

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

**NOTICE OF PUBLIC HEARINGS  
CALENDAR**

**WEDNESDAY, JULY 24, 2013  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S,  
WASHINGTON, D.C. 20009**

**Ruthanne Miller, Chairperson**

**Members:**

**Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 13-PRO-00092**

Busboys of Takoma, LLC, t/a Busboys & Poets

235 Carroll Street NW

License #92008

Retailer CR

ANC 4B

**New Application**

**Disposition: The Board cancelled the Protest Hearing due to the dismissal of the Protest pursuant to Board Order No. 2013-353.**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 13-PRO-00081**

The Historic Georgetown Club, Inc., t/a Georgetown Club at Suter

1530 Wisconsin Ave NW

License #779

Retailer CX

ANC 2E

**Renewal Application**

**Disposition: The Board cancelled the Protest Hearing due to the withdrawal of the Protest on July 23, 2013.**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 13-PRO-00088**

Dos Ventures, LLC, t/a Riverfront at the Ballpark  
25 Potomac Ave SE  
License #92040  
Retailer CT  
ANC 6D  
**New Application**

**Disposition: The Board scheduled the matter for a Protest Hearing on August 14, 2013 at 1:30 pm.**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 13-PRO-00058**

Matchbox Capitol Hill, LLC, t/a Matchbox  
521 8th Street SE  
License #79276  
Retailer CR  
ANC 6B  
**Renewal Application**

**Disposition: The Board scheduled the matter for a Protest Hearing on September 25, 2013 at 1:30 pm.**

**Protest Hearing (Status)**

**Case # 13-PRO-00077**

**9:30 AM**

Sami Restaurant, LLC, t/a Bistro 18

2420 18th Street NW

License #86876

Retailer CR

ANC 1C

**Renewal Application**

**Disposition: The Board scheduled the matter for a Protest Hearing on October 2, 2013 at 1:30 pm.**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 13-PRO-00051**

TBM Holdings, LLC, t/a TruOrleans

400 H Street NE

License #86210

Retailer CR

ANC 6C

**Renewal Application**

**Disposition: The Board scheduled the matter for a Protest Hearing on September 18, 2013 at 4:30 pm.**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 13-PRO-00067**

RS of Washington DC, LLC, t/a Zengo

781 7th Street NW

License #73795

Retailer CR

ANC 2C

**Renewal Application**

**Disposition: The Board continued the Protest Hearing to August 7, 2013 at 9:30 am at the request of the Parties.**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 13-PRO-00027**

2100, LLC, t/a Diego

2100 14th Street NW

License #85469

Retailer CR

ANC 1B

**Renewal Application**

**The Board scheduled the matter for a Protest Hearing on October 2, 2013 at 1:30 pm.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 13-251-00009**

PTC, Inc., t/a Roadside Café  
2101 Benning Road NE  
License #88358  
Retailer Caterer  
ANC 7D

**Sold, Delivered and Served Alcoholic Beverages for Consumption at a Catered Event, No ABC Manager on Duty, Failed to Take Steps Necessary to Ascertain Legal Drinking Age, Stored Alcoholic Beverages in the District of Columbia Without Boards Approval, Failed to File Semiannual Caterer's Report, Substantial Change without Board's Approval, Failed to Keep and Maintain Records for Inspection, Removed Unsealed Containers of Alcoholic Beverages from the Premises.**

**The Board scheduled the matter for a Show Cause Hearing on August 14, 2013 at 10:00 am.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 13-CMP-00177**

MYRB Corporation, t/a Geranium Market  
7350 Georgia Ave NW  
License #60723  
Retailer B  
ANC 4A

**Sold Go-Cups**

**Disposition: The Board accepted an Offer in Compromise: \$350 to be paid within 30 days, 5-0.**

Board's Calendar

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**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 13-CMP-00126**

