

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, SEPTEMBER 11, 2013
2000 14TH 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-00100

Prospect Dining, LLC, t/a George

3251 Prospect Street NW

License #78058

Retailer CR

ANC 2E

Renewal Application

Disposition: The Applicant failed to appear and the Board dismissed the Application. The Board dismissed the Protest Group of the Five or More for lack of standing.

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00094

Multi-Management, Inc., t/a Habana Village

1834 Columbia Road NW

License #24197

Retailer CR

ANC 1C

Termination of Settlement Agreement

Disposition: The Board set the matter for a Protest Hearing on October 16, 2013 at 4:30 pm.

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00097

The Popal Group, LLC, t/a Napoleon
1847 Columbia Road NW

License #75836

Retailer CR

ANC 1C

Renewal Application

Disposition: The Board set the matter for a Protest Hearing on November 16, 2013 at 1:30 pm.

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00099

The Griffin Group, LLC, t/a Policy
1902 14th Street NW

License #76804

Retailer CR

ANC 2B

Termination of Settlement Agreement

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

Protest Hearing (Status)

Case # 13-PRO-00067

RS of Washington DC, LLC, t/a Zengo
781 7th Street NW

License #73795

Retailer CR

ANC 2C

Renewal Application

9:30 AM

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

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00119

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

Failed to Obtain an Entertainment Endorsement, Violation of Settlement Agreement

Disposition: The Respondent failed to appear. The Board set the matter for a Show Cause Hearing on November 6, 2013 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00564

Burger 1931, LLC, t/a Black & Orange
1931 14th Street NW
License #88273
Retailer CR
ANC 1B

No ABC Manager on Duty, Substantial Change without Board Approval, Failed to Obtain a Sidewalk Café Endorsement

This hearing is canceled. The OAG declined to prosecute the case.

Disposition: The Hearing was canceled.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00168

Soussi, Inc., t/a Soussi
2228 18th Street NW
License #60448
Retailer CR
ANC 1C

Operating After Hours

Disposition: The Respondant failed to appear. The Board set the matter for a Show Cause Hearing on October 23, 2013 at 11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00130

Ischia, Inc., t/a Ristorante Le Perla
2600 Pennsylvania Ave NW
License #60535
Retailer CR
ANC 2A

Failed to File Quarterly Statements (4th Quarter 2012)

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid on September 11, 2013.

Show Cause Hearing (Status)

9:30 AM

Case # 13-AUD-00031

Partners at 723 8th Street SE, LLC t/a The Ugly Mug Dining Saloon
723 8th Street SE
License #71793
Retailer CR
ANC 6B

Failed to File Quarterly Statements (4th Quarter 2012)

Disposition: The Board set the matter for a Show Cause Hearing on October 23, 2013 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00104

Mimi & D, LLC, t/a Vita Restaurant and Lounge/Penthouse Nine (formerly Mood)
1318 9th Street NW
License #86037
Retailer CT
ANC 2F

Violation of Settlement Agreement

Disposition: The Board set the matter for a Show Cause Hearing on October 16, 2013 at 2:30 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 13-AUD-00033

Peacock Café, Inc., t/a Peacock Café
3251 Prospect Street NW
License #25832
Retailer CR
ANC 2E

Failed to File Quarterly Statements (4th Quarter 2012)

Disposition: The Board accepted an Offer in Compromise: \$2,000 to be paid by September 20, 2013.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00469

I Ricchi, Inc., t/a I Ricchi
1220 19th Street NW
License #12545
Retailer CR
ANC 2B

Failed to File Quarterly Statements (2nd Quarter 2012)

Disposition: The Board accepted an Offer in Compromise: \$250 to be paid on September 11, 2013. (4-1, Jones)

Fact Finding Hearing

9:30 AM

Edwards Bar & Grill
License #1341
Retailer CN
License in Safekeeping

Disposition: The Board took the matter under advisement.

Show Cause Hearing

10:00 AM

Case # 13-CMP-00135

Medhanie Weldegergish t/a Variety Market
1618 8th Street NW
License #84582
Retailer B
ANC 6E
Sold Go-Cups

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid by December 11, 2013.

