## NOTICE OF PUBLIC HEARINGS CALENDAR

# WEDNESDAY, APRIL 7, 2021 2000 14<sup>TH</sup> STREET, N.W., SUITE 400S WASHINGTON, D.C. 20009

# Donovan W. Anderson, Chairperson Members: James Short, Bobby Cato, Rema Wahabzadah, Rafi A. Crockett, Jeni Hansen, Edward S. Grandis

### Show Cause Hearing (Status)

#### 10:30 AM

#### Case # 20-CMP-00012

Tjiya Sohal Corporation, t/a Sohal Wine and Spirits (formerly-Sunset Wine & Spirits) 1627 1<sup>st</sup> Street NW License #95926 Retailer A ANC 5E **Permitted the Consumption of Alcoholic Beverages** 

Disposition: The Respondent failed to appear. The Board set the matter for a Show Cause Hearing to a date to be determined.

### Show Cause Hearing (Status)

Case # 20-251-00009 The Gold Room Bar and Lounge, LLC, t/a The Gold Room Bar/Lounge 1370 H Street NE License #114757 Retailer CT ANC 6A Interfered with an ABRA Investigation

Disposition: The Board set the matter for a Show Cause Hearing to a date to be determined.

### Show Cause Hearing (Status)

Case # 20-CMP-00031 Dew Drop Inn, LLC, t/a Dew Drop Inn 2801 8<sup>th</sup> Street NE License #97569 Retailer CT ANC 5E Cover Charge Without Endorsement

Disposition: The Board accepted an Offer In Compromise: Charge I - \$500 fine to be paid within 120 days. Indefinite suspension of the license if the fine is not paid by August 9, 2021.

### **Fact Finding Hearing**

Association for the Preservation of Historic Congressional, t/a Historic Congressional Cemetery 1801 E Street SE License #117891 Retailer CX ANC 6B **Application for a New License** 

Disposition: The Board took the matter under advisement.

## **BOARD RECESS AT 12:00 PM**

### **Show Cause Hearing**

### Case # 20-CMP-00050

Kiss, LLC, t/a Kiss Tavern 637 T Street NW License #104710 Retailer CT ANC 1B **No ABC Manager on Duty** 

Disposition: This case was dismissed by the Government. See Board Order No. 2021-148.

**Summary Suspension Hearing** 

Case # 21-CMP-00013 Lama, LLC, t/a 1831 Bar/Lounge 1831 M Street NW License #116855 Retailer CT ANC 2B The Alcoholic Beverage Control Board Closure-March 21, 2021.

Disposition: The Board accepted an Offer In Compromise: Suspension of the license for 15 days. The suspension days are March 25, 2021 until April 9, 2021. See Board Order No. 2021-167.

Show Cause Hearing

Case # 20-CC-00007 600 F.D.C., LLC, t/a Fuel Pizza & Wings 600 F Street NW License #88727 Retailer CR ANC 2C Sale to Minor Violation

Disposition: The Board accepted an Offer In Compromise: Charge I - \$2000 fine to be paid within 120 days. Indefinite suspension of the license if the fine is not paid by August 9, 2021. See Board Order No. 2021-182.

### **Show Cause Hearing**

# Case # 19-CMP-00218 1336 U Street, LLC, t/a Hawthorne 1336 U Street NW License #99603 Retailer CT ANC 1B Increase in Occupancy Without Board Approval

Disposition: The Board accepted an Offer In Compromise: Charge I -Warning. See Board Order No. 2021-181.

Show Cause Hearing

### Case # 20-CMP-00017

MST Enterprises, Inc., t/a Churreria Madrid Restaurant 2505 Champlain Street NW License #60806 Retailer CR ANC 1C **Provided Entertainment Without an Entertainment Endorsement** 

Disposition: The Board held a closed meeting for purposes of deliberating this hearing pursuant to D.C. Official Code §2-574(b) (13). The Board will issue an Order within 90 days.

### **Show Cause Hearing**

Case # 19-CC-00129 and # 20-CC-00023 Green Zebra, LLC, t/a Lost Society 2001 14th Street NW License #83420 Retailer CT ANC 1B Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal Drinking Age (Two Counts of Each Charge)

Disposition: The Board accepted an Offer In Compromise: For Case No. 19-CC-00129: Charge I - \$2000 fine to be paid within 120 days; and five day suspension. Charge II – Dismissed. Indefinite suspension of the license if the fine is not paid by August 9, 2021. For Case No. 20-CC-00023: Charge I -\$2000 fine to be paid within 120 days; and five day suspension. Charge II – Dismissed. Indefinite suspension of the license if the fine is not paid by August 9, 2021. Total suspension of the license for ten days. The suspension days are April 8-17, 2021. See Board Order No. 2021-183.

