

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

COLUMBIA CITY BAR, INC
d/b/a ANGIE'S COCKTAILS
4915 RAINIER AVE S
SEATTLE, WA 98116

LICENSEE

LICENSE NO. 352747

LCB NO. 23,587

FINAL ORDER OF THE BOARD

The above entitled matter coming on regularly before the Board, and it appearing that:

1. Columbia City Bar, Inc., d/b/a Angie's Cocktails, held a liquor license for the period November 2, 2008 through October 31, 2009. Pursuant to RCW 66.24.010(8) and (12), and WAC 314-09-015, the Board received a timely objection to the renewal of the liquor license from the city of Seattle, dated September 9, 2009¹, and received by the Board on September 14, 2009. The city cites the licensee's noncompliance with a Good Neighbor Agreement, numerous criminal and disruptive activities occurring in or near the premises, and asserts that the continued operation of this establishment endangers public safety and community welfare. Documentation was submitted in support of the city's objection.

2. The Board also received objections to the renewal of the license from members of the public.

3. The Board mailed a Statement of Intent Not to Renew Liquor License to the above-stated licensee and their attorney on September 14, 2009, informing the licensee of the city's objection, and

¹ The city of Seattle faxed its request to the Board on September 9, 2009, and also served its objections by registered mail. The registered mail copy was received on September 14, 2009; the faxed copy was received on September 9, 2009.

providing an opportunity to submit a response. The licensee's attorney requested an extension of the time to respond to the city of Seattle's objections.

4. The licensee provided a written response dated January 8, 2010, received by the Board on January 10, 2010.

5. The licensee was granted a temporary operating permit on October 23, 2009, December 24, 2009, on February 19, 2010, and on April 24, 2010. A temporary operating permit allows the licensee to operate for a period of 60 days.

6. Alan Rathbun, Director of the Licensing and Regulation Division of the Washington State Liquor Control Board, considered the materials presented by the City of Seattle, by the Licensee, and materials in the Board's files and records. Mr. Rathbun served the Statement of Intent Not to Renew License, dated April 12, 2010, and a Request for Hearing/Response to Statement of Intent Not to Renew on the licensee by certified mail. The Statement of Intent Not to Renew is incorporated into this Order by this reference.

7. No Request for Hearing or Response to the Statement of Intent Not to Renew has been received by the Board.

8. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises;

NOW THEREFORE;

IT IS HEREBY ORDERED that the Statement of Intent Not to Renew Liquor License for case 23,587, is adopted by the Board.

IT IS HEREBY FURTHER ORDERED that the liquor license privileges granted to Columbia City Bar, Inc. d/b/a Angie's Cocktails located at 4915 Rainier Ave S in Seattle, Washington, License

352747, are nonrenewed, effective 30 days from the date of this order. The temporary operating permit issued on April 24, 2010, is also revoked, effective 30 days from the date of this order.

DATED at Olympia, Washington this 20th day of May, 2010.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster Kevin M. Carroll
per telephonic approval
Ruthann Kurose Kevin M. Carroll
per telephonic approval
Linda D. Bremer

Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M. Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order.

Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).

**STATE OF WASHINGTON
WASHINGTON STATE LIQUOR CONTROL BOARD**

In the Matter of the Non-renewal of the liquor license authorizing the privileges as a Spirits/Beer/Wine Restaurant – Lounge from:

WOO YONG “ANDY” LEE
COLUMBIA CITY BAR, INC
d/b/a ANGIE’S COCKTAILS
4915 RAINIER AVE S
SEATTLE, WA 98118-1743

LCB No. 23,587

**STATEMENT OF INTENT NOT TO
RENEW LIQUOR LICENSE**

License No. 352747

The authority of the Washington State Liquor Control Board in this proceeding is based on the provisions of Title 66 Revised Code of Washington (RCW) and Title 314 Washington Administrative Code (WAC).

1. LICENSE HISTORY

1.1 Respondent has held the above-stated liquor license since 12/19/2008.

2. SUMMARY OF RELEVANT FACTS

- 2.1 Circumstance. Seattle Assistant City Attorney John McGoodwin timely submitted an objection to license renewal, received on September 14, 2009, against the liquor license of Angie’s Cocktails deeming this establishment to be an endangerment to public safety and community welfare.
- 2.2 Circumstance. Seattle Police Department Incident 09-275807. August 6, 2009: A shooter fired shots into ground near Angie’s.
- 2.3 Circumstance. Seattle Police Department Incident 09-229599. July 2, 2009: Large fight outside of Angie’s; investigation yielded AVN for Minor Frequenting

