

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, AUGUST 7, 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-00067

RS of Washington DC, LLC, t/a Zengo

781 7th Street NW

License #73795

Retailer CR

ANC 2C

Renewal Application

**Disposition: The Board continued the Protest Hearing to September 11,
2013 at 9:30 am.**

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00086

Seaton Motor Company, LLC, t/a Red Hen

1822 1st Street NW

License #90832

Retailer CR

ANC 5E

Renewal Application

**Disposition: The Board set the matter for a Protest Hearing on September
18, 2013 at 5:00 pm.**

Protest Hearing (Status)

9:30 AM

Case # 13-PRO-00084
Riot Act DC, LLC, t/a Penn Social
801 E Street NW
License #86808
Retailer CX
ANC 2C
Renewal Application

Disposition: The Board set the matter for a Protest Hearing on September 18, 2013 at 5:00 pm.

Show Cause Hearing (Status)

9:30 AM

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 set the matter for a Show Cause Hearing on September 11, 2013 at 1:30 pm.

Show Cause Hearing (Status)

Case # 13-CMP-00172
Bistro Francais, Ltd., t/a Bistro Francais
3124 M Street NW
License #1428
Retailer CR
ANC 2E
Operating After Hours

9:30 AM

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid August 7, 2013.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00165

Axis Bar & Grill, LLC, t/a Bistro La Bonne
1340 U Street NW
License #75284
Retailer CR
ANC 1B

Operating After Hours

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid August 7, 2013.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00562

Clamenzah, LLC, t/a Food Corner Kabob
2029 P Street NW
License #80108
Retailer CR
ANC 2B

Failed to File Quarterly Statements (2nd Quarter 2012)

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid August 7, 2013.

Show Cause Hearing (Status)

Case # 12-CMP-00698

KHP Corporation, t/a Lee's Liquor
2339 Pennsylvania Ave SE
License #26650
Retailer A
ANC 7B

Sold Go-Cup, Violation of Settlement Agreement

9:30 AM

Disposition: The Board rejected the Offer in Compromise of \$750 (3-1 Miller). The Board set the matter for a Show Cause Hearing on October 2, 2013 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00067

Optimism, LLC, t/a Optimism

3301 12th Street NE

License #83552

Retailer CT

ANC 5B

Failed to Post ABC License, Failed to Post Pregnancy Sign

Disposition: The Board accepted an Offer in Compromise: \$450 to be paid August 7, 2013; (Charge I-\$350, Charge II-\$100).

Show Cause Hearing (Status)

9:30 AM

Case # 13-CMP-00163

Avery's LLC, t/a Avery's Bar and Lounge

1370 H Street NE

License #90527

Retailer CT

ANC 6A

Operating After Board Approved Hours

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid August 7, 2013.

Fact Finding Hearing

9:30 AM

David Sakai, t/a International House of Pong
1010 Wisconsin Ave NW
License #84905
Retailer CR
ANC 2E
New Application

Disposition: The Board requested the Applicant to provide a report within 60 days indicating either a Letter of Intent for a new location or plans to transfer the license.

Fact Finding Hearing*

9:30 AM

Urban Taste, LLC, t/a Takeateasy
1990 M Street NW
License #89631
Retailer CR
ANC 2B
Request for a Change of Hours, Request for an Entertainment Endorsement

Disposition: The Board took the matter under advisement.

Show Cause Hearing

10:00 AM

Case # 12-CMP-00431

Beg Investments, LLC, t/a Twelve Restaurant & Lounge
1123 H Street NE
License #76366
Retailer CT
ANC 6A

Violation of Settlement Agreement, Failed to Comply With the Terms of Board Order No. 2011-289

Disposition: The Board continued the Show Cause Hearing to October 9, 2013 at 10:00 am.

Show Cause Hearing

11:00 AM

Case # 12-CMP-00603

LMW, LLC, t/a Little Miss Whisky's Golden Dollar

1104 H Street NE

License #79090

Retailer CT

ANC 6A

Participated in a Pub Crawl Without Board Approval, Violation of Settlement Agreement

Disposition: The Board continued the Show Cause Hearing to October 2, 2013 at 10:00am.

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA

1:00 PM

Fact Finding Hearing*

1:30 PM

Pub Crawl

Dates of Event: September 7, 2013 and September 21-22, 2013

Applicant: Daniel Kramer

Event Names: DC Mojito March and District Oktoberfest

Neighborhood: 810 7th Street NW

The names of the establishments participating in the Pub Crawl are available upon request.

Disposition: The Board approved the Applications.

Board's Calendar
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Protest Hearing

2:00 PM

Case # 13-PRO-00034
Tas, LLC, t/a Libertine
2435 18th Street NW
License #86298
Retailer CR
ANC 1C
Renewal Application

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

Protest Hearing*

4:30 PM

Case # 13-PRO-00032
Tropicalia Project, LLC, t/a Bossa Brazilian Bistro
2463 18th Street NW
License #84505
Retailer CR
ANC 1C
Renewal Application

Disposition: The Board granted the Protestants Motion to Continue the Hearing. The Protest Hearing is now scheduled for October 2, 2013 at 1:30 pm.

