

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, FEBRUARY 15, 2012
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

Ruthanne Miller, Chairperson

Members:

**Nick Alberti, Donald Brooks, Herman Jones, Calvin Nophlin, Mike Silverstein
and Jeannette Mobley**

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00093

Matchbox 14th Street, LLC, t/a Matchbox
1901 14th Street NW
License #88258
Retailer CR
ANC 1B
New Application

Disposition: Group of Five or More Individuals granted standing with the appearance of Craig Brownstein. The Board scheduled the Protest Hearing on April 11, 2012 at 1:30 pm, 7-0.

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00089

Best Wings, Inc., t/a Blue Gin
1206 Wisconsin Ave NW
License #17458
Retailer CT
ANC 2E
Substantial Change (Summer Garden)

Disposition: The Board scheduled the Protest Hearing on April 4, 2012 at 1:30 pm, 7-0.

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00052

El Tamarindo, Inc., t/a El Tamarindo Adams Morgan
1785 Florida Ave NW
License #71179
Retailer CR
ANC 1C

Substantial Change (Sidewalk Cafe)

Disposition: Hearing Cancelled; The Parties have submitted a Voluntary Agreement, which will be considered by the Board on February 22, 2012.

Show Cause (Status)

9:30 AM

Case # 11-CMP-00183

Occasions Caterers. Inc., t/a Occasions Caterers
5458 3rd Street NE
License #72482
Retailer Caterer
ANC 5A

No ABC Manager on Duty, Failed to Post Legal Drinking Age Sign, Failed to Post Pregnancy Sign

Disposition: The Board accepted an Offer in Compromise: \$850 payable on February 15, 2012; Dismissal of Charge II, 7-0.

Show Cause (Status)

9:30 AM

Case # 11-CMP-00377

Eritrean Cultural Center t/a Eritrean Cultural Center
600 L Street NW
License #15698
Retailer CX Multipurpose Facility
ANC 2C

Operating After Hours

Disposition: The Board accepted an Offer in Compromise: \$2,000 payable on February 15, 2012; 1 day triggered (Case No. 10-CMP-00548) to be served on February 21, 2012, 6-1 (Jones).

Board's Calendar
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Show Cause (Status)

9:30 AM

Case # 11-CMP-00257
Café Japone Limited Partnership t/a Café Japone
2032 P Street NW
License #10581
Retailer CR
ANC 2B

Failed to Maintain Books and Records, Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$4,000 to be paid within 60 days; 1 day triggered (Case No. 10-CMP-00486) to be served on February 26, 2012, 6-1 (Jones).

Show Cause (Status)

9:30 AM

Case # 11-CMP-00365
MG Liquors, Inc., t/a Barrell House Liquors
1341 14th Street NW
License #23984
Retailer A
ANC 2F

No ABC Manager on Duty, Operating After Hours

Disposition: The Board accepted an Offer in Compromise: \$2,000 payable on February 15, 2012, 7-0.

Show Cause (Status)

9:30 AM

Case # 11-CMP-00325
Acqua 2 Limited Partnership I, t/a Acqua A1 2
212 7th Street SE
License #80056
Retailer CR
ANC 6B

Substantial Change (Change to the Exterior), Failed to Obtain a Sidewalk Café Endorsement

The Board accepted an Offer in Compromise: \$1,000 to be paid in 30 days; Dismissal of Charge I, 7-0.

Fact Finding Hearing

9:30 AM

Manager's Application

Ronnie Wilson

Disposition: Approved for 6 months, 4-3 (Alberti, Jones, Brooks).

Show Cause Hearing

10:00 AM

Case # 11-251-00174

Venus Indo Services, Inc., t/a Pan Mar Liquors

1926 I Street NW

License #60242

Retailer A

ANC 2B

Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking Age

(Continued to April 11, 2012 at 4:30 pm)

Disposition: The Board granted Licensee's Motion for Continuance and this matter is continued until April 11, 2012 at 4:30 pm, 7-0.

Show Cause Hearing

11:00 AM

Case # 11-CMP-00275

Daisuke Utagawa t/a Sushi-ko

2309 Wisconsin Ave NW

License #12457

Retailer CR

ANC 3B

Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$750 to be paid within 14 days, 7-0.

