

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :
 :
 Cancellation Agenda :
 Legal Agenda :
 Licensing Agenda :
 :

Wednesday
 January 8, 2020

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
 RAFI ALIYA CROCKETT, Member
 BOBBY CATO, JR., Member
 JAMES SHORT, Member
 REMA WAHABZADAH, Member

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

5:40 p.m.

1
2
3 CHAIRMAN ANDERSON: Let's do the legal
4 agenda.

5 The first matter on the legal agenda
6 is to review the settlement agreement dated
7 September 10, 2019 between Death Punch, Shabu
8 Plus and Shibuya Eatery and ANC 1C, the Kalorama
9 Citizens Association and the Reed-Cooke
10 Neighborhood Association.

11 I make a motion that we approve this
12 agreement, settlement agreement. Is there a
13 second?

14 MS. CROCKETT: Second.

15 MR. CATO: Second.

16 CHAIRMAN ANDERSON: Mr. Cato and Ms.
17 Crockett seconding the motion. All those in
18 favor say aye.

19 (Chorus of ayes)

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

22 The second matter is review of
23 settlement agreement dated November 18, 2019
24 between ANC 6C and King Street Oyster Bar,
25 license number 114984. I make a motion that we

1 approve this request. Is there a second?

2 MS. CROCKETT: Second.

3 CHAIRMAN ANDERSON: Ms. Crockett has
4 seconded the motion. All those in favor say aye.

5 (Chorus of ayes)

6 CHAIRMAN ANDERSON: Those opposed.

7 The matter passes 5-0-0.

8 The next matter is a review of
9 settlement agreement dated November 19, 2019
10 between ANC 3F and Buckaroos, license number
11 115707. I make a motion that we approve this
12 request. Is there a second?

13 MS. CROCKETT: Second.

14 CHAIRMAN ANDERSON: Ms. Crockett has
15 seconded the motion. All those in favor say aye.

16 (Chorus of ayes)

17 CHAIRMAN ANDERSON: Those opposed.

18 The matter passes 5-0-0.

19 The next matter is a review of Police
20 Chief Newsham's request for a fact-finding
21 hearing concerning an incident that transpired on
22 October 15, 2019 at El Rincon, license number
23 60003. This is just an FYI for the board.

24 The next matter is a review of Allen
25 Tubis's request for a fact-finding hearing

1 concerning the board's decision to deny any of
2 his future temporary licenses for Giant Barbecue.
3 I make a motion that we approve this matter. Is
4 there a second?

5 MR. SHORT: You say approve it or?

6 CHAIRMAN ANDERSON: No, we're
7 approving having the hearing, having the fact-
8 finding hearing.

9 MR. SHORT: Second.

10 CHAIRMAN ANDERSON: Mr. Short has
11 seconded the motion. All those in favor say aye.

12 (Chorus of ayes)

13 CHAIRMAN ANDERSON: Those opposed.
14 The matter passes 5-0-0.

15 The next matter is a review of the
16 amendment settlement agreement dated December 3,
17 2019 between ANC 6E and Rito Loco-El Techo,
18 license number 104119. I make a motion that we
19 approve this request. Is there a second?

20 MS. CROCKETT: Second.

21 CHAIRMAN ANDERSON: Ms. Crockett has
22 seconded the motion. All those in favor say aye.

23 (Chorus of ayes)

24 CHAIRMAN ANDERSON: Those opposed.
25 The matter passes 5-0-0.

1 The next matter is a review of ABC
2 Pony's request to store invoices offsite, license
3 number 115244. I make a motion that we approve
4 this request. Is there a second?

5 MS. CROCKETT: Second.

6 CHAIRMAN ANDERSON: Ms. Crockett has
7 seconded the motion. All those in favor say aye.

8 (Chorus of ayes)

9 CHAIRMAN ANDERSON: Those opposed.
10 The matter passes 5-0-0.

11 The next matter is a review of a
12 settlement agreement dated May 28, 2019 between
13 ANC 1B and the Right Spot, license number 100631.
14 I make a motion that we approve this with
15 modifications. Is there a second?

