

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

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

Wednesday
March 11, 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
- BOBBY CATO, JR., Member
- RAFI ALIYA CROCKETT, Member
- JAMES SHORT, JR., Member
- REMA WAHABZADAH, Member
- JENI HANSEN, Member
- EDWARD S. GRANDIS, Member

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

2 5:18 p.m.

3 CHAIRPERSON ANDERSON: So, we're going
4 to do our legal agenda. The first matter on our
5 legal agenda is the Review of the Protestant's
6 Motion to Dismiss MAHK Meetings, LLC's
7 Application, or in the Alternative, for Summary
8 Denial of the Application, for the MAHK Meetings,
9 LLC License Number 115363.

10 I make a motion that we schedule an
11 oral motion -- I'm sorry, that we schedule an
12 oral argument on March 25th at 9:30 a.m. Is
13 there a second?

14 MEMBER CROCKETT: Second.

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

18 (Chorus of aye.)

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passed 7-0-0. The next matter is the
21 Review of the Licensee's Opposition to the
22 Protestants' Motion to Dismiss MAHK Meetings,
23 LLC's Application, or in the Alternative, for
24 Summary Denial of the Application. MAHK Meetings'
25 license number 115363.

1 I make a motion that we schedule oral
2 arguments for March 25th at 9:30 a.m. Is there a
3 second?

4 MEMBER SHORT: Second.

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

7 (Chorus of aye.)

8 CHAIRPERSON ANDERSON: Those opposed?
9 The matter passed 6-0-0. The next matter is the
10 Review of the Amendment to the Settlement
11 Agreement, dated February 11, 2020 between ANC 6B
12 and Tortuga Caribbean Bar & Grille.

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

15 MEMBER CROCKETT: Second.

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

19 (Chorus of aye.)

20 CHAIRPERSON ANDERSON: Those opposed?
21 The matter passed 6-0-0. The next matter is the
22 Review of MK Lounge's Request for Reconsideration
23 of the Board's Dismissal of its License Renewal
24 Application, or in the alternative, to be allowed
25 to Re-submit the License Renewal Application. MK

1 Lounge License Number 088787. This is now moot.

2 The next matter in our schedule is the
3 Review of MPD Police Chief Newsham's Request for
4 a Fact Finding Hearing concerning an incident
5 that occurred at The Gold Room Bar/Lounge on
6 January 19, 2020. The Gold Room Bar/Lounge
7 License No. 114757.

8 I make a motion that we refer this
9 matter for show cause. Is there a second?

10 MEMBER SHORT: Second.

11 MEMBER CROCKETT: Second.

12 CHAIRPERSON ANDERSON: Mr. Short and
13 Ms. Crockett have seconded the motion. All those
14 in favor say aye.

15 (Chorus of aye.)

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passed 6-0-0. The next matter is
18 Review of a Letter dated March 3 2020, from Amir
19 A. Afshar, President of 2003 11th Street LLC,
20 Concerning the Revocation of Lyve at U's Lease
21 Agreement. Lyve at U License No. 114773. This is
22 just an FYI for the Board.

23 We now move to our supplemental legal
24 agenda. The first matter on our supplemental
25 legal agenda is the Review of the Protestants'

1 Response to the Licensee's Opposition to the
2 Protestants' Motion to Dismiss MAHK Meetings,
3 LLC's Application, or in the Alternative, for
4 Summary Denial of the Application. It's MAHK
5 Meetings, LLC to be determined, License Number
6 115363.

7 This matter will be -- I make a motion
8 that we schedule this for an oral argument on
9 March 25th at 9:30 a.m. Is there a second?

10 MEMBER CROCKETT: Second.

11 CHAIRPERSON ANDERSON: Ms. Crockett
12 has seconded the motion. All those in favor say
13 aye.

14 (Chorus of aye.)

15 CHAIRPERSON ANDERSON: Those opposed?
16 The matter passed 6-0-0. The next matter is the
17 Review of The Protestant's Withdrawal of their
18 Protest against The Park Place at 14th's License
19 Renewal Application and Petition to Unilaterally
20 Terminate the Settlement Agreement. The Park
21 Place at 14th License Number 075548.

