

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

**NOTICE OF PUBLIC HEARINGS  
CALENDAR**

**WEDNESDAY, OCTOBER 9, 2013  
2000 14<sup>TH</sup> 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 # 13-CMP-00211**

DJ Zion, LLC, t/a Secret Restaurant & Lounge

1414 9th Street NW

License #90210

Retailer CT

ANC 2F

**Failed to Obtain a Cover Charge Endorsement, No ABC Manager on Duty,  
Failed to Post Pregnancy Sign, Failed to Post Current Legal Drinking Age,  
Failed to Maintain on Premises Three Years of Adequate Books and  
Records Showing All Sales**

**Disposition: The Board set the matter for a Show Cause Hearing on  
December 4, 2013 at 3:30 pm.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 12-251-00358**

Samuel Payton Davis Sr., Inc., t/a S&P Wine & Liquors  
2316 Pennsylvania Ave SE  
License #17108  
Retailer A  
ANC 7B

**Allowed the Establishment to be Used for the Sale of Illegal Drugs and Paraphernalia, Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose, No ABC Manager on Duty**

**Disposition: The Board set the matter for a Show Cause Hearing on December 4, 2013 at 2:30 pm.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 13-AUD-00047**

Restaurant Enterprises, Inc., t/a Smith Point  
1338 Wisconsin Ave NW  
License #60131  
Retailer CR  
ANC 2E

**Failed to Maintain Documentation Showing All Sales and Purchase Invoices, Failed to Maintain on Premises Three Years of Adequate Books and Records Showing All Sales**

**Disposition: The Board set the matter for a Show Cause Hearing on December 4, 2013 at 11:00 am.**

**Show Cause Hearing (Status)**

**Case # 12-CMP-00471**

**9:30 AM**

1610 20, Inc., t./a Darlington House  
1610 20th Street NW  
License #78028  
Retailer CR  
ANC 2B

**Failed to File Quarterly Statements (2nd Quarter 2012)**

**Disposition: The Board accepted an Offer in Compromise: \$750, payable within 10 days.**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 12-CMP-00187**

Vita Restaurant and Lounge/Penthouse Nine (formerly Mood)  
1318 9th Street NW  
License #86037  
Retailer CT  
ANC 2F

**Failed to Comply With the Terms of it's Offer in Compromise dated October 24, 2012**

**Disposition: The Board set the matter for a Show Cause Hearing on December 4, 2013 at 10:00 am.**

**Fact Finding Hearing**

**10:00 AM**

Temporary License Application  
Applicant: Michael S. Tabb  
Georgetown Events  
1315 K Street NW  
**Date of Event: October 31, 2013**  
**Size of Event: 800 attendees**

**Disposition: The Board approved the Temporary License Application.**

**Fact Finding Hearing**

**10:30 AM**

Temporary License Application  
Applicant: James M. Babin  
Birch & Barley/Churchkey  
Snallygaster  
1275 5<sup>th</sup> Street NE

**Date of Event: October 19, 2013**

**Size of Event: 7000 attendees**

**Disposition: The Board Approved the Temporary License Application.**

**Fact Finding Hearing**

**11:00 AM**

Midagra, LLC, t/a DCanter  
545 8<sup>th</sup> Street SE  
License No. 90639  
ANC 6B

**Request to have a Caterer use a portion of the establishment to serve refreshments**

**Disposition: The Board took the matter under advisement.**

**BOARD RECESS AT 12:00 PM**

**ADMINISTRATIVE AGENDA  
1:00 PM**

**Protest Hearing\***

**1:30 AM**

**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 denied the Applicant's Motion to Dismiss and The Board held a closed meeting pursuant to the Open Meetings Act and will issue an Order within 90 days.**

**\* The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Official Code §2-574(b)(13).**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
AGENDA

WEDNESDAY, OCTOBER 9, 2013 AT 1:00 PM  
2000 14<sup>th</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Supplemental Documentation for Pending Grocery Store B Application. ANC 6C. SMD 6C05. **Giant**, 300 H Street NE, Retailer B, Lic#: 91952.  
**Decision: Postponed until October 16, 2013, 3-0-0.**
2. Review Request to Increase Seating Capacity. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. ANC 6B. SMD 6B03. **Rose's Luxury**, 717 8<sup>th</sup> Street SE, Retailer CR, Lic#: 90884.  
**Decision: Approved, 3-0-0.**
3. Review of Application for Manager's License for **Charles W. Idol**, ABRA-93345.\*  
**Decision: Approved, 3-0-0.**
4. Review of Application for Manager's License for **Dennis Philipson**, ABRA-93337.\*  
**Decision: Approved, 3-0-0.**
5. Review of Application for Manager's License for **Kenon C Pratt**, ABRA-92482.\*  
**Decision: Denied, 3-0-0.**
6. Review of Application for Manager's License for **Donald L. Spencer**, ABRA-93326.\*  
**Decision: Approved, 3-0-0.**
7. Review of Application for Manager's License for **Celestina B. Ferrufino**, ABRA-92613.\*  
**Decision: Approved, 3-0-0.**
8. Review of Motion to Continue the Protest Hearing dated September 30, 2013 from Sara Green of ANC4B01. **Sunshine Bar & Lounge**, 7331 Georgia Avenue NW, Retailer CR, Lic#: 085239.  
**Decision: Approved, 3-0-0.**
9. Review Request dated September 18, 2013 to Reinstate the Protest of Group of Five or More from Jeremy Sigmon. **Climax**, 900 Florida Avenue NW, Retailer CT, Lic#: 088290.\*  
**Decision: Denied, 3-0-0.**

