

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 :
 :
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Wednesday
September 19, 2018

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
- NICK ALBERTI, Member
- BOBBY CATO, JR., Member
- DONALD ISAAC, SR., Member
- MIKE SILVERSTEIN, Member

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

2 11:33 a.m.

3 CHAIRPERSON ANDERSON: You know what,
4 let me, rather than recess, do our calendar. So
5 the Board will now be doing its Legal Agenda.

6 The first matter on our Legal Agenda
7 is the review of settlement agreement dated
8 September 10, 2018 between ANC-6D and Hill
9 Spirits Unlimited, License No. 110767.

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 5-0-0.

19 The next matter is the review of a
20 settlement agreement dated August 29, 2018
21 between ANC-1C, Kalorama Citizens Association and
22 Spacey Cloud, License No. 110805.

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

3 MEMBER CATO: Second.

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

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON ANDERSON: Those opposed?

9 The matter passes 5-0-0.

10 The next matter is the review of a
11 letter from the Metropolitan Police Department
12 dated August 29, 2018 requesting the Board hold a
13 Fact-Finding Hearing concerning events that
14 occurred on August 27, 2018 at Secret Lounge,
15 License No. 107123.

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 the review of the
4 fourth supplement to complaint to show cause why
5 the Trump International Hotel Alcoholic Beverage
6 License should not be revoked dated August 21,
7 2018. Trump International Hotel, License No.
8 100648.

9 This is an FYI for the Board.

10 We now move to our Supplemental Legal
11 Agenda.

12 The first matter on our Supplemental
13 Legal Agenda is the review of a settlement
14 agreement dated September 13, 2018 between ANC-6A
15 and The Outsider, License No. 110889.

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 review of
4 settlement agreement dated September 13, 2018
5 between ANC-6A and Duffy's Irish Pub, License No.
6 111076.

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 the review of the
17 West End Citizens Association's opposition to
18 FoBoGro's transfer of license application.
19 FoBoGro, License No. 082431.

20 This is an FYI for the Board.

21 The next matter is the review of
22 Councilmember McDuffie's Letter of Support of

1 ANC-5A's protest of Pax Spirit's new license
2 application. Pax Liquor, License No. 110690.

3 This is an FYI for the Board.

4 The next matter is the review of ANC-
5 6B's request to extend the protest petition
6 deadline to October 22, 2018 for the Orchid,
7 License No. 107079.

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

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 The next matter is the review of
18 Orchid's consent to ANC-6B's request to extend
19 the protest petition deadline to October 22,
20 2018. Orchid, License No. 107079.

21 This is now a moot issue.

22 The next matter is the review of

1 settlement agreement dated July 19, 2018 between
2 ANC-3F and Da Noi Hospitality t/a TBD, License
3 No. 110237.

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

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

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

13 The next matter is the review of the
14 letter from Shepard Park Citizens Association
15 dated September 17, 2018 regarding Betty's Gojo
16 Restaurant. Betty's Gojo, License No. 102500.

17 I make a motion that we send this to
18 the Enforcement Division. 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 The next matter is the review of the
5 Group of Five or More's motion -- request to
6 withdraw its protest for The Moxy Hotel, License
7 No. 109673.

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

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 The next matter is the review of
18 settlement agreement dated September 18, 2018
19 between ANC-6E and 1618 Liquor and Grocery Cold
20 Beer and Wine, License No. 084582.

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

1 MEMBER SILVERSTEIN: Second.

2 CHAIRPERSON ANDERSON: Mr. Silverstein
3 has seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: Those opposed?
7 The matter passes 5-0-0.

8 We now move to our Licensing Agenda.

9 The first matter on our Licensing
10 Agenda is to review application for safekeeping
11 of license for Super Liquors, License No. 079241.

12 I make a motion that we approve this
13 request through March 31, 2019. Is there a
14 second?

15 MEMBER ISAAC: Second.

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

18 All those in favor say aye.

19 ALL: Aye.

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

22 The next matter is to review request

1 to extend safekeeping of license for Neal Place
2 Tap & Garden, License No. 102918.

