BOARD DISPOSITIONS CALENDAR

WEDNESDAY, JANUARY 6, 2021 at 10:30 AM 2000 14TH STREET, N.W., SUITE 400S WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson Members: James Short, Bobby Cato, Rema Wahabzadah, Rafi A. Crockett, Jeni Hansen, Edward S. Grandis

Public Hearing* 10:30 AM

Roundtable – Medical Cannabis Delivery Proposed Rulemaking

Disposition: The Board left the record open to receive additional written comments.

BOARD RECESS AT 12:00 PM

Summary Suspension Hearing

1:30 PM

Case #'s 20-CMP-00117 and 20-CMP-00118

DMT Group, LLC, t/a Barcode 1101 17th Street NW License #11593 Retailer CT ANC 2B

The Alcoholic Beverage Control Board Closure-December 10, 2020

Disposition: The Board accepted an Offer In Compromise: \$1,000 fine to be paid within 90 days for Case No. 20-CIT-00445. License Suspended for 30 days (December 11, 2020 – January 10, 2021). See Board Order No. 2021-019.

Show Cause Hearing (Status)

Case # 19-CMP-00176

Black's 14th Street, NW, LLC, t/a Pearl Dive Oyster Palace/Black Jack 1612 14th Street NW License #85382 Retailer CR ANC 2F

Increase in Occupancy Without Board Approval

Disposition: The Board accepted an Offer In Compromise: Written Warning. See Board Order No. 2021-024.

Show Cause Hearing (Status)

Case # 19-251-00116

Bee Hive, LLC, t/a Sticky Rice/Sing Sing Karaoke Palace 1222-1224 H Street NE License #72783 Retailer CR ANC 6A

Failed to Ensure that Cameras are Operational, No ABC Manager on Duty

Disposition: The Board set the matter for a Show Cause Hearing to a date to be determined.

Show Cause Hearing (Status)

Case # 20-CMP-00093

Kiss, LLC, t/a Kiss Tavern 637 T Street NW License #104710 Retailer CT ANC 1B

Failed to Restrict the Sale, Service or Consumption of Alcoholic Beverages during the Public Health Emergency, Failed to Require Patrons to Wear Masks or Face Coverings, Interfered with an Investigation

Show Cause Hearing (Status)

Case # 20-251-00030

Kiss, LLC, t/a Kiss Tavern 637 T Street NW License #104710 Retailer CT ANC 1B

Failed to Restrict the Sale, Service or Consumption of Alcoholic Beverages during the Public Health Emergency, Failed to Allow an ABRA Investigator to Enter or Inspect Without Delay the Licensed Premises, Violation of Settlement Agreement

Disposition: The Board set the matter for a Show Cause Hearing to a date to be determined.

Show Cause Hearing (Status)

Case # 19-251-00156

Parc Deux Restaurant Partners, LLC, t/a Le Diplomate 1601 14th Street NW License #88243 Retailer CR ANC 2F

Provided Entertainment Without an Entertainment Endorsement (Two Counts)

Disposition: The Board accepted an Offer In Compromise: Charge I - \$1,000 fine to be paid within 90 days, Charge II - Dismissed. Indefinite suspension of the license if the fine is not paid by April 6, 2021. See Board Order No. 2021-017. Acceptance of the Offer In Compromise cancels all future hearings in this matter.

Show Cause Hearing (Status)

Case # 19-CMP-00178

Salma, LLC, t/a Red Lounge Hookah 2013 14th Street NW License #76011 Retailer CT ANC 1B

Permitted Nude Dancers in the Establishment

Disposition: The Board set the matter for a Show Cause Hearing to a date to be determined.

Show Cause Hearing (Status)

Case # 20-CC-00060

MG Liquors, Inc., t/a Barrel House Liquors 1339 14th Street NW License #23984 Retailer A ANC 2F

Sale to Minor Violation, Failed to Take Steps Necessary to Asertain Legal Drinking Age

Disposition: This hearing was cancelled. The parties entered into an Offer in Compromise on January 5, 2020. See Board Order No. 2021-016.

