

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

IN THE MATTER OF: :
 :
Investigative Agenda :
Legal Agenda :
Supplemental Legal Agenda: :
Licensing Agenda :
 :

Wednesday,
July 17, 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
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member
RAFI CROCKETT, Member

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

2 11:09 a.m.

3 CHAIRPERSON ANDERSON: We are going to
4 do the Legal Agenda. All right.

5 The first matter on the Legal Agenda
6 is review of settlement agreement dated June 10,
7 2019 between ANC-6D and Tall Ship Providence,
8 License No. 113871.

9 I make a motion that we approve the
10 agreement. 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 5-0-0.

18 The next matter is the Adams Morgan
19 Moratorium Zone Third Notice of Emergency
20 Rulemaking.

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

1 MEMBER SHORT: Second.

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON ANDERSON: Mr. Short and
4 Mr. Silverstein have 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 We now move to our Supplemental Legal
10 Agenda.

11 The first matter on our Supplemental
12 Legal Agenda is the review of settlement
13 agreement dated June 14, 2019 between ANC-2B and
14 Rebellion, License No. 094825.

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

17 MEMBER SILVERSTEIN: Second.

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

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 5-0-0.

2 The next matter on our agenda is the
3 review of the amended settlement agreement dated
4 July 11, 2019 between ANC-6A and Smith Commons,
5 License No. 084595.

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 5-0-0.

15 The next matter is the review of
16 settlement agreement dated July 15, 2019 between
17 ANC-6D and Mary, License No. 113534.

18 I make a motion that we approve this
19 request. Is there a 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 We now move to our Licensing Agenda.

6 The first matter on our Licensing
7 Agenda is to review application for safekeeping
8 of license for Simple Bar and Grill, License No.
9 092423.

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

13 MEMBER CATO: Second.

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

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?

19 The matter passes 5-0-0.

20 The next matter is to review
21 application for safekeeping of license for Sprig
22 & Sprout, License No. 089362.

1 I make a motion that we agree to this
2 request through September 30, 2019. Is there a
3 second?

4 MEMBER CATO: Second.

5 CHAIRPERSON ANDERSON: Mr. Cato has
6 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 The next matter is to review request
12 to extend safekeeping of license due to pending
13 transfer of license, TBD (Zenebe Shewayene),
14 License No. 100620.

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

18 MEMBER SILVERSTEIN: Second.

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

21 All those in favor say aye.

22 ALL: Aye.

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

3 The next matter is to review
4 application for summer garden endorsement with 39
5 seats for New Columbia Distillers, License No.
6 087725.

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

9 MEMBER CATO: Second.

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

12 All those in favor say aye.

13 ALL: Aye.

14 CHAIRPERSON ANDERSON: Those opposed?
15 The matter passes 5-0-0.

16 The next matter is to review request
17 to extend operations into the adjoining space at
18 1834 Fenwick Street, N.E., and move the bar
19 tasting area and storage, and some storage, into
20 new space. New Columbia Distillers, License No.
21 087725.

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 5-0-0.

9 The next matter is to review request
10 for approval to provide a gift of two tickets to
11 Rose and Music Festival that do not exceed \$500
12 in value to Stadium Club, License No. 094244,
13 Restaurant Associates, License No. 001133, and
14 Officina, License No. 107664. The request is
15 being made by Breakthru Beverage, License No.
16 060518.

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 We now move to our Supplemental
5 Licensing Agenda.

6 The first matter on our Supplemental
7 Licensing Agenda is to review architectural floor
8 plan for a new full-service grocery store,
9 Streets Market, License No. 111652.

10 I make a motion that we placard this
11 matter. 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 5-0-0.

19 I am recalling the second item on our
20 Licensing Agreement, which is the -- this matter
21 concerns a request for ABRA License stipulated
22 application, ABRA License No. 114225.

1 This request was approved by Board
2 Order No. 2019-547 on July 10, 2019. However,
3 I'm now placing this item and vote count into the
4 record. So it is for Piccolina, License No.
5 114225. Is there a second?

6 MEMBER SHORT: Second.

7 CHAIRPERSON ANDERSON: So the Board
8 had approved a stipulated license for this
9 application on July 10, 2019. All right.

10 The next matter is to review request
11 for approval to provide a gift of a refurbished
12 portable beverage cart that does not exceed \$500
13 in value to Outside of the Box Productions,
14 License No. 112768. The request is being made by
15 Hop and Wine Beverages, License No. 086140.

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

18 MEMBER SILVERSTEIN: Second.

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

21 All those in favor say aye.

22 ALL: Aye.

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

3 The next matter is to review
4 application for a manager's license for Kevin
5 Neil Redd, License No. 114483.

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

8 MEMBER CATO: Second.

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

11 All those in favor say aye.

12 ALL: Aye.

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

15 And the next matter on our calendar is
16 the review of the letter from ANC-6D regarding
17 applications meriting placarding.

