

HANK BAUER
CHAIRMAN

MIKE DESILVA
DEPUTY COMMISSIONER



State of North Carolina

ALCOHOLIC BEVERAGE CONTROL COMMISSION

400 East Tryon Road
Raleigh, NC 27610

COMMISSION MEMBERS:

NORMAN A. MITCHELL, SR.
CHARLOTTE

LA'TANTA (L.T.) MCCRIMMON
RALEIGH

Commission Meeting Agenda

November 8, 2023

ABC Commission Office Complex
Hearing Room 101 – 10:00 AM

- I. Hearing Cases – 99
- II. Amended Exemption Request Pursuant to N.C.G.S. §18B-1116(b) – Mason Jar Tavern, Inc. et al.
- III. Review of Exemption Order Compliance – 321 Wine, LLC T/A Kellogg Selections, Charlotte Wine Co., LLC T/A Bar à Vins, Jeff Kellogg, and Stephanie Kellogg
(Adopted January 12, 2022, Amended March 16, 2022)
- IV. Stokes Municipal ABC Board Merger Agreement
- V. Request for Clarification/Reconsideration of Declaratory Ruling Pursuant to N.C.G.S. §150B-4 and 14B NCAC 15C Section.0700 Adopted at the October 11, 2023 Commission Meeting – “Split Case Fees” or “Bottle Picking Fees”
- VI. Other Business

ABC Commission Office Complex
Hearing Room 101 – 10:00 AM

SECTION I

CONTESTED CASES

ALJ Decisions:

1. **T/A Kanpai Japanese Steak & Seafood House**
 Kanpai, Inc.
 1438 South Stratford Road
 Winston-Salem, NC 27103
 ALE District VII

 OAH Judge: Hon. Jonathan S. Dills
 OAH Case #23 ABC 03544

 ABC Attorney: Rachel Spears
 ABC Case #28881

2. **T/A Tobacco Outlet**
 Nershimha, Inc.
 402-A West Spring Street
 Troy, NC 27371
 ALE District VIII

 OAH Judge: Hon. Jonathan S. Dills
 OAH Case #23 ABC 03490

 ABC Attorney: Rachel Spears
 ABC Case #28644

SECTION II

OFFERS IN COMPROMISE

Suspensions:

3. **T/A 427 Convenient Mart**
 L & D Mart, Inc.
 1441 Old River Road
 Greenville, NC 27834
 ALE District IV

 Kirstin Greene
 Case #29327

4. **T/A Atex Funny Mart**
 Tawfik Kaid Alahwas
 114 Strawberry Blvd
 Chadbourn, NC 28431
 ALE District I

 Kirstin Greene
 Case #29342

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| 5. | <p>T/A Axes & Armor Hatchet House
 Axes & Armor, LLC
 409 North Bragg Blvd, Suite G
 Spring Lake, NC 28390
 Cumberland County ABC</p> | <p>Kirstin Greene
 Case #27773</p> |
| 6. | <p>T/A Crab Seafood House
 Clayton Seafood Group, Inc.
 877 Town Centre Blvd
 Clayton, NC 27520
 ALE District IV</p> | <p>Kirstin Greene
 Case #27769</p> |
| 7. | <p>T/A Dollar General Store 12286
 Dolgencorp, LLC
 911 Fallston Road
 Shelby, NC 28150
 Shelby Police Department</p> | <p>Kirstin Greene
 Case #29322</p> |
| 8. | <p>T/A Vape & Brew
 NC Ventures, LLC
 810 East Grover Street
 Shelby, NC 28150
 Shelby Police Department</p> | <p>Kirstin Greene
 Case #29321</p> |
| 9. | <p>T/A 365 Fast Mart
 365 Tamarack Drive, LLC
 605 Tamarack Drive
 Fayetteville, NC 28311
 Cumberland County ABC</p> | <p>Seth Kandl
 Case #28123</p> |
| 10. | <p>T/A A & J Food Mart
 AM Presto Mart, Inc.
 6406 Ward Blvd
 Wilson, NC 27893
 ALE District II</p> | <p>Seth Kandl
 Case #29125</p> |
| 11. | <p>T/A Best Mart
 Naz 1, Inc.
 2945 Richlands Hwy
 Jacksonville, NC 28540
 ALE District I</p> | <p>Seth Kandl
 Case #29311</p> |