Show Cause Hearing (Status)

Case # 20-CMP-00040

SBII, LLC, t/a The Codmother 1334 U Street NW License #86231 Retailer CT ANC 1B

Increase in Occupancy Without Board Approval

Disposition: This hearing was continued to January 27, 2021 at 10:30 am.

Show Cause Hearing (Status)

Case # 19-CMP-00168

9th Street Lounge, LLC, t/a Mirror Lounge 1920 9th Street NW License #111950 Retailer CT ANC 1B

Failed to Obtain a Summer Garden Endorsement

Disposition: This hearing was cancelled. The parties entered into an Offer in Compromise on December 23, 2020. See Board Order No. 2020-1035.

Show Cause Hearing (Status)

Case # 20-AUD-00016

Melben, Inc., t/a Flavio 1069 31st Street NW License #8004 Retailer CR ANC 2E

Failed to File Quarterly Statement

Show Cause Hearing (Status)

Case # 20-CMP-00067

Chaia Mount Vernon Triangle, LLC, t/a Chaia 615 I Street NW License #112653 Retailer CR ANC 2C

No ABC Manager on Duty, Failed to Post License Conspicuously in the Establishment, Failed to Maintain on Premises Books and Records, Failed to Maintain Three Years of Adequate Books and Records Showing All Sales.

Disposition: The Board accepted an Offer In Compromise: Charge I - \$250 fine to be paid within 90 days, Charge II – Warning, Charge III – Warning, Charge IV – Warning. Indefinite suspension of the license if the fine is not paid by April 6, 2021. See Board Order No. 2021-018. Acceptance of the Offer In Compromise cancels all future hearings in this matter.

Show Cause Hearing (Status)

Case # 20-CMP-00059

Omar, LLC, t/a Costello 5201 Georgia Ave NW License #100259 Retailer CT ANC 4D **No ABC Manager on Duty**

Show Cause Hearing (Status)

Case # 20-AUD-00020

Rito Loco, LLC, t/a Rito Loco-El Techo 606 Florida Ave NW License #104119 Retailer CR ANC 6E

Failed to File Quarterly Statement

Disposition: The Board set the matter for a Show Cause Hearing to a date to be determined.

Show Cause Hearing (Status)

Case # 20-251-00007

The Gold Room Bar and Lounge, LLC, t/a The Gold Room Bar/Lounge 1370 H Street NE License #114757
Retailer CT
ANC 6A

Allowed Establishment to be Used for Unlawful or Disorderly Purposes, Failed to Follow Security Plan, Security Plan or Board Order No. (2019-693)

Show Cause Hearing (Status)

Case # 19-251-00067

Nispero, LLC, t /a El Nuevo Migueleno 1721 Columbia Road NW License #75403 Retailer CR ANC 1C

Operating After Hours, Served Closed Containers of Alcoholic Beverages, Provided False or Misleading Information

Disposition: The Board set the matter for a Show Cause Hearing to a date to be determined.

Show Cause Hearing (Status)

Case # 20-CMP-00115

District Soul Food Restaurant & Lounge, LLC, t/a District Soul Food Restaurant & Lounge 500 8th Street SE License #112072 Retailer CR ANC 6B

Failed to Comply with Board Order, Interfered with an Investigation

Show Cause Hearing (Status)

Case # 20-251-00036

MST Enterprises, Inc., t/a Churreria Madrid Restaurant 2505 Champlain Street NW License #060806 Retailer CR ANC 6B

Allowed the Establishment to be Used for Unlawful Purposes; Failed to Comply with Terms of the License

Disposition: The Board set the matter for a Show Cause Hearing to a date to be determined.

Show Cause Hearing (Status)

Case # 19-CC-00134 and 19-CC-00151

JLC, Inc., t/a Towne Wine & Liquor 1326 Wisconsin Ave NW License #93813 Retailer A ANC 2E

Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal Drinking Age, Sale to Minor Violation, Failed to Take Steps Necessary to Ascertain Legal Drinking Age

Disposition: This hearing was cancelled. The parties entered into an Offer in Compromise on January 4, 2020. See Board Order No. 2021-004.

