

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

A.B.R.A. Agenda

Agenda
Hearing

April 9, 2014

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 Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

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

(9:17 p.m.)

CHAIRPERSON MILLER: All right.

We're back on the record to do the agenda for April 9, 2014. We are going to start with the Licensing Agenda.

No. 1 on the Licensing Agenda is a request for an extension of the license in safekeeping by D&M, LLC located at 1305 5th Street, N.E., License No. 092694.

I move that we grant this request for a period of six months. Do I have a second?

MEMBER RODRIGUEZ: Second.

CHAIRPERSON MILLER: Mr. Rodriguez seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON MILLER: All those opposed? All those abstaining? The motion passes 5-0-0.

Second is also a request for an

1 extension of a license in safekeeping from
2 Attorney Lyle Blanchard for George Washington
3 University and the George Washington
4 University Club located at 2102 18th Street,
5 N.W., License No. 026668 and 060219.

6 I move that we grant this request
7 for a period of six months. Do I have a
8 second?

9 MEMBER BROOKS: Second.

10 CHAIRPERSON MILLER: Mr. Brooks
11 has seconded the motion.

12 All those in favor say aye.

13 ALL: Aye.

14 CHAIRPERSON MILLER: All those
15 opposed? All those abstaining? The motion
16 passes 5-0-0.

17 No. 3 is an application for a
18 change of hours of alcoholic beverage sales,
19 delivery and tasting permit hours by
20 Hellbender Brewing Company located at 5788 2nd
21 Street, N.E., License No. 093500.

22 I move that we approve this

1 request. Do I have a second?

2 MEMBER BROOKS: Second.

3 CHAIRPERSON MILLER: Mr. Brooks
4 has seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON MILLER: All those
8 opposed? All those abstaining? The motion
9 passes 5-0-0.

10 We now move to the Supplemental
11 Licensing Agenda.

12 The first item on the Supplemental
13 Licensing Agenda is a request for a stipulated
14 license that the ANC supports. We have the
15 ANC Letter of Support for G Street Food
16 located at 1030 15th Street, N.W., License No.
17 094010.

18 I move that we approve this
19 request. Do I have a second?

20 MEMBER BROOKS: Second.

21 CHAIRPERSON MILLER: Mr. Brooks
22 has seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON MILLER: All those
4 opposed? All those abstaining? The motion
5 passes 5-0-0.

6 No. 2 is another request for a
7 stipulated license that has an ANC Letter of
8 Support. It is Cambria Suites Washington City
9 Market located at 899 O Street, N.W., in ANC-
10 6E. And the License No. is 094523.

11 I move that we approve this
12 request. Do I have a second?

13 MEMBER BROOKS: Second.

14 CHAIRPERSON MILLER: Mr. Brooks
15 has seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed? All those abstaining? The motion
20 passes 5-0-0.

21 Okay. That takes care of the
22 Licensing Agenda. Then we move to the Legal

1 Agenda.

2 No. 1 on the Legal Agenda is a
3 Motion to Re-Open a Protest Period dated March
4 28, 2014 from Roderic Woodson, counsel for
5 Celia Limited Partnership, LLC. The
6 establishment is DC Eagle located at 3701
7 Benning Road, N.E., License No. 93984.

8 I move that we postpone
9 consideration of this motion until tomorrow.

10 Do I have a second?

11 MEMBER RODRIGUEZ: Second.

12 CHAIRPERSON MILLER: Mr. Rodriguez
13 has seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON MILLER: All those
17 opposed? All those abstaining? The motion
18 passes 5-0-0.

19 No. 2 is a Public Safety Warning
20 Notice dated March 20, 2014 from Cathy Lanier,
21 Chief of Police, with respect to Lotus Lounge
22 located at 1420 K Street, N.W., License No.

1 75162.

2 And this is a warning notice, it's
3 an FYI, just for our information.

4 Okay. No. 3, 4 and 5 all involve
5 Macon, which is located at 5520 Connecticut
6 Avenue, N.W., License No. 93939.

7 No. 3 is a letter dated March 29,
8 2014 from Gary Thomas, ANC-3/4G.

9 No. 4 is a response to that letter
10 from Gary Thomas dated March 31, 2014 from
11 Mara Verheyden-Hilliard, who is the
12 representative for protestants.

13 And these two letters are related
14 to a settlement agreement, which is before us
15 in No. 5 dated March 24, 2014 between ANC-3/4G
16 and Macon DC, LLC. I think I said this, but
17 if I didn't, it's located at 5520 Connecticut
18 Avenue, N.W.

19 Okay. So the action that is
20 required from is us, number one, a review of
21 the settlement agreement and then if we
22 approve the settlement agreement, these

1 letters go to whether or not the protestants
2 should be dismissed by the Board as a matter
3 of law.