12. **T/A Biryani Xprx**
Tibetan Restaurant, LLC
748 East Chatham Street, Suite A
Cary, NC 27511
ALE District IV
13. **T/A Boondocks Brewing Tap Room & Restaurant**
Boondocks Brewing, LLC
108 South Jefferson Avenue
West Jefferson, NC 28694
ALE District VII
14. **T/A Boulevard BP**
Allyson Leigh Jackson Steen
Chet Heath Steen
3310 Bragg Blvd
Fayetteville, NC 28303
Cumberland County ABC
15. **T/A Broncos Food Mart**
MJ Dreams, Inc.
1208 Bragg Blvd
Fayetteville, NC 28301
Cumberland County ABC
16. **T/A Centro Botanero Bar & Grill**
Centro Botanero, Inc.
5873 Albemarle Road
Charlotte, NC 28212
ALE District VII
17. **T/A Charles Place 2**
Jernigan Enterprises, Inc.
518 South Main Street
Randleman , NC 27317
ALE District V
18. **T/A Circle K 2723104**
Circle K Stores, Inc.
1301 Arlington Blvd
Greenville, NC 27834
Pitt County ABC
- Seth Kandl
Case #29344
- Seth Kandl
Case #29037
- Seth Kandl
Case #29175
- Seth Kandl
Case #28483
- Seth Kandl
Case #29336
- Seth Kandl
Case #29093
- Seth Kandl
Case #28766

19. **T/A Circle K 8381**
Circle K Stores, Inc.
7301 Plaza Road
Charlotte, NC 28215
Mecklenburg County ABC
20. **T/A Double Barrel Saloon**
Double Barrel Saloon, LLC
508 West Main Avenue
Gastonia, NC 28052
ALE District VI
21. **T/A EZ Pass Drive Thru**
NC Drive Thru, Inc.
2200 South Evans Street
Greenville, NC 27834
ALE District II
22. **T/A Goorsha**
Goorsha, LLC
823 West Morgan Street
Durham, NC 27701
ALE District IV
23. **T/A Hoppy Endings**
919 Brewing, LLC
8320 Litchford Road, Suite 106
Raleigh, NC 27615
ALE District IV
24. **T/A Islander Kwik Mart**
Oceanview, LLC
102 South Fort Fisher Blvd
Kure Beach, NC 28449
ALE District I
25. **T/A Luck's Tavern**
Cody's North, LLC
6401-A Castle Hayne Road
Castle Hayne, NC 28428
ALE District I
- Seth Kandl
Case #28362
- Seth Kandl
Case #28409
- Seth Kandl
Case #29130
- Seth Kandl
Case #28481
- Seth Kandl
Case #28737
- Seth Kandl
Case #28888
- Seth Kandl
Case #29097

26. **T/A McKinley's Restaurant & Pub**
 Van Meter Restaurant Enterprises, Inc.
 11751 Hwy 70 West
 Clayton, NC 27520
 ALE District IV
 Seth Kandl
 Case #28813
27. **T/A Neptune's Kitchen & Dive Bar**
 T & H Neptune's LLC
 24394 Hwy 12
 Rodanthe, NC 27968
 ALE District II
 Seth Kandl
 Case #29190
28. **T/A Ready Mart 2**
 Ready Mart, Inc.
 2010 South Fayetteville Street
 Asheboro, NC 27205
 ALE District V
 Seth Kandl
 Case #29137
29. **T/A Ready Mart 3**
 Ready Mart, Inc.
 334 North Main Street
 Randleman, NC 27317
 ALE HQ
 Seth Kandl
 Case #29229
30. **T/A Ready Mart 5**
 Ready Mart, Inc.
 211 South Main Street
 Biscoe, NC 27209
 ALE District V
 Seth Kandl
 Case #29094
31. **T/A Ready Mart 6**
 Ready Mart, Inc.
 641 North Broad Street
 Seagrove, NC 27341
 ALE District V
 Seth Kandl
 Case #29225
32. **T/A Refuel 112**
 Refuel Operating Company, LLC
 1010 Raleigh Road
 Chapel Hill, NC 27514
 Chapel Hill Police Department
 Seth Kandl
 Case #27440