Show Cause Hearing (Status)

Case # 20-CMP-00033
Oki, LLC, t/a Oki Bowl Ramen and Sake
1817 M Street NW
License #107646
Retailer DR
ANC 2B
Increase in Occupancy Without Board Approval

Disposition: This hearing was continued to January 27, 2021 at 10:30 am.

ABC BOARD DISPOSITIONS LEGAL AGENDA*

WEDNESDAY, JANUARY 6, 2021, AT 10:30 AM 2000h STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Offer in Compromise in Lieu of Hearing, dated January 4, 2021, for Case No. 20-CMP-00074. 476 K, LLC t/a Cloakroom, Class CN, License No.: ABRA-087875*

Board Decision: Approved, 7-0. See Board Order No. 2021-003.

 Review of Offer in Compromise in Lieu of Hearing, dated Janury 4, 2021, for Case Nos. 19-CC-00134 and 19-CC-00151. *JLC*, *Inc.*, *t/a Towne Wine & Liquor*, Class A, License No.: ABRA-093813*

Board Decision: Approved, 7-0. See Board Order No. 2021-004.

3. Review of Offer in Compromise in Lieu of Hearing, dated Janury 5, 2021, for Case No. 20-CC-00060. *MG Liquors, Inc., t/a Barrel House Liquors*, Class A, License No.: ABRA-023984*

Board Decision: Approved, 7-0. See Board Order No. 2021-016.

 Review of Consent Motion to Stay Proceedings in Case No. 19-PRO-00145, filed December 23, 2020. *Kraken 3400, LLC t/a Hook Hall*, Retailer Class C Tavern, License No.: ABRA-109296.

Board Decision: Approved, 7-0. See Board Order No. 2021-012.

5. Review of Consent Motion to Stay Proceedings in Case No. 19-PRO-00123, filed December 29, 2020. *Johana's Inc. t/a Johana's Restaurant*, Retailer Class C Tavern, License No.: ABRA-025996.

Board Decision: Approved, 7-0. See Board Order No. 2021-013.

6. Review of Consent Motion to Stay Proceedings in Case No. 19-PRO-00163, filed December 28, 2020. *Toppromo, Inc., t/a Ultrabar/Chromo*, Retailer Class C Nightclub, License No.: ABRA-074767.

Board Decision: Approved, 7-0. See Board Order No. 2021-015.

7. Review of Consent Motion to Stay Proceedings in Case No. 19-PRO-00166, filed December 30, 2020. *Highland Community Entertainment Hall LLC t/a Highland Communicty Entertainment Hall*, Retailer Class C Tavern, License No.: ABRA-115394.

Board Decision: Approved, 7-0. See Board Order No. 2021-014.

8. Review of Request to Reinstate Application in Case No. 20-PRO-00050, filed December 28, 2020. *Union Kitchen, LLC. t/a Union Kitchen*, Retailer Class B Full Service Grocery, License No.: ABRA-098204.

Board Decision: Approved, 7-0. See Board Order No. 2021-009.

9. Review of Amendment to Settlement Agreement between Applicant and ANC 6C, filed December 28, 2020. *Union Kitchen, LLC. t/a Union Kitchen*, Retailer Class B Full Service Grocery, License No.: ABRA-098204.

Board Decision: Approved, 7-0. See Board Order No. 2021-020.

 Review of Settlement Agreement between Applicant and ANC 3F, dated November 13, 2020. TBD Wines, LLC t/a TBD Wines, 4221 Connecticut Ave., N.W., Retailer Class B Internet, License No. ABRA-117244.

Board Decision: Approved, 7-0. See Board Order No. 2021-010.

11. Review of Settlement Agreement between Applicant and ANC 6A, dated December 4, 2020. *H Street Liquors, LLC t/a H Street Beverage Warehouse,* 1431-1433 H Street, N.E., Retailer Class A, License No. ABRA-117278.

Board Decision: Approved, 7-0. See Board Order No. 2021-011.

12. Review of Langdon Park Moratorium Zone Notice of Second Emergency and First Proposed Rulemaking.

Board Decision: Approved, 7-0.

13. Review of Chapter 2 Notice of Second Proposed Rulemaking.

Board Decision: Approved, 7-0.