# ABC BOARD DISPOSITIONS LEGAL AGENDA

# WEDNESDAY, APRIL 7, 2021, AT 10:30 AM 2000 14<sup>th</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

 Review of Allure Lounge's Motion for Reconsideration, dated March 24, 2021, in Case No. 19-PRO-00131. *Allure Lounge LLC, t/a Allure Lounge*, 711 H Street, N.E., Retailer CT, License No.: 108303.\*

### Decision: Deny, 6-0. See Board Order No.: 2021-168.

 Review of Advisory Neighborhood Commission 6C's Opposition to Allure Lounge's Motion for Reconsideration. *Allure Lounge LLC, t/a Allure Lounge*, 711 H Street, N.E., Retailer CT, License No.: 108303.\*

### Decision: Moot.

 Review of Redrocks and Focus' Joint Motion to Reconsider Cancelling License, dated March 26, 2021. *RR4 LLC*, *t/a Redrocks*, 1348 H Street, N.E., Retailer CR, License No.: 090997.\*

#### Decision: Approve, 6-0. See Board Order No.: 2021-172.

 Review of Kogod Liquors' Petition to Unilaterally Terminate or Amend Settlement Agreement. *Starlight, Inc., t/a Kogod Liquors*, 441 New Jersey Avenue, N.W., Retailer A, License No.: 024868.\*

## Decision: Placard.

 Review of S & R Liquors' Petition to Unilaterally Terminate or Amend Settlement Agreement. S. R. Brothers, Inc., t/a S & R Liquors, 1015 18<sup>th</sup> Street, N.W., Retailer A, License No.: 097252.\*

## Decision: Placard.

 Review of Kiss Tavern's Motion for Reconsideration of Order Summarily Revoking its License. *Kiss, LLC, t/a Kiss Tavern*, 637 T Street, N.W., Retailer CT, License No.: 104710.\*

Decision: Deny, 6-0. See Board Order No.: 2021-170.

 Review of the Government's Opposition of Kiss Tavern's Motion for Reconsideration. *Kiss, LLC, t/a Kiss Tavern*, 637 T Street, N.W., Retailer CT, License No.:104710.\*

### Decision: Moot.

 Review of Food 7 Store's Motion for Reconsideration of the Dismissal of the License Renewal Application in Case No. 20-PRO-00066. *Sunrise Grocery, Inc., t/a Food 7 Store*, 1830 Benning Road, N.E., Retailer B, License No.: 108479.\*

### Decision: Deny, 6-0. See Board Order No.: 2021-171.

 Review of the ANC 5D's Opposition to the Food 7 Store's Motion for Reconsideration. *Sunrise Grocery, Inc., t/a Food 7 Store*, 1830 Benning Road, N.E., Retailer B, License No.: 108479.\*

### Decision: Moot.

10. Review of the Settlement Agreement, dated April 1, 2021, between Advisory Neighborhood Commission 2B and Mi Casa. *Mi Casa Dupont, LLC, t/a Mi Casa*, 1647 20<sup>th</sup> Street, N.W., Retailer CR, License No.: 117679.\*

## Decision: Approve with modifications, 6-0. See Board Order No.: 2021-180.

11. Review of Request of Reinstatement of License, dated April 1, 2021. *GBR-DC LLC*, *t/a Georgia Brown's*, 950 15<sup>th</sup> Street, N.W., Retailer CR, License No.: 077127.\*

Decision: Approve, 6-0. See Board Order No.: 2021-173.

 Review of a Global Offer-in-Compromise in Lieu of a Hearing, dated April 2, 2021, in Case Nos. 19-CMP-00218, 19-CMP-0023, and 20-CMP-00041. 1336 U Street, LLC, t/a Hawthorne, 1336 U Street, N.W., Retailer CT, License No.: 099603.\*

Decision: Approve, 6-0. See Board Order No.: 2021-181.

 Review of the Offer-in-Compromise in Lieu of a Hearing, dated April 1, 2021, in Case No. 20-CC-00007. 600 F.D.C. LLC, t/a Fuel Pizza & Wings, 600 F Street, N.W., Retailer CR, License No.: 88727.\*

Decision: Approve, 6-0. See Board Order No.: 2021-182.

 Review of the Offer-in-Compromise in Lieu of Hearing, dated April 5, 2021, in Case Nos. 19-CC-00129 and 20-CC-00023. *Green Zebra, t/a Lost Society*, 2001 14<sup>th</sup> Street, N.W., Retailer CT, License No.: 83420.\*

Decision: Defer making a decision on the offer-in-compromise until the Show Cause Hearing scheduled for April 7, 2021, at 1:30 p.m., 6-0.

\* 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.

