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

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

Wednesday,
April 3, 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

REMA WAHABZADAH, Member

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

11:25 a.m.

CHAIRPERSON ANDERSON: We are back on the record. We are going to do our Legal Agenda.

The first matter on our Legal Agenda is the review of a settlement agreement dated March 11, 2019 between ANC-6D and Pop Social, License No. 112530.

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

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is review of a settlement agreement dated February 13, 2019 between ANC-1A and Call Your Mother, License No. 111895.

I make a motion that we approve this

request. Is there a second?

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is the review of Al Dente's petition to unilaterally amend or terminate a settlement agreement. Al Dente, License No. 087728.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is the review of Uni

Bistro's request for reinstatement of its license, License No. 101295.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is the review of Buzzard Point Fish House's Motion to Dismiss ANC-6D's Protest Petition, License No. 111655.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON ANDERSON: Those opposed?

The matter passes 6-0-0.

The next matter is the review of Buzzard Point Fish House's supplement to Motion to Dismiss ANC-6D's protest petition, License No. 111655.

This matter is now moot.

The next matter on our agenda is the review of Commissioner Anthony Dale SMD 6D05 letter to ANC-6D's protest petition against Buzzard Point Fish House.

This is just an FYI for the Board.

We now move to our Supplemental Legal Agenda.

The first matter on our Supplemental Legal Agenda is the review of Angolo Ristorante Italiano's petition to unilaterally amend or terminate a settlement agreement. The License No. is 109417.

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

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has

seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is the review of Columbia Lodge #85 I.B.P.E.O. of Wo's petition to unilaterally amend or terminate a settlement agreement, License No. 000237.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is the review of Lupo Verde's petition to unilaterally amend or terminate a settlement agreement. Lupo Verde, License No. 088527.

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

MEMBER SHORT: Second.

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Short and Mr. Silverstein have seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is the review of ANC-6B's request to continue to protest deadline for Eat BRGZ, License No. 113050.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

We now move to our Licensing Agenda.

The first matter on our Licensing Agenda is to review request to extend safekeeping of license for formerly Club Rendezvous, License No. 104924.

I make a motion that we grant the request through September 30, 2019. Is there a second?

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for 1720 Club, License No. 015251.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for FreshDirect, License No. 104699.

I make a motion that we have a Fact-Finding Hearing. Is there a second?

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for TBD, formerly 456, LLC, License No. 098732.

I make a motion that we have a Fact-

Finding Hearing. Is there a second?

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for S&S Liquors, License No. 072300.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request

to extend safekeeping of license for TBD, formerly Brown Street Market, License No. 108288.

I make a motion that we have a Fact-Finding Hearing. Is there a second?

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for TBD, formerly NDC Emery Park JV, LLC, License No. 109938.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license, Anju, License No. 075684.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for TBD, formerly 525 8th Street, LLC, License No. 109404.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for El Camino, License No. 094426.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for TBD,

formerly Sterling/Gunston, LLC, License No. 111806.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for Liberte, License No. 109013.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to extend safekeeping of license for Liberte, License No. 109012.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review application for a class change from Retailer B to Retailer A liquor store, Toni's Market, License No. 102043.

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

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review application for class change from Retailer D Restaurant to Retailer C Restaurant for Tequila & Mezcal Restaurante Bar, License No. 112331.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review application for a class change to change hours to

extend Sunday hours for Sunset Wine and Spirits, License No. 095926.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review application for sidewalk cafe with 9 seats for Duffy's Irish Pub, License No. 111076.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON ANDERSON: Those opposed?

The matter passes 6-0-0.

The next matter is to review application for sidewalk cafe with 18 seats for Slash Run, License No. 109631.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to expand total occupancy load from 60 to 120 for the Right Spot, License No. 100631.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to add cover charge to an existing entertainment endorsement for the Right Spot, License No. 100631.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to add dancing to existing entertainment endorsement, Centeno's Restaurant, License No. 090806.

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

MEMBER CATO: Second.

CHAIRPERSON ANDERSON: Mr. Cato has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

We now move to our Supplemental Licensing Agenda.

The first matter on our Supplemental Licensing Agenda is to review application for a stipulated license with ANC support, The Crucible, License No. 112781.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to remove license from safekeeping for Friendship Macaron, LLC, License No. 109261/113227.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review request to remove license from safekeeping for Rakumi, License No. 112710.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The next matter is to review application for a class change from Retailer C Restaurant to Retailer C Tavern, Bombay Street Food, License No. 112081.

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

MEMBER SILVERSTEIN: Second.

CHAIRPERSON ANDERSON: Mr. Silverstein has seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON ANDERSON: Those opposed? The matter passes 6-0-0. We now move to our Cancellation Agenda.

The Board will be canceling the following license for the reasons outlined below:

Pica Taco, License No. 085707. The licensee requested cancellation.

Sushi Capitol, License No. 092785. The licensee requested cancellation.

Archaikos Foods, License No. 108387. The licensee requested cancellation.

And TBD, formerly Pasha's Kitchen, License No. 109636. The licensee requested cancellation.

I then make a motion that the ABC Board cancel the licenses for the establishments listed on the Cancellation Agenda for April 3, 2019 that was just read into the record. Is there a second?

MEMBER CATO: Second.

CHAIRPERSON ANDERSON: Mr. Cato has seconded the motion.

All those in favor say aye.

ALL: Aye.

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

The Board then will be in recess until our 1:30 hearing. All right. Thank you.

(Whereupon, the Legal, Licensing and Cancellation Agenda Hearings were concluded at 11:40 a.m.)

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This is to certify that the foregoing transcript

In the matter of: Agenda

Before: DCABRA

Date: 04-03-19

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Neal R. Gross

Court Reporter