Show Cause Hearing

11:00 AM

Case # 13-AUD-00032

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

Failed to File Quarterly Statements (4th Quarter 2012)

Disposition: The Respondent failed to appear. The Board proceeded ex-parte and will issue an Order within 90 days.

BOARD RECESS AT 12:00 PM

Show Cause Hearing

1:00 PM

Case # 12-CMP-00680

The Stadium Group, LLC, t/a Stadium
2127 Queens Chapel Road NE
License #82005
Retailer CN
ANC 5C

**Operating After Hours, Provided "Back-up Drinks", Noise Violation,
Provided False or Misleading Information, Failed to Follow Security Plan,
Violation of Special Event Safety/Security Plan**

**Disposition: The Board recessed the Show Cause Hearing and will continue
the hearing on a date to be determined.**

Protest Hearing

Case # 13-PRO-00033

2:00 PM

Multi-Management, Inc., t/a Habana Village
1834 Columbia Road NW
License #24197
Retailer CR
ANC 1C

Renewal Application

*This hearing is canceled due to the withdrawal of the Protest by the Kalorama
Citizens Association on September 4, 2013.*

**Disposition: The hearing was cancelled pursuant to Board Order No. 2013-
396.**

Protest Hearing

4:30 PM

Case # 13-PRO-00037

Eatonville Inc., t/a Eatonville
2121 14th Street NW
License #78882
Retailer CR
ANC 1B

Renewal Application

Disposition: The Hearing was continued to October 9, 2013 at 4:30 pm.

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY SEPTEMBER 11, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review Request for Change of Hours. Current Approved Hours of Operation, Sales and Consumption and Live Entertainment: Sunday: 11am to 2am. Monday-Friday 3pm to 2am. Saturday 12pm to 3am. Proposed Change for Operation, Sales and Consumption, and Entertainment Monday 3pm to 2am. Settlement Agreement. No pending enforcement matters. No pending investigative matter. No outstanding fines/citations. *The Elroy*, 1423 H Street NE, Retailer CT, Lic#: 91452.
Decision: Approved, 3-0-0.
2. Review Updated Information Regarding Full Service Grocery Determination. *Each Peach Market*, 3068 Mount Pleasant Street, NW, Retailer B, Lic#: 92449.
Decision: Approved, 3-0-0.
3. Review Request to Extend Safekeeping. *G Spot Tavern*, 5413 Georgia Avenue, NW, Retailer CT, Lic#:085208.
Decision: Fact Finding, 3-0-0.
4. Review Request for Safekeeping. *Grill Kabob of Georgetown*, 3299 M Street NW, Retailer CR, Lic#:090419.
Decision: Approved for 6 months, 3-0-0.
5. Review Request for Change of Hours of Operations and Sales. Approved Hours of Operation Sunday 9am to 12am, Monday-Friday 7am to 12am, Saturday 8am to 12am. Approved Hours of Alcoholic Beverage Sales and Consumption Sunday 9am to 12am. Monday-Friday 7am to 12am, Saturday 8am to 12am. Proposed Hours of Operation: Sunday-Saturday 7am to 12am. Proposed Hours of Alcoholic Beverage Sales and Consumption-7am to 12am. No Settlement Agreement. No Conflict with VA. No Pending Fines/Citations. No Violations. *Whole Foods Market*, 2323 Wisconsin Avenue, NW, Grocery B, Lic#:22045.
Decision: Approved, 3-0-0.
6. Review Request for Change of Hours of Operation and Sales. Approved Hours of Operation Sunday- Saturday 7am to 10pm, Approved Hours of Alcoholic Beverage Sales and Consumption Sunday-Saturday 9am to 10pm. Proposed Hours of Operation: Sunday-Saturday 7am to 12am. Proposed Hours of Alcoholic Beverage Sales and Consumption-7am to 12am. No Settlement Agreement. No Pending Fines/Citations. No Violations. *Whole Foods Market*, 2201 I Street, NW, Grocery B, Lic#:86916.
Decision: Approved, 3-0-0.

