

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

In the Matter of:)
)
Ima Pizza Store 13, LLC)
t/a & Pizza)
)
Applicant for a New)
Retailer's Class CR License)
)
at premises)
1215 Connecticut Avenue, N.W.)
Washington, D.C. 20036)
)

License No. ABRA-096845
Order No. 2014-484

Ima Pizza Store 13, LLC, t/a & Pizza (Applicant)

Noah Smith, Chairperson, Advisory Neighborhood Commission (ANC) 2B

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ORDER ON SETTLEMENT AGREEMENT

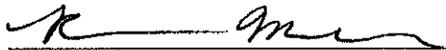
The official records of the Alcoholic Beverage Control Board (Board) reflect that Ima Pizza Store 13, LLC, t/a & Pizza, Applicant for a new Retailer's Class CR license, located at 1215 Connecticut Avenue, N.W., Washington, D.C., and ANC 2B have entered into a Settlement Agreement (Agreement), dated November 12, 2014, that governs the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Chairperson Noah Smith, on behalf of ANC 2B, are signatories to the Agreement.

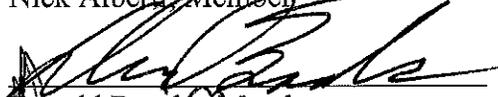
Accordingly, it is this 19th day of November, 2014, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Applicant and ANC 2B.

District of Columbia
Alcoholic Beverage Control Board

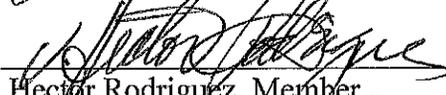

Ruthanne Miller, Chairperson


Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


James Short, Member

Pursuant to D.C. Official Code § 25-433, 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 11 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).

SETTLEMENT AGREEMENT

NOVEMBER 12, 2014

THIS SETTLEMENT AGREEMENT ("Agreement") is by and between, Ina Pizza Store 13, LLC, trading as ~~& Pizza~~ ^{Pizza}, ABRA-096845 (Applicant) and ANC2B ("ANC 2B") [collectively, "Parties"] ^{WV}.

WHEREAS, the Applicant has applied for a Class CR alcoholic beverage license for a business establishment ("Establishment") at 1215 Connecticut Avenue NW which will have a total occupancy of 52 with a sidewalk café of 11 seats;

^A
INDOOR ^{WV}

WHEREAS, the Applicant intends to play recorded music inside the establishment;

WHEREAS, the Parties have agreed to the terms of this Agreement and request that the Alcoholic Beverage Control Board ("ABC Board") approve said license conditioned upon the Licensee's compliance with this Agreement;

WHEREAS, the levels of amplified sound emanating from District of Columbia alcohol licensees have individually and collectively has risen in recent years to the point that local residents are complaining that the noise is entering their homes, interfering with the quiet enjoyment of their homes, disturbing their sleep, and negatively impacting their property values;

~~WHEREAS, the District of Columbia Noise Control Act and regulations at section 25-725, as amended, requires nightclubs to contain amplified sound;~~ ^{WV}

WHEREAS, the Licensee is familiar with and will comply with All DC noise Control Laws and Regulations and will take reasonable measures to ensure compliance;

WHEREAS, Licensee recognizes that compliance with the Noise Control Act is of paramount importance to current and future residents, and is essential to the District's plan to increase mixed use and population density;

NOW, THEREFORE, the Parties agree as follows:

1. Doors and windows: Licensee will make reasonable efforts to keep doors and windows closed and implement procedures and mitigation measures to prevent noise from escaping from doors when patrons enter and leave.
2. Outdoor spaces: Licensee agrees that there will be no music on the sidewalk café.
Compliance: ^{WV}
3. Continuing cooperation:
 - a. Licensee will provide the Parties the name and phone number of the general manager, who is responsible for compliance.

ABZA - 096845

Executed on this date, November 12th, 2014

By: WESLEY VICTOR Date: 11/12/14
Owner DIR. NEW STORE OPENINGS

By: _____ Date: _____
Owner

By: Noah Smith Date: 11/12/14
Noah Smith, Advisory Neighborhood Commission ANC2B