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Show Cause Hearing

1:30 PM

Case # 11-CMP-00141

Sierra Catering
1354 Leegate Road NW
License #86514
Retailer G
ANC 4A

Temporary License Application, Event held at The Historical Society of Washington, D.C., on March 26, 2011

Disposition: The Licensee failed to appear and the government proceeded ex parte. The Board held a Closed Meeting under the Open Meetings Act and will issue an order within 90 days, 7-0.

Fact Finding Hearing

2:30 PM

Case # 11-CMP-00493
Washington 009, LLC t/a McFadden's
2401 Pennsylvania Ave NW
License #60591
Retailer CR
ANC 2A

Violation of Voluntary Agreement

Disposition: No Further Action, 7-0.

Fact Finding Hearing

3:00 PM

Case # 11-CMP-00476
Pennsylvania Rail Inc., t/a Remington's
639 Pennsylvania Ave SE
License #9238
Retailer CN
ANC 6B

Assault Inside of the Establishment, Transferred Security Responsibilities to a Third Party, Substantial Change (Expansion)

Disposition: The Board will keep this matter open for 90 days in order to resolve occupancy issues, 7-0.

Fact Finding Hearing

4:00 PM

Case # 11-251-00310

Kimberly, Inc., t/a Mr. Smith's
3104 M Street NW
License #864
Retailer CR
ANC 2E

Assault Inside of the Establishment

Disposition: No Further Action, 7-0.

Fact Finding Hearing

4:30 PM

Case # 11-251-00333

Love Des, LLC, t/a Love
1350 Okie Street NE
License #84726
Retailer CN
ANC 5B

Sale to Minor

Disposition: No Further Action, 7-0.

Show Cause Hearing

5:00 PM

Case # 11-CMP-00354

Mimi & D, LLC, t/a Mood
1318 9th Street NW
License #86037
Retailer CT
ANC 2F

Violation of Voluntary Agreement (Noise)
(Continued to March 14, 2012 at 10:00 am)

Disposition: The Board rescheduled this matter for March 14, 2012 at 10:00 am.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, FEBRUARY 15, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review Manager's Application for Anthony Deleo.**
Decision: Approved, 6-0.

2. Review of Manager's Application for Herby M. Leiva.**
Decision: Approved, 6-0.

3. Review of Change of Hours Application to change Hours of Operation, Hours of Alcoholic Beverage Sales/Consumption, and Hours of Entertainment. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales/Consumption:*** Sunday 5:30pm-12am, Monday through Tuesday 5:30pm-1am, Wednesday and Thursday 5:30pm-1:30am, Friday and Saturday 5:30pm-2:45am. ***Current Hours of Entertainment:*** Sunday 9pm-12am, Monday through Tuesday 8pm-1am, Wednesday 8:30pm-11:30pm, Thursday 10pm-1am, Friday and Saturday 11pm-2am. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Consumption:*** Sunday 11am-12am, Monday through Tuesday 11am-1am, Wednesday through Thursday 11am-1:30am, and Friday & Saturday 11am-2:45am. ***Current Hours of Entertainment:*** Sunday 6pm-12am, Monday through Tuesday 6pm-1am, Wednesday through Thursday 6pm-1:30am, Friday and Saturday 6pm-2:45am. No pending violations. No outstanding citations/fines. No conflict with Voluntary Agreement. ANC 1C. ***Instant Noodles/Sutra Lounge***, 2406 18th Street NW Retailer CR, Lic.#: 82430.*
Decision: Approved, 6-0.

4. Review of Entertainment Endorsement Application to include entertainment. ***Current Hours of Operation and Hours of Alcoholic Beverage Service/Consumption:*** Sunday through Thursday 11am-2am, Friday and Saturday 11am-3am. ***Proposed Hours of Entertainment:*** Sunday through Thursday 6pm-2am, Friday and Saturday 6pm-3am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2F. ***Lincoln***, 1110 Vermont Avenue NW Retailer CR, Lic.#: 86125.*
Decision: Approved, 6-0.

5. Review of Change of Hours Application to change Hours of Entertainment. ***Current Hours of Entertainment:*** Monday through Sunday 6pm-12am. ***Proposed Hours of Entertainment:*** Sunday through Thursday 6pm-2am, Friday and Saturday 6pm-3am. Pending investigative matter. No outstanding citations/fines. No voluntary agreement. ANC 2A. ***Hudson***, 2030 M Street NW Retailer CR, Lic.#: 77128.*
Decision: Approved, 6-0.

6. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales:*** Monday through Saturday 10am-10pm. ***Proposed Hours of Operation:*** Monday through Saturday 10am-12am. No pending violations. No outstanding citations/fines. No conflict with Amendment to Voluntary Agreement. ANC 2B. ***1 West Dupont Circle Wines***, 2012 P Street NW Retailer A, Lic.#: 74429.*
Decision: Approved, 6-0.
7. Review of email, dated February 6, 2012, from Sanjeev Preet requesting a continuance for DC Star's Show Cause Status Hearing and the Show Cause Hearing due to Mr. Preet leaving the country. The Government does not oppose the request for continuance. ***DC Star***, 2135 Queens Chapel Road NE Retailer CN, Lic.#: 78881.*
Decision: Approved, 6-0.
8. Review of letter, dated January 31, 2012, from Martin Hutt stating that Slaviya is in violation of DC Code, the Voluntary Agreement, and Board Order 2008-195. ***Slaviya***, 2424 18th Street NW Retailer CR, Lic.#: 83910.*
Decision: Refer to Enforcement for Investigation, 6-0.
9. Review of email, dated February 3, 2012, from Stephen O'Brien requesting a cancellation or continuance of McFadden's Fact Finding Hearing. The hearing is currently scheduled for February 15, 2012. ***McFadden's***, 2401 Pennsylvania Avenue NW Retailer CR, Lic.#: 60591.*
Decision: Denied; Fact Finding Hearing held on February 15, 2012, 6-0.
10. Review of Voluntary Agreement, dated January 25, 2012, between Miriam's Cafeteria and the Shepherd Street Block Association. ***Miriam's Cafeteria***, 3931 14th Street NW Retailer CR, Lic.#: 75536.*
Decision: Refer to Legal to clarify parties in the Voluntary Agreement, 6-0.
11. Review of Voluntary Agreement, dated January 1, 2012, between Hikari Sushi and Sake Bar and ANC 6C. ***Hikari Sushi and Sake Bar***, 644 H Street NE Retailer CR, Lic.#: 88224.*
Decision: Approved with modifications to Sections 3 and 8, 6-0.
12. Review of Voluntary Agreement, dated January 30, 2012, between Po Boys Kitchen and ANC 6C. ***Po Boys Kitchen***, 709 H Street NE Retailer CR, Lic.#: 87903.*
Decision: Approved, 6-0.

13. Review of Voluntary Agreement, dated February 1, 2012, between Parc Deux Restuarant Partners, LLC and ANC 2F. *Parc Deux Restaurant Partners, LLC*, 1601 14th Street NW Retailer CR, Lic.#: 88243.*

Decision: Approved with modifications to Sections 3, 5, 11 and 12, 6-0.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations. The Board's vote will be held in an open session, and the public is permitted to attend.**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
SUPPLEMENTAL AGENDA

WEDNESDAY, FEBRUARY 15, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of request from Licensee for approval of a Stipulated License and letter of support from ANC 2C. *Zuppa Fresca*, 250 K Street NE Retailer CR, Lic.#: 88809.*
Decision: Approved, 6-0.
2. Review of request from Licensee for approval of a Stipulated License and letter of support from ANC 2B. *Art Jamz*, 1742 Connecticut Avenue NE Retailer DX, Lic.#: 88814.*
Decision: Approved, 6-0.
3. Review of email, dated February 13, 2012, from Iraklis Karabassis requesting that the Protest Hearing for M Café be postponed. The Protest Hearing is currently scheduled for February 22, 2012. *M Café*, 3236 Prospect Street NW Retailer CR, Lic.#: 87240.*
Decision: Approved, 6-0.
4. Review of Applicant's Motion for Continuance of Show Cause Hearing, dated February 13, 2012, from Andrew Kline. *George*, 3251 Prospect Street NW Retailer CR, Lic.#: 78058.*
Decision: Approved, 6-0.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, FEBRUARY 15, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On FEBRUARY 15, 2012 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#12-CMP-00025 Ibiza, 1222 1ST ST NE Retailer C Nightclub, License#: ABRA-074456
Decision: Refer Back to Enforcement.
2. Case#11-251-00378 Ibiza, 1222 1ST ST NE Retailer C Nightclub, License#: ABRA-074456
Decision: No Further Action.
3. Case#12-CMP-00055 CB Twelve Twelve, 1212 U ST NW Retailer C Restaurant, License#: ABRA-077546
Decision: Staff Settlement and Show Cause (Voluntary Agreement Violation).
4. Case#12-CMP-00049 CB Twelve Twelve, 1212 U ST NW Retailer C Restaurant, License#: ABRA-077546
Decision: Postponed until February 22, 2012.
5. Case#12-CMP-00013 Sala Thai, 1301 U ST NW A Retailer C Restaurant, License#: ABRA-071866
Decision: Staff Settlement.
6. Case#11-251-00385 Josephine, 1010 Vermont AVE NW Retailer C Tavern, License#: ABRA-076906
Decision: No Further Action.
7. Case#12-CMP-00007 Darlington House: Cantina/Kitchen/Library, 1610 20TH ST NW Retailer C Restaurant, License#: ABRA-078028
Decision: Staff Settlement.

