

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF: :
 :
LEGAL AGENDA :
LICENSING AGENDA :
CANCELLATION AGENDA :

Wednesday,
April 10, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
NICK ALBERTI, Member
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member

1 P-R-O-C-E-E-D-I-N-G-S

2 11:45 a.m.

3 CHAIRPERSON ANDERSON: We now will
4 move to our Legal Agenda.

5 The first matter on our Legal Agenda
6 is the review of a settlement agreement dated
7 March 19, 2019 between ANC-5E and The Crucible,
8 License No. 112781.

9 I make a motion that we approve this
10 request. Is there a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON ANDERSON: Mr. Silverstein
13 has seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes 4-0-0.

18 The next matter is the review of CCH
19 Capital Hotel Partners, LP's petition for full
20 standing as a protestant in Philotimo, License
21 No. 112439.

22 I make a motion that we approve this

1 request. Is there a second?

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON ANDERSON: Mr. Silverstein
4 has seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 4-0-0.

9 The next matter is the review of
10 settlement agreement dated April 3, 2019 between
11 the Residents and ANC-2B and DCCA. The
12 Residents, License No. 112781.

13 I make a motion that we approve this
14 request. Is there a second?

15 MEMBER SILVERSTEIN: Second.

16 CHAIRPERSON ANDERSON: Mr. Silverstein
17 has seconded the motion.

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON ANDERSON: Those opposed?
21 The matter passes 4-0-0.

22 The next matter is the review of ANC-

1 6B's request to extend the protest petition
2 deadline for Bullfrog Bagels to June 17, 2019
3 with the applicant's concurrence. Bullfrog
4 Bagels, License No. 100249.

5 I make a motion that we approve this
6 request. Is there a second?

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Silverstein
9 has seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 4-0-0.

14 The next matter is the review of the
15 protestant's Consent Motion to continue Protest
16 Hearing dated April 5, 2019 for Pratt Group, LLC
17 t/a TBD, License No. 112258.

18 This matter then is -- I make a motion
19 that this matter then is scheduled for April 24,
20 2019 at 1:30. Is there a second?

21 MEMBER SILVERSTEIN: Second.

22 CHAIRPERSON ANDERSON: Mr. Silverstein

1 has seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON ANDERSON: Those opposed?

5 The matter passes 4-0-0.

6 The next matter is the review of
7 protestant's Motion for Reconsideration of Board
8 Order dismissing Group of Five or More. It's
9 Lazy Kate's Bistro, License No. 112314.

10 I make a motion that we deny this
11 request. Is there a second?

12 MEMBER SILVERSTEIN: Second.

13 CHAIRPERSON ANDERSON: Mr. Silverstein
14 has seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: Those opposed?

18 The matter passes 4-0-0.

19 We now move to our Supplemental Legal
20 Agenda.

21 The first matter on our Supplemental
22 Legal Agenda is the review of Spirit of Mt.

1 Vernon's petition to unilaterally terminate its
2 settlement agreement, License No. 77414.

3 I make a motion that we placard this
4 matter. Is there a second?

5 MEMBER SILVERSTEIN: Second.

6 CHAIRPERSON ANDERSON: Mr. Silverstein
7 has seconded the motion.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON ANDERSON: Those opposed?

11 The matter passes 4-0-0.

12 The next matter is the review of
13 Odyssey Cruises' petition to unilaterally
14 terminate or amend its settlement agreement,
15 License No. 022107.

16 I make a motion that we placard this
17 matter. Is there a second?

18 MEMBER CATO: Second.

19 CHAIRPERSON ANDERSON: Mr. Cato has
20 seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes 4-0-0.

3 The next matter is the review of The
4 University Club of Washington, D.C.'s petition
5 seeking full standing as property owners of 1135
6 16th Street, N.W., in the Midtown Center
7 Restaurant, LLC t/a TBD, License No. 112211.

8 I make a motion that we approve this
9 request. Is there a second?

10 MEMBER CATO: Second.

11 CHAIRPERSON ANDERSON: Mr. Cato has
12 seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?
16 The matter passes 4-0-0.

