

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

In the Matter of:)	
)	
The Shaw Bijou, LLC)	
t/a The Shaw Bijou)	
)	
Applicant for a New)	License No. ABRA-101238
Retailer's Class CT License)	Order No. 2016-466
)	
at premises)	
1544 9 th Street, N.W.)	
Washington, D.C. 20001)	

The Shaw Bijou, LLC, t/a The Shaw Bijou (Applicant)

Alexander M. Padro, Vice Chairperson, Advisory Neighborhood Commission (ANC) 6E

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that The Shaw Bijou, LLC, t/a The Shaw Bijou, Applicant for a new Retailer's Class CT License, located at 1544 9th Street, N.W., Washington, D.C., and ANC 6E have entered into a Settlement Agreement (Agreement), dated December 8, 2015, 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 Vice Chairperson Alexander M. Padro, on behalf of ANC 6E, are signatories to the Agreement.

Accordingly, it is this 20th day of July, 2016, **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, except for the following modifications:

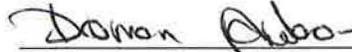
Section 3 – The following language shall be removed: “The Establishment agrees to abide by a number of conditions related to the operation of the Establishment, whether or not they represent conditions that are incorporated into the Board’s Order and regardless of whether they represent conditions that are enforceable by the DC Alcoholic Beverage Regulation Administrations, as follows.”

Section 3 – The paragraphs a, b, c, d, e, f, and g shall be renumbered 4, 5, 6, 7, 8, 9, and 10 consequently.”

The parties have agreed to these modifications.

2. Copies of this Order shall be sent to the Applicant and ANC 6E.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, Member



James Short, 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 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).

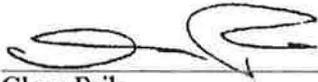
**AGREEMENT BETWEEN
THE SHAW BIJOU, LLC, T/A THE SHAW BIJOU AND ADVISORY
NEIGHBORHOOD COMMISSION 6E**

This Agreement between The Shaw Bijou, LLC, T/A The Shaw Bijou, hereinafter referred to as the "Applicant" or the "Establishment," and Advisory Neighborhood Commission 6E, hereinafter referred to as the "Commission," codifies the agreement between the parties. This Agreement was approved by the Commission at its November 3, 2015 meeting, when the Applicant sought the Commission's support for the issuance of a Retailer's Class "C" Tavern license under License No. ABRA-101238 and is subject to approval by the District of Columbia Alcoholic Beverage Control Board (hereinafter referred to as the "Board"). The Establishment is located at 1544 9th Street, NW, Washington, DC 20001.

The parties agree to the following:

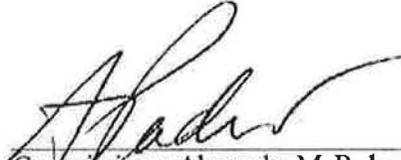
- 1) The Establishment's hours of operation and hours of alcoholic beverage sales, service, and consumption shall not exceed the following: Sunday, 10:00 AM to 2:00 AM, Monday-Thursday, 8:00 AM to 2:00 AM, and Friday-Saturday, 8:00 AM-3:00 AM, inclusive of holidays. This will not preclude the Establishment applying for the ability to serve alcohol at additional hours if the opportunity to do so is provided for under law, such as presidential inaugurations, world sporting events, etc.
- 2) There shall be no sidewalk café, summer garden, or entertainment endorsement associated with this Establishment. .
- 3) The Establishment agrees to abide by a number of conditions related to the operation of the Establishment, whether or not they represent conditions that are incorporated into the Board's Order and regardless of whether they represent conditions that are enforceable by the DC Alcoholic Beverage Regulation Administration, as follows:
 - a) Trash and recyclables, including waste oil, will be stored in the fenced in area at the west of the building, with all trash service being accomplished from that rear location. No trash or recyclables will be stored in public space on either 9th or Q Streets, NW, regardless of whether said space is considered "parking" and maintained by the property owner under an easement.
 - b) Recyclables will not be placed in dumpsters after 9:00 PM or before 9:00 AM, in order to avoid associated noises from disturbing adjacent residential neighbors in the late evening or early morning hours. Likewise, collection of trash and recyclables by licensed haulers will not take place during these hours, for the same reason.
 - c) No vehicles associated with the property, the business, or any parties, including owners and employees, shall be parked on public space on the 9th or Q Streets, NW sides of the property or in the vacant area on the west side of the building on the property at any time. It is understood and accepted that as part of the use of the property as a restaurant, no Residential Parking Permit(s) can be issued to any vehicles registered at the address 1544 9th Street, NW.
 - d) The Establishment shall engage a valet parking service to provide parking for the restaurant's customers during all hours of operation. The area where 1544 9th Street, NW is located is understood to have a parking deficit which makes finding parking difficult for neighborhood residents. It is the Establishment's intention to not cause any further parking burdens on its neighbors as a result of the Establishment's operations.
 - e) It is understood that any alterations to the exterior of the building at 1544 9th Street, NW, and any signage for the restaurant must be approved by the DC Office of Planning's Historic Preservation Office, as the property is located within the boundaries of the Shaw Historic District.

- f) It is the intention of the Establishment that the green space or "parking" area on the Q Street side of the building at 1544 9th Street, NW will not be used for outdoor seating for the restaurant, but will instead be maintained as a green space, including a garden where herbs and vegetables for use in the restaurant's kitchen may be grown. If this green area is to be fenced, it is understood that permits must be applied for and approved by the DC Office of Planning's Historic Preservation Office, and that said fencing shall be of a character consistent with historic fencing found in the Shaw Historic District.
- g) The small curb cut on the Q Street side of the property will be eliminated and restored to its normal original condition, at the property owner's sole expense, including costs of permits and all construction necessary to accomplish this work.



Glenn Paik
for The Shaw Bijou, LLC, t/a The Shaw
Bijou

Date: 12/8/20115



Commissioner Alexander M. Padro, Vice Chair
for ANC 6E

Date: 12/08/15