

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, AUGUST 15, 2012
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson

Members:

Nick Alberti, Donald Brooks, Herman Jones, Calvin Nophlin, Mike Silverstein

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00057

TM Liquors, Inc., t/a Big Ben Liquors

1300 North Capitol Street NW

License #60652

Retailer A

ANC 5C

Renewal Application

Disposition: The Board dismissed the Protest because ANC 5C failed to appear.

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00040

Spo-dee-o-dee, LLC, t/a The Showtime

113 Rhode Island Ave NW

License #89186

Retailer CT

ANC 5C

New Application

(Hearing Cancelled: The parties submitted a Voluntary Agreement for Board consideration.)

Disposition: The Protest Status Hearing was cancelled, because the parties submitted a Voluntary Agreement for the Board's consideration.

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00054
2101 Venture, LLC, t/a Club Illusions
2101 New York Ave NE
License #88682
Retailer CN
ANC 5B
New Application

Disposition: The Board scheduled the Protest Hearing for October 10, 2012 at 1:30 pm.

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00059
Taste Group, Inc., t/a Hush Restaurant and Lounge
2121 New York Ave NE
License #89332
Retailer CT
ANC 5B
New Application

Disposition: The Motion to reinstate the Salvation Army in a Group of Five or More was granted, 6-0. The Board scheduled the Protest Hearing for October 17, 2012 at 1:30 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CC-00076
Park & Song, Inc., t/a Congress Market
421 East Capitol Street SE
License #76414
Retailer B
ANC 6B
Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking Age

Disposition: The Board rescheduled the Show Cause Status Hearing for September 12, 2012 at 9:30 am because a Korean Interpreter is needed.

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00007

Café Japone Limited Partnership, t/a Café Japone
2032 P Street NW
License #10581
Retailer CR
ANC 2B

Failed to File Quarterly Statements

Disposition: The Board scheduled the Show Cause Hearing for November 7, 2012 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00112

Barcode Corporation, t/a Barcode
1101 17th Street NW
License #82039
Retailer CT
ANC 2B

Noise Violation

Disposition: The Board scheduled the Show Cause Hearing for November 7, 2012 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00054

Sunshine Bar & Lounge, LLC, t/a Sunshine Bar & Lounge
7331 Georgia Ave NW
License #85239
Retailer CR
ANC 4B

Substantial Change (Operating After Hours and Expansion of Establishment)

Disposition: The Board scheduled the Show Cause Hearing for September 12, 2012 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00447

Froggy Bottom, Inc., t/a Froggy Bottom Pub
2142 Pennsylvania Ave NW
License #60095
Retailer CR
ANC 2A

Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid within 15 days, 6-0.

Fact Finding Hearing

10:00 AM

Manager's Application

Darryl J. Brown

Disposition: The Board approved the Application, 6-0.

Fact Finding Hearing

10:30 AM

Elias N. Souri
4335 16th Street NW
License #89953
Class F
ANC 4C

**Temporary License Application, St. George Orthodox Church
Dates of Event: September 7, 8, and 9, 2012**

Disposition: The Applicant failed to appear and the Board denied the Application. The Board requested monitoring by Enforcement, 6-0.

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Fact Finding Hearing

11:00 AM

Case # 12-CMP-00225
Red Line DC, LLC, t/a Red Line
707 G Street NW
License #85225
Retailer CR
ANC 2C

Failed to File Quarterly Statements, Impeded an ABRA Investigation by providing False Identification, Failed to Obtain Importation Permit

Disposition: The Board took the following actions: Failure to file Quarterly Statements – Refer to Enforcement Division; Failure to Obtain Importation Permit – Refer to OAG for further enforcement action; No ABC Manager on Duty - Refer to OAG for further enforcement action; Impeded an ABRA Investigation – No Further Action, 6-0.

Motion Hearing

11:30 AM

Case # 12-PRO-00043
Ventura, LLC, t/a Albert's Liquors
328 Kentucky Ave SE
License #77335
ANC 6B
Retailer A

Motion to Dismiss Protest of ANC 6B

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order on September 12, 2012.

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

Fact Finding Hearing

1:00 PM

Mt. Vernon Wine & Spirits, Inc., t/a Good Libations
1201 5th Street NW
License #73063
Retailer A
ANC 2C

Renewal of Application for Exception to Single Sales Restrictions

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 60 days.

Protest Hearing

1:30 PM

Case # 12-PRO-00022
R & J, 24 Liquors, Inc., t/a Town Square Gourmet
4418 MacArthur Blvd NW
License #78664
Retailer A
ANC 3D