- 2.4 Circumstance. Seattle Police Department Incident 09-178016. May 25, 2009: A patron refused to leave Angie's. (Police assistance requested from Angie's.)
- 2.5 Circumstance. Seattle Police Department Incident 09-116432. April 6, 2009: Several complaints were received from the public about illegal drug activity in and around Angie's; an undercover officer purchased crack cocaine from someone that had just walked out of Angie's.
- 2.6 Circumstance. Seattle Police Department Incident 09-116463. April 6, 2009: Additional undercover sale of cocaine took place in front of Angie's. Both subjects were arrested.
- 2.7 Circumstance. Seattle Police Department Incident 09-116581. April 6, 2009: Additional sale of cocaine where a subject sold an undercover officer rock cocaine who immediately walked to Angie's. Subject was arrested.
- 2.8 Circumstance. Seattle Police Department Incident 09-54834. February 14, 2009: Report details that Angie's has received numerous complaints about narcotic activity and loitering. A No Trespass sign was posted. An officer observed a large group of men and women loitering in front of Angie's. The officer cleared the people in the area by explaining about loitering. All the individuals were compliant except one.
- 2.9 Circumstance. Seattle Police Department Incident 09-54589. February 13, 2009: An intoxicated man had been "following and harassing" a group of six. The subject entered Angie's where an officer told the man he was too intoxicated to be in a liquor establishment. After six warnings, the individual complied.
- 2.10 Circumstance. Seattle Police Department Incident 09-52105. February 11, 2009: Officers saw a woman exit a vehicle and run into Angie's. The woman soon ran out of Angie's and returned to the vehicle. The driver was observed committing a traffic violation. When they contacted the driver and the woman, the driver admitted to

paying the woman for sex. The driver also informed the officers that cocaine was in the vehicle. Also, the driver informed the officers that the woman had just bought the cocaine from someone inside Angie's. They were arrested.

- 2.11 Circumstance. Seattle Police Department Incident 09-23759. January 20, 2009: Police responded to an alleged assault at Angie's. (Police assistance requested from Angie's.) When they entered Angie's, officers observed an individual lying on the floor. They saw a large amount of blood around the individual. Police arrested the suspect inside Angie's. The suspect smelled strongly of an alcoholic beverage and appeared intoxicated.
- 2.12 Circumstance. July 2, 2009 WSLCB Administrative Violation Notice for Minor Frequenting and Written Warning for Disorderly Conduct; 2K9195A. Original monetary penalty of \$500 paid.
- 2.13 Circumstance. WSLCB Enforcement Division's Recommendation: Rex Prout, Deputy Chief of the Enforcement Division submitted his response to a request for a review and recommendation on this matter. In his response, he indicates, "The Enforcement Division supports the request for nonrenewal of this license." Mr. Prout's subsequent email dated 1/28/2010, followed an updated review of the file and recommendation. In it, he states, "I have reviewed the nonrenewal request file as it exists on this date. I maintain the opinion the City of Seattle has met the requirements of RCW 66.24.010(12). Enforcement supports the nonrenewal request by the City of Seattle."

3. RELEVANT AUTHORITY AND CONCLUSIONS

- 3.1 As alleged in the conduct outlined in paragraphs 2.1 – 2.13, together with the conduct outlined in the Local Authority's objection to the respondent's license

renewal in letter dated September 9, 2009, are grounds for denial of license renewal under RCW 66.24.010(12).

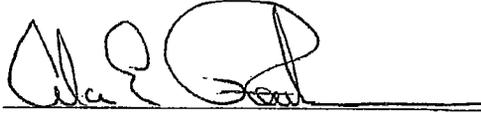
4. REQUEST FOR NON-RENEWAL

The below-signed Director of Licensing and Regulation for the Washington State Liquor Control Board, having reviewed the following materials:

- Objection to license renewal letter from Seattle City Attorney, Good Neighbor Agreement and police reports; Faxed duplicated copy included
- Nine objection letters and emails against renewal from members of the public; several duplicate submissions are included
- Two support emails for renewal from members of the public
- Complaints: February 4, 2009, case 2Z9035C Alleged Disorderly Conduct; June 3, 2009, case 2Z9154E, Alleged Criminal Conduct, anonymous tips attached; also June 3, 2009, case 2Z9154F, Alleged Liquor Tampering.
- Written Warning 2K9171B issued for Disorderly Conduct on 6/3/2009; Written Warning 2K9166A for inadequate Food Service on 6/15/09
- Administrative Violation Notice Written Warning for case 2K9195A and police reports for incidents on 7/2/2009
- DWI Tracking Inquiry screen print
- Deputy Chief Rex Prout's recommendation email and report, as well as his subsequent email update dated 1/28/10.
- Two emails from licensee's attorney regarding records requested from Seattle
- Extension request from Licensee's Attorney for reply to objection
- Reply to city of Seattle's objection from Licensee's Attorney
- Declaration of Woo Yong "Andy" Lee in Support of License Renewal
- Declaration of David R. Osgood in Support of License Renewal; description of exhibits one through nine
- Exhibit 1 – images of Angie's exterior
- Exhibit 2 – Seattle Police Department Blotter online articles; Seattle PI article; The Stranger articles
- Exhibit 3 – Various e-mails from between John McGoodwin of city of Seattle and LCB Enforcement
- Exhibit 4 – From Greg Otteman to John McGoodwin
- Exhibit 5 – Email from LCB Officer Greg Otteman to Amy Branham and John McGoodwin of city of Seattle
- Exhibit 6 – Memo of withdrawal of administrative violation notice 2K9276C and related documents
- Exhibit 7 – Email from LCB Officer Greg Otteman to John McGoodwin of city of Seattle
- Exhibit 8 – Seattle Police Narrative – Weapon Discharge, case GO 2009-275807
- Exhibit 9 – Email from Andy Lee to Bob Peth – Security training request