Chez Aunty Libe, LLC, t/a Chez Aunty Libe Restaurant

6115 Georgia Ave NW

License #89030

Retailer DR

ANC 4B

**Failed to File Quarterly Statements (4th Quarter 2012)**

**Disposition: The Board cancelled the hearing due to the cancellation of the Repondent's license on May 15, 2013.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 13-CMP-00006**

Sula, LLC, t/a Masa 14

1825 14th Street NW

License #81469

Retailer CR

ANC 1B

**Failed to File Quarterly Statements (3rd Quarter 2012)**

**Disposition: The Board accepted payment of citation #7415 in the amount of \$250, 5-0.**

**Show Cause Hearing**

**10:00 AM**

**Case # 13-AUD-00002**

Sisy's Salvadoran and Mexican Restaurant, Inc., t/a Sisy's

3911 14th Street NW

License #76125

Retailer CR

ANC 4C

**Failed to Maintain Books and Records**

**Disposition: The Board accepted an Offer in Compromise: \$1,250 to be paid within 60 days, 4-0.**

**Show Cause Hearing**

**11:00 AM**

**Case # 13-CMP-00012**

Bee Hive, LLC, t/a Sticky Rice  
1224 H Street NE  
License #72783  
Retailer CR  
ANC 6A

**Failed to Allow an ABRA Investigator to Enter or Inspect Without Delay or Otherwise Interfered with an Investigation**

**Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days.**

**BOARD RECESS AT 12:00 PM**

**ADMINISTRATIVE AGENDA  
1:00 PM**

**Show Cause Hearing**

**1:30 PM**

**Case # 12-CMP-00634**

Biergarten Haus, Inc., t/a Biergarten Haus, Inc.  
1355 H Street NE  
License #83695  
Retailer CT  
ANC 6A

**Permitted Patrons to Take Alcoholic Beverages off the Premises**

**Disposition: The Board accepted an Offer in Compromise: Warning, 3-2 (Alberti and Jones).**

**Protest Hearing**

**2:30 PM**

**Case # 13-PRO-00063**

SST Management, LLC, t/a Bin 1301 Wine Bar  
1301 U Street NW

License #91682

Retailer CT

ANC 1B

**New Application**

**Disposition: This hearing was cancelled. The parties have submitted an executed Settlement Agreement for the Boards review and approval.**

**Fact Finding Hearing\***

**3:30 PM**

Temporary License Application

Applicant: Angelo H. Soares, on behalf of Food Truck Association of Metropolitan Washington

Neighborhood: 1100 Alabama Ave SE

**Date of Event: July 27, 2013**

**Size of Event: 5,000 attendees**

**Disposition: The Board cancelled the Fact Finding Hearing. The Application was withdrawn on July 24, 2013.**

**Fact Finding Hearing\***

**4:00 PM**

Temporary License Application

Applicant: Daniel E. Kirner, on behalf of Drink the District, LLC

Neighborhood: 500 New York Ave NW

**Date of Events: July 27-28, 2013**

**Size of Event: 3,750 attendees**

**Disposition: The Board approved the Application, 5-0.**

**Fact Finding Hearing\***

**4:30 PM**

Notta Bike or Bar, LLC, t/a Meridian Pint  
3400 11<sup>th</sup> Street NW  
License #80606  
Retailer CT  
ANC 1A