17 The next matter is the review of Lou's
18 City Bar's request to store invoices off-site.
19 Lou's City Bar, License No. 086419.

20 I make a motion that we approve this
21 request. Is there a second?

22 MEMBER CATO: Second.

1 CHAIRPERSON ANDERSON: Mr. Cato has
2 seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON ANDERSON: Those opposed?

6 The matter passes 4-0-0.

7 The next matter is the review of
8 Amendment #1 to settlement agreement between ANC-
9 6D and The Salt Line, License No. 102592.

10 I make a motion that we approve this
11 request. Is there a second?

12 MEMBER CATO: Second.

13 CHAIRPERSON ANDERSON: Mr. Cato has
14 seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: Those opposed?

18 The matter passes 4-0-0.

19 The next matter is the review of
20 Amendment #1 to settlement agreement dated April
21 8, 2019 between ANC-6D and Homewood Suites by
22 Hilton Washington DC, License No. 105178.

1 I make a motion that we approve this
2 request. Is there a second?

3 MEMBER SILVERSTEIN: Second.

4 CHAIRPERSON ANDERSON: Mr. Silverstein
5 has seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?

9 The matter passes 4-0-0.

10 The next matter is the review of
11 settlement agreement dated April 8, 2019 between
12 ANC-6D and Punch Bowl Social, License No. 112576.

13 I make a motion that we approve this
14 request. Is there a second?

15 MEMBER SILVERSTEIN: Second.

16 CHAIRPERSON ANDERSON: Mr. Silverstein
17 has seconded the motion.

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON ANDERSON: Those opposed?

21 The matter passes 4-0-0.

22 The next matter is the review of Pratt

1 Group, LLC's response to the protestant's Motion
2 for Continuance. Pratt Group, License No.
3 112258.

4 This matter is now moot.

5 We now move to our Licensing Agenda.

6 The first matter on our Licensing
7 Agenda is to review request to extend safekeeping
8 of license, Heat, License No. 084620.

9 I make a motion that we grant this
10 request through September 30, 2019. Is there a
11 second?

12 MEMBER SILVERSTEIN: Second.

13 CHAIRPERSON ANDERSON: Mr. Silverstein
14 has seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: Those opposed?

18 The matter passes 5-0-0.

19 The next matter is to review request
20 to extend safekeeping of license for the Roberts
21 Law Group, PLLC, License No. 083728.

22 I make a motion that we grant this

1 request through September 30, 2019. Is there a
2 second?

3 MEMBER CATO: Second.

4 CHAIRPERSON ANDERSON: Mr. Cato has
5 seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?

9 The matter passes 5-0-0.

10 The next matter is to review request
11 to extend safekeeping of license for Sangria
12 Cafe, License No. 090781.

13 I make a motion that we grant this
14 request through September 30, 2019. Is there a
15 second?

16 MEMBER SILVERSTEIN: Second.

17 CHAIRPERSON ANDERSON: Mr. Silverstein
18 has seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?

22 The matter passes 5-0-0.

1 The next matter is to review request
2 to extend safekeeping of license, Bourbon,
3 License No. 060605.

4 I make a motion that we grant this
5 request through September 30, 2019. Is there a
6 second?

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Silverstein
9 has seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 5-0-0.

14 The next matter is to review request
15 to extend safekeeping of license, Fresh Fields
16 Whole Foods Market, License No. 086069.

17 I make a motion that we grant this
18 request through September 30, 2019. Is there a
19 second?

20 MEMBER SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Silverstein
22 has seconded the motion.

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 5-0-0.

5 The next matter is to review request
6 to extend safekeeping of license, Fresh Fields
7 Whole Foods Market, License No. 022045.

8 I make a motion that we grant this
9 request through September 30, 2019. Is there a
10 second?

11 MEMBER SHORT: Second.

12 CHAIRPERSON ANDERSON: Mr. Short has
13 seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?

17 The matter passes 5-0-0.

18 The next matter is to review request
19 to extend safekeeping of license for Marvin
20 Center, License No. 001070.

21 I make a motion that we grant this
22 request through September 30, 2019. Is there a

1 second?