## NOTICE OF MEETING LICENSING AGENDA

## WEDNESDAY, APRIL 7, 2021 AT 10:30 AM 2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

 Review Request to Extend Safekeeping of License – Tenth Request. Original Safekeeping Date: 12/23/2013. ANC 3E. SMD 3E01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Dancing Crab*, 4615 41<sup>st</sup> Street NW, Retailer CR, License No. 090297.

### Decision: Approved, 6-0 through September 30, 2021

 Review Request to Extend Safekeeping of License – Seventh Request. Original Safekeeping Date: 3/22/2017. ANC 3B. SMD 3B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Fresh Fields Whole Foods Market*, 2323 Wisconsin Avenue NW, Retailer B Grocery, License No. 022045.

#### Decision: Approved, 6-0 through September 30, 2021

 Review Request to Extend Safekeeping of License – Seventh Request. Original Safekeeping Date: 3/22/2017. ANC 3B. SMD 3B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Fresh Fields Whole Foods Market*, 2323 Wisconsin Avenue NW, Retailer DR, License No. 086069.

#### Decision: Approved, 6-0 through September 30, 2021

 Review Request to Extend Safekeeping of License – Fourth Request. Original Safekeeping Date: 11/28/2018. ANC 2B. SMD 2B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Formerly Marrakech/Aura Lounge*, 2147 P Street NW, Retailer CT, License No. 112033.

### Decision: Approved, 6-0 through September 30, 2021

 Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 3/11/2020. ANC 4C. SMD 4C03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Catrachitos Restaurant*, 4608 14th Street NW, Retailer CR, License No. 095465.

### Decision: Approved, 6-0 through September 30, 2021

 Review Request to Extend Safekeeping of License – Second Request. Original Safekeeping Date: 10/9/2019. ANC 3C. SMD 3C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. St. Arnold's *Mussel Bar Cleveland Park*, 3433 Connecticut Avenue NW, Retailer CR, License No. 088441.

### Decision: Approved, 6-0 through September 30, 2021

 Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 10/21/2020. ANC 6D. SMD 6D05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. Ziegfield's/Secrets, 1824 Half Street SW, Retailer CN (Nude Dancing), License No. 078663.

#### Decision: Approved, 6-0 through September 30, 2021

 Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 9/30/2020. ANC 3E. SMD 3E01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Dancing Crab LLC (Formerly Tenley Grill)*, 4611 41st Street NW, Retailer CR, License No. 117245.

#### Decision: Approved, 6-0 through September 30, 2021

 Review Request to Extend Safekeeping of License – First Request. Original Safekeeping Date: 11/4/2020. ANC 1B. SMD 1B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. U Street Music Hall, 1115 U Street NW, Retailer CX Multipurpose Facility, License No. 083219.

#### Decision: Approved, 6-0 through September 30, 2021

 Review request to change the date of a previously approved Non-Profit Corporation Auction Permit in order to auction off donated alcoholic beverage products in a Heart's Delight auction event to be held online from 8am on May 5, 2021 through 8pm on May 6, 2021 (previously May 6-7). *American Heart Association*, License No. 21-AUCTION-00003.

#### Decision: Approved, 6-0

 Review request to change the date of a previously approved Non-Profit Corporation Auction Permit in order to auction off donated alcoholic beverage products in the Go Red for Women auction event to be held online from 10am to 2pm on June 17, 2021 (previously May 6). *American Heart Association*, License No. 21-AUCTION-00004.

#### Decision: Approved, 6-0

 Review request to withdraw application for a new ABC License. ANC 6B. SMD 6B01. Handle 19, 319 Pennsylvania Avenue SE, Retailer CR, 117027.

#### Decision: Approved, 6-0

\*In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment 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. This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

## NOTICE OF MEETING SUPPLEMENTAL LICENSING AGENDA

# WEDNESDAY, APRIL 7, 2021 AT 10:30 AM 2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

 Review request for a Temporary Operating Retail Permit (TORP). ANC 6E. SMD 6E01. Mid-City's Beer, Wine, Spirits and More, 1000 S Street NW, Retailer A Liquor Store, License No. 118072.

Decision: Approved, 6-0. See Board Order No. 2021-176.

 Review Application for a Stipulated License with Letter of ANC Support to operate with Entertainment Endorsement substantial change. ANC 2B. SMD 2B06. *Immigrant Food*, 1701 Pennsylvania Avenue NW, Retailer DR, License No. 115958.

Decision: Approved, 6-0. See Board Order No. 2021-177.