**The public hearings listed above were not previously published in the D.C. Register.*

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, AUGUST 7, 2013 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Settlement Agreement, dated July 22, 2013, between Sticky Rice and Bobby Pittman of the Linden Neighborhood Association. **Sticky Rice**, 1224 H Street NE, Retailer CR, Lic#: 072783.
Decision: Approved with Modifications, 3-0-0.
2. Review of Settlement Agreement, dated June 17, 2013, between Brooklyn's Finest and a Group of Residents. There is still an active Protest filed by ANC 5B. **Brooklyn's Finest**, 3126-3128 12th NE, Retailer C, Lic#: 092010.
Decision: Approved with Modifications, 4-0-0.
3. Review of Motion to Dismiss Notice to Show Cause, dated July 22, 2013, from Matthew LeFande, Counsel for Little Miss Whiskey and District's Response to Motion, **Little Miss Whiskey**, 1104 H Street NW, Retailer C, Lic#: 079090.
Decision: Denied, 4-0-0.
4. Review of Settlement Agreement, dated April 10, 2013, between Circa and ANC 2B. **Circa**, 1601 Connecticut Ave NW, Retailer CR, Lic#: 76074.
Decision: Approved with Modifications, 4-0-0.
5. Request to change Hours of Operation and Alcohol Sales for Inside Premise and Summer Garden. Current Hours of Operation: Monday-Friday 11am-8pm; Saturday and Sunday 8am-8pm; Current Hours of Alcoholic Beverage Sales and Consumption: Monday-Friday 11am-8pm; Saturday and Sunday 8am-8pm. Requested Change for Hours of Operation and Alcoholic Beverage Sales and Consumption: Sunday-Saturday 8am-2am. **Righteous Cheese**, 1309 5th Street NE #502, Retailer CT, Lic#: 089981.
Decision: Approved Request for Inside Hours, 4-0-0; Placard Summer Garden 4-0-0.
6. Review of Request dated July 26, 2013 from **Premium Distributors of Washington, D.C.**, for approval to provide retailers with products valued at more than \$50 and less than \$500. Lic#: 060290.
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, AUGUST 7, 2013 AT 1:00 PM
2000 14TH STREET, NW, SUITE 400S, WASHINGTON, D.C. 20009

1. Review of revised floor diagram, dated August 6, 2013 from Each Peach Market. *Each Peach Market*, 3068 Mount Pleasant Street NW, Retailer B, Lic#: 92449.
Decision: Postponed to August 14, 2013, 4-0-0.
2. Review of Reply in Support of Motion to Dismiss, dated August 5, 2013. *Little Miss Whiskey*, 1104 H Street NW, Retailer C, Lic#: 079090. *(This item relates to item #3 on the Board's Agenda dated August 7, 2013.)*
Decision: No Further Action.
3. Review of Request for Stipulated License, dated July 5, 2013, and Letter of Support from ANC 2E. *Kintaro*, 1039 33rd Street, NW, Retailer CR, Lic.#: 083214.
Decision: Approved, 4-0-0.
4. Review of Request for Safekeeping. Sale of Business Pending. *Le Deux Garçons, LLC*, 3712-3714 Macomb Street, NW, Retailer C, Lic.#: 086355.
Decision: Approved, 4-0-0.
5. Review of Request for Reconsideration and Fact Finding. The License was involuntarily transferred by the Board to Landlord. License currently in Safekeeping. *Fino*, 3011 M Street, NW, Retailer C, Lic.#:060545.
Decision: Denied, 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
INVESTIGATIVE AGENDA

WEDNESDAY, AUGUST 7, 2013
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On August 7, 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-CC-00049 Cactus Cantina, 3300 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-014225
Decision: Staff Settlement.
2. Case#12-251-00347 The Brixton, 901 U ST NW Retailer C Tavern, License#: ABRA-082871
Decision: No Further Action.
3. Case#13-CMP-00302 The Brixton, 901 U ST NW Retailer C Tavern, License#: ABRA-082871
Decision: Show Cause.
4. Case#13-CC-00043 West Wing Cafe, 300 NEW JERSEY AVE NW Retailer C Restaurant, License#: ABRA-084607
Decision: Refer to Enforcement.
5. Case#13-CMP-00286 Tackle Box, 3245 M ST NW Retailer C Restaurant, License#: ABRA-084952
Decision: Show Cause.
6. Case#13-CMP-00286(a) Tackle Box, 3245 M ST NW Retailer C Restaurant, License#: ABRA-084952
Decision: Show Cause.
7. Case#13-CC-00042 Whole Foods Market, 1440 - 1446 P ST NW Retailer D Restaurant, License#: ABRA-086071
Decision: Sale to Minor Warning Letter.

8. Case#13-CC-00050 FUDDRUCKERS, 734 7TH ST NW Retailer C Restaurant, License#: ABRA-086154

Decision: Refer to Enforcement.

9. Case#13-CMP-00303 TruOrleans, 400 H ST NE Retailer C Restaurant, License#: ABRA-086210

Decision: Postponed to August 14, 2013.

10. Case#13-CMP-00301 Fuel Pizza & Wings, 600 F ST NW Retailer C Restaurant, License#: ABRA-088727

Decision: Re-Placard

11. Case#13-PRO-00034 Libertine, 2435 18TH ST NW Retailer C Restaurant, License#: ABRA-086298

Decision: FYI.