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

24 MEMBER SHORT: Second.

25 CHAIRPERSON ANDERSON: Mr. Short has

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

2 (Chorus of aye.)

3 CHAIRPERSON ANDERSON: Those opposed?

4 The matter passes 6-0-0. The next matter is the

5 Review of Annabelle's Request to Store Invoices

6 Offsite. Annabelle License Number 111740.

7 I make a motion that we approve this

8 request. Is there a second?

9 MEMBER CROCKETT: Second.

10 CHAIRPERSON ANDERSON: Ms. Crockett

11 has seconded the motion. All those in favor say

12 aye.

13 (Chorus of aye.)

14 CHAIRPERSON ANDERSON: Those opposed?

15 The matter passes 7-0-0. The next matter is the

16 Review of Maggiano's Request to Store Invoices

17 Offsite. Maggiano's License Number 072256.

18 I make a motion that we approve this

19 request. Is there a second?

20 MEMBER CROCKETT: Second.

21 CHAIRPERSON ANDERSON: Ms. Crockett

22 has seconded the motion. All those in favor say

23 aye.

24 (Chorus of aye.)

25 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passed 7-0-0. The next matter is the
2 Review of ANC 1B's Notice of Withdrawal of its
3 Protest Against the following Licensed
4 Establishments: Flash, License Number 90823;
5 Vivid, License Number 105922; 801 Restaurant and
6 Bar, License Number 103120; Etete Ethiopian
7 Cuisine, 1942 D.C., License Number 070728.

8 Also, the Substantial Change
9 Application for Cortez, License Number 108275,
10 the Substantial Change Application for 1942 D.C.,
11 License Number 070728.

12 I therefore make a motion that we
13 accept the withdrawal of the ANC's petition to
14 protest the license renewal, and also to protest
15 the substantial change application for the
16 establishments that were just read in the record.
17 Is there a second?

18 MEMBER SHORT: Second.

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

21 (Chorus of aye.)

22 CHAIRPERSON ANDERSON: Those opposed?
23 The matter passed 7-0-0. The next matter is the
24 Review of the Settlement Agreement, dated March
25 3, 2020, between ANC 2F and Never Looked Better,

1 License Number 116062.

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

4 MEMBER CROCKETT: Second.

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

8 (Chorus of aye.)

9 CHAIRPERSON ANDERSON: Those opposed?
10 The matter passed 7-0-0. The next matter is the
11 Review of Amendment number 2 to the Settlement
12 Agreement, dated March 10, 2020, between ANC 1B
13 and The Brixton, License Number 82871.

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

16 MEMBER CROCKETT: Second.

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

20 (Chorus of aye.)

21 CHAIRPERSON ANDERSON: Those opposed?
22 The matter passes 7-0-0. We now move to our
23 second supplemental legal agenda. The first
24 matter on our second supplemental legal agenda is
25 the Review of the Parties' Joint Request to

1 Extend the Protest Petition Deadline from March
2 30th to April 20th, 2020 in Roy Boys, License
3 Number 114131.

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

6 MEMBER CROCKETT: Second.

7 CHAIRPERSON ANDERSON: Ms. Crockett
8 has seconded the motion. All those in favor say
9 aye.

10 (Chorus of aye.)

11 CHAIRPERSON ANDERSON: Those opposed?
12 The matter passed 6-0-0. The next matter is the
13 Review of the Parties' Joint Request to Extend
14 the Protest Petition Deadline from March 16th,
15 2020 to April 20th, 2020, for ESQ Bower, LLC, to
16 be determined, License Number 116413.

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

19 MEMBER CROCKETT: Second.

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

23 (Chorus of aye.)

24 CHAIRPERSON ANDERSON: Those opposed?
25 The matter passed 6-0-0. We now move to our

1 licensing agenda. The first matter on our
2 licensing agenda is the Review Application for
3 Safekeeping of License, Surfside, License Number
4 078406.

