

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

In the Matter of:)	
)	
Parc Deux Restaurant Partners, LLC)	
)	
Applicant for a New)	Case No. 11-PRO-00092
Retailer's Class CR License)	License No. ABRA-088243
)	Order No. 2012-011
at premises)	
1601 14 th Street, N.W.)	
Washington, D.C. 20009)	

Parc Deux Restaurant Partners, LLC (Applicant)

Vernon A. Shannon, Pastor, on behalf of John Wesley African Methodist Episcopal Zion Church

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member
Jeannette Mobley, Member

**ORDER ON DISMISSAL OF JOHN WESLEY AFRICAN METHODIST
EPISCOPAL ZION CHURCH'S PROTEST**

The Application filed by Parc Deux Restaurant Partners, LLC for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on January 3, 2011, in accordance with D.C. Official Code § 25-601 (2001).

John Wesley African Methodist Episcopal Zion Church's protest letter indicates that its property, located at 1615 14th Street, N.W., Washington, D.C, abuts the Applicant's establishment. However, according to the District of Columbia Geographic Information System (GIS), John Wesley African Methodist Episcopal Zion Church does not abut the Applicant's property. Yet, a neighbor of the church provided a photograph showing that the properties do abut. In addition, the applicant's attorney visited the site and agrees that the properties appear to abut.

Even if the properties do abut, this does not change the basis of the dismissal, because the protest letter failed to state a claim under the appropriateness requirements set out in the 23 DCMR § 400.

On January 3, 2011, pursuant to Title 23 of the District of Columbia Municipal Regulations (23 DCMR) § 1602.3 (2004), the Board dismissed the Protest of John Wesley African Methodist Episcopal Zion Church for following reasons:

1. According to GIS, its property does not abut the Applicant's establishment under D.C. Official Code § 25-601(1);
2. Failed to state a claim under the appropriateness requirements set out in the 23 DCMR § 400; and
3. Failed to meet the standing requirements under D.C. Official Code § 25-601, because churches do not have standing.

John Wesley African Methodist Episcopal Zion Church may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.

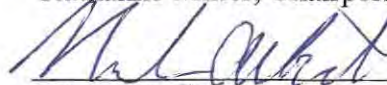
ORDER

The Board does hereby, this 11th day of January, 2012, **DISMISS** the Protest of John Wesley African Methodist Episcopal Zion Church. Copies of this Order shall be sent to the Applicant and John Wesley African Methodist Episcopal Zion Church.

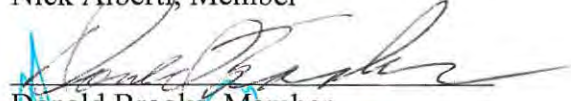
District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



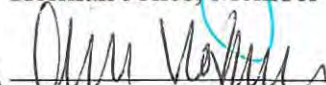
Nick Alberti, Member



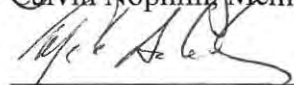
Donald Brooks, Member



Herman Jones, Member



Calvin Nophlin, Member



Mike Silverstein, Member

Jeannette Mobley, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.