33. **T/A Rio Bravo Mexican Grill**
Rio Bravo Hicone, Inc.
2040 Rankin Mill Road, Suite E
Greensboro, NC 27405
ALE District V
34. **T/A Rowan Street BP 410**
M. M. Fowler, Inc.
225 Rowan Street
Fayetteville, NC 28301
Cumberland County ABC
35. **T/A Royal Banquet Hall**
Royal Banquet Hall, LLC
3821 West Gate City Blvd, Unit 2-A
Greensboro, NC 27407
ALE District V
36. **T/A Scotty B's**
Scott Richard Bachman
6424 University Parkway
Rural Hall, NC 27045
ALE District VII
37. **T/A Shell Pleasant Garden**
BH Petroleum, Inc.
4821 Pleasant Garden Road
Pleasant Garden, NC 27313
ALE District V
38. **T/A Speedway 6965**
Speedway, LLC
800 East Blvd
Williamston, NC 27892
ALE District II
39. **T/A Stem Mini Mart**
Stem Mini Mart, Inc.
102 Talley Ho Road
Stem, NC 27581
ALE District IV
- Seth Kandl
Case #29046
- Seth Kandl
Case #29176
- Seth Kandl
Case #28963
- Seth Kandl
Case #29217
- Seth Kandl
Case #29383
- Seth Kandl
Case #28675
- Seth Kandl
Case #29002

40. **T/A Sylvia's Store**
Sylvia's Store, LLC
2390 Ether Road
Star, NC 27356
ALE District V
- Seth Kandl
Case #29224
41. **T/A Taco's Bar**
Taco's Bar, Inc.
6406 Old Pineville Road
Charlotte, NC 28217
Charlotte-Mecklenburg Police Department
- Seth Kandl
Case #28915
42. **T/A Taqueria y Restaurant El Primo**
Los 2 Compadres, Inc.
744 East Chatham Street, Suite A-B
Cary, NC 27511
Wake County ABC
- Seth Kandl
Case #29149
43. **T/A Thrifty Mart**
Khaldo, LLC
213 East Washington Street
Bethel, NC 27812
ALE District II
- Seth Kandl
Case #29204
44. **T/A Troy 6**
Troy 6, LLC
941 North Main Street
Troy, NC 27371
ALE District V
- Seth Kandl
Case #28643
45. **T/A West End Pits Stop**
Octane Group, Inc.
1349 Old Murphy Road
Franklin, NC 28734
ALE District VIII
- Seth Kandl
Case #29010
46. **T/A 20th Street Grocery & Grill**
Wadhah Abdo Ahmed Dawmah
2000 Bridges Street
Morehead City, NC 28557
ALE District I
- Robert Nauseef
Case #29021

47. **T/A 3 Way Food Mart**
3 Way Food Mart, Inc.
3920 Black Bridge Road
Hope Mills, NC 28348
Cumberland County ABC
Robert Nauseef
Case #29317
48. **T/A 365 Fast Mart 101**
365 Stores, LLC
5001 Bragg Blvd
Fayetteville, NC 28303
Cumberland County ABC
Robert Nauseef
Case #29181
49. **T/A 365 Fast Mart 104**
365 Stores, LLC
2450 Ireland Drive
Fayetteville, NC 28306
Cumberland County ABC
Robert Nauseef
Case #27896
50. **T/A 365 Fast Mart 104**
365 Stores, LLC
2450 Ireland Drive
Fayetteville, NC 28306
Cumberland County ABC
Robert Nauseef
Case #29172
51. **T/A At Mart Food Store**
AtMartFoodStore, Inc.
608 Buffalo Road
Smithfield, NC 27577
ALE District IV
Robert Nauseef
Case #29302
52. **T/A Broncos Food Mart**
MJ Dreams, Inc.
1208 Bragg Blvd
Fayetteville, NC 28301
Cumberland County ABC
Robert Nauseef
Case #29178
53. **T/A Cross Road**
Hadi & Hadi, Inc.
8861 County Line Road
Rocky Mount, NC 27803
Wilson County ABC
Robert Nauseef
Case #28753