BOARD DISPOSITIONS REINSTATEMENT OF CANCELLED LICENSE AGENDA*

WEDNESDAY, JANUARY 6, 2021 AT 10:30 AM 2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request for Reinstatement of Cancelled License contingent upon immediate payment of overdue annual fees. *No Jun Choon & Myong t/a Andy's Carryout*, 209 New York Avenue N.W., Retailer Class B, License No. ABRA-021712.

Decision: Approved, 7-0. See Board Order No. 2021-006.

* In accordance with Open Meetings Act, this meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote, however, will be held in an open session and the public is invited to attend.

BOARD DISPOSITIONS LICENSING AGENDA

WEDNESDAY, JANUARY 6, 2021 AT 10:30 AM 2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Request for a Temporary Operating Retail Permit (TORP). ANC 3C. SMD 3C08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Glover Park Hotel*, 2505 Wisconsin Avenue NW, Retailer CH, License No. 117635.

Decision: Approved, 7-0. See Board Order No. 2021-005.

Review Application for Safekeeping of License – Original Request. ANC 2F. SMD 2F05.
 No outstanding fines/citations. No outstanding violations. No pending enforcement matters.
 No Settlement Agreement. *Residence Inn/Wash.DC/Thomas Circle*, 1199 Vermont Avenue NW, Retailer DH, License No. 060397.

Decision: Approved through March 31, 2021, 7-0.

Review Application for a Change of Hours to sell alcohol for an additional hour in the morning and night. Current Hours of Operation and Alcoholic Beverage Sales: Sunday-Saturday 9am to 9pm. Proposed Hours of Operation and Alcoholic Beverage Sales: Sunday-Saturday 8am to 10pm. ANC 7F. SMD 7F01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. Weltman's Liquor, 3938 Minnesota Avenue NE, Retailer A Liquor Store, License No. 117339.

Decision: Approved, 7-0.

4. Review Request to remove the Tasting Permit endorsement from the license. ANC 7F. SMD 7F01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Weltman's Liquor*, 3938 Minnesota Avenue NE, Retailer A Liquor Store, License No. 117339.

Decision: Approved, 7-0.

5. Review Application for a Change of Hours to sell alcohol until 1am. Current Hours of Operation and Alcoholic Beverage Sales: Sunday-Saturday 8am to 12am. Proposed Hours of Operation and Alcoholic Beverage Sales: Sunday-Saturday 8am to 1am. ANC 4C. SMD 4C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. Downtown Liquors, 3712 14th Street NW, Retailer A Liquor Store, License No. 108146.

Decision: Approved, 7-0.

6. Review Application for a Sidewalk Café with 78 seats. Hours of Operation and Alcoholic Beverage Sales and Consumption for Sidewalk Café: Sunday-Thursday 7am to 11:30pm, Friday-Saturday 7am to 1am. ANC 2C. SMD 2C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. Farmers & Distillers, 600 Massachusetts Avenue NW, Retailer CR, License No. 100647.

Decision: Placard, 7-0.

7. Review Application for a Sports Wagering endorsement. Licensee will offer physical kiosks (number to be determined by DC Lottery) and also geo-fenced mobile apps for personal phones. ANC 4B. SMD 4B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *Takoma Station Tavern*, 6914 4th Street NW, Retailer CT, License No. 079370.

Decision: Placard, 7-0.

8. Review Application for a Sports Wagering endorsement. Licensee will offer geo-fenced mobile apps for personal phones. No physical kiosks. ANC 6B. SMD 6B03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *The Ugly Mug Dining Saloon/Valor Brew Pub*, 723 8th Street SE, Retailer CR, License No. 071793.

Decision: Placard, 7-0.

 Review Application for an electronic Game of Skill endorsement to offer the Dragon's Ascent game. ANC 6B. SMD 6B03. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *The Ugly Mug Dining Saloon/Valor Brew Pub*, 723 8th Street SE, Retailer CR, License No. 071793.

Decision: Placard, 7-0.

10. Review Request to retire the currently approved primary vessel in the fleet and replace it with the new Boomerang Boat III. Capacity will increase from 74 to 90 passengers, but hours and nature of operations will remain the same. ANC 6D. SMD 6D04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. *The Boomerang Boat*, 1300 Maine Avenue SW, Retailer C Marine Vessel, License No. 085705.