10. Review Request dated September 19, 2013 to Reinstate the Protest of ANC 1B. **Climax**, 900 Florida Avenue NW, Retailer CT, Lic#: 088290.\*  
**Decision: Denied, 3-0-0.**
11. Review of Request dated September 6, 2013 from E & J Gallo Winery for approval to provide retailers with products valued at more than \$50 and less than \$500.  
**Decision: Approved, 3-0-0.**
12. Review of Request dated September 30, 2013 from E & J Gallo Winery for approval to provide retailers with products valued at more than \$50 and less than \$500.  
**Decision: Approved, 3-0-0.**
13. Review of Request dated September 23, 2013 from Crown Imports for approval to provide retailers with products valued at more than \$50 and less than \$500.  
**Decision: Approved, 3-0-0.**
14. Review of Settlement Agreement dated September 24, 2013 between ANC 1A and El Atardecer, LLC. **El Atardecer Restaurant**, 3475 14<sup>th</sup> Street NW, Retailer CR, Lic#: 092346.\*  
**Decision: Approved with Modifications, 3-0-0.**
15. Review of Settlement Agreement dated September 18, 2013 between Group of Five or More and Marvin. **Marvin**, 2007 14<sup>th</sup> Street NW, Retailer CT, Lic#:76116.\*  
**Decision: Approved, 3-0-0.**
16. Review of Settlement Agreement dated September 15, 2013 between ANC 6B and District Taco. **District Taco**, 656 Pennsylvania Avenue SE, Retailer D, Lic#: 092797.\*  
**Decision: Approved with Modifications, 3-0-0.**

\* In accordance with D.C. Official Code §2-574(b) 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.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
SUPPLEMENTAL AGENDA

WEDNESDAY, OCTOBER 9, 2013 AT 1:00 PM  
2000 14<sup>th</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request to Re-classify Outdoor Space from Sidewalk Café to Summer Garden. ANC 3E. SMD 3E05 (formerly 3F). *Firelake Grill*, 4200 Wisconsin Avenue NW, Retailer CR, Lic#: 90725.  
**Decision: Approved, 3-0-0.**
2. Review Request for Stipulated License, dated October 3, 2013, and Letter of Support from ANC 3E. SMD 3E05 (formerly 3F). *Firelake Grill*, 4200 Wisconsin Avenue NW, Retailer CR Lic#: 90725.  
**Decision: Moot.**
3. Review Request for Seating Expansion. ANC 2A. SMD 2A08. *The Exchange*, 1730 Pennsylvania Avenue NW, Retailer CR, Lic#: 01269.  
**Decision: Approved, 3-0-0.**
4. Review Request for Change of Hours (earlier indoor hours only). **Approved Hours of Operations:** Sunday 9am to 12:00am, Monday-Thursday 8am to 12am, Friday 8am to 1am, and Saturday 9am to 1am. **Approved Hours of Sales/Consumption:** Sunday 11am to 12am, Monday-Thursday 8am to 12am, Friday 12pm to 1am, and Saturday 11am to 1am. **Proposed Hours of Operations, Sales and Consumption:** Sunday 9am to 12am, Monday-Thursday 8am to 12am, Friday 8am to 1am, and Saturday 9am to 1am. ANC 2F. SMD 2F08. Settlement Agreement with ANC. No pending enforcement matters. No outstanding fines/citations. *Commissary*, 1443 P Street NW, Retailer CR, Lic#: 71487.  
**Decision: Approved, 3-0-0.**
5. Review Request for Involuntary Transfer of License in Safekeeping. ANC 3C. SMD 3C09. *Le Deux Garcons*, 3712-3714 Macomb Street NW, Retailer CR, Lic#: 86355.  
**Decision: Approved, 3-0-0.**
6. Review Request for Change of Hours. **Approved Hours of Operations and Sales:** Sunday-Saturday 9am to 9pm. **Proposed Hours of Operations, Sales:** Sunday-Saturday 7am to 12am. ANC 4B. SMD 4B08. No Settlement Agreement. No pending enforcement matters. No outstanding fines/citations. *Takoma Park Liquors*, 6200 Eastern Avenue NW, Retailer A, Lic#: 19598.  
**Decision: Approved, 3-0-0.**