7. Review Request for Change of Hours of Operation and Sales. Approved Hours of Operation: Sunday-Saturday 10am to 10pm. Approved Hours of Alcoholic Beverage Sales and Consumption: Sunday-Saturday 10am to 10pm. Proposed Hours of Operations Sunday-Saturday 7am to 12am. Proposed Hours of Alcoholic Beverage Sales Sunday-Saturday 7am to 12am. No Settlement Agreement. No Fines/Protests. No Violations. **Rafael Grocery Deli**, 233 Florida Avenue, NW, Grocery B, Lic#:60359.
Decision: Approved, 3-0-0.

8. Review Request for Change of Hours of Operations and Sales. Approved Hours of Operation Monday-Saturday 9am to 10pm. Approved Hours of Alcoholic Beverage Sales Monday-Saturday 9am to 10pm. Proposed Hours of Operation Sunday-Saturday 9am to 10pm. No Settlement Agreement. No Fines/Protests. No Violations. **Weygandt Wines**, 3519 Connecticut Avenue, NW, Retailer A, Lic#:81464.
Decision: Approved, 3-0-0.

9. Review Request for Change of Hours of Operations, Sales and Inside Premise Entertainment and Request for Summer Garden Change of Hours of Operation and Sales. Approved Hours of Operation and Alcoholic Beverage Sales and Consumption Sunday-Thursday 5pm to 2am; Friday 4pm to 3am; Saturday 5pm to 3am. Approved Hours of Live Entertainment Sunday-Thursday 8pm to 1:30am; Friday-Saturday 9am to 2am. Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption Sunday-Thursday 11am to 2am; Friday-Saturday 11am to 3am. Proposed Hours of Live Entertainment Sunday-Thursday 8pm to 1:30am; Friday-Saturday 11am to 2am. Approved Hours of Operation, Sales and Alcoholic Beverage Consumption in Summer Garden Sunday-Thursday 5pm to 10pm; Friday 4pm to 11pm; Saturday 5pm to 11pm. Proposed Hours of Operation, Sales and Alcoholic Beverage Consumption in Summer Garden Sunday-Thursday 11am to 10pm; Friday- Saturday 11am to 11pm. No Conflict with Settlement Agreement. No Pending Fines. No Protests. **Vendetta**, 1210-1212 H Street, NE, Retailer CT Lic#:72734.
Decision: Approved, 3-0-0.

10. Review Request for Change of Hours of Operation and Sales for Inside Premise and Sidewalk Café. Approved Hours of Operation, Alcoholic Beverage Sales and Consumption for Inside Premise and Sidewalk Café; Sunday-Saturday 11am to 11pm. Proposed Hours of Operation, Alcoholic Beverage Sales and Consumption for Inside Premise and Sidewalk Café; Sunday-Thursday 11am to 11pm; Friday-Saturday 11am to 12am. No Settlement Agreement. No Conflict with VA. No Pending Fines. No Protests. **Shake Shack**, 800 F Street, NW, Retailer DR, Lic#: 90756.
Decision: Approved, 4-0-0.

11. Review of Request for Temporary Extension of the East Dupont Circle Moratorium Zone dated August 12, 2013 from Dupont Circle Citizens Association.
Decision: Hearing to be scheduled, 4-0-0.