54. **T/A Cross Road**
Hadi & Hadi, Inc.
8861 County Line Road
Rocky Mount, NC 27803
ALE District II
55. **T/A Dollar General 21337**
Dolgencorp, LLC
8054 National Service Road
Colfax, NC 27235
ALE District V
56. **T/A Dollar General Store 3105**
Dolgencorp, LLC
903 West Union Street, Suite D
Morganton, NC 28655
ALE District VII
57. **T/A Dollar General Store 8750**
Dolgencorp, LLC
319 East Marion Street
Shelby, NC 28150
Shelby Police Department
58. **T/A Juicy Crab**
MEJT Group, LLC
5700 University Pointe Blvd, Suite 106
Charlotte, NC 28262
Mecklenburg County ABC
59. **T/A Las Palmas III**
Las Palmas III, Inc.
9820 Leesville Road, Suite 170
Raleigh, NC 27613
ALE District IV
60. **T/A Legion Mart**
Legion Mart, Inc.
2425 Legion Road
Fayetteville, NC 28306
Cumberland County ABC
- Robert Nauseef
Case #29326
- Robert Nauseef
Case #29385
- Robert Nauseef
Case #29370
- Robert Nauseef
Case #29323
- Robert Nauseef
Case #29351
- Robert Nauseef
Case #29153
- Robert Nauseef
Case #29312

61. **T/A Metro Mart**
Quick Trip, LLC
3310 Olympia Drive
Raleigh, NC 27603
Wake County ABC
62. **T/A Queen Sheba Bar and Restaurant**
Queen Sheba, LLC
4808 Central Avenue, Suite C-E
Charlotte, NC 28205
Charlotte-Mecklenburg Police Department
63. **T/A Rockin Crab Seafood Bar**
Rockin Crab Seafood Bar, Inc.
4743 Ramsey Street
Fayetteville, NC 28311
Cumberland County ABC
64. **T/A Salem Express**
Makhodal One, LLC
1014 Salem Road
Morganton, NC 28655
ALE District VII
65. **T/A Sheetz 736**
Sheetz of NC, LLC
6410 Raeford Road
Fayetteville, NC 28304
Cumberland County ABC
66. **T/A Shell Food Mart**
Shell Food Mart, Inc.
901 Linden Avenue
Oxford, NC 27565
ALE District IV
67. **T/A Starlight Lounge**
Starlight Lounge, LLC
7631 Sharon Lakes Road, Suite E
Charlotte, NC 28210
ALE District VI
- Robert Nauseef
Case #26703
- Robert Nauseef
Case #28918
- Robert Nauseef
Case #29096
- Robert Nauseef
Case #29369
- Robert Nauseef
Case #29315
- Robert Nauseef
Case #29390
- Robert Nauseef
Case #28125

68. **T/A Tap That Craft Beer and Wine Bar**
Tap That Craft Beer and Wine Bar, Inc.
901-B Pollock Street
New Bern, NC 28562
ALE District I
69. **T/A Tattooz and Booz**
Tattooz and Booz, LLC
505 East 6th Street, Unit 100
Charlotte , NC 28202
Charlotte-Mecklenburg Police Department
70. **T/A Vaughan Grocery**
Saad Ahmed Nagi Qaraah
2743 Hwy 158 East
Macon, NC 27551
ALE District IV
71. **T/A Village Pantry**
Wesson Village Pantry, LLC
301 College Avenue
Shelby, NC 28152
Shelby Police Department
72. **T/A Wal-Mart Supercenter 1179**
Wal-Mart Stores East, LP
60 Airport Road
Arden, NC 28704
ALE District VIII
73. **T/A William & Company**
Ballance Management Group, LLC
616 North Person Street
Raleigh, NC 27604
Wake County ABC
74. **T/A 12 Ji Hot Pot**
12 Ji Hot Pot, LLC
4075 Davis Drive, Unit A-106
Morrisville, NC 27560
ALE District IV
- Robert Nauseef
Case #28486
- Robert Nauseef
Case #29259
- Robert Nauseef
Case #29198
- Robert Nauseef
Case #29164
- Robert Nauseef
Case #29357
- Robert Nauseef
Case #29196
- Rachel Spears
Case #28639

75. **T/A 4800 Restaurant & Lounge**
4800, Inc.
4800 Monroe Road
Charlotte, NC 28205
Charlotte-Mecklenburg Police Department
- Rachel Spears
Case #28568
76. **T/A Circle K 2720320**
Circle K Stores, Inc.
3289 Avent Ferry Road
Raleigh, NC 27606
Wake County ABC
- Rachel Spears
Case #29233
77. **T/A Circle K 2723036**
Circle K Stores, Inc.
2990 Gillespie Street
Fayetteville, NC 28306
Cumberland County ABC
- Rachel Spears
Case #29316
78. **T/A Circle K 2723780**
Circle K Stores, Inc.
3321 Apex Hwy 55
Durham, NC 27713
ALE District IV
- Rachel Spears
Case #29129
79. **T/A Circle K Store 2721599**
Circle K Stores, Inc.
2968 Hwy 105
Boone, NC 28607
ALE District VII
- Rachel Spears
Case #28838
80. **T/A Cody's North**
Cody's North, LLC
6213 Market Street, Unit D
Wilmington, NC 28405
ALE District I
- Rachel Spears
Case #29333
81. **T/A Dollar General Store 9353**
Dolgencorp, LLC
1400 NC Hwy 62 East
Climax, NC 27233
ALE District V
- Rachel Spears
Case #29384