4 So I would move that we, No. 5,
5 approve the settlement agreement and then that
6 the protestants be dismissed as a matter of
7 law. Do I have a second?

8 MEMBER ALBERTI: Second.

9 CHAIRPERSON MILLER: Mr. Alberti
10 has seconded the motion. Any comments? Okay.

11 Then all those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON MILLER: All those
14 opposed? All those abstaining? The motion
15 passes 6-0-0. And I will say that the written
16 order will be addressing the arguments or
17 concerns that were set forth in the letters in
18 3 and 4.

19 No. 6 is a settlement agreement
20 dated March 4, 2014 between ANC-5C and Taste
21 International, Inc. Taste is located at 1812
22 Hamlin Street, N.E., License No. 86011.

1 I move that we approve with
2 modification to Paragraph No. 6 which deals
3 with a Show Cause. Do I have a second?

4 MEMBER SHORT: Second.

5 CHAIRPERSON MILLER: Mr. Short has
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed? All those abstaining? The motion
11 passes 6-0-0.

12 No. 7 are five requests from E & J
13 Gallo to provide retailers with products
14 valued at more than \$50 and less than \$500.

15 I move that we approve these
16 requests. Do I have a second?

17 MEMBER ALBERTI: Second.

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

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON MILLER: All those

1 opposed? All those abstaining? The motion
2 passes 6-0-0.

3 Finally, we have a Supplemental
4 Legal Agenda.

5 The first on that is a Motion for
6 a Continuance dated April 8, 2014 from Sarah
7 Peck representing the Group of Five or More
8 and Dirty Martini located at 1223 Connecticut
9 Avenue, N.W., License No. 72087.

10 I move that we deny this motion
11 for continuance.

12 And wait, I also want to say that
13 No. 2 was a response, an objection to that
14 Motion for Continuance from Manny Mpras,
15 counsel for applicant, Dirty Martini, located
16 at 1223 Connecticut Avenue, N.W.

17 So in the memo to deny the Motion
18 for Continuance in our consideration, we have
19 considered and No. 2, the opposition. So --

20 MEMBER ALBERTI: I second the
21 motion.

22 CHAIRPERSON MILLER: Mr. Alberti

1 seconded the motion to deny Motion for
2 Continuance.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed? All those abstaining? The motion
7 passes 6-0-0.

8 Okay. No. 2, no action is
9 required because it was just in consideration
10 with No. 1.

11 No. 3 is a response to the
12 applicant's Motion to Dismiss dated April 1,
13 2014 from Guangsha Wang, protestant, in Chi
14 Cha Lounge located at 1624 U Street, N.W.,
15 License No. 26519.

16 I move that we consider this
17 Motion to Dismiss in connection with our
18 consideration of the case that we have heard
19 involving Chi Cha Lounge, in which this motion
20 was made. Do I have a second then to consider
21 it in connection with the case, not rule on it
22 at this time?

1 MEMBER ALBERTI: Second.

2 CHAIRPERSON MILLER: Okay. Mr.
3 Alberti has seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON MILLER: All those
7 opposed? All those abstaining? The motion
8 passes 6-0-0.

9 No. 4 is a Motion to Dismiss the
10 License Application dated April 7, 2014 from
11 Chairman Brian Flahaven of ANC-6B. The
12 establishment is Tortilla Coast located at 400
13 1st Street, S.E., License No. 85922.

14 And in connection with that motion
15 is a response from Rachel Dick, the applicant,
16 of Tortilla Coast.

17 So I move that we deny. Well, we
18 actually did deny the Motion to Dismiss at the
19 hearing. So we can vote on that again here
20 though.

21 So I move to deny the Motion to
22 Dismiss. Do I have a second?

1 MEMBER BROOKS: Second.

2 CHAIRPERSON MILLER: Mr. Brooks
3 has seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON MILLER: All those
7 opposed? All those abstaining? The motion
8 passes 6-0-0.

9 Okay. No. 5, no action is
10 required. It was in response to No. 4.

11 And No. 6 is a request for renewal
12 application reinstatement from Karl Graham,
13 who is the owner of Halftime Sports Bar
14 located at 1427 H Street, N.E., License No.
15 94107.

16 I move that we grant
17 reinstatement. Do I have a second?

18 MEMBER BROOKS: Second.

19 CHAIRPERSON MILLER: Mr. Brooks
20 has seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

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CHAIRPERSON MILLER: All those
opposed? All those abstaining? The motion
passes 6-0-0. And a written order will follow
No. 2014-123.

That's it. Okay. So that
concludes our agendas for April 9, 2014. And
we are adjourned.

(Whereupon, the A.B.R.A. Agenda in
the above-entitled matter was concluded at
9:28 p.m.)

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