12. Review of Request for off-site storage of records for Woodward Table. **Woodward Table**, 1426 H Street NW, Retailer CR, Lic#: 90596.
Decision: Approved, 4-0-0.
13. Review of Amendment to Settlement Agreement between ANC 6D and Park Tavern. **Park Tavern**, 202 M Street SE, Retailer CT, Lic#: 089126.
Decision: Approved with Modifications on the August 16, 2013 Agenda.
14. Review of Settlement Agreement between ANC 6C and TD Burger, LLC. **TD Burger**, 250 K Street NW, Retailer CT, Lic#: 92242.
Decision: Approved on the August 16, 2013 Supplemental Agenda.
15. Review of Admendment to Settlement Agreement between ANC 6B and Congressional Liquors. **Congressional Liquors**, 404 1st Street SE, Retailer A, Lic#: 089418.
Decision: Approved, 4-0-0.
16. Review of inquiry from John Xereas regarding the status of the license and request for an investigation of Penn Social. **Penn Social**, 801 E Street NW, Retailer CX, Lic#: 086808.
Decision: Referred to the Director, 4-0-0.
17. Review of request dated July 20, 2013 and August 5, 2013 from E & J Gallo Winery for approval to provide retailers with product valued at more than \$50 and less than \$500.
Decision: Approved, 4-0-0.
18. Review of request dated August 12, 2013 from Capital Eagle, Inc., for approval to provide retailers with products valued at more than \$50 and less than \$500.
Decision: Approved, 4-0-0.
19. Review of request dated August 29, 2013 from E & J Gallo Winery for approval to provide retailers with product valued at more than \$50 and less than \$500.
Decision: Approved, 4-0-0.
20. Review of Civil Penalty Final Rulemaking.
Decision: Approved, 4-0-0.

* 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, SEPTEMBER 11, 2013 AT 1:00 PM
2000 14TH STREET, NW, SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request for Immediate Cancellation of License in Safekeeping. ANC 8A. SMD 8A05. *Anacostia Warehouse Supermarket*, 1918 14th Street SE, Retailer B, Lic#12327.
Decision: Approved, 4-0-0.
2. Review Request to Convert Summer Garden Endorsement to Sidewalk Café Endorsement. ANC 6C. SMD 6C01. *Hampton Inn-DC Convention Center*, 901 6th Street NW, Retailer CT, Lic#: 90214.
Decision: Approved, 4-0-0.
3. Review Request for Entertainment Endorsement. **Approved Hours of Operation and Approved Hours of Alcoholic Beverage Sales/Service:** Sunday-Thursday 11am to 1am. Friday-Saturday 11am to 2am. **Proposed Hours of Entertainment:** Sunday-Thursday 6pm to 1am. Friday-Saturday 6pm to 2am. No Conflict with Settlement Agreement. No Outstanding Fine/Citations. No Pending Investigative Matters. No Pending Enforcement Matters. ANC 2F *Ghana Café*, 1336 14th Street NW, Retailer CR, Lic#: 82751.
Decision: Placard, 4-0-0.
4. Review Motion to Dismiss Protest from Stephen J. O'Brien Counsel for Eatonville, Inc. *Eatonville*, 2121 14th Street NW, Retailer CR, Lic#:078882.*
Decision: Denied, 4-0-0.
5. Review of letter dated September 3, 2013 from William Girardo Protestant opposing with Motion to Dismiss Protest for Eatonville, Inc. *Eatonville*, 2121 14th Street NW, Retailer CR, Lic#:078882.*
Decision: FYI.
6. Review of Reply to Opposition to Motion to Dismiss Protest from Stephen J. O'Brien Counsel for Eatonville, Inc. *Eatonville*, 2121 14th Street NW, Retailer CR, Lic#:078882.*
Decision: FYI.
7. Review of letter dated September 5, 2013 from William Girardo Protestant reiterating the basis of his protest against Eatonville, Inc. *Eatonville*, 2121 14th Street NW, Retailer CR, Lic#:078882.*
Decision: FYI.

8. Review of the Resolution to Extend and Modify the East Dupont Circle Liquor Moratorium from ANC 2B. *This item is related to item # 11 on the Board's September 11, 2013 Agenda.*

Decision: Hearing to be scheduled, 4-0-0.

***In accordance with D.C. Code §2-574 and §2-575 (Open Meetings Act), 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.**

**** These Supplemental Agenda items were previously published in the DC Register on August 16, 2013.**

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, SEPTEMBER 11, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On September 11, 2013, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matter identified below. Under Section 406(3) of the Open Meetings Act, it was not practical to publish notice of this matter in the District of Columbia Register. However, the notice requirements of section 406 (1)-(2) were satisfied.