82. **T/A Explict Bistro and Lounge**
 Explict Bistro and Lounge, LLC
 1000 NC Music Factory Blvd, Unit C-10
 Charlotte, NC 28206
 Charlotte-Mecklenburg Police Department
83. **T/A Family Dollar 6563**
 Family Dollar Stores of NC, Inc.
 423 South George Street
 Goldsboro, NC 27530
 Wayne County ABC
84. **T/A Family Dollar 8445**
 Family Dollar Stores of NC, Inc.
 1403 Wayne Memorial Drive
 Goldsboro, NC 27534
 Wayne County ABC
85. **T/A Giovanni's Restaurant**
 GI-RO-GE-BA, Inc.
 5831 West Gate City Blvd
 Greensboro, NC 27407
 ALE District V
86. **T/A Hopey & Co.**
 Shopper's Nirvana, LLC
 3018 US 70 West
 Black Mountain, NC 28711
 ALE District VIII
87. **T/A JPJ Mart**
 MAA Family, Inc.
 1706 Spring Garden Street
 Greensboro, NC 27403
 ALE District V
88. **T/A Jiffy Mart 2**
 Jiffy Mart 2, Inc.
 1018 Burkemont Avenue
 Morganton, NC 28655
 ALE District VII
- Rachel Spears
Case #29254
- Rachel Spears
Case #29331
- Rachel Spears
Case #29329
- Rachel Spears
Case #28877
- Rachel Spears
Case #29391
- Rachel Spears
Case #27206
- Rachel Spears
Case #29337

89. **T/A Kelco**
 Kelly Lynn O'Connell
 227 North Berkeley Blvd
 Goldsboro, NC 27534
 Wayne County ABC
 Rachel Spears
 Case #29296
90. **T/A Kingdom**
 Ruby Shnell Roberson
 111/113 West Swannanoa Avenue
 Liberty, NC 27298
 ALE District V
 Rachel Spears
 Case #27256
91. **T/A Long Island Eatery**
 TFD Food Service, LLC
 839 South Kerr Avenue
 Wilmington, NC 28403
 ALE District I
 Rachel Spears
 Case #29340
92. **T/A PNJ Mini Mart**
 P & J 2023, LLC
 5338 West Market Street
 Greensboro, NC 27409
 ALE District V
 Rachel Spears
 Case #29170
93. **T/A Pro's Epicurean Market & Café**
 Pro's Epicurean Marketplace & Café, Co.
 211 East Chatham Street
 Cary, NC 27511
 ALE District IV
 Rachel Spears
 Case #29012
94. **T/A Safari Lux Lounge**
 Safari Lux Lounge, LLC
 5020 East Independence Blvd
 Charlotte, NC 28212
 Charlotte-Mecklenburg Police Department
 Rachel Spears
 Case #29263
95. **T/A Slingshot Social Game Club**
 Urban Bland St, LLC
 332 West Bland Street, Suite A
 Charlotte, NC 28203
 Charlotte-Mecklenburg Police Department
 Rachel Spears
 Case #28727

96. **T/A Super Estrella**
Francisco Jnocente Hernandez
261 West Fleming Drive
Morganton, NC 28655
ALE District VII
97. **T/A Tavern 74**
Tavern 74, LLC
2116 West Roosevelt Blvd
Monroe, NC 28110
Monroe Police Department
98. **T/A Tiffany's Bar and Grill**
Tiffany's Bar and Grill, LLC
58 East Peacock Avenue
Denton, NC 27239
ALE District V
99. **T/A Wayneo's Silver Bullet**
Wayneo's Silver Bullet, LLC
5172 NC Hwy 117 South
Hickory, NC 28602
ALE District VII
- Rachel Spears
Case #29335
- Rachel Spears
Case #29309
- Rachel Spears
Case #28269
- Rachel Spears
Case #28840