.  
2 105787.

3 I make a motion that we approve this  
4 request. Is there a second?

5 MEMBER SHORT: Second.

6 CHAIRPERSON ANDERSON: Mr. Short has  
7 seconded the motion.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON ANDERSON: All those  
11 opposed? The matter passes 6-0-0.

12 The next matter is review application  
13 for a sidewalk cafe with seating for 24 patrons  
14 for Chloe, License No. 106997.

15 I make a motion that we approve this  
16 request. Is there a second?

17 MEMBER ALBERTI: Second.

18 CHAIRPERSON ANDERSON: Mr. Alberti has  
19 seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: All those

1       opposed? The matter passes 6-0-0.

2               The next matter is to review request  
3 to add a second summer garden endorsement to  
4 license for Nobu, License No. 100894.

5               I make a motion that we approve this  
6 request. Is there a second?

7               MEMBER ISAAC: Second.

8               CHAIRPERSON ANDERSON: Mr. Isaac has  
9 seconded the motion.

10              All those in favor say aye.

11              ALL: Aye.

12              CHAIRPERSON ANDERSON: All those  
13 opposed? The matter passes 6-0-0.

14              The next matter on our agenda is to  
15 review letter requesting to remove tasting  
16 endorsement from ABC License for Lee's Mini  
17 Market, License No. 084939.

18              I make a motion that we approve this  
19 request. Is there a second?

20              MEMBER CATO: Second.

21              CHAIRPERSON ANDERSON: Mr. Cato  
22 seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: All those  
4 opposed? The matter passes 6-0-0.

5 We now move to our Cancellation  
6 Agenda.

7 The first matter on our Cancellation  
8 Agenda, the Board will cancel the license for  
9 Noodles & Company, License No. ABRA-091046.

10 And the Board will also be canceling  
11 the license for Forward Beverage, License No.  
12 ABRA-102913.

13 I make a motion that the Board cancel  
14 the license for Noodles & Company and Forward  
15 Beverage. Is there a second?

16 MEMBER SHORT: Second.

17 CHAIRPERSON ANDERSON: Mr. Short has  
18 seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: All those  
22 opposed? The matter passes 6-0-0.

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All right. Thank you.

(Whereupon, the Legal, Licensing,  
Cancellation and Investigative Agendas were  
concluded at 4:18 p.m.)

**A**

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In the matter of: Agenda

Before: DC ABRA

Date: 03-28-18

Place: Washington, DC

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