And based on those materials, having concluded as set forth above, seeks the denial of the liquor license renewal of Angie's Cocktails.

DATED this 12th day of April, 2010.



Alan E. Rathbun, Director
Licensing & Regulation Division

The Washington State Liquor Control Board has a policy of providing equal access to its services.

This document was mailed to the following people:

DAVID OSGOOD, ATTORNEY FOR LICENSEE 1411 4TH AVE STE 1506 SEATTLE, WA 98101-2247	JOHN MCGOODWIN, ASSISTANT CITY ATTORNEY SOUTH PRECINCT LIASON PO BOX 94667 SEATTLE, WA 98124-4667
WOO YONG "ANDY" LEE, LICENSEE COLUMBIA CITY BAR, INC D/B/A ANGIE'S COCKTAILS PO BOX 659 KENT, WA 98035-0659	



Washington State
Liquor Control Board

May 20, 2010

Columbia City Bar, Inc., Licensee
d/b/a Angie's Cocktails
PO Box 659
Kent, WA 98035-0659

David Osgood, Attorney for Licensee
1411 4th Ave Ste 1506
Seattle, WA 98101-2247

John McGoodwin, Assistant City Attorney, City of Seattle
South Precinct Liaison
PO Box 94667
Seattle, WA 98124-4667

Gordon Karg, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

**RE: FINAL ORDER OF THE BOARD
LIQUOR LICENSE NONRENEWAL
LICENSEE: Columbia City Bar, Inc.
TRADE NAME: Angie's Cocktails
LOCATION: 4915 Rainier Ave S, Seattle, WA 98116
LICENSE NO. 352747-2K
LCB HEARING NO. 23,587
UBI: 602 874 769 001 0001**

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Final Order in the above referenced matter as well as the Intent Not to Renewal Liquor License.

If you have any questions, please contact me at (360) 664-1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Alan Rathbun, Director of Licensing and Regulation, WSLCB
Pat Parmer, Chief of Enforcement and Education, WSLCB

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WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,587

COLUMBIA CITY BAR, INC.
d/b/a ANGIE'S COCKTAILS
4915 RAINIER AVE S
SEATTLE, WA 98116

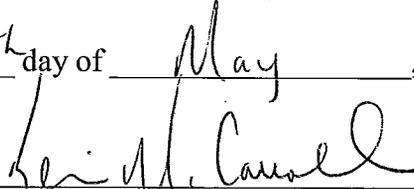
DECLARATION OF SERVICE BY
MAIL

LICENSEE

LICENSE NO. 352747

I declare under penalty of perjury under the laws of the state of Washington that on May 20, 2010, I served a true and correct copy of the FINAL ORDER OF THE BOARD in the above-referenced matter, by placing a copy of said documents in the U.S. mail, postage prepaid, to all parties or their counsel of record.

DATED this 20th day of May, 2010, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator

COLUMBIA CITY BAR, INC., LICENSEE d/b/a ANGIE'S COCKTAILS PO BOX 659 KENT, WA 98035-0659	JOHN MCGOODWIN, ASSISTANT CITY ATTORNEY, CITY OF SEATTLE SOUTH PRECINCT LIAISON PO BOX 94667 SEATTLE, WA 98124-4667
COLUMBIA CITY BAR, INC., LICENSEE d/b/a ANGIE'S COCKTAILS 4915 RAINIER AVE S SEATTLE, WA 98118-1743	GORDON KARG, AAG GCE DIVISION, OFFICE OF ATTORNEY GENERAL 1125 WASHINGTON STREET SE PO BOX 40100 OLYMPIA, WA 98504-0100
DAVID OSGOOD, ATTORNEY FOR LICENSEE 1411 4 TH AVE STE 1506 SEATTLE, WA 98101-2247	

DECLARATION OF SERVICE BY
MAIL