3. Review request for approval to provide a gift of a mobile bar for outdoor patio service that does not exceed \$500 in value to various licensed retail establishments. ANC 5C. SMD 5C04. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

Decision: Approved, 6-0

\*In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment 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. This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

## NOTICE OF CLOSED MEETING

### **Investigative Agenda**

## Wednesday, April 7, 2021 | 10:30 a.m. 2000 14<sup>TH</sup> Street, NW, Suite 400 South, Washington DC 20009

On Wednesday, April 7, 2021 at 10:30 a.m., 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." "This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at <u>opengovoffice@dc.gov."</u>

1. Case#20-PRO-00047, Handle 19, 319 Pennsylvania Avenue S.E., (New Application) Tavern C, License#: ABRA-117027.

**Board Decision:** Fyi

### NOTICE OF MEETING CANCELLATION AGENDA

# WEDNESDAY, APRIL 7, 2021 AT 10:30 AM 2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be cancelling the following licenses for the reasons outlined below:

ABRA-023116 – **CC's Liquor** – Retail – A – Liquor Store – 3401 14<sup>th</sup> Street NW [Licensee requested cancellation.]

Decision: Approved, 6-0. See Board Order No. 2021-178.

ABRA-113804 – **Rosebud** – Retail – C – Restaurant - 2348 Wisconsin Avenue NW [Safekeeping][Licensee requested cancellation.]

Decision: Approved, 6-0. See Board Order No. 2021-179.



# APPLICATION DECISIONS

# WEDNESDAY, APRIL 7, 2021

THE FOLLOWING APPLICATIONS WERE SUBMITTED TO THE ALCOHOLIC BEVERAGE CONTROL BOARD FOR REVIEW.

APPLICANT	CLASS/CATEGORY	APPROVED	DENIED	DECISION PENDING
1. KIRK SHOEMAKER 3700 O STREET, NW WASHINGTON, DC 20057 LICENSE NO. 21-IMP-00008	PERSONAL IMPORTATION PERMIT APPLICATION	6-0		
COMMENTS:				
2. PACIFIC DISTRICT LESSEE CORPORATION T/A EATON DC 1201 K STREET, NW LICENSE NO. 095442	RET. C HOTEL LETTER OF REQUEST FOR REMOVAL OF OFFICER: FRANCIS MICHAEL SIMMONS, PRESIDENT & DIRECTOR	6-0		
COMMENTS:				
3. MHF 2 <sup>ND</sup> NOMA OPERATING TENANT VII, LLC T/A COURTYARD BY MARRIOTT WASHINGTON DC/US CAPITOL 1325 2 <sup>ND</sup> STREET, NE LICENSE NO. 118032	RET. C HOTEL TRANSFER WITH SALE APPLICATION	6-0		
COMMENTS:				



# APPLICATION DECISIONS

WEDNESDAY, APRIL 7, 2021

APPLICANT	CLASS/CATEGORY	APPROVED	DENIED	DECISION PENDING
4. MPHAV, INC. T/A CHICATANA FINE MEXICAN CUISINE 3917 14 <sup>TH</sup> STREET, NW LICENSE NO. 116631	RET. C RESTAURANT NEW ABC LICENSE APPLICATION	6-0		
COMMENTS:				
5.				
COMMENTS:				
6.				
COMMENTS:				



# APPLICATION DECISIONS

# WEDNESDAY, APRIL 7, 2021

THE FOLLOWING APPLICATIONS WERE SUBMITTED TO THE ALCOHOLIC BEVERAGE CONTROL BOARD FOR REVIEW.

DECISION PENDING	DENIED	APPROVED	CLASS/CATEGORY	APPLICANT
		6-0	RET. C RESTAURANT TRADE NAME CHANGE APPLICATION THE POINT FISH HOUSE THE POINT DC THE POINT	5. GREENLEAF BUZZARD, LLC T/A BUZZARD POINT FISH HOUSE 2100 2 <sup>ND</sup> STREET, SW LICENSE NO. 111655
				COMMENTS:
				COMMENTS:
1				
				COMMENTS:



# Temporary License & One Day Substantial Change Docket April 7, 2021

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

APPLICATIONS OF THE INDIVIDUALS/CORPORATIONS/PARTNERSHIPS LISTED BELOW HAVE BEEN REVIEWD FOR DOCUMENT SUFFICIENCY AND APPEAR TO BE IN COMPLIANCE WITH THE LAW. EACH IS SUBMITTED FOR REVIEW BY THE ALCOHOLIC BEVERAGE CONTROL BOARD.

Name	Class/Category	Approved	Denied	Decision Pending
1. Rabih Makhoul	One Day License Class G	6-0		

Event: Reception For: Celebrity meeting with fans Event Date: 04/09/2021, 04/10/2021 & 04/11/2021 Hours of Event: 12:00pm - 12:00am (three days) Alcohol Hours: 12:00pm - 12:00am (three days) 1027 31st St. NW, Washington, DC 20007 Portion of Premises: Entire License No. 118116 (25 attendees, 1 security guard)

www.abra.dc.gov