

IN THE MATTER OF: :

Cancellation Agenda :

Legal Agenda :

Licensing Agenda :

Wednesday
November 20, 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
RAFI ALIYA CROCKETT, Member
BOBBY CATO, JR., Member
JAMES SHORT, Member
REMA WAHABZADAH, Member

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

2 11:58 a.m.

3 CHAIR ANDERSON: All right. We're back
4 on the record. We're going to do the Legal
5 Agenda.

6 The first matter on the Legal Agenda
7 is the review of Express Convenience Store's
8 motion for reconsideration, Express Convenience
9 Store License Number 113544. I make a motion
10 that we deny this request. Is there a second?

11 MEMBER CROCKETT: Second.

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

15 (Chorus of ayes.)

16 CHAIR ANDERSON: Those opposed? The
17 matter passes, 5-0-0.

18 The next matter is the review of
19 protestants joint opposition to Express
20 Convenience Store's motion for reconsideration.
21 This is now moot.

22 The next matter is the review of MPD
23 Chief Newsham's fact-finding hearing request
24 concerning an incident that took place at El
25 Rincon, License Number 060003. This is just an

1 FYI for the Board.

2 The next matter is a review of an
3 amendment to the settlement agreement dated
4 November 7, 2019 between ANC 6A and Naomi Ladder
5 II, LLC, License Number 104866. I make a motion
6 that we approve this request. Is there a second?

7 MEMBER SHORT: Second.

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

10 (Chorus of ayes.)

11 CHAIR ANDERSON: Those opposed? The
12 matter passes, 5-0-0.

13 The next matter is a review of the
14 amendment to the settlement agreement dated May
15 10, 2019 between ANC 6B and Tortuga Carribean Bar
16 and Grill, License Number 107131. I make a
17 motion that we approve this request. Is there a
18 second?

19 MEMBER CATO: Second.

20 CHAIR ANDERSON: Mr. Cato has seconded
21 the motion. All those in favor, say aye.

22 (Chorus of ayes.)

23 CHAIR ANDERSON: Those opposed? The
24 matter passes, 5-0-0.

25 The next matter is a review of the

1 SPCA's motion to extend the time deadline for
2 submitting the proposed finding of fact and
3 conclusion of law in the Champion Kitchen matter,
4 License Number 103055. I make a motion that we
5 approve this request. Is there a second?

6 MEMBER CROCKETT: Second.

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

10 (Chorus of ayes.)

11 CHAIR ANDERSON: Those opposed? The
12 matter passes, 5-0-0.

13 The next matter is the review of Whole
14 Foods Market's consent motion for continuation of
15 the protest hearing until after February 1, 2020,
16 Whole Foods Market License Number 086071. I make
17 a motion that we approve this request. Is there
18 a second?

19 MEMBER SHORT: Second.

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

22 (Chorus of ayes.)

23 CHAIR ANDERSON: Those opposed? The
24 matter passes, 5-0-0. All right.

25 We now move to our = I'm sorry. All

1 right. I just want to correct the Legal Agenda.
2 There was an application, I read there was a
3 review of the amendment to the settlement
4 agreement dated May 10, 2019 between ANC 6B and
5 Tortuga Caribbean Bar and Grill, and this matter
6 was not listed on the agenda, so this should be
7 removed. So, there was no vote on that matter.

8 All right. We now move to our
9 Supplemental Legal Agenda.

10 The first matter on our Supplemental
11 Legal Agenda is the review of a settlement
12 agreement dated October 17, 2019 between ANC 1A
13 and La Morenita Restaurant, License Number
14 086595. I make a motion that we approve the
15 agreement with modifications. Is there a second?

16 MEMBER CROCKETT: Second.

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

20 (Chorus of ayes.)

21 CHAIR ANDERSON: Those opposed? The
22 matter passes, 5-0-0.

23 The next matter is review of
24 settlement agreement dated November 15, 2019
25 between ANC 2B, the Group of 26, the Shaw Dupont

1 Citizens Association, the Dupont Circle Citizens
2 Associations, and Lupo Verde, License Number
3 088527. I make a motion that we approve this
4 with modifications. Is there a second?

5 MEMBER CROCKETT: Second.

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

9 (Chorus of ayes.)

10 CHAIR ANDERSON: Those opposed? The
11 matter passes, 5-0-0.

12 The next matter is the review of a
13 settlement agreement dated November 29, 2019
14 between ANC 1B and Rebel Taco Cantina, License
15 Number 114801. I make a motion that we approve
16 this with modifications. Is there a second?

17 MEMBER SHORT: Second.

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

20 (Chorus of ayes.)

21 CHAIR ANDERSON: Those opposed? The
22 matter passes, 5-0-0.

23 The next matter is the review of
24 settlement agreement dated November 17, 2019
25 between the Shepherd Park Citizens Association

1 and Quilox, License Number 114288. I make a
2 motion that we approve this with modifications.
3 Is there a second?

4 MEMBER CROCKETT: Second.

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

8 (Chorus of ayes.)

9 CHAIR ANDERSON: Those opposed? The
10 matter passes, 5-0-0.

11 We now move to our Second Supplemental
12 Legal Agenda.

13 The first matter in our Second
14 Supplemental Legal Agenda is the review of Il
15 Canale's motion in limine and to squash
16 subpoenas. And we do have a protest hearing on
17 this matter this afternoon at 1:30. The Board
18 will accept oral arguments at the protest hearing
19 and make a decision on the motions. So, we're
20 not issuing a decision on the agenda today.
21 However, we will issue a decision prior to the
22 protest hearing, which is scheduled for 1:30 this
23 afternoon.

