

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)
)
)
Kittrell, Edith Mae & Jessie L)
t/a Vegas Lounge)
)
Applicant for Renewal of a)
Retailer's Class CN License)
)
at premises)
1415 P Street, NW)
Washington, D.C. 20005)
)

Case No.: 23-PRO-00003
License No.: ABRA-001273
Order No.: 2023-035

Kittrell, Edith Mae & Jessie L, t/a Vegas Lounge, Applicant

Thomas W. Vassar, Counsel, on behalf of the Applicant

Joe Florio, Chair, Advisory Neighborhood Commission (ANC) 2F, Protestant

John Patrick Brown and Ted Brownfield, on behalf of SJG Properties, Abutting Property Owner, Protestant

Lyle Blanchard, Counsel, on behalf of the Abutting Property Owner

Jennifer U. Toth and Jonathan Gifford, on behalf of The Metro Condominium Residences Association, Protestant

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Aliya Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

**ORDER ON DISMISSAL OF THE METRO CONDOMINIUM
RESIDENCES ASSOCIATION'S PROTEST**

The Application filed by Kittrell, Edith Mae & Jessie L, t/a Vegas Lounge (Applicant), for renewal of its Retailer's CN License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on January 17, 2023.

On January 17, 2023, the Board dismissed the Protest of The Metro Condominium Residences Association because The Metro Condominium Residences Association did not meet the standing requirements needed to file a protest. Specifically, D.C. Official Code § 25-601 sets forth those persons that may file a protest and Condo Associations are not listed among them. It has long been recognized that persons who have standing to file a protest are: (1) An abutting property owner; (2) A group of no fewer than 5 residents or property owners, (3) A citizens association, (4) An affected ANC; (5) the Mayor; (6) the designated custodian of federal property; or (7) The Metropolitan Police Department District Commander.

The Metro Condominium Residences Association may file a Motion for Reconsideration within ten (10) days from the date of this Order if it disagrees with the findings of the Board.

ORDER

The Board does hereby, this 25th day of January 2023, **DISMISS** the Protest of The Metro Condominium Residences Association. Copies of this Order shall be sent to the Parties.

The Board advises the parties that the protests of ANC 2F and the Abutting Property Owner remain, and the Protest Status Hearing is set for February 15, 2023 at 10:30 a.m. and the Protest Hearing for March 22, 2023 at 1:30 p.m.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson
Key: 5476e970922d60cc8c1a332d2945e7

Donovan Anderson, Chairperson

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James Short
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James Short, Member

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Bobby Cato
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Bobby Cato, Member

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Rafi Ateya Crockett, Member
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Rafi Crockett, Member

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Jeni Hansen, Member
Key: 821200255004474511509e2481107

Jeni Hansen, Member

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Edward Grandis, Member
Key: 502716da7f0f0047ec14ad8b525410e5

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).