**One Day Substantial Change Application**

**Date of Event: July 27 2013**

**Size of Event: 5,000 attendees**

**Disposition: The Board approved the Application, 5-0.**

*\*The public hearings listed above were not published in the D.C. Register.*

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
AGENDA

WEDNESDAY, JULY 24, 2013 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of requests dated July 9, 2013, July 10, 2013 and July 15, 2013 from E& J Gallo Winery for approval to provide retailers with products valued at more than \$50 and less than \$500.  
**Decision: Approved, 4-0-0.**
2. Review of New Caterer's License Application. *Aramark Educational Services at American University*, 3500 Massachusetts Avenue NW Caterer, Lic.#: 92633. *Continued from the July 10, 2013 Supplemental Agenda.*  
**Decision: FYI**
3. Review of letter, dated July 2, 2013, from a group of residents requesting that the Board deny Aramark Educational Services at American University's catering application. *Aramark Educational Services at American University*, 3500 Massachusetts Avenue NW Caterer, Lic.#: 92633. *Continued from the July 10, 2013 Supplemental Agenda.*  
**Decision: FYI**
4. Review of letter, dated July 5, 2013, from Elwyn Ferris regarding the lack of notification for the Settlement Agreement Termination application for Policy from both the Licensee and ABRA. Mr. Ferris is also requesting permission to reinstate his request for the Board to deny the Licensee's application. **Policy**, 1904 14th Street NW Retailer CR03, Lic.#: 76804.  
*Continued from the July 10, 2013 Supplemental Agenda.*  
**Decision: FYI**
5. Review of letter, dated July 5, 2013, from Tanya Barbour regarding the lack of notification for the Settlement Agreement Termination application for Policy from both the Licensee and ABRA. Ms. Barbour is also requesting permission to reinstate his request for the Board to deny the Licensee's application. **Policy**, 1904 14th Street NW Retailer CR03, Lic.#: 76804.  
*Continued from the July 10, 2013 Supplemental Agenda.*  
**Decision: FYI**
6. Review of letter, dated July 1, 2013, from Ramon Estrada regarding the lack of notification for the Settlement Agreement Termination application for Policy from both the Licensee and ABRA. Mr. Estrada is also requesting permission to reinstate his request for the Board to deny the Licensee's application. **Policy**, 1904 14th Street NW Retailer CR03, Lic.#: 76804.  
*Continued from the July 10, 2013 Supplemental Agenda.*  
**Decision: FYI**

7. Review of Settlement Agreement, dated July 10, 2013, between Ruby Tuesday #5320 and ANC 1A. **Ruby Tuesday #5320**, 3365 14th Street NW Retailer CR02, Lic.#: 75456.\*  
**Decision: Approved with modifications, 5-0-0.**
8. Review of Settlement Agreement, dated July 8, 2013, between Agua 301 and ANC 6D. **Agua 301**, 301 Water Street SE Retailer CR02, Lic.#: 92094.\*  
**Decision: Approved with modifications, 5-0-0.**
9. Review of Settlement Agreement, dated June 19, 2013, between Sonoma and ANC 6B. **Sonoma**, 223 Pennsylvania Avenue SE Retailer CR02, Lic.#: 72017.\*  
**Decision: Approved, 5-0-0.**
10. Review of Change of Hours Application to Add Sunday and increase Hours of Operation and Alcoholic beverage Sales/Service. **Hours of Operation and Hours of Alcoholic beverage Sales/Service:** Sunday 11 am – 7pm, Monday through Saturday 10 am – 10 pm. No pending citation. No investigation matters. No conflict with Settlement Agreement. ANC 6B. **Capitol Hill Wine and Spirits**, 323 Pennsylvania Ave, SE, Retailer A, Lic# 81749.  
**Decision: Approved, 5-0-0.**
11. Review of Change of Hours Application to Add Sunday. **Hours of Operation and Hours of Alcoholic beverage Sales/Service:** Sunday through Saturday 9 am – 10 pm. No pending citation. No investigation matters. No Settlement Agreement. ANC 7D. **Benning Liquors**, 3445 Benning Rd. NE, Retailer A, Lic# 78782.  
**Decision: Approved, 5-0-0.**
12. Review of Change of Hours Application for Inside premise and outside Sidewalk Café. **Hours of Operation for inside Premise:** Sunday 11 am – 2 am, Monday through Thursday 5 pm – 2 am and Friday 5 pm – 4 am and Saturday 11:30 am – 4 am. **Hours of Hours of Alcoholic beverage Sales/Service inside Premise:** Sunday 11 am – 2 am, Monday through Thursday 5 pm – 2 am and Friday 5 pm – 3 am and Saturday 11:30 am – 3 am. **Hours of Operation and Hours of Alcoholic beverage Sales/Service for outside Sidewalk Café:** Sunday 11 am – 2 am, Monday through Thursday 5 pm – 2 am and Friday 5 pm – 3 am and Saturday 11 am – 3 am. No pending citation. No investigation matters. No conflict with Settlement Agreement. ANC 1C. **Duplex Diner**, 2004 18<sup>th</sup> St. NW, Retailer CR01, Lic# 88303.  
**Decision: Postponed until July 31, 2013.**

