

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,  
December 5, 2018

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  
BOBBY CATO, JR., Member  
MIKE SILVERSTEIN, Member  
JAMES SHORT, Member

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

2 2:05 p.m.

3 CHAIRPERSON ANDERSON: All right. Let  
4 us do our Legal Agenda.

5 All right. The first matter on our  
6 Legal Agenda is a review of a letter dated  
7 October 30, 2018 from MPD Chief of Police Peter  
8 Newsham requesting the Board hold a Fact-Finding  
9 Hearing on District Anchor, License No. 100517.

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

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short 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 amended settlement agreement dated October 15,  
21 2018 between ANC-2F, the Logan Circle Community  
22 Association and El Sol Restaurant & Tequileria,

1 License No. 099065.

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 4-0-0.

11 The next matter is the review of the  
12 complaint from Langston Civic Association  
13 regarding Sylvia's Liquors. Sylvia's Liquors,  
14 License No. 104606.

15 I make a motion that we refer this  
16 matter to enforcement. Is there a second?

17 MEMBER SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has  
19 seconded the motion. When we get letters, we  
20 just respond to letters.

21 All those in favor of the matter say  
22 aye.

1 ALL: Aye.

2 CHAIRPERSON ANDERSON: Those opposed?

3 The matter passes 4-0-0.

4 All right. The next matter is the  
5 review of the amended settlement agreement dated  
6 November 28, 2018 between ANC-6A and Dangerously  
7 Delicious DC, License No. 087422.

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 We now move to our Supplemental Legal  
18 Agenda.

19 The first matter on our Supplemental  
20 Legal Agenda is the review of a settlement  
21 agreement dated November 28, 2018 between ANC-6C  
22 and Buffalo & Bergen, License No. 111227.

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 a  
11 settlement agreement dated October 12, 2018  
12 between ANC-2B and Saint Yves, License No.  
13 099876.

14 I make a motion that we approve the  
15 agreement with modification. Is there a second?

16 MEMBER CATO: Second.

17 MEMBER SILVERSTEIN: Second.

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

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 4-0-0.

2 The next matter is the review of the  
3 Group of Five or More's request that its  
4 previously filed Protest Petition be applied to  
5 Sandbox formerly known as Cube & Bale, License  
6 No. 110062.

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

9 MEMBER SILVERSTEIN: Second.

10 MEMBER SHORT: 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 4-0-0.

17 The next matter is the review of the  
18 Citizens Association of Georgetown's request that  
19 its previously filed Protest Petition be applied  
20 to Sandbox formerly known as Cube & Bale, License  
21 No. 110062.

22 I make a motion that we approve this

1 request. Is there a second?

2 MEMBER CATO: Second.

3 CHAIRPERSON ANDERSON: Mr. Cato has  
4 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 to review a  
10 settlement agreement dated August 15, 2017  
11 between ANC-2F and Maxwell, License No. 106334.

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

14 MEMBER CATO: Second.

15 CHAIRPERSON ANDERSON: Mr. Cato has  
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 We now move to our Licensing Agenda.  
22 The first matter on our Licensing Agenda is to

1 review application for safekeeping of license for  
2 El Camino, License No. 094426.

3 I make a motion that we approve this  
4 matter through March 31, 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 4-0-0.

13 We now move to our Supplemental  
14 Licensing Agenda.

15 The first matter on our Supplemental  
16 Licensing Agenda is to review request for  
17 stipulated liquor license with letter of ANC  
18 support, Streets Market, License No. 108842.

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

21 MEMBER SILVERSTEIN: 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 to review request  
8 for Temporary Operating Retail Permit for Carlyle  
9 Hotel, License No. 112302.

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

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short 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 to review request  
20 for Temporary Operating Retail Permit for The  
21 Embassy Row Hotel, License No. 112300.

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 to review request  
10 for approval to provide gifts of Redskins  
11 football tickets that do not exceed \$500 in value  
12 to Fat Pete's BBQ, License No. 095574; Marcel's,  
13 License No. 060004; Bobby Van's Steakhouse,  
14 License No. 060069; Lax Wine & Spirits, License  
15 No. 082054.

16 This request is being made by  
17 Breakthru Beverage, License No. 060518.

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

20 MEMBER SHORT: Second.

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

1 All those in favor say aye.

2 ALL: Aye.

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 4-0-0.

5 The next matter is to review letter  
6 requesting to withdraw application for a rooftop  
7 summer garden, The Elroy, License No. 096771.

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 4-0-0.

17 We now move to our Second Supplemental  
18 Licensing Agenda.

19 The first matter on our Second  
20 Supplemental Licensing Agenda is to review  
21 request for a Temporary Operating Retail Permit,  
22 TBD formerly The Darcy Hotel, License No. 112244.

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 We now move to our Cancellation  
11 Agenda.

12 The Board will be canceling the  
13 following licenses for the reasons outlined  
14 before:

15 M & M Market, License No. 078461, the  
16 licensee did not pay safekeeping fee within 30  
17 days.

18 Kearney's Grocery, License No. 078591,  
19 the licensee did not pay safekeeping fees within  
20 30 days.

21 And Bolt Burger, ABRA License No.  
22 092541, the licensee requested to cancel the

1 license.

2 I therefore make a motion that the  
3 three establishments that I just listed, that the  
4 ABC Board cancels its license. 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 4-0-0.

13 As Chairperson of the Alcoholic  
14 Beverage Control Board for the District of  
15 Columbia and in accordance with DC Official Code  
16 Section 2-574(b), closed meetings, and Section 2-  
17 574, Notice of Meetings, of the Open Meetings  
18 Act, I move that the ABC Board hold a closed  
19 meeting on December 12, 2018 for the purpose of  
20 discussing and hearing reports concerning ongoing  
21 or planned investigations of alleged criminal or  
22 civil misconduct or violations of law or

1 regulations and seeking legal advice from our  
2 counsel on the Board's Investigative, Legal and  
3 Licensing Agenda for December 12, 2018 as  
4 published in the DC Register on December 7, 2018.

5 Is there a second?

6 MEMBER SHORT: Second.

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

9 I will now take a roll call vote on  
10 the motion before us now that it has been  
11 seconded.

12 Mr. Silverstein?

13 MEMBER SILVERSTEIN: I agree.

14 CHAIRPERSON ANDERSON: Mr. Short?

15 MEMBER SHORT: I agree.

16 CHAIRPERSON ANDERSON: Mr. Cato?

17 MEMBER CATO: I agree.

18 CHAIRPERSON ANDERSON: Mr. Anderson?

19 I agree.

20 As it appears that the motion has  
21 passed, I hereby give notice that the ABC Board  
22 will hold this aforementioned closed meeting

1 pursuant to the Open Meetings Act. Notice will  
2 also be posted on the ABC Board hearing room  
3 bulletin board, placed on the electronic calendar  
4 on ABRA's website and published in the DC  
5 Register in as timely a manner as practicable.

6 It is 2:16 p.m. and we are adjourned  
7 for the day. Thank you.

8 (Whereupon, the Legal, Licensing and  
9 Cancellation Agenda Hearings were concluded at  
10 2:16 p.m.)

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In the matter of: Agenda

Before: DC ABRA

Date: 12-05-18

Place: Washington, DC

was duly recorded and accurately transcribed under  
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Court Reporter

**NEAL R. GROSS**

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