7. Review Request for License Class Change. Proposed change from DT to CT. No pending enforcement matters. No outstanding fines/citations. ANC 4C SMD 4C04. ***LaTrojola Bar***, 3708 14<sup>th</sup> Street NW, Retailer DT, Lic#: 92074.  
***Decision: Placard, 3-0-0.***
8. Review Motion to Dismiss Protest from Richard Bianco, Counsel for Tropicalia Project, LLC. ***Bossa Brazilian Bistro***, 2463 18<sup>th</sup> Street NW, Retailer CR, Lic#: 084505.\*  
***Decision: Denied, 3-0-0.***
9. Review of Request for Continuance of Protest Hearing from Brian Hart ANC1C. Protestant Kalorama Citizens Association does not object to the Request for Continuance. ***Habana Village***, 1834 Columbia Road NW, Retailer CR, Lic#: 24197.\*  
***Decision: Denied, 3-0-0.***

**The above listed items are deemed to be urgent and are excepted under the requirements of the Open Meetings Act pursuant to D.C. Official Code §2-575(4).**

**\*In accordance with D.C. Official Code §2-574(b) 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.**

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

**NOTICE OF MEETING  
INVESTIGATIVE AGENDA**

**WEDNESDAY, OCTOBER 9, 2013  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On October 9, 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-00099 Bambu, 5101 MACARTHUR BLVD NW Retailer C Restaurant,  
License#: ABRA-075442

***Decision: STM Warning Letter.***

2. Case#13-CC-00074 Asian Spice, 717 - 719 H ST NW Retailer C Restaurant, License#:  
ABRA-076750

***Decision: Staff Settlement.***

3. Case#13-251-00099 Johana's Restaurant, 4728 14TH ST NW Retailer C Tavern, License#:  
ABRA-025996

***Decision: Security Plan: Warning Letter/Posting and Carrying License: Mandatory  
Warning/Window Lettering sign: Mandatory Warning.***

4. Case#13-251-00114 Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#:  
ABRA-060626

***Decision: License Cancelled by Board Order No. 2013-443, dated October 9, 2013.***

5. Case#13-251-00110 7 Food Store, 1830 BENNING RD NE Retailer B Retail - Grocery,  
License#: ABRA-060663

***Decision: Staff Settlement.***

6. Case#13-CMP-00355 Awash, 2218 - 2220 18TH ST NW Retailer C Restaurant, License#:  
ABRA-020102

***Decision: Posting and Carrying of License: Mandatory Warning/ Import Permit: Staff  
Settlement.***

7. Case#13-CC-00104 Night 'N' Day 24 Hour Convenience Store, 5026 BENNING RD SE  
Retailer B Retail - Grocery, License#: ABRA-081343

***Decision: STM Warning Letter/ No ABC Manager: Staff Settlement.***

8. Case#13-CC-00073 Liberty Tree, 1016 H ST NE Retailer C Tavern, License#: ABRA-083356

***Decision: STM Warning Letter.***

9. Case#13-CMP-00411 Woodward Table/WTF(Woodward Takeout Food), 1426 H ST NW  
Retailer C Restaurant, License#: ABRA-090596

***Decision: Posting and Carrying of License, Pregnancy Sign, and Legal Drinking Age:  
Mandatory Warning/ Expansion of Sidewalk Café: Staff Settlement.***

10. Case#13-CMP-00381 Sahra Hooka Lounge, 1200 H ST NE Retailer C Tavern, License#:  
ABRA-087558

***Decision: Staff Settlement.***

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

**NOTICE OF MEETING  
LICENSE CANCELLATIONS**

**WEDNESDAY, OCTOBER 9, 2013 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. ABRA-078578- *SOVA Espresso & Wine*- Retailer CT, 1359 H Street NE, [Ceased Operations; Surrender License and Request Immediate Cancellation; Email dated September 27, 2013]  
***Decision: Approved, 3-0-0.***
2. ABRA-10581-*Café Japone* - Retailer CR, 2032 P Street NW, [Ceased Operations; Surrender of License and Request Immediate Cancellation; Letter dated September 24, 2013]  
***Decision: Approved, 3-0-0.***
3. ABRA-60626-*Fur Factory*-Retailer CN, 33 Patterson Street NE, [Ceased operations; Surrender of License and Request Immediate Cancellation; Letter dated September 24, 2013]  
***Decision: Approved, 3-0-0.***

**\* In accordance with D.C. Official Code §2-574(b) 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.**