18 This is an FYI for the Board.

19 We now move to our Cancellation
20 Agenda.

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

1 Adams Morgan Restaurant & Coffee,
2 License No. 096611. The licensee requested
3 cancellation.

4 I make a motion that the ABC Board
5 then cancel this license. Is there a second?

6 MEMBER CATO: Second.

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Cato
9 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 As Chairperson of the Alcoholic
15 Beverage Control Board for the District of
16 Columbia and in accordance with DC Official Code
17 Section 2-574(b) of the Open Meetings Act, I move
18 that the ABC Board hold a closed meeting on July
19 24, 2019 for the purpose of seeking legal advice
20 from our counsel on the matters identified on the
21 Board's Legal, Licensing and Investigative Agenda
22 for July 24, 2019 as published in the DC Register

1 on July 12, 2019.

2 Is there a second?

3 MEMBER SILVERSTEIN: Second.

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

6 I will now take a roll call vote on
7 the motion before us, now that it has been
8 seconded.

9 Mr. Silverstein?

10 MEMBER SILVERSTEIN: I agree.

11 CHAIRPERSON ANDERSON: Mr. Short?

12 MEMBER SHORT: I agree.

13 CHAIRPERSON ANDERSON: Mr. Cato?

14 MEMBER CATO: I agree.

15 CHAIRPERSON ANDERSON: Ms. Crockett?

16 MEMBER CROCKETT: I agree.

17 CHAIRPERSON ANDERSON: Mr. Anderson?

18 I agree.

19 As it appears that the motion has
20 passed, I hereby give notice that the ABC Board
21 will hold this closed meeting pursuant to the
22 Open Meetings Act. Notice will also be posted on

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

5 It is 11:20 a.m. and we are adjourned
6 for the day. Thank you.

7 (Whereupon, the Agenda Hearing was
8 concluded at 11:20 a.m.)
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|---|---|---|--|
| <p style="text-align: center;">A</p> <p>a.m 2:2 14:5,8 ABC 11:21 12:4,18 13:20 14:1 ABRA 9:21,22 ABRA's 14:2 Act 12:17 13:22 Adams 2:18 12:1 adjoining 7:17 adjourned 14:5 advice 12:19 agenda 1:6,6,7,7 2:4,5 3:10,12 4:2 5:5,7 9:5 9:7 11:20 12:21 14:7 agree 6:1,15 13:10,12 13:14,16,18 agreement 2:6,10 3:13 4:3,16 9:20 Alcoholic 1:2,12,12 12:14 amended 4:3 ANC-2B 3:13 ANC-6A 4:4 ANC-6D 2:7 4:17 11:16 Anderson 1:14,16 2:3 2:12,16 3:3,7,18,22 4:9,13,21 5:3,14,18 6:5,9,19 7:1,10,14 8:3 8:7,20 9:2,13,17 10:7 10:19 11:1,9,13 12:8 12:12 13:4,11,13,15 13:17,17 appears 13:19 application 5:7,21 7:4 9:22 10:9 11:4 applications 11:17 approval 8:10 10:11 approve 2:9,21 3:15 4:6 4:18 5:10 7:7,22 8:17 10:16 11:6 approved 10:1,8 architectural 9:7 area 7:19 Associates 8:13 aye 2:14,15 3:5,6,20,21 4:11,12 5:1,2,16,17 6:7,8,21,22 7:12,13 8:5,6,22 9:1,15,16 10:21,22 11:11,12 12:10,11</p> | <p>13:20 14:1,1 Board's 12:21 BOBBY 1:16 Box 10:13 Breakthru 8:15 Building 1:13 bulletin 14:1</p> | <p>favor 2:14 3:5,20 4:11 5:1,16 6:7,21 7:12 8:5 8:22 9:15 10:21 11:11 12:10 Fenwick 7:18 Festival 8:11 first 2:5 3:11 5:6 9:6 floor 9:7 following 11:22 full-service 9:8 FYI 11:18</p> | <p>matter 1:5 2:5,17,18 3:8 3:11 4:1,2,14,15 5:4,6 5:19,20 6:10,11 7:2,3 7:15,16 8:8,9 9:3,6,11 9:18,20 10:10 11:2,3 11:14,15 12:13 matters 12:20 meeting 1:3 12:18 13:21</p> |
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| <p style="text-align: center;">B</p> <p>bar 5:8 7:18 beverage 1:2,12,12 8:15 10:12 12:15 Beverages 10:15 board 1:2,12 10:1,7 11:18,21 12:4,15,18</p> | <p style="text-align: center;">D</p> <p>D.C 1:13 dated 2:6 3:13 4:3,16 day 14:6 DC 12:16,22 14:3 Distillers 7:5,20 District 1:1 12:15 Donovan 1:14,16 due 6:12</p> | <p style="text-align: center;">H</p> <p>hearing 1:12 14:1,7 hold 12:18 13:21 Hop 10:15</p> | <p style="text-align: center;">N</p> <p>N.E 7:18 N.W 1:13 Neil 11:5 new 7:5,20,20 9:8 notice 2:19 13:20,22</p> |
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| <p style="text-align: center;">F</p> | <p style="text-align: center;">F</p> | <p style="text-align: center;">J</p> <p>JAMES 1:17 JR 1:16 July 1:10 4:4,16 10:2,9 12:18,22 13:1 June 2:6 3:13</p> | <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 passed 13:20 passes 2:17 3:8 4:1,14</p> |
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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: Agenda

Before: DCABRA

Date: 07-17-19

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.



Court Reporter

NEAL R. GROSS

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