5 I make a motion that we grant the
6 safekeeping through September 30th, 2020. Is
7 there a second?

8 MEMBER CROCKETT: Second.

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

12 (Chorus of aye.)

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passed 6-0-0. The next matter is the
15 Review Application for Safekeeping of License,
16 the State Room, License Number 060457.

17 I make a motion that we grant this
18 request through September 30th, 2020. Is there a
19 second?

20 MEMBER CROCKETT: Second.

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

24 (Chorus of aye.)

25 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passed 6-0-0. The next matter is to
2 Review Application of Safekeeping of License,
3 Asmara Lounge and Restaurant, License Number
4 102180.

5 I make a motion that we grant this
6 request through September 30th, 2020. Is there a
7 second?

8 MEMBER CROCKETT: Second.

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

12 (Chorus of aye.)

13 CHAIRPERSON ANDERSON: Those opposed?
14 The matter passed 6-0-0. The next matter is the
15 Review Application for Safekeeping of License for
16 Catrachitos Restaurant, License Number 095465.

17 I make a motion that we grant this
18 request through September 30th, 2020. Is there a
19 second?

20 MEMBER SHORT: Second.

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

23 (Chorus of aye.)

24 CHAIRPERSON ANDERSON: Those opposed?
25 The matter passed 6-0-0. The next matter is to

1 Review Request to Extend Safekeeping of License,
2 Safeway number 4205, License Number 097707.

3 I make a motion that we grant this
4 request through September 30th, 2020. Is there a
5 second?

6 MEMBER SHORT: Second.

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

9 (Chorus of aye.)

10 CHAIRPERSON ANDERSON: Those opposed?
11 The matter passed 6-0-0. The next matter is the
12 Review Application for a Class Change from
13 Retailer C Restaurant to Retailer C Tavern. Deset
14 Ethiopian Restaurant, License Number 098818.

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

17 MEMBER CROCKETT: Second.

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

21 (Chorus of aye.)

22 CHAIRPERSON ANDERSON: Those opposed?
23 The matter passed 6-0-0. The next matter is the
24 Review Application for a Class Change from
25 Retailer B Beer and Wine to Retailer A Liquor

1 Store. Bottle House, License Number 116325.

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

4 MEMBER SHORT: Second.

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

7 (Chorus of aye.)

8 CHAIRPERSON ANDERSON: Those opposed?
9 The matter passed 6-0-0. The next matter is the
10 Review Application for a Change of Hours to
11 operate until 12:00 a.m. Penn Branch
12 Liquor/Turnt Liquor, License Number 101190.

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

15 MEMBER SHORT: Second.

16 MEMBER CROCKETT: Oh, okay.

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

19 (Chorus of aye.)

20 CHAIRPERSON ANDERSON: Those opposed?
21 The matter passed 6-0-0. The next matter is the
22 Review Application for a Change of Hours to close
23 earlier. Chaia, License Number 099787.

24 I make a motion that we refer this
25 matter back to licensing. Is there a second?

1 MEMBER CROCKETT: Second.

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

5 (Chorus of aye.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passed 6-0-0. The next matter is the
8 Review Application for Entertainment Endorsement
9 inside the premises only. Los Cuates Restaurant,
10 License Number 103576.

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

13 MEMBER WAHABZADAH: Second.

14 CHAIRPERSON ANDERSON: Ms. Wahabzadah
15 has seconded the motion. All those in favor say
16 aye.

17 (Chorus of aye.)

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passed 6-0-0. The next matter is the
20 Review Application for a Sports Wagering
21 Substantial Change, to include up to 25 kiosks, 3
22 betting terminals, and up to 11 mobile desks for
23 betting. This is for Levy @ DC United, License
24 Number 060462.

25 I make a motion that we placard this

1 matter. Is there a second?

2 MEMBER CROCKETT: Second.

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

6 (Chorus of aye.)

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passed 6-0-0. We now move to our
9 supplemental licensing agenda. The first matter
10 on the supplemental licensing agenda is to review
11 a request for temporary operating permit,
12 Bammy's, License Number 116749.

