

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, JANUARY 16, 2013
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

**Ruthanne Miller, Chairperson
Members:**

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00155, #12-CMP-00155(a), # 12-CMP-00155(b)

1900 M Street Restaurant Associates, LLC, t/a Rumors Restaurant
1900 M Street NW

License #71717

Retailer CN

ANC 2B

Substantial Change Without Board Approval

Disposition: The Board scheduled the Show Cause Hearing for March 20, 2013 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00331

Ahmed Ouhman Enterprises, t/a Taan (Formerly-Marrakech Lounge)
1817 Columbia Road NW

License #87585

Retailer CR

ANC 1C

Violation of Voluntary Agreement

Disposition: The Board accepted an Offer in Compromise: \$350 to be paid within 30 days, 4-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-251-00137

Arm, LLC, t/a Lux
649 New York Ave NW
License #71743
Retailer CN
ANC 6E

Failed to Follow Security Plan, Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose

Disposition: The Board scheduled the Show Cause Hearing for March 13, 2013 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00233

Justin's Café, LLC, t/a Justin's Café
1025 1st Street SE
License #83690
Retailer CR
ANC 6D

Violation of Voluntary Agreement, Substantial Change Without Board Approval, Sold Go-Cups

Disposition: The Board accepted an Offer in Compromise: \$1,500 to be paid within 30 days; Charges I and III dismissed, 4-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CC-00057

Twin T's, LLC, t/a DC Shenanigans
2450 18th Street NW
License #88119
Retailer CT
ANC 1C

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

Disposition: The Board scheduled the Show Cause Hearing for March 13, 2012 at 10:00 am.

Show Cause Hearing

10:00 AM

Case # 12-CMP-00056

TBM Holdings, LLC, t/a TruOrleans
400 H Street NE
License #86210
Retailer CR
ANC 6C

Violation of Voluntary Agreement, Failed to Obtain Approval for a Cover Charge

Disposition: The Respondent 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.

Show Cause Hearing

11:00 AM

Case # 12-CMP-00161

Atsede Corporation, t/a Nile Market & Kitchen
7815 Georgia Ave NW
License #60432
Retailer CR
ANC 4B

Failed to Maintain Books and Records, Failed to Obtain Importation Permits, Failed to File Quarterly Statements (4th Quarter 2011)

Disposition: The Board accepted an Offer in Compromise: \$2,100 to be paid within 30 days (Charge I - \$1,500; Charge II - \$350; Charge III - \$250), 5-0.

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Show Cause Hearing

1:30 PM

Case # 12-251-00107

R & J, 24 Liquors, Inc., t/a Town Square Gourmet
4418 MacArthur Blvd NW
License #78664

Retailer A

ANC 3D

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

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

Show Cause Hearing

3:30 PM

Case # 11-CMP-00308

Esteban Ramirez & Francisco Nunez, t/a Carolina Palace
3700 14th Street NW
License #21055

Retailer CR

ANC 4C

Failed to File Quarterly Statements (1st Quarter 2011, 2nd Quarter 2011)

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

Fact Finding Hearing

4:30 PM

B-2, LLC, t/a It's Called Inception
645 Florida Ave NW
License #87890

Retailer CT

ANC 1B

Transfer Application

Disposition: The Hearing was cancelled and the Licensing Division may proceed with the Application.

Fact Finding Hearing

5:00 PM

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

One Day Substantial Change Application

Date of Events: January 18, 19 and January 20, 2013

Disposition: The Board granted the Application.

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, JANUARY 16, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Entertainment Endorsement Application for Karaoke, DJ, live entertainment and occasional fashion shows and swimsuits events. ***Proposed Hours of Entertainment:*** Sunday 6pm-11pm, Monday through Thursday 6pm-12am, Friday and Saturday 6pm-1am. No pending investigative matters. No outstanding fines/citations. No settlement agreement. ANC 2C. ***Hooters of Washington, DC***, 827 7th Street NW Retailer CR03, Lic.#: 86298. ***Decision: Approved, 4-0.***

2. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales/Service for inside premise and Sidewalk Cafe. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales/Service for inside premise:*** Sunday 10am-2am, Monday through Thursday 5pm-1:30am, Friday 5pm-3am & Saturday 10am-3am. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales/Service for Sidewalk Cafe:*** Sunday 12pm-2am, Monday through Thursday 5pm-1:30am, Friday 5pm-3am & Saturday 10am-3am. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service inside premise and Sidewalk Cafe:*** Sunday through Thursday 8am-2am, Friday & Saturday 8am-3am. No pending investigative matters. No outstanding fines/citations. No settlement agreement. ANC 1C. ***Libertine***, 2435 18th Street NW Retailer CR01, Lic.#: 86298. ***Decision: Placard, 4-1 (Brooks).***