13. Review of Entertainment Endorsement Application. ***Proposed Entertainment Hours:*** Sunday through Thursday 6 pm – 2 am and Friday & Saturday 6 pm – 3 am. No pending citation. No investigation matters. No conflict with Settlement Agreement. ANC 1C. ***Duplex Diner***, 2004 18<sup>th</sup> St. NW, Retailer CR01, Lic# 88303.  
***Decision: Postponed until July 31, 2013.***
14. Review of Summer Garden Application for 16 seats. ***Proposed Hours of Operation and Hours of Alcoholic beverage Sales/Service:*** Sunday through Saturday 10 am – 12 am. No pending citation. No investigation matters. There is a conflict with Settlement Agreement. ANC 6B. (405.1) ***Rose Luxury***, 717 8<sup>th</sup> St. SE, Retailer CR01, Lic#: 90884.  
***Decision: Placard, 5-0-0.***
15. Review of letter, 6/14/13, requesting to expand to the 3<sup>rd</sup> floor and increase the occupancy to 149. ***Current Hours of Operation and Hours of Alcoholic beverage Sales/Service:*** Sunday through Thursday 10 am – 2 am, and Friday & Saturday 10 am – 3 am. No pending citation. No investigation matters. No conflict with Settlement Agreement. ANC 1B. ***Black Cat***, 1811 14<sup>th</sup> St. NW, Retailer CX, Lic#: 60476.  
***Decision: Placard, 5-0-0.***
16. Review of letter, 5/6/13, requesting to expand the current sidewalk café to include an additional 12 seats. ***Current Hours of Operation and Hours of Alcoholic beverage Sales/Service:*** Sunday through Saturday 10:30 am – 10:30 pm. No pending citation. No investigation matters. No Settlement Agreement. ANC 2F. ***Siroc***, 915 15<sup>th</sup> St NW, Retailer CR01, Lic#: 80975.  
***Decision: Approved , 5-0-0.***
17. Review of Applications for a Retailer Class A license submitted by Savita Malhotra using 401 M, LLC which was previously used by her husband Ajay Malhotra, who is 100% stock holder and currently a licensee of 909 NJ, LLC t/a Harry's Reserve. In addition, the daughter Aisya Malhotra has recently applied for a Retailer Class A license that is pending.  
***Decision: Placard, 5-0-0.***

**\* 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  
SUPPLEMENTAL AGENDA

WEDNESDAY, JULY 24, 2013 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, NW, SUITE 400S, WASHINGTON, D.C. 20009