8. Case#12-CMP-00005 Washington Plaza Hotel, 10 THOMAS CIR NW Retailer C Hotel, License#: ABRA-024625
Decision: Staff Settlement.
9. Case#12-CMP-00008 Crowne Plaza, 1001 14TH ST NW Retailer C Hotel, License#: ABRA-025161
Decision: Show Cause.
10. Case#12-251-00002 Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#: ABRA-060626
Decision: No Further Action.
11. Case#12-CMP-00014 Marrakesh Palace Pasha Lounge, 2147 P ST NW Retailer C Tavern, License#: ABRA-060695
Decision: Show Cause.
12. Case#12-CMP-00012 Legal Sea Foods, 702 - 708 7th ST NW Retailer C Restaurant, License#: ABRA-060194
Decision: Staff Settlement.
13. Case#12-CMP-00011 The Cheesecake Factory, 5345 WISCONSIN AVE NW Retailer C Restaurant, License#:ABRA-014760
Decision: Staff Settlement.
14. Case#12-CMP-00001 Wok and Roll, 604 H ST NW Retailer C Restaurant, License#: ABRA-060447
Decision: Staff Settlement.
15. Case#12-CC-00015 The Bottom Line, 1716 I ST NW A Retailer C Tavern, License#: ABRA-000755
Decision: Postponed until February 22, 2012.
16. Case#11-251-00412 The Fireplace, 2161 P ST NW Retailer C Tavern, License#: ABRA-014419
Decision: No Further Action.
17. Case#12-CC-00005 Casa Lebrato, 1733 COLUMBIA RD NW Retailer B Retail - Grocery, License#: ABRA-080584
Decision: Staff Settlement.
18. Case#12-CC-00014 Weltman's Liquors, 3938 MINNESOTA AVE NE Retailer A Retail - Liquor Store, License#:ABRA-082076
Decision: Postponed until February 22, 2012.

19. Case#11-251-00358 W Washington DC, 515 15TH ST NW Retailer C Hotel, License#: ABRA-075952

Decision: No Further Action.

20. Case#11-CMP-00508 Park Market, 3400 13TH ST NW Retailer B Retail - Grocery, License#: ABRA-082459

Decision: No Further Action.

21. Case#12-CC-00016 Capitol Fine Wine & Spirits, 415 H ST NE Retailer A Retail - Liquor Store, License#:ABRA-082981

Decision: Postponed until February 22, 2012.

22. Case#12-CC-00008 1618 Variety Market, 1618 8th ST NW Retailer B Retail - Grocery, License#: ABRA-084582

Decision: Sale to Minor Warning Letter and Staff Settlement (No ABC Manager on Duty).

23. Case#12-CMP-00003 Daikaya, 706 6TH ST NW Retailer C Restaurant, License#: ABRA-088296

Decision: No Further Action.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
LICENSE CANCELLATION**

**WEDNESDAY, FEBRUARY 15, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board is requested to approve the following license cancellations for the reasons outlined below.

ABRA – 074352 – **Market to Market** – A – 740 5th Street, NW. [Request for cancellation received.]

Decision: Cancelled, 6-0.

ABRA – 081522 – **Annie & Teddy's Po Boys** – CR – 1400 Pennsylvania Avenue, SE. [Request for cancellation received.]

Decision: Cancelled, 6-0.