16 MR. SHORT: Second.

17 CHAIRMAN ANDERSON: Mr. Short has
18 seconded the motion. All those in favor say aye.

19 (Chorus of ayes)

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

22 The next matter, review of Jimmy
23 Valentine's Lonely Hearts Club's request for
24 reinstatement of its license renewal application,
25 license number 076330. I make a motion that we

1 approve this request. Is there a second?

2 MS. CROCKETT: Second.

3 CHAIRMAN ANDERSON: Ms. Crockett has
4 seconded the motion. All those in favor say aye.

5 (Chorus of ayes)

6 CHAIRMAN ANDERSON: Those opposed.

7 The matter passes 5-0-0.

8 The next matter, review of the group
9 of five or more's opposition to Jimmy Valentine's
10 Lonely Hearts Club, the request for reinstatement
11 of its license renewal application. This is now
12 moot.

13 The next matter is a review of the
14 group of five or more's request for reinstatement
15 of its protest petition in the Walmart Stores
16 East LLC number 3035, license number 109874. I
17 make a motion that we deny this request. Is
18 there a second?

19 MR. SHORT: Second.

20 CHAIRMAN ANDERSON: Mr. Short has
21 seconded the motion. All those in favor say aye.

22 (Chorus of ayes)

23 CHAIRMAN ANDERSON: Those opposed.

24 The matter passes 5-0-0.

25 The next matter, a review of Walmart's

1 opposition to the group of five or more's request
2 for a reinstatement of its protest petition.

3 This now is moot.

4 The next matter is review of
5 settlement agreement dated December 17, 2019
6 between ANC 4C and Simple Bar and Grill. License
7 number 092423. I make a motion that we approve
8 this request. Is there a second?

9 MS. CROCKETT: Second.

10 CHAIRMAN ANDERSON: Ms. Crockett has
11 seconded the motion. All those in favor say aye.

12 (Chorus of ayes)

13 CHAIRMAN ANDERSON: Those opposed.
14 The matter passes 5-0-0.

15 The next matter, review of ANC 6E's
16 withdrawal of its protest concerning @1015's
17 license renewal application. I make a motion
18 that we approve this request. Is there a second?

19 MR. SHORT: Second.

20 CHAIRMAN ANDERSON: Mr. Short has
21 seconded the motion. All those in favor say aye.

22 (Chorus of ayes)

23 CHAIRMAN ANDERSON: Those opposed.
24 The matter passes 5-0-0.

25 The next matter, review of the

1 settlement agreement dated December 22, 2019
2 between ANC 6E and @1015, license number 109294.
3 I make a motion that we approve this request with
4 modifications. Is there a second?

5 MS. CROCKETT: Second.

6 MR. CATO: Second.

7 CHAIRMAN ANDERSON: Ms. Crockett and
8 Mr. Cato seconded the motion. All those in favor
9 say aye.

10 (Chorus of ayes)

11 CHAIRMAN ANDERSON: Those opposed.
12 The matter passes 5-0-0.

13 The next matter is a review of Rito
14 Loco's consent motion to continue the protest
15 hearing, Rio Loco-El Techo, license number
16 104119.

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

19 MS. CROCKETT: Second.

20 CHAIRMAN ANDERSON: Ms. Crockett has
21 seconded the motion. All those in favor say aye.

22 (Chorus of ayes)

23 CHAIRMAN ANDERSON: Those opposed.
24 The matter passes 5-0-0.

25 The next matter is a review of the

1 Adams Morgan Moratorium zone notice of final
2 rulemaking. I make a motion that we approve the
3 moratorium. Is there a second?

4 MR. SHORT: Second.

5 CHAIRMAN ANDERSON: Mr. Short has
6 seconded the motion. All those in favor say aye.

7 (Chorus of ayes)

8 CHAIRMAN ANDERSON: Those opposed.
9 The matter passes 5-0-0.

10 We now move to our supplemental legal
11 agenda. The first matter on our supplemental
12 legal agenda is a review of ANC 2A's resolution
13 in support of Flavors of India, Marshall Bar's
14 petition to unilaterally amend its settlement
15 agreement. I make a motion that we approve this
16 request. Is there a second?