3 I make a motion that we approve this
4 request through March 31, 2019. Is there a
5 second?

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?

12 The matter passes 5-0-0.

13 The next matter is to review request
14 to extend safekeeping of license formerly
15 Turntable Restaurant, License No. 024778.

16 I make a motion that we approve this
17 request through March 31, 2019. Is there a
18 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 The next matter is to review request
5 to extend safekeeping of license for Safeway

6 #4205, License No. 097707.

7 I make a motion that we approve this
8 request through March 31, 2019. Is there a
9 second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 The next matter is to review
18 application for a summer garden with seating for
19 14 patrons for Hank's Oyster Bar, License No.
20 071913.

21 I make a motion that we placard this
22 matter. Is there a second?

1 MEMBER SILVERSTEIN: Second.

2 CHAIRPERSON ANDERSON: Mr. Silverstein
3 has seconded the motion.

4 All those in favor say aye.

5 ALL: Aye.

6 CHAIRPERSON ANDERSON: Those opposed?

7 The matter passes 5-0-0.

8 The next matter is to review
9 application for a Tasting Permit for Southern
10 Glazer's of DC, License No. 086591.

11 I make a motion that we approve 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 5-0-0.

20 We now move to our Supplemental
21 Licensing Agenda.

22 The first matter on our Supplemental

1 Licensing Agenda is to review request for a
2 stipulated license with letter of ANC support for
3 change of hours, Chiko, License No. 106496.

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

6 MEMBER SILVERSTEIN: Second.

7 CHAIRPERSON ANDERSON: Mr. Silverstein
8 has seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?

12 The matter passes 5-0-0.

13 The next matter is to review request
14 to remove license from safekeeping to begin
15 selling wine by the end of September, Rocky &
16 Company Wines, License No. 109807.

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 The next matter is to review
5 application for class change from Retailer B to
6 Retailer A liquor store for Davis Market, License
7 No. 060094.

8 I make a motion that we deny this
9 request. Is there a second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 We now would then -- we now move to
18 our Second Supplemental Licensing Agenda.

19 The first matter on our Second
20 Supplemental Licensing Agenda is to review
21 architectural floor plans for new full-service
22 grocery store, Whole Foods Market, License No.

1 109870.

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

4 MEMBER SILVERSTEIN: Second.

5 CHAIRPERSON ANDERSON: Mr. Silverstein
6 has 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 We now move to our Cancellation
12 Agenda.

13 The Board will be canceling the
14 license for Arrowine DC, Inc., License No.
15 098200, based on the request from the licensee
16 for cancellation.

17 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 Board then will be in recess until

4 2:00 p.m. Thank you.

5 (Whereupon, the Legal, Licensing and

6 Cancellation Agenda Hearings were concluded at

7 11:43 a.m.)

