THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:	)	
	)	
Connecticut Avenue Wine & Liquor	)	
t/a Connecticut Avenue Wine & Liquor	)	License No. 76507
	)	Order No. 2009-068
Holder of a Retailer's	)	
Class A License	)	
at premises	)	
1529 Connecticut Ave., N.W.	)	
Washington, D.C. 20009	)	
	)	

Connecticut Avenue Wine & Liquor, Inc. t/a Connecticut Avenue Wine & Liquor

Mike Silverstein, Chair, Advisory Neighborhood Commission, 2B

BEFORE: Peter B. Feather, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Charles Brodsky, Member
Donald Brooks, Member
Herman Jones, Member

ORDER ON APPLICATION FOR EXCEPTION
TO SINGLE SALE MORATORIUM
AND ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Connecticut Avenue Wine & Liquor, Inc., t/a Connecticut Avenue Wine & Liquor holder of a Retailer's Class A license, located at 1529 Connecticut Avenue, N.W., Washington, D.C., has applied for an exception to the statutory single sale moratorium that currently exists in Ward 2.

The official records of the Board also reflect that the Applicant has provided the required information and supporting documentation, including a letter and Voluntary Agreement dated February 24, 2009, from Mike Silverstein, Chair of Advisory Neighborhood Commission (ANC) 2B in support of the Application. After one year from the date of this Order, ANC 2B may petition the Board to revoke the Licensee's exemption. The Board's official records also reflect the absence of any primary or secondary tier violations against the Licensee in the 12 months preceding the filing of the application.

Accordingly, the Board does hereby, this 18th day of March, 2009, **APPROVE** the Application filed by Connecticut Avenue Wine & Liquor, Inc. t/a Connecticut Avenue Wine & Liquor, located at premises 1529 Connecticut Avenue, N.W., Washington, D.C, for an exception to the single sale moratorium in Ward 2. The Board also **APPROVES** the Voluntary Agreement entered into with ANC 2B. Copies of this Order shall be sent to the Applicant and to ANC 2B.

District of Columbia
Alcoholic Beverage Control Board

Peter B. Feather, Chairperson

Mital M. Gandhi, Member

Nick Alberti, Member

Charles Brodsky, Member

Donald Brooks, Member

Herman Jones, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

VOLUNTARY AGREEMENT

This agreement, entered into this 24th day of February 2009, by and between Connecticut Avenue Wine and Spirits, 1529 Connecticut Ave NW, Washington, DC (hereinafter the "Applicant") and Advisory Neighborhood Commission 2B (hereinafter "ANC 2B")

RECITALS

WHEREAS,, the District of Columbia has enacted legislation banning the sale of certain sizes of malt liquor or ale, and including half pints or less of spirits in Wards 2 and 6; and

WHEREAS, there are provisions in that legislation to allow licensees to seek a waiver; and

WHEREAS, the applicant has come before ANC 2B with an exemplary record, seeking a waiver. and the parties desire to enter into a Voluntary Agreement in order to facilitate a waiver, and

NOW, therefore, in consideration of the Recitals set forth above, and the mutual covenants and agreements set forth, the parties agree as follows:

1. The Applicant will manage and operate an establishment which includes the sale of, malt liquor or ale, and including half pints or less of spirits. Applicant is authorized to sell, give, offer, expose for sale or deliver or deliver beer, malt liquor or ale with a capacity of 70 ounces or less, and to sell spirits, including half pints or less of spirits. Any change from this model shall be considered by both Parties to be a substantial change in operation of great concern to residents and requires prior approval by the Board.

2. The Applicant and the ANC agree with the Council's aim to curtail public drunkenness, antisocial behavior, and public urination. But they also agree that some products that would be affected by the single sales ban are generally not associated with unsocial behavior. This agreement is an application to waive the single sales ban to allow the Applicant to sell products of a high quality that do not impact negatively the quality of life in the neighborhood. The applicant agrees to work with the ANC on joint efforts to curtail public drunkenness and associated anti-social behavior..

3. After one year from the effective date of the law, the ANC may petition the Board to no longer allow the Applicant to sell beer, malt liquor or ale with a capacity of 70 ounces or less and half pints or spirits. The Board shall hold a hearing with both the ANC and the licensee to consider ANC 2B's request.

IN WITNESS WHEREOF, the parties have executed this Voluntary Agreement as of this day and year first above written

APPLICANT:

CONNECTICUT AVENUE WINE & SPIRITS

By: _____

Bobby Kim, President

ADVISORY NEIGHBORHOOD COMMISSION 2B

By: _____

Mike Silverstein, Chairman