

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

_____)		
City Corner, Inc.)	Case No.:	N/A
t/a City Corner Market)	License No.:	094587
)	Order No.:	2015-361
<i>Applicant</i>)		
)		
Application for a New)		
Retailer's Class B License)		
)		
at premises)		
2601 Sherman Avenue, N.W.)		
Washington, D.C. 20009)		
_____)		

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ALSO PRESENT: City Corner, Inc., t/a City Corner Market, Applicant

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

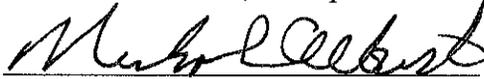
ORDER DENYING APPLICATION

In a letter dated September 12, 2014, the Alcoholic Beverage Regulation Administration's (ABRA) Licensing Division Manager informed City Corner, Inc., t/a City Corner Market, (Applicant) that its Application for a New Retailer's Class B License had been denied because the premises were located in a residential zone. Under D.C. Official Code § 25-336(a), the Alcoholic Beverage Control Board (Board) is prohibited from issuing an off-premise license, such as a Class B, in a residential zone. D.C. Official Code § 25-336(a). The Board held a fact finding hearing on July 15, 2015, at the request of the Applicant. No new information that would persuade the Board to change its decision came to light; therefore, the Board, on this 22nd day of July 2015, hereby **AFFIRMS** its denial of the Application. ABRA shall deliver a copy of this Order to the Applicant.

District of Columbia
Alcoholic Beverage Control Board



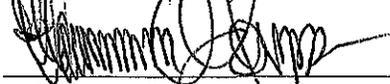
Ruthanne Miller, Chairperson



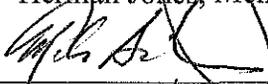
Nick Alberti, Member



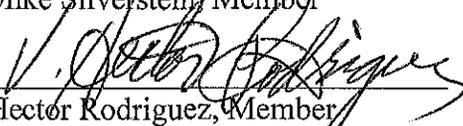
Donald Brooks, Member



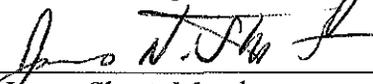
Herman Jones, Member



Mike Silverstein, Member



Hector Rodriguez, Member



James Short, Member

Pursuant to 23 DCMR § 1719.1, 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).