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<p>A</p> <p>a.m 2:2 16:7</p> <p>Agenda 1:6,6,7 2:5,6 4:11,13 9:8,10 12:21 13:1 14:18,20 15:12 16:6</p> <p>agreement 2:7,20 3:2 4:14 5:4 7:1 8:18</p> <p>ALBERTI 1:17</p> <p>Alcoholic 1:2,12,12 4:5</p> <p>ANC 13:2</p> <p>ANC-6A 4:14 5:5</p> <p>ANC-1C 2:21</p> <p>ANC-3F 7:2</p> <p>ANC-5A's 6:1</p> <p>ANC-6A 4:14 5:5</p> <p>ANC-6B's 6:18</p> <p>ANC-6D 2:8</p> <p>ANC-6E 8:19</p> <p>Anderson 1:14,16 2:3 2:13,17 3:4,8,19 4:1 4:19 5:1,10,14 6:11 6:15 7:7,11,20 8:2,11 8:15 9:2,6,16,20 10:7 10:11,20 11:2,11,15 12:2,6,14,18 13:7,11 13:20 14:2,11,15 15:5 15:9,19 16:1</p> <p>application 5:18 6:2 9:10 11:18 12:9 14:5</p> <p>approve 2:10 3:1,16 4:16 5:7 6:8 7:4 8:8 8:21 9:12 10:3,16 11:7 12:11 13:4,17</p> <p>architectural 14:21</p> <p>Arrowine 15:14</p> <p>Association 2:21 7:14</p> <p>Association's 5:17</p> <p>August 2:20 3:12,14 4:6</p> <p>aye 2:15,16 3:6,7,21,22 4:21,22 5:12,13 6:13 6:14 7:9,10,22 8:1,13 8:14 9:4,5,18,19 10:9 10:10,22 11:1,13,14 12:4,5,16,17 13:9,10 13:22 14:1,13,14 15:7 15:8,21,22</p>	<p>16:3</p> <p>BOBBY 1:17</p> <p>Building 1:13</p> <hr/> <p>C</p> <p>calendar 2:4</p> <p>canceling 15:13</p> <p>cancellation 1:6 15:11 15:16 16:6</p> <p>Cato 1:17 3:3,4 5:9,10</p> <p>cause 4:4</p> <p>Chairperson 1:13,16 2:3,13,17 3:4,8,19 4:1 4:19 5:1,10,14 6:11 6:15 7:7,11,20 8:2,11 8:15 9:2,6,16,20 10:7 10:11,20 11:2,11,15 12:2,6,14,18 13:7,11 13:20 14:2,11,15 15:5 15:9,19 16:1</p> <p>change 13:3 14:5</p> <p>Chiko 13:3</p> <p>Citizens 2:21 5:17 7:14</p> <p>class 14:5</p> <p>Cloud 2:22</p> <p>Cold 8:19</p> <p>COLUMBIA 1:1</p> <p>Company 13:16</p> <p>complaint 4:4</p> <p>concerning 3:13</p> <p>concluded 16:6</p> <p>consent 6:18</p> <p>Control 1:2,12,12</p> <p>Councilmember 5:22</p>	<p>F</p> <p>Fact-Finding 3:13</p> <p>favor 2:15 3:6,21 4:21 5:12 6:13 7:9,22 8:13 9:4,18 10:9,22 11:13 12:4,16 13:9,22 14:13 15:7,21</p> <p>first 2:6 4:12 9:9 12:22 14:19</p> <p>Five 8:5</p> <p>floor 14:21</p> <p>FoBoGro 5:19</p> <p>FoBoGro's 5:18</p> <p>Foods 14:22</p> <p>formerly 10:14</p> <p>fourth 4:4</p> <p>full-service 14:21</p> <p>FYI 4:9 5:20 6:3</p> <hr/> <p>G</p> <p>garden 10:2 11:18</p> <p>Glazer's 12:10</p> <p>Gojo 7:15,16</p> <p>grocery 8:19 14:22</p> <p>Group 8:5</p> <hr/> <p>H</p> <p>Hank's 11:19</p> <p>Hearing 1:12 3:13</p> <p>Hearings 16:6</p> <p>Hill 2:8</p> <p>hold 3:12</p> <p>Hospitality 7:2</p> <p>Hotel 4:5,7 8:6</p> <p>hours 13:3</p>	<p>6:7,20 7:2,16 8:6,20 9:11,11 10:1,2,14,15 11:5,6,19 12:10 13:2 13:3,14,16 14:6,22 15:14,14</p> <p>licensee 15:15</p> <p>Licensing 1:7 9:8,9 12:21 13:1 14:18,20 16:5</p> <p>liquor 6:2 8:19 14:6</p> <p>Liquors 9:11</p> <p>Lounge 3:14</p>
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In the matter of: Agenda

Before: Alcoholic Beverage Control Board

Date: 09-19-18

Place: Washington, DC

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Neal R Gross

Court Reporter

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