17 MS. CROCKETT: Second.

18 CHAIRMAN ANDERSON: Ms. Crockett has
19 seconded the motion. All those in favor say aye.

20 (Chorus of ayes)

21 CHAIRMAN ANDERSON: Those opposed.
22 The matter passes 5-0-0.

23 The next item is a review of La Loma's
24 request for reinstatement of its license. La
25 Loma, Inc., license number 026051. I make a

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

3 MS. CROCKETT: Second.

4 CHAIRMAN ANDERSON: Ms. Crockett has
5 seconded the motion. All those in favor say aye.

6 (Chorus of ayes)

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

9 The next matter is review of Jack Rose
10 Dining Saloon's request to store their invoices
11 offset. Jack Rose Dining Saloon, license number
12 081997. I make a motion that we approve this
13 request. Is there a second?

14 MS. CROCKETT: Second.

15 MR. CATO: Second.

16 CHAIRMAN ANDERSON: Ms. Crockett and
17 Mr. Cato has seconded the motion. All those in
18 favor say aye.

19 (Chorus of ayes)

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

22 The next matter is a review of the
23 Imperial's request to store their invoices
24 offsite. The Imperial, license number 109169. I
25 make a motion that we approve this request. Is

1 there a second?

2 MS. CROCKETT: Second.

3

4 CHAIRMAN ANDERSON: Ms. Crockett has
5 seconded the motion. All those in favor say aye.

6 (Chorus of ayes)

7 CHAIRMAN ANDERSON: Those opposed.

8 The matter passes 5-0-0.

9 The next matter is review of the third
10 amendment to the cooperative agreement dated
11 December 12, 2019 between ANC 2E, the Citizens
12 Association of Georgetown, the DC residents as
13 associated with Jelleff site, and Safeway store
14 location 1855, license number 097705.

15 I make a motion that we approve this
16 agreement with modifications. Is there a second?

17 MR. SHORT: Second.

18 CHAIRMAN ANDERSON: Mr. Short has
19 seconded the motion. All those in favor say aye.

20 (Chorus of ayes)

21 CHAIRMAN ANDERSON: Those opposed.

22 The matter passes 5-0-0.

23 The next matter is a review of
24 settlement agreement dated December 30, 2019
25 between ANC 6B and Ambar, license number 090240.

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

3 MS. CROCKETT: Second.

4 CHAIRMAN ANDERSON: Ms. Crockett has
5 seconded the motion. All those in favor say aye.

6 (Chorus of ayes)

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

9 We now move to our licensing agenda.
10 The first matter on our licensing agenda is
11 application for class change from class C
12 restaurant to class C tavern, Finn McCool's,
13 license number 107078. I make a motion that we
14 placard this matter. Is there a second?

15 MS. CROCKETT: Second.

16 CHAIRMAN ANDERSON: Ms. Crockett has
17 seconded the motion. All those in favor say aye.

18 (Chorus of ayes)

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

21 The next matter is a review of request
22 to extend operations into adjacent building at
23 2723 18th Street, Columbia Station, license
24 number 024834.

25 I make a motion that we have a fact-

1 finding hearing. Is there a second?

2 MR. SHORT: Second.

3 CHAIRMAN ANDERSON: Mr. Short has
4 seconded the motion. All those in favor say aye.

5 (Chorus of ayes)

6 CHAIRMAN ANDERSON: Those opposed.

7 The matter passes 5-0-0.

8 The next matter is a review of request
9 to extend the total occupancy load of the
10 establishment from 397 to 547, Eye Bar/Garden of
11 Eden, license number 083133. I make a motion
12 that we placard this matter. Is there a second?

13 CHAIRMAN ANDERSON: Ms. Crockett has
14 seconded the motion. All those in favor say aye.

15 (Chorus of ayes)

16 CHAIRMAN ANDERSON: Those opposed.

17 The matter passes 5-0-0.

18 The next matter is a review of
19 application for change of hours inside premises.
20 Dangerously Delicious DC, license number 087422.

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

23 MS. CROCKETT: Second.

24 CHAIRMAN ANDERSON: Ms. Crockett has
25 seconded the motion. All those in favor say aye.

1 (Chorus of ayes)

2 CHAIRMAN ANDERSON: Those opposed.

3 The matter passes 5-0-0.

4 The next matter is to review a request
5 to renew offsite storage permit to store alcohol
6 in the warehouse based on office license
7 premises. Wide World of Wines, license number
8 096780. I make a motion that we approve this
9 request. Is there a second?