3. Review of Sidewalk Café Application for 6 seats. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Sunday Closed, Monday through Thursday 5pm-2am, Friday 5pm-3am and Saturday 6pm-3am. No pending investigative matters. No outstanding fines/citations. No conflict with settlement agreement. ANC 1B. ***Ozio Martini & Cigar Lounge***, 1813 M Street NW Retailer CN03, Lic.#: 23167. ***Decision: Approved for 11:00 pm closing for Sidewalk Café, 3-0-1 (Abstention - Miller).***

4. Review of Safekeeping Application filed by G Spot. The Licensee lost his lease and is currently in search of a new location. ANC 4D. ***G Spot***, 5413 Georgia Avenue NW Retailer CT01, Lic.#: 82054. ***Decision: Approved for six months, 5-0.***

5. Review of letter, dated January 7, 2013, from Emanuel Mpras requesting a one time exception for Board Order No. 2011-352 for Inauguration week. ***Muse Nightclub & Lounge***, 717 6th Street NW Retailer CN03, Lic.#: 79224.
Decision: Denied, 3-2 (Silverstein).
6. Review of letter, dated January 7, 2013, from Bobby Pittman requesting a waiver of hour limitations for licensed establishments on H Street, NE that have settlement agreements with his group of protestants.
Decision: FYI.
7. Review of correspondence, dated January 4, 2013, from Commissioner Ron Lewis of ANC 2E requesting a waiver of Café Milano's settlement agreement hour restrictions during Inauguration week. ***Café Milano***, 3251 Prospect Street NW Retailer CR03, Lic.#: 17247.
Decision: FYI.
8. Review of correspondence, dated January 4, 2013, from Commissioner Ron Lewis of ANC 2E requesting a waiver of Leopold's/Kafe Konditorei's Settlement Agreement hour restrictions during Inauguration week. ***Leopold's/Kafe Konditorei***, 3315 Cady's Alley NW Retailer CR02, Lic.#: 25268.
Decision: FYI.
9. Review of letter, dated December 31, 2012, from Denis James requesting relaxed hour restrictions for licensed establishments that have a settlement agreement with the Kalorama Citizens Association during Inauguration week.
Decision: FYI.
10. Review of letter, dated December 31, 2012, and received on January 2, 2013, from MaryEva Condon providing an update for the status of the license for Margarita's Mexican Café, which is currently in Safekeeping. ***Margarita's Mexican Café***, 2317 Wisconsin Avenue NW Retailer CR01, Lic.#: 16488.
Decision: Postponed until February 6, 2103.
11. Review of Technical Amendment Rulemaking 2013.
Decision: Postponed until January 23, 2103.

*** 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, JANUARY 16, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of correspondence, dated January 15, 2013, from Commissioner Andy Litsky requesting a waiver of the hours restrictions in the settlement agreement to permit Ziegfield's/Secrets to be open until 4:00 am January 19, 2013 through January 21, 2013. *Ziegfield's/Secrets*, 1824 Half Street SW Retailer CN04, Lic.#: 78663.
Decision: FYI.
2. Review of District of Columbia's Motion for Extension of Time to Respond, dated January 11, 2013, from Fernando Rivero requesting an extension of ten days, until January 22, 2013, to file an opposition to the Respondent's Motion to Exclude Prior Violations History. *Yegna*, 1920 9th Street NW Retailer CT01, Lic.#: 74241.
Decision: Approved, 4-0.
3. Review of Voluntary Agreement, dated November 14, 2012, between Number Nine, ANC 2F, the Logan Circle Community Association, and the Rhode Island West Neighborhood Association. The Rhode Island West Neighborhood Association withdrew itself as a party to the Voluntary Agreement in a letter submitted on November 29, 2012. *Number Nine*, 1435 P Street NW Retailer CT*, Lic.#: 86354.*
Decision: Approved, 4-0.
4. Review and approval of Full Service Grocery Store Definition Emergency and Proposed Rulemaking.
Decision: Approved, 4-0.
5. Review of draft and approval of Growler Emergency and Proposed Rulemaking.
Decision: Approved, 4-0.

*** 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
CHANGE OF HOURS AGENDA**

**WEDNESDAY, JANUARY 16, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service: Sunday 8am-7pm, Monday through Saturday 8am-9pm. No pending investigative matters. No pending investigative matters. No outstanding fines/citations. No voluntary agreement. ANC 1D. *International Progresso Market*, 3158 Mount Pleasant Street, NW, Retailer's Class B, Lic#:083128.
Decision: Approved, 4-0.

2. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Monday through Saturday 8am-12am. No pending investigative matters. No pending investigative matters. No outstanding fines/citations. No conflict with voluntary agreement. ANC 4D. *Colony Liquors*, 2448 18th Street, NW, Retailer's Class A, Lic#:086823.
Decision: Approved, 4-0.

3. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales. ***Proposed Hours of Operation:*** Sunday 9am-7pm, Monday 9 through Friday 9am-9pm, and Saturday 9am-8pm ***Proposed Hours of Alcoholic Beverage Sales/Service:*** Monday through Friday 9am-9pm and Saturday 9am-8pm. No pending investigative matters. No pending investigative matters. No outstanding fines/citations. No voluntary agreement. ANC 5B. *Costco Wholesaler #1120*, 2441 Market Street, NE, Retailer's Class A, Lic#:089498.
Decision: Approved, 4-0.

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, JANUARY 16, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On January 16, 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#12-251-00357 Combination Restaurant, 1772 COLUMBIA RD NW Retailer C Restaurant, License#: ABRA-075479
Decision: No Further Action.
2. Case#12-251-00356 Marvin, 2007 14TH ST NW Retailer C Tavern, License#: ABRA-076166
Decision: No Further Action.
3. Case#12-251-00336 Ibiza, 1222 1ST ST NE Retailer C Nightclub, License#: ABRA-074456
Decision: Show Cause.
4. Case#12-CC-00117 My Brother's Place, 237 2ND ST NW Retailer C Restaurant, License#: ABRA-071593
Decision: Show Cause.
5. Case#12-251-00371 Muse Nightclub and Lounge, 717 6TH ST NW Retailer C Nightclub, License#: ABRA-079224
Decision: No Further Action.
6. Case#12-CMP-00704 Madam's Organ, 2461 18TH ST NW Retailer C Tavern, License#: ABRA-025273
Decision: Staff Settlement, 3-1 (Miller).
7. Case#12-251-00251 Tabaq, 1336 U ST NW Retailer C Tavern, License#: ABRA-070707
Decision: No Further Action.
8. Case#12-CMP-00571 Bourbon, 2321 18TH ST NW Retailer C Tavern, License#: ABRA-070823
Decision: Warning.

9. Case#12-CMP-00698 Lee's Liquor, 2339 PENNSYLVANIA AVE SE Retailer A Retail - Liquor Store, License#: ABRA-026650

Decision: Staff Settlement.

10. Case#12-CMP-00623 Cathedral Pharmacy, 3000 CONNECTICUT AVE NW C Retailer B Retail - Grocery, License#: ABRA-013994

Decision: Warning, Enforcement to continue monitoring.

11. Case#12-CMP-00560 Woodridge Vet's Liquors, 1358 BRENTWOOD RD NE Retailer A Retail - Liquor Store, License#: ABRA-080559

Decision: No Further Action.

12. Case#12-251-00316 Stadium, 2127 QUEENS CHAPEL RD NE Retailer C Nightclub, License#: ABRA-082005

Decision: Show Cause.

13. Case#12-CMP-00686 Music & Arts Club, 2001 14TH ST NW Retailer C Nightclub, License#: ABRA-083264

Decision: Staff Settlement.

14. Case#12-CC-00113 Sara's Market, 3008 Q ST NW Retailer B Retail - Class B, License#: ABRA-086230

Decision: Sale to Minor Warning Letter.

15. Case#12-CMP-00692 Sahra Hooka Lounge, 1200 H ST NE Retailer C Tavern, License#: ABRA-087558

Decision: Show Cause.

16. Case#12-CMP-00557 Cookie's Corner, 1970 2ND ST NW Retailer B Retail - Class B, License#: ABRA-003439

Decision: No Further Action.

17. Case#12-CMP-00517 Wise Eats Cafe/Wiseats, 2132 WISCONSIN AVE NW Retailer D Restaurant, License#: ABRA-088282

Decision: Refer to Enforcement.

18. Case#12-251-00289(a) LIV Nightclub, 2001 11TH ST NW B Retailer C Nightclub, License#: ABRA-074894

Decision: Staff Settlement.

19. Case#12-CMP-00636 King's Deli & Grocery, 3651 GEORGIA AVE NW Retailer A Retail - Liquor Store, License#: ABRA-087806

Decision: Refer to Enforcement.

20. Case#12-CMP-00641 Queen Makeda, 1917 9TH ST NW Retailer C Restaurant, License#: ABRA-060510 (Previously published in the 1/9/13 DC Register)

Decision: Show Cause.

21. Case#12-CC-00114 Cafe Japone, 2032 P ST NW Retailer C Restaurant, License#: ABRA-010581 (Previously published in the 1/9/13 DC Register)

Decision: Show Cause.

22. Case#12-CMP-00604 TEL'VEH CAFE & WINE BAR, 401 Massachusetts AVE NW Retailer C Tavern, License#: ABRA-087302 (Previously published in the 12/12/12 DC Register)

Decision: Staff Settlement.