24 Okay. We now move to our Licensing
25 Agenda.

1 The first matter on our Licensing
2 Agenda is to review application for a class
3 change from Retailer C Restaurant to Retailer C
4 Tavern for Brick Lane Restaurant, License Number
5 098427. I make a motion that we placard this
6 matter. Is there a second?

7 MEMBER CROCKETT: Second.

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

11 (Chorus of ayes.)

12 CHAIR ANDERSON: Those opposed? The
13 matter passes, 5-0-0.

14 The next matter is to review a request
15 to increase total occupancy load listed on the
16 ABRA license from 120 to 499 for 18th Street
17 Lounge, License Number 021211. I make a motion
18 that we approve this request. Is there a second?

19 MEMBER CROCKETT: Second.

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

23 (Chorus of ayes.)

24 CHAIR ANDERSON: Those opposed? The
25 matter passes, 5-0-0.

1 The next matter is to review request
2 to increase summer garden capacity from 74 to 200
3 for Uproar, License Number 092012. I make a
4 motion that we placard this matter. Is there a
5 second?

6 MEMBER SHORT: Second.

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

9 (Chorus of ayes.)

10 CHAIR ANDERSON: Those opposed? The
11 matter passes, 5-0-0.

12 The next matter is to review
13 application for change of hours to open one hour
14 earlier, Farmers Fishers Bakers, License Number
15 074934. I make a motion that we approve this
16 request. Is there a second?

17 MEMBER CROCKETT: Second.

18 MEMBER CATO: Second

19 CHAIR ANDERSON: Ms. Crockett and Mr.
20 Cato seconded the motion. All those in favor,
21 say aye.

22 (Chorus of ayes.)

23 CHAIR ANDERSON: Those opposed? The
24 matter passes, 5-0-0.

25 The next matter is to review

1 application to add sports wagering to operations
2 for Public Bar, License Number 081238. I make a
3 motion that we placard this matter. Is there a
4 second?

5 MEMBER CROCKETT: Second.

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

9 (Chorus of ayes.)

10 CHAIR ANDERSON: Those opposed? The
11 matter passes, 5-0-0.

12 We now move to our Supplemental
13 Licensing Agenda.

14 The first matter on our Supplemental
15 Licensing Agenda is to review application for a
16 stipulated license with letter of ANC support to
17 operate new ABC license, Studio 52, License
18 Number 115069. I make a motion that we approve
19 this matter. Is there a second?

20 MEMBER SHORT: Second.

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

23 (Chorus of ayes.)

24 CHAIR ANDERSON: Those opposed? The
25 matter passes, 5-0-0.

1 The next matter is review application
2 for a stipulated license with a letter of ANC
3 support to operate new ABC license, Dumplings and
4 Beyond, License Number 115491. I make a motion
5 that we approve this matter. Is there a second?

6 MEMBER CATO: Second.

7 CHAIR ANDERSON: Mr. Cato has seconded
8 the motion. All those in favor, say aye.

9 (Chorus of ayes.)

10 CHAIR ANDERSON: Those opposed? The
11 matter passes, 5-0-0.

12 We now move to our Second Supplemental
13 Licensing Agenda.

14 The first matter in our Second
15 Supplemental Licensing Agenda is to review
16 application of stipulated license with letter of
17 ANC support to operate new ABC license, King
18 Street Oyster Bar, License Number 114984. I make
19 a motion that we approve this request. Is there
20 a second?

21 MEMBER CROCKETT: Second.

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

25 (Chorus of ayes.)

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

3 We now move to our Cancellation
4 Agenda. The ABC Board will be cancelling the
5 following license for the reasons outlined below.

6 Shouk, License Number 100278, the
7 Licensee requested cancellation. I make a motion
8 that we cancel this license. Is there a second?

9 MEMBER SHORT: Second.

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

12 (Chorus of ayes.)

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

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

17 (Whereupon, the above-entitled matter
18 went off the record at 12:08 p.m.)
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25

A	cancel 12:8 cancellation 1:6 12:3,7 cancelling 12:4 Cantina 6:14 capacity 9:2 Caribbean 5:5 Carribean 3:15 Cato 1:16 3:19,20 9:18 9:20 11:6,7 CHAIR 2:3,12,16 3:8,11 3:20,23 4:7,11,20,23 5:17,21 6:6,10,18,21 7:5,9 8:8,12,20,24 9:7 9:10,19,23 10:6,10,21 10:24 11:7,10,22 12:1 12:10,13 Chairperson 1:12,15 Champion 4:3 change 8:3 9:13 Chief 2:23 Chorus 2:15 3:10,22 4:10,22 5:20 6:9,20 7:8 8:11,23 9:9,22 10:9,23 11:9,25 12:12 Circle 6:1 Citizens 6:1,1,25 class 8:2 COLUMBIA 1:1 concerning 2:24 conclusion 4:3 consent 4:14 continuation 4:14 Control 1:2,11,11 Convenience 2:7,8,20 correct 5:1 Crockett 1:16 2:11,12 4:6,7 5:16,17 6:5,6 7:4,5 8:7,8,19,20 9:17 9:19 10:5,6 11:21,22	F	11:16,17,18 12:5,6,8 Licensee 12:7 Licensing 1:7 7:24 8:1 10:13,15 11:13,15 limine 7:15 listed 5:6 8:15 LLC 3:5 load 8:15 Lounge 8:17 Lupo 6:2
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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: 11-20-19

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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