Renewal Application

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, AUGUST 15, 2012 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/Service. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Closed on Monday, Tuesday through Sunday 11:30 am-10:30pm. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Sunday 10:30am-10:30pm, Monday through Saturday 11:30am-11:30pm. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 6B. ***Montmarte***, 327 7th Street SE Retailer CR01, Lic.#: 60422.
Decision: Approved, 6-0.
2. Review of request from Stephen O'Brien to increase occupancy from 35 to 73 persons to allow for an expansion in the adjacent store front. No pending investigative matters. No outstanding citations/fines. No voluntary agreement. ANC 2C. ***Bistro Bohem***, 1840 6th Street NW Retailer CR01, Lic.#: 86825.*
Decision: Placard, 4-2 (Jones, Brooks).
3. Review of Entertainment Endorsement Application for entertainment in the form of acoustic guitarists, DJs, etc., dancing and cover charge. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales/Service:*** Sunday through Thursday 11 am-12:30am, Friday and Saturday 11am-2am. ***Proposed Hours of Entertainment:*** Sunday through Thursday 11am-12:30am, Friday and Saturday 11am-2am. Pending investigative matter. No outstanding citations/fines. No voluntary agreement. ANC 3C. ***Alero Restaurant***, 3500 Connecticut Avenue NW Retailer CR01, Lic.#: 13738.*
Decision: Placard, 4-2 (Silverstein, Jones).
4. Review of letter, dated August 2, 2012, from Andrew Kline providing information about Glen's Garden Market. ***Glen's Garden Market***, 2001 S Street NW Retailer B, Lic.#: 90082.*
Decision: The Board will schedule a Fact Finding Hearing, 6-0.
5. Review of letter, dated July 17, 2012, from Murray Kivitz requesting clarification on whether the license is a Class "C" Nightclub that permits nude dancing. The license is in safekeeping. ***Champel's***, Retailer CN02, Lic.#: 76295.*
Decision: Postponed until September 12, 2012.

6. Review of Voluntary Agreement, dated November 7, 2011, between Kearney's Grocery and ANC 5C. *Kearney's Grocery*, 90 O Street NW Retailer B, Lic.#: 78591.*

Decision: Approved with modifications, 6-0.

7. Review of Voluntary Agreement, dated July 27, 2012, between 7 River Mart and ANC 6A. 7 *River Mart*, 250 11th Street NE Retailer A, Lic.#: 89591.*

Decision: Approved with modifications, 6-0.

8. Review of Voluntary Agreement, dated March 7, 2012, between Good Libation and ANC 2C. *Good Libation*, 1201 5th Street NW Retailer A, Lic.#: 73063.*

Decision: Postponed until September 12, 2012.

*** 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, AUGUST 15, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On AUGUST 15, 2012 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-CMP-00281 Queen Makeda, 1917 9TH ST NW Retailer C Restaurant, License#: ABRA-060510

Decision: Show Cause.

2. Case#12-CMP-00306 DC 9, 1940 9TH ST NW Retailer C Nightclub, License#: ABRA-071156

Decision: Show Cause.

3. Case#12-CMP-00330 Black Squirrel, 2427 18TH ST NW B Retailer C Restaurant, License#: ABRA-078091

Decision: Show Cause.

4. Case#12-CC-00062 Panda Cafe, 2138 1/2 PENNSYLVANIA AVE NW Retailer C Restaurant, License#: ABRA-072312

Decision: Sale to Minor Warning Letter; Staff Settlement.

5. Case#12-CC-00082 King Avenue Liquors, 2757 M.L. KING JR., AVE SE Retailer A Retail - Liquor Store, License#: ABRA-060177

Decision: Staff Settlement.

6. Case#12-251-00209 Aqua Restaurant, 1818 NEW YORK AVE NE A Retailer C Tavern, License#: ABRA-060477

Decision: No Further Action.

7. Case#12-CC-00077 Super Saver Grocery & Deli, 4413 14TH ST NW Retailer B Retail - Grocery, License#: ABRA-011247

Decision: Sale to Minor Warning Letter; Staff Settlement.

8. Case#12-251-00271 Dancing Crab, 4615 41ST ST NW Retailer C Restaurant, License#: ABRA-000889
Decision: Show Cause.
9. Case#12-CC-00066 Cafe Green, 1513 17th ST NW Retailer C Restaurant, License#: ABRA-081752
Decision: Sale to Minor Warning Letter.
10. Case#12-CMP-00282 Lost Society, 2001 14TH ST NW Retailer C Tavern, License#: ABRA-083420
Decision: No Further Action.
11. Case#12-CC-00079 Pennsylvania Avenue Market, 1501 PENNSYLVANIA AVE SE Retailer B Retail - Class B, License#: ABRA-079255
Decision: Sale to Minor Warning Letter.
12. Case#12-CMP-00305 Cafe Eagle, 1414 9th ST NW Retailer C Tavern, License#: ABRA-085990
Decision: Staff Settlement.
13. Case#12-CMP-00234 Mood, 1318 9TH ST NW Retailer C Tavern, License#: ABRA-086037
Decision: No Further Action.
14. Case#12-CMP-00327 Logan Circle Liquors, 1018 RHODE ISLAND AVE NW Retailer A Retail - Liquor Store, License#: ABRA-086950
Decision: Staff Settlement.
15. Case#12-251-00225 Marrakech Lounge, 1817 COLUMBIA RD NW Retailer C Restaurant, License#: ABRA-087585
Decision: Show Cause.
16. Case#12-CMP-00331 Marrakech Lounge, 1817 COLUMBIA RD NW Retailer C Restaurant, License#: ABRA-087585
Decision: Show Cause.
17. Case#12-PRO-00022 Town Square Gourmet, 4418 MACARTHUR BLVD N Retailer A Retail - Liquor Store, License#: ABRA-078664
Decision: FYI – Protest Report.
18. Case#12-CMP-00215(a) Justin's Cafe, 1025 1ST ST SE Retailer C Restaurant, License#: ABRA-083690 (Previously published in the 7/25/12 DC Register)
Decision: Postponed until September 12, 2012.