

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

In the Matter of:

1624 U Street, Inc.
t/a Chi-Cha Lounge

Holder of a
Retailer's Class CT License

at premises
1624 U Street, N.W.
Washington, D.C. 20009

License No. ABRA-026519
Order No. 2014-201

1624 U Street, Inc., t/a Chi-Cha Lounge (Licensee)

William F. Stephens, Chairperson, on behalf of 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 REVISED SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that 1624 U Street, Inc., t/a Chi-Cha Lounge, (Licensee), and ANC 2B have entered into a Revised Settlement Agreement (Agreement), dated April 10, 2014, that governs the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson William F. Stephens, on behalf of ANC 2B, are signatories to the Agreement.

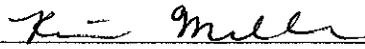
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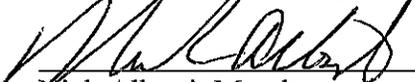
Accordingly, it is this 21st day of May, 2014, **ORDERED** that:

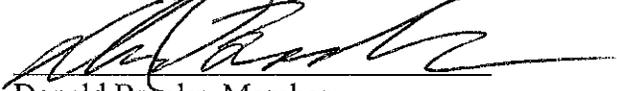
1. The above-referenced Revised Settlement Agreement submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. Copies of this Order shall be sent to the Licensee and ANC 2B.

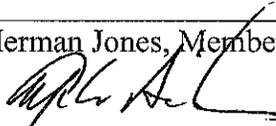
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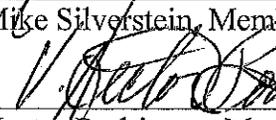
District of Columbia
Alcoholic Beverage Control Board

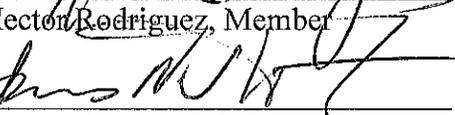

Ruthanne Miller, Chairperson

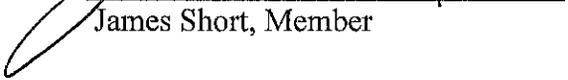

Nick Alberti, Member


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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to D.C. Official Code § 25-433, 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).

REVISED SETTLEMENT AGREEMENT

This Agreement, made and entered into this 10th day of April, 2014, by and between 1624 U Street, Inc. t/a Chi-Cha Lounge, 1624 U Street, N.W., Washington, D.C. (hereinafter the "Applicant") and Advisory Neighborhood Commission 2B (hereinafter "ANC 2B").

RECITALS

WHEREAS, the Applicant has filed for a change from a Retailer's Class CR (Restaurant) license to a Retailer's Class CT (Tavern) license for premises known as 1624 U Street, N.W.; and

WHEREAS, ANC 2B has protested the Application subject to the negotiation of a Cooperative Agreement; and WHEREAS, the parties desire to enter into this Cooperative Agreement in exchange for ANC 2B's protest of the application being withdrawn; and

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

1. **Hours of Operation.** The hours of operation of the Applicant shall be consistent with the hours approved by the ABC Board and listed on the present Class CR license, to wit: Monday-Thursday 11:30 am to 2:00 am and Friday-Saturday 11:30 am to 3:00 am. The applicant will be permitted to apply for and operate during the extended hours for ABC establishments permitted by any Holiday Extension of Hours, including any Inauguration-period extension.
2. **Menu Offering and hours of Food Service.** Applicant shall continue to offer a full menu to include appetizers, salads, soups, entrees, and desserts. Applicant may offer a late night (light) menu after 11:00 p.m. Applicant's kitchen shall remain open to customers until two (2) hours before termination of alcoholic beverage service.
3. **Entertainment Endorsement.** Applicant shall continue to offer entertainment as approved by the ABC Board and consistent with the Entertainment Endorsement to the ABC license.
4. **Noise.** Applicant acknowledges that, historically, noise concerns have been more acute in warmer months. Applicant agrees to provide greater vigilance to address this concern during the warmer months. With respect to Applicant's abutting property owner above the licensed premises, affirmative actions have been undertaken and will continue as is practicable to reduce sound levels emanating from the licensed premises consistent with a separate agreement entered into with abutting property owner Joseph Masullo.
5. **Change of License Class Approval.** ANC 2B hereby withdraws its protest and joins in with the Applicant in requesting the Alcoholic Beverage Control Board of the District of Columbia approve the application for change in class submitted by Applicant conditioned upon Applicant's compliance with the terms of this Agreement.

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

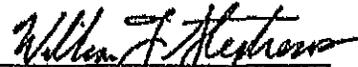
APPLICANT:

1624 U STREET, INC.

By:  _____

Farees Salim, Corporate Officer

ADVISORY NEIGHBORHOOD COMMISSION 2B

By:  _____

William F. Stephens,
Chairperson ANC 2B