1. Review of letter, dated July 15, 2013, from Novella Nesbitt requesting reinstatement as Protestants for Busboys & Poets. The Protestants were dismissed at the Roll Call Hearing for failure to appear. *Busboys & Poets*, 235 Carroll Street NW Retailer CR03, Lic#: 92008.  
**Decision: Denied Reinstatement, Protest also dismissed 5-0-0. See Board Order No. 2013-353.**
2. Review of request by Al Tiramisu for a Stipulated License. This request for a Stipulated License is supported by ANC 2B in a letter dated July 22, 2013 from Will Stephens, ANC 2B Chair. *Al Tiramisu*, 2014 P Street NW, Retailer CR, Lic#: 075870.  
**Decision: Approved, 5-0-0.**
3. Review of request by Custom Fuel/Fuel Pizza for a Stipulated License. This request for a Stipulated License is supported by ANC 2B in a letter dated July 22, 2013 from Will Stephens, ANC 2B Chair. *Custom Fuel/Fuel Pizza*, 1747 Pennsylvania Avenue NW, Retailer CR, Lic# 092719.  
**Decision: Approved, 5-0-0.**
4. Review request to expand existing sidewalk café to include 12 additional seats. *Hank's Oyster Bar*, 633 Pennsylvania Avenue SE, Retailer CR, Lic#: 089718.  
**Decision: Placard, 5-0-0.**
5. Review Request for Change of Hours. Approved hours of operation- Sunday through Saturday 5am to 12am; Hours of Alcoholic Beverage Sales; Sundays 9am to 10pm; Monday through Saturday 9am to 12:00am. Proposed Hours of Operation- Sunday through Saturday 24-hours; Proposed Hours of Alcoholic Beverage Sales; Sunday through Saturday 7am to 12am. *Safeway*, 490 L Street NW, Retailer B, Lic#: 0760152.  
**Decision: Approved, 5-0-0.**
6. Review Request for Change of Hours. Approved hours of operation- Sunday through Saturday 8am to 10pm; Hours of Alcoholic Beverage Sales; Sundays 10am to 10pm; Monday through Saturday 9am to 10:00pm. Proposed Hours of Operation- Sunday through Saturday 7am to 10pm; Proposed Hours of Alcoholic Beverage Sales; Sunday through Saturday 7am to 10pm. *Whole Foods Market Group, Inc.*, 2323 Wisconsin Avenue, NW, Retailer DR, Lic#: 086069.  
**Decision: Approved, 5-0-0.**

7. Request to place license into Safekeeping. Business is closed pending sale. ***901 Restaurant and Bar***, 901 9<sup>th</sup> Street, NW, Retailer CR, Lic#: 086025.  
***Decision: Approved, Place in Safekeeping for 6 months, 5-0-0.***
  
8. Review supportive documentation for full service grocery store determination. Continuation from July 17, 2013 referral to Licensing for additional information. ***Each Peach Market***, 3068 Mount Pleasant Street NW, Retailer B, Lic.#: 92449.  
***Decision: The Board scheduled a Fact Finding for July 31, 2013, 5-0-0.***
  
9. Review of request filed by Stephen M. Lans to withdraw protest against ***Georgetown Club at Suter Tavern***, 1530 Wisconsin Avenue, NW, Retailer CX, Lic.#: 000779.  
***Decision: Approved, See Board Order No. 2013-356.***
  
10. Review of letter from Andrew Kline, on behalf of Policy in response to letters from Elwyn Ferris, Ramon Estrada, and Tanya Barbour regarding the lack of notification by the establishment regarding its Petition to Terminate the Settlement Agreement. ***Policy***, 1904 14<sup>th</sup> Street NW Retailer CR, Lic.#: 76804. *See items #4, #5 and #6 on the July 24, 2014 Agenda.*  
  
***Decision: No Action Required.***

**\*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, JULY 24, 2013  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On July 24, 2013 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#13-251-00073 Nanny O'Brien's Irish Pub, 3319 CONNECTICUT AVE NW Retailer C Tavern, License#: ABRA-076279

**Decision: No Further Action.**

2. Case#13-CC-00037 Town House Tavern Restaurant, 1637 R ST NW Retailer C Restaurant, License#: ABRA-024682

**Decision: Staff Settlement.**

3. Case#13-CC-00036 Top Spanish Cafe & Catering, 3541 GEORGIA AVE NW Retailer C Restaurant, License#: ABRA-084580

**Decision: Staff Settlement.**

4. Case#13-CMP-00272 Taste, 1812 Hamlin ST NE Retailer C Tavern, License#: ABRA-086011

**Decision: Staff Settlement.**

5. Case#13-CMP-00250 The Blaguard, 2003 18TH ST NW Retailer C Restaurant, License#: ABRA-086012

**Decision: Staff Settlement.**

6. Case#13-CMP-00223 Fuel Pizza & Wings, 1606 K ST NW Retailer C Restaurant, License#: ABRA-088452 (Previously published in the 7/12/13 DC Register)

**Decision: Re-Placard.**