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

15 MEMBER SHORT: Second.

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

18 (Chorus of aye.)

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passed 6-0-0. The next matter is the
21 Review Application for a Stipulated License with
22 letter of ANC Support for a new ABC License, Baam
23 Siam, License Number 116493.

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

1 MEMBER CROCKETT: Second.

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

5 (Chorus of aye.)

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passed 6-0-0. The next matter is the
8 Review Request to Remove License from Safekeeping
9 to Completed Transfer and Reopen, Formerly Smith
10 Point, License Number 110803.

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

13 MEMBER SHORT: Second.

14 MEMBER CROCKETT: Second.

15 CHAIRPERSON ANDERSON: Mr. Short and
16 Ms. Crockett have seconded the motion. All those
17 in favor say aye.

18 (Chorus of aye.)

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passed 6-0-0. We now move to our
21 second supplemental licensing agenda. The first
22 matter on our second supplemental licensing
23 agenda is the Review Request to Withdraw
24 Application for a Game of Skill Substantial
25 Change, Costello Restaurant and Lounge, License

1 Number 100259.

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

4 MEMBER CROCKETT: Second.

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

7 (Chorus of aye.)

8 CHAIRPERSON ANDERSON: Those opposed?
9 The matter passed 6-0-0. The next matter is the
10 Review Request to Withdraw Application for a Game
11 of Skill Substantial Change, Elizabeth Bar and
12 Grill, License Number 112282.

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

15 MEMBER SHORT: Second.

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

18 (Chorus of aye.)

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passed 6-0-0. We now move to our
21 cancellation agenda. The ABC Board will be
22 cancelling the following license for the reasons
23 outlined below: Golden Paradise Restaurant,
24 License Number 098205. The licensee requests
25 cancellation.

1 I make a motion that we cancel the
2 license of this establishment. Is there a second?

3 MEMBER CROCKETT: Second.

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

6 (Chorus of aye.)

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passed 6-0-0.

9 As Chairperson of the Alcoholic
10 Beverage Control Board for the District of
11 Columbia, and in accordance with Title 3, Chapter
12 405, Office of Open Government, I move that ABC
13 Board wholly close the meeting on March the 11th,
14 2020, for the purpose of discussing and hearing
15 reports concerning ongoing or planned
16 investigations of alleged criminal or civil
17 misconduct, or violations of law or regulation,
18 and seek legal advice from our legal counsel on
19 the Board's investigative agenda, legal agenda,
20 and licensing agenda for March 11th, 2020, as
21 published in the D.C. Register on March the 6th,
22 2020. Is there a second?

23 MEMBER CROCKETT: Second.

24 CHAIRPERSON ANDERSON: Ms. Crockett
25 has seconded the motion. I will now take a roll

1 call vote to the motion before us, now that it's
2 been seconded. Ms. Hansen.

3 MEMBER HANSEN: I agree.

4 CHAIRPERSON ANDERSON: Ms. Crockett.

5 MEMBER CROCKETT: I agree.

6 CHAIRPERSON ANDERSON: Mr. Short.

7 MEMBER SHORT: I agree.

8 CHAIRPERSON ANDERSON: Ms. Wahabzadah.

9 MEMBER WAHABZADAH: I agree.

10 CHAIRPERSON ANDERSON: Mr. Grandis.

11 MEMBER GRANDIS: I agree.

12 CHAIRPERSON ANDERSON: Mr. Anderson.

13 I agree. As it appears that the motion has
14 passed, I hereby give notice that the ABC Board
15 will hold this aforementioned closed meeting.

16 Pursuant to the Open Meetings Act,
17 notice will also be posted on the ABC Board
18 hearing room bulletin board, placed on electronic
19 calendar on ABRA's website, and published in the
20 D.C. Register, in as timely a manner as
21 practical.

22 It is 5:34 p.m. and we're adjourned
23 for the day. Thank you.

24 (Whereupon, the above-entitled matter
25 went off the record at 5:34 p.m.)

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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: 03-11-20

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

NEAL R. GROSS

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