1. Case#13-251-00100 Rendezvous Lounge, 2226 18TH ST NW Retailer C Tavern,
License#: ABRA-014272 .
Decision: Refer to Enforcement.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, SEPTEMBER 11, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On September 11, 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-CMP-00315 Farmers Fishers Bakers, 3000 K ST NW Retailer C Restaurant,
License#: ABRA-074934

Decision: Warning Letter.

2. Case#13-CC-00072 Plum Blossom, 1915 18TH ST NW Retailer C Restaurant, License#:
ABRA-076620

Decision: STM Warning Letter.

3. Case#13-CMP-00318 Grand Central, 2447 18TH ST NW Retailer C Restaurant, License#:
ABRA-076693

Decision: Staff Settlement.

4. Case#13-251-00084 Red Lounge Hookah, 2013 A 14TH ST NW Retailer C Restaurant,
License#: ABRA-076011

Decision: No Further Action.

5. Case#12-CMP-00688 Midtown, 1219 CONNECTICUT AVE NW Retailer C Nightclub,
License#: ABRA-072087

Decision: Show Cause.

6. Case#13-CC-00067 West End Market, 2424 PENNSYLVANIA AVE NW Retailer A Retail -
Liquor Store, License#: ABRA-074663

Decision: STM Warning Letter/Fact Finding/ Hold for pending Transfer.

7. Case#13-CMP-00317 Madam's Organ, 2461 18TH ST NW Retailer C Tavern, License#:
ABRA-025273

Decision: Staff Settlement.

8. Case#13-CMP-00308 Dops, Inc, 2611 EVARTS ST NE Retailer A Wholesaler, License#: ABRA-060731

Decision: Refer to Enforcement.

9. Case#13-CMP-00340 Cafe Citron, 1343 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-060138

Decision: No Further Action.

10. Case#13-CC-00066 Fresh Fields Whole Foods Market, 1440 P ST NW Retailer B Retail - Grocery, License#: ABRA-060167

Decision: STM Warning Letter.

11. Case#13-CMP-00309 Raven Grill, 3125 MT PLEASANT ST NW Retailer C Tavern, License#: ABRA-005864

Decision: Refer to Enforcement.

12. Case#13-CC-00062 Kellys Irish Times, 14 F ST NW Retailer C Tavern, License#: ABRA-000939

Decision: Show Cause.

13. Case#13-251-00085 BALLETO DINING LOUNGE, 1050 17TH ST NW B Retailer C Restaurant, License#: ABRA-014073

Decision: Warning Letter.

14. Case#13-CMP-00320 Policy, 1904 14th ST NW Retailer C Restaurant, License#: ABRA-076804

Decision: Staff Settlement.

15. Case#13-CMP-00306 Johnny Rockets, 3131 M ST NW Retailer C Restaurant, License#: ABRA-081606

Decision: Staff Settlement.

16. Case#13-CMP-00319 Bistro 18, 2420 18TH ST NW Retailer C Restaurant, License#: ABRA-086876

Decision: Show Cause.

17. Case#13-CC-00064 MLK MINI MARKET, 3333 MARTIN LUTHER KING JR AVE SE Retailer B Retail - Grocery, License#: ABRA-088833

Decision: Staff Settlement.

18. Case#13-CMP-00316 Panas Gourmet Empanadas, 2029 P ST NW Retailer D Restaurant, License#: ABRA-088954

Decision: Staff Settlement.

19. Case#13-CC-00065 MIMI's CONVENIENCE, 5435 MacArthur BLVD NW Retailer B
Retail - Grocery, License#: ABRA-089668

Decision: Refer to Enforcement.

20. Case#13-CMP-00341 Romeo & Juliet, 301 MASSACHUSETTS AVE NE Retailer C
Restaurant, License#: ABRA-092684

Decision: No Further Action.

21. Case#13-PRO-00037 Eatonville, 2121 14TH ST NW Retailer C Restaurant, License#:
ABRA-078882

Decision: FYI.