

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

2 11:40 a.m.

3 CHAIRPERSON ANDERSON: Well, I'm going
4 to do -- let me do the Legal Agenda.

5 All right. So the Legal Agenda for
6 today, the first matter on our Legal Agenda is
7 the review of a Petition to Unilaterally Amend or
8 Terminate a Settlement Agreement between ANC-1B
9 and Eleven Market. Eleven Market, License No.
10 060236.

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

13 MEMBER SILVERSTEIN: Second.

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

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passes 7-0-0.

20 The next matter is review of a
21 settlement agreement dated August -- I'm sorry,
22 April 26, 2018 between ANC-6C and the Red Bear

1 Brewing Company, License No. 109096.

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

4 MEMBER ISAAC: Second.

5 CHAIRPERSON ANDERSON: Mr. Isaac has--
6 no, Mr. --

7 MEMBER CATO: Mr. Isaac.

8 CHAIRPERSON ANDERSON: Mr. Isaac has
9 seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 7-0-0.

14 The next matter is the review of a
15 settlement agreement dated April 14, 2018 between
16 ANC-4C and Splash Liquor and Groceries, License
17 No. 106999.

18 I make a motion that we approve this
19 with modification. 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 7-0-0.

5 We now move to our Supplemental Legal
6 Agenda.

7 The first matter on our Supplemental
8 Legal Agenda is the review of Secret Lounge's
9 Motion to Dismiss ANC-1B's protest. Secret
10 Lounge, License No. 107123.

11 I make a motion that we grant this --
12 we approve this request to dismiss the protest.
13 Is there a second?

14 MEMBER ISAAC: Second.

15 CHAIRPERSON ANDERSON: Mr. Isaac has
16 seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: Those opposed?

20 The matter passes 7-0-0.

21 MEMBER SILVERSTEIN: Mr. Chairman?

22 CHAIRPERSON ANDERSON: Yes, Mr.

1 Silverstein?

2 MEMBER SILVERSTEIN: I think that it
3 might be helpful to explain the reasoning for
4 this.

5 CHAIRPERSON ANDERSON: If I recall
6 correctly, the reason why the Board is dismissing
7 the protest is because in its application to
8 protest the license, no reason was given. The
9 Board's Rules and Regulations specifically
10 require that if you are protesting an
11 application, you need to protest it on peace,
12 order and quiet and it's my understanding that
13 the petition stated that we -- the ANC was voting
14 to protest the liquor license renewal and no
15 reason was granted.

16 And so that's one of the reasons why
17 the Board is denying -- is granting the request
18 by the applicant to dismiss the protest.

19 MEMBER SILVERSTEIN: Thank you. So
20 that is -- I concur completely.

21 CHAIRPERSON ANDERSON: All right. The
22 second matter on our Supplemental Legal Agenda is

1 the review of ANC-1B's opposition to Secret
2 Lounge's Motion to Dismiss.

3 And based on the decision in No. 1,
4 this is now moot.

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 10 Tavern & Grill, License No.
9 104739.

10 I make a motion that we grant this
11 request through September 30, 2018. Is there a
12 second?

13 MEMBER SILVERSTEIN: Second.

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

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?
19 The matter passes 7-0-0.

20 The next matter is to review site plan
21 submission for Dacha Beer Garden, License No.
22 106040.

1 I make a motion that we have a Fact-
2 Finding on this matter. Is there a second?

3 MEMBER SHORT: Second.

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

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?

9 The matter passes 7-0-0.

10 The next matter is to review
11 application for a sidewalk cafe with seating for
12 24 patrons for Catrachitos Restaurant, License
13 No. 095465.

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

16 MEMBER SILVERSTEIN: Second.

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

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?

22 The matter passes 7-0-0.

1 We now move to our Supplemental
2 Licensing Agenda.

3 The first matter on our Supplemental
4 Licensing Agenda is to review request to continue
5 to operate as a Class A realtor upon
6 identification of brick and mortar for Vintage
7 Cellars, License No. 102895.