2 MEMBER SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has
4 seconded the motion.

5 All those in favor say aye.

6 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 5-0-0.

9 The next matter is to review request
10 to extend safekeeping of license, Rodman's
11 Discount Spirits, License No. 108215.

12 I make a motion that we grant this
13 request through September 30, 2019. Is there a
14 second?

15 MEMBER SILVERSTEIN: Second.

16 CHAIRPERSON ANDERSON: Mr. Silverstein
17 has seconded the motion.

18 All those in favor say aye.

19 ALL: Aye.

20 CHAIRPERSON ANDERSON: Those opposed?
21 The matter passes 5-0-0.

22 The next matter is to review request

1 to extend safekeeping of license for Mulebone,
2 License No. 078882.

3 I make a motion that we grant this
4 request through September 30, 2019. Is there a
5 second?

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?

12 The matter passes 5-0-0.

13 The next matter is to review request
14 to extend safekeeping of license for Atlas Arcade
15 /Idle Hands, License No. 083822.

16 I make a motion that we grant this
17 request through September 30, 2019. Is there a
18 second?

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON ANDERSON: Mr. Silverstein
21 has seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON ANDERSON: Those opposed?

3 The matter passes 5-0-0.

4 The next matter is to review request
5 to extend safekeeping of license for Macombo
6 Lounge, License No. 000771.

7 I make a motion that we grant this
8 request through September 30, 2019. Is there a
9 second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 The next matter is to review request
18 to extend safekeeping of license, Capital Fringe,
19 License No. 097815.

20 I make a motion that we grant this
21 request through September 30, 2019. Is there a
22 second?

1 MEMBER SILVERSTEIN: Second.

2 CHAIRPERSON ANDERSON: Mr. Silverstein
3 has seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes 5-0-0.

8 The next matter is to review request
9 to extend safekeeping of license for Five to One,
10 License No. 105948.

11 I make a motion that we grant this
12 request through September 30, 2019. Is there a
13 second?

14 MEMBER SILVERSTEIN: Second.

15 CHAIRPERSON ANDERSON: Mr. Silverstein
16 has seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passes 5-0-0.

21 The next matter is to review
22 application for change of hours for Cafe Divan,

1 License No. 060603.

2 I make a motion that we approve this
3 request. Is there a second?

4 MEMBER SILVERSTEIN: Second.

5 CHAIRPERSON ANDERSON: Mr. Silverstein
6 has seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON ANDERSON: Those opposed?

10 The matter passes 5-0-0.

11 We now move to our Supplemental
12 Licensing Agenda.

13 The first matter on our Supplemental
14 Licensing Agenda is to review request for a
15 Temporary Operating Permit for Bar Pilar, License
16 No. 072472.

17 I make a motion that we approve this
18 request. Is there a second?

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON ANDERSON: Mr. Silverstein
21 has seconded the motion.

22 All those in favor say aye.

1 ALL: Aye.

2 CHAIRPERSON ANDERSON: Those opposed?

3 The matter passes 5-0-0.

4 The next matter is to review request
5 to remove license from safekeeping to complete
6 transfer and reopen, The Star and The Shamrock,
7 License No. 081804.

8 I make a motion that we approve this
9 request. Is there a second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 The next matter is to review request
18 to remove license from safekeeping for reopening
19 on April 15, 2019, Exotic Wine and Liquors,
20 License No. 105806.

21 I make a motion that we approve this
22 request. Is there a second?

1 MEMBER SHORT: Second.

2 CHAIRPERSON ANDERSON: Mr. Short has
3 seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes 5-0-0.

8 The next matter is to review request
9 for disposal permit to transport unopened
10 alcoholic beverage and inventory back to the
11 following wholesalers: Capital Eagle, License
12 No. 026023; Premium Distributors, License No.
13 060290; and Hop & Wine Beverage, License No.
14 086140. This request is being made by Pizzeria
15 Vetri, License No. 101916.