10 MR. SHORT: Second.

11 CHAIRMAN ANDERSON: Mr. Short has
12 seconded the motion. All those in favor say aye.

13 (Chorus of ayes)

14 CHAIRMAN ANDERSON: Those opposed.

15 The matter passes 5-0-0.

16 The next matter is to review a request
17 to update application to include two ground floor
18 summer gardens instead of two sidewalk cafes for
19 Thompson Washington, DC, license number 114613.

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

22 MS. CROCKETT: Second.

23 CHAIRMAN ANDERSON: Ms. Crockett has
24 seconded the motion. All those in favor say aye.

25 (Chorus of ayes)

1 CHAIRMAN ANDERSON: Those opposed.
2 The matter passes 5-0-0.

3 The next matter is to review a request
4 to add cover charge to existing entertainment
5 endorsement for Willie's Brew and Que, license
6 number 108128. I make a motion that we approve
7 this request. Is there a second?

8 MS. CROCKETT: Second.

9 CHAIRMAN ANDERSON: Ms. Crockett has
10 seconded the motion. All those in favor say aye.

11 (Chorus of ayes)

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

14 We now move to our supplemental
15 licensing agenda. The first matter on our
16 supplemental agenda is to review application for
17 stipulated license with letter of ANC support for
18 Addis Paris Café, license number 110083. I make
19 a motion that we approve this request. Is there
20 a second?

21 MR. SHORT: Second.

22 CHAIRMAN ANDERSON: Mr. Short has
23 seconded the motion. All those in favor say aye.

24 (Chorus of ayes)

25 CHAIRMAN ANDERSON: Those opposed.

1 The matter passes 5-0-0.

2 The next matter is to review
3 application for stipulated license with letter of
4 ANC support for new ABC license for Tesoro
5 Trattoria & Pizzeria, license number 115985. I
6 make a motion that we approve this request. Is
7 there a second?

8 MS. CROCKETT: Second.

9 CHAIRMAN ANDERSON: Ms. Crockett has
10 seconded the motion. All those in favor say aye.

11 (Chorus of ayes)

12 CHAIRMAN ANDERSON: Those opposed.

13 The matter passes 5-0-0.

14 The next matter is to review
15 application for class A manufacturing license to
16 be located at the same premises as a
17 manufacturing B license for Atlas Brew Works,
18 license number 116137.

19 I make a motion that we have a fact-
20 finding hearing. Is there a second?

21 MR. SHORT: Okay.

22 CHAIRMAN ANDERSON: Mr. Short has
23 seconded the motion. All those in favor say aye.

24 (Chorus of ayes)

25 CHAIRMAN ANDERSON: Those opposed.

1 The matter passes 5-0-0.

2 The next matter is to review
3 application for a class B manufacturer license to
4 be located at the same premises as a class A
5 license, Atlas Brew Works, license number 116079.

6 I make a motion that we have a fact-
7 finding hearing. Is there a second?

8 MS. CROCKETT: Second.

9 CHAIRMAN ANDERSON: Ms. Crockett has
10 seconded the motion. All those in favor say aye.

11 (Chorus of ayes)

12 CHAIRMAN ANDERSON: Those opposed.

13 The matter passes 5-0-0.

14 The next matter is to review a request
15 for approval to provide a gift of AFC divisional
16 playoff tickets that do not exceed \$500 in value
17 to the John F. Kennedy Center.

18 The request has been made by Breakthru
19 Beverage, license number 060518. I make a motion
20 that we approve this request. Is there a second?

21 MS. CROCKETT: Second.

22 CHAIRMAN ANDERSON: Ms. Crockett has
23 seconded the motion. All those in favor say aye.

24 (Chorus of ayes)

25 CHAIRMAN ANDERSON: Those opposed.

1 The matter passes 5-0-0.

2 The next matter is review of the
3 letter of request to withdraw application for
4 sports wagering substantial change, Capo, license
5 number 103693. I make a motion that we approve
6 this request. Is there a second?

7 MR. SHORT: Second.

8 CHAIRMAN ANDERSON: Mr. Short has
9 seconded the motion. All those in favor say aye.

10 (Chorus of ayes)

11 CHAIRMAN ANDERSON: Those opposed.

12 The matter passes 5-0-0.

13 We now move to our second supplemental
14 licensing agenda. The first matter on our second
15 supplemental licensing agenda is to review a
16 request for a disposal permit to transport
17 remaining unopened alcoholic beverage inventory
18 to another Ruth's Chris Steak House location at
19 2000 K Street NW, ABRA license 114779.