Decision: Placard, 7-0.

11. Review criminal histories of applicants for a new Class B Retailer license. ANC 2B. SMD 2B05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Capitol Grounds Café*, 1010 17th Street NW, Retailer B, License No. 117630.

Decision: Approved, 7-0.

12. Review of email inquiry from Siamak Saadatian regarding reinstatement of cancelled license for Living Room. ANC 2F. SMD 2F05. Pending fines/enforcement matters. No Settlement Agreement. *Living Room*, 1010 Vermont Avenue NW, Retailer CT, License No. 076906.

Decision: Conditionally approved with full payment of fees within 30 days of Board approval date, 7-0.

13. Review request for approval to provide a gift of a guitar presenter that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

Decision: Approved, 7-0.

14. Review request for approval to provide a gift of a tabletop propane patio heater that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

Decision: Approved, 7-0.

15. Review request for approval to provide a gift of a bottle service bucket that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

Decision: Approved, 7-0.

16. Review request for approval to provide a gift of a slim bottle service kit that does not exceed \$500 in value to various licensed DC Retailers. ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.

Decision: Approved, 7-0.

17. Review Request to allow Hill Restaurant Group, LLC, which has common ownership of the referenced license, to serve as paymaster for the alcoholic beverage wholesaler invoices received by the licensee. ANC 6B. SMD 6B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. **Boxcar Tavern**, 224 7th Street SE, Retailer CR, License No. 098813.

Decision: Approved, 7-0.

*In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment Act, this

portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

BOARD DISPOSITIONS CANCELLATION AGENDA

WEDNESDAY, JANUARY 6, 2021 AT 10:30 AM 2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The ABC Board will be cancelling the following licenses for the reasons outlined below:

ABRA-086231 – **The Codmother** – Retail – C – Tavern – 1334 U Street NW [Licensee is Out of Business.]

Decision: Approved, 7-0. See Board Order No. 2021-007.

ABRA-107646 – **Oki Bowl Ramen & Sake Bar** – Retail – C – Restaurant – 1817 M Street NW [Licensee is Out of Business.]

Decision: Approved, 7-0. See Board Order No. 2021-008.



APPLICATION DECISIONS

WEDNESDAY, JANUARY 6, 2021

THE FOLLOWING APPLICATIONS WERE SUBMITTED TO THE ALCOHOLIC BEVERAGE CONTROL BOARD FOR REVIEW.

APPLICANT	CLASS/CATEGORY	APPROVED	DENIED	DECISION PENDING
1. BCC UNION, LLC T/A BUTTER CHICKEN COMPANY 3 601 2 ND STREET, NE LICENSE NO. 117385	RET. C RESTUARANT TRANSFER WITHOUT SALE APPLICATION	Vote 7-0		
COMMENTS:				
2. JJ SUNBEAM, INC. T/A SUNBEAM MARKET 2324 NORTH CAPITOL STREET, NW LICENSE NO. 117611	RET. B TRANSFER WITH SALE APPLICATION	Vote 7-0		
COMMENTS:				
3. TBD WINES, L.L.C. T/A TBD WINES, L.L.C. 4221 CONNECTICUT AVENUE, NW LICENSE NO. 117244	RET. B INTERNET NEW ABC LICENSE APPLICATION	Vote 7-0		
COMMENTS:				



APPLICATION DECISIONS WEDNESDAY, JANUARY 6, 2021

APPLICANT	CLASS/CATEGORY	APPROVED	DENIED	DECISION PENDING
4. H ST LIQUORS, LLC T/A H STREET BEVERAGE WAREHOUSE 1431-1433 H STREET, NE LICENSE NO. 117278	RET. A NEW ABC LICENSE APPLICATION	Vote 7-0		
COMMENTS:				
5. DURU, INC. T/A ANKARA 1320 19 TH STREET, NW LICENSE NO. 097698	RET. C RESTAURANT CHANGE OF HOURS APPLICATION	Vote 7-0		
COMMENTS:				
6.				
COMMENTS:				