16 I make a motion that we approve this
17 request. Is there a second?

18 MEMBER CATO: Second.

19 CHAIRPERSON ANDERSON: Mr. Cato
20 seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes 4-0-0.

3 The next matter is to review request
4 to remove tasting permit from license, Splash
5 Liquor and Groceries, License No. 106999.

6 I make a motion that we approve this
7 request. Is there a second?

8 MEMBER SILVERSTEIN: Second.

9 CHAIRPERSON ANDERSON: Mr. Silverstein
10 has seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passes 4-0-0.

15 The next matter is to review request
16 for a refund for withdrawal of temporary license
17 and application on various days, Carter Witt,
18 Temporary Class G License.

19 I make a motion that we approve this
20 request. Is there a second?

21 MEMBER CATO: Second.

22 CHAIRPERSON ANDERSON: Mr. Cato has

1 seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON ANDERSON: Those opposed?

5 The matter passes 4-0-0.

6 We now move to our Second
7 Supplementary Licensing Agenda.

8 The first matter on our Second
9 Supplemental Licensing Agenda is to review
10 application for a change of hours for Anju,
11 License No. 075684.

12 I make a motion that we placard this
13 matter. Is there a second?

14 MEMBER CATO: Second.

15 CHAIRPERSON ANDERSON: Mr. Cato

16 seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?

20 The matter passes 4-0-0.

21 The next matter is the review of a
22 Letter of Intent regarding safekeeping extension

1 request for To Be Determined, formerly 456, LLC,
2 License No. 098732.

3 This is an FYI for the Board.

4 We now move to our Cancellation
5 Agenda.

6 The Board will be canceling the
7 following licenses for the reasons outlined
8 below:

9 Ruth's Chris Steak House, License No.
10 092489, the licensee requests cancellation.

11 Courtyard by Marriott, License No.
12 105786, the licensee requests cancellation.

13 Pizzeria Vetri, License No. 101916,
14 the licensee requests cancellation.

15 And Pho Viet & Grille, License No.
16 092977, the licensee requests cancellation.

17 I then make a motion that the licenses
18 for the establishments listed on the April 10,
19 2019 Cancellation Agenda be canceled. Is there a
20 second?

21 MEMBER SILVERSTEIN: Second.

22 CHAIRPERSON ANDERSON: Mr. Silverstein

1 has seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON ANDERSON: Those opposed?

5 The matter passes 4-0-0.

6 As Chairperson of the Alcoholic
7 Beverage Control Board for the District of
8 Columbia and in accordance with DC Official Code
9 Section 2-574(b) of the Open Meetings Act, I move
10 that the ABC Board hold a closed meeting on April
11 24, 2019 for the purpose of seeking legal advice
12 from our counsel on the matters identified on the
13 Board's Investigative, Legal and Licensing Agenda
14 for April 24, 2019 as published in the DC
15 Register on April 12, 2019.

16 Is there a second?

17 MEMBER SILVERSTEIN: Second.

18 CHAIRPERSON ANDERSON: Mr. Silverstein
19 has seconded the motion.

20 I will take a roll call vote on the
21 motion before us now that it has been seconded.

22 Mr. Silverstein?

1 MEMBER SILVERSTEIN: I agree.

2 CHAIRPERSON ANDERSON: Mr. Alberti?

3 MEMBER ALBERTI: I agree.

4 CHAIRPERSON ANDERSON: Mr. Cato?

5 MEMBER CATO: I agree.

6 CHAIRPERSON ANDERSON: Mr. Anderson?

7 I agree.

8 As it appears that the motion has
9 passed, I hereby give notice that the ABC Board
10 will hold this closed meeting pursuant to the
11 Open Meetings Act. Notice will also be posted on
12 the ABC Board hearing room bulletin board, placed
13 on the electronic calendar on ABRA's website and
14 published in the DC Register in as timely a
15 manner as practicable.

16 It is 12:03 p.m. and we are adjourned
17 for the day. thank you.

18 (Whereupon, the Legal, Licensing and
19 Cancellation Agenda Hearings were concluded at
20 12:03 p.m.)

21

22

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Agendas

Before: Alcoholic Beverage Control Board

Date: 04-10-19

Place: Washington, DC

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