8 I make a motion that we approve this
9 request for six months effective today. Is there
10 a second?

11 MEMBER SHORT: Mr. Chair, I thought we
12 were going to send a letter saying we were going
13 to approve it?

14 CHAIRPERSON ANDERSON: We are going to
15 approve it. Well, the motion is to approve it.
16 The Agency will do whatever it needs to do, but
17 we are going to approve it by the Agency will
18 send a letter to let them know that we have
19 approved for them to operate as a Class A
20 Internet for another six months. And if it -- if
21 they do not find a brick and mortar within the
22 six month period of time, then the Agency will

1 automatically convert them.

2 That's it. That's the motion before
3 us.

4 MEMBER SHORT: Thank you.

5 CHAIRPERSON ANDERSON: Is there a
6 second?

7 MEMBER ALBERTI: Second.

8 CHAIRPERSON ANDERSON: Mr. Alberti has
9 seconded the motion.

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 7-0-0.

14 The next matter is to review
15 application for Tasting Permit for 7 Food Store -
16 - I'm sorry, for Food 7 Store, License No.
17 108479.

18 I make a motion to 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 7-0-0.

5 The next matter on our agenda, the
6 Second Supplemental Licensing Agenda, the first
7 matter on the Second Supplemental Licensing
8 Agenda is to review request for storage facility
9 permit for Grand Curvee, License No. 109841.

10 I make a motion that we approve this
11 request. 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 7-0-0.

19 The next matter is to review request
20 to abate address of establishment for Costello
21 Restaurant and Lounge, License No. 100259.

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 7-0-0.

9 We now move to our Vacate/Cease &
10 Desist Agenda.

11 The ABC Board will be vacating the
12 Cease & Desist Order issued for the following
13 establishments. And I will read them.

14 The first one is Petits Plats, License
15 No. 060146; Lindys Bon Appetit, License No.
16 023533; Tasty Burger, License No. 100284; New
17 District Kitchen, License No. 087574; Taco-Ma
18 Yucatan Chicken, License No. 101227; Cheers @ The
19 Big Chair, License No. 085903; Rare Steaks and
20 Seafood, License No. 105694; La Tasca, License
21 No. 060735; Luna Grill & Diner DC, License No.
22 102953; Restaurant Associates, License No.

1 001133; Aoi Japanese Restaurant, License No.
2 076380; Plan B Burger Bar, License No. 095796;
3 Casbah Cafe/Ledo Pizza Restaurant, License No.
4 074333; Prospect DC, License No. 099889; Scion
5 Restaurant, License No. 082174; Habana Village,
6 License No. 024197; Bluejacket, License No.
7 103546; Gallagher & Graham Fine Spirits, License
8 No. 095818; and Addis Ethiopian Restaurant,
9 License No. 097534.

10 I make a motion that the ABC Board
11 vacate the Cease & Desist Orders issued for all
12 of the establishments that I just read that are
13 also on the agenda on the Vacate Cease & Desist
14 Orders Agenda for May 2, 2018. Is there a
15 second?

16 MEMBER SHORT: Second.

17 CHAIRPERSON ANDERSON: Mr. Short has
18 seconded the motion.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON ANDERSON: Those opposed?

22 The matter passes 7-0-0.

1 We now move to our Cancellation
2 Agenda.

3 The Board will be canceling the
4 license for the following establishment: Fortune
5 Liquors, License No. 105355.

6 I make a motion that we cancel this
7 license. 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 7-0-0.

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

17 (Whereupon, the Cease & Desist,
18 Cancellation, Legal and Licensing Agenda Hearings
19 were concluded at 11:50 a.m.)

20
21
22

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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: Cease and Desist Agenda,
Cancellation Agenda, Legal Agenda,
Licensing Agenda

Before: Alcoholic Beverage Control Board

Date: 05-02-18

Place: Washington, D.C.

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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