20 The request is being made by Ruth's
21 Chris Steak House on 217 F Street NW, license
22 number 060469. I make a motion that we approve
23 this request. Is there a second?

24 MS. CROCKETT: Second.

25 CHAIRMAN ANDERSON: Ms. Crockett has

1 seconded the motion. All those in favor say aye.

2 (Chorus of ayes)

3 CHAIRMAN ANDERSON: Those opposed.

4 The matter passes 5-0-0.

5 The next matter is to review a request
6 for disposal permit to transport remaining
7 unopened alcoholic beverage inventory to another
8 Ruth's Chris Steak House location at 2000 K
9 Street NW.

10 Their license number is 114779. The
11 request is being made by Ruth's Chris Steak
12 House, 2016 S Street NW, license number 091278.
13 I make a motion that we approve this request. Is
14 there a second?

15 MS. CROCKETT: Second.

16 CHAIRMAN ANDERSON: Ms. Crockett has
17 seconded the motion. All those in favor say aye.

18 (Chorus of ayes)

19 CHAIRMAN ANDERSON: Those opposed.

20 The matter passes 5-0-0.

21 We now move to our cancellation
22 agenda. The ABC board will be cancelling the
23 following licenses for the reasons outlined
24 below.

25 El Tio, license number 094140. The

1 licensee requests cancellation.

2 Firehook Bakery, license number
3 041370. Licensee requests cancellation.

4 Sizzling Express, license number
5 026739. Licensee requests cancellation.

6 Capitol Wine & Spirits, license number
7 060423. Licensee did not pay safekeeping fee
8 within 30 days.

9 I therefore make a motion that the
10 establishments on the cancellation agenda for
11 January 8, 2020 that were read in the record
12 today, that their license be canceled. Is there
13 a second?

14 MS. CROCKETT: Second.

15 CHAIRMAN ANDERSON: Ms. Crockett has
16 seconded the motion. All those in favor say aye.

17 (Chorus of ayes)

18 CHAIRMAN ANDERSON: Those opposed.

19 The matter passes 5-0-0.

20 As chairperson of the Alcoholic
21 Beverage Control Board for the District of
22 Columbia in accordance with Title 3 Chapter 405
23 Office of Open Government I move that ABC board
24 hold a closed meeting on January 15, 2020 for the
25 purpose of discussing and hearing reports

1 concerning ongoing or planned investigations of
2 alleged criminal or civil misconduct, or
3 violations of law or regulations and seek legal
4 advice from our counsel on the board's
5 investigative agenda, legal agenda and licensing
6 agenda for January 15, 2020 as published in DC
7 Register on January 10, 2020. Is there a second?

8 MS. CROCKETT: Second.

9 CHAIRMAN ANDERSON: Ms. Crockett has
10 seconded the motion. I will now take a roll call
11 vote on the motion before us now that has been
12 seconded. Ms. Crockett?

13 MS. CROCKETT: I agree.

14 CHAIRMAN ANDERSON: Mr. Cato?

15 MR. CATO: I agree.

16 CHAIRMAN ANDERSON: Mr. Short?

17 MR. SHORT: I agree.

18 CHAIRMAN ANDERSON: Ms. Wahabzadah?

19 MS. WAHABZADAH: I agree.

20 CHAIRMAN ANDERSON: Mr. Anderson, I
21 agree. As it appears that the motion has passed
22 I hereby give notice that ABC board will hold
23 this aforementioned closed meeting.

24 Pursuant to the Open Meetings Act
25 notice will also be placed on -- posted on the

1 ABC board hearing room bulletin board, placed on
2 electronic calendar on ABRA website, and
3 published in the DC Register in as timely a
4 manner as practical.

5 It is 5:58 p.m. and we are adjourned
6 for the day. Thank you.

7 (Whereupon, the above-entitled matter
8 went off the record at 5:58 p.m.)

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A

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In the matter of: Agenda

Before: DCABRA

Date: 01-08-20

Place: Washington, DC

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