

File

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

**In the Matter of:** )  
)  
)  
Louyans, Inc. )  
t/a City Lights of China )  
)  
Application for a Retailer's Class )  
CR License – substantial change )  
at premises )  
1927 - 1931 Connecticut Ave., NW )  
Washington, D.C. )  
)

Application No. 9597  
2004-44

Andy S. Chang, Owner on behalf of Louyans, Inc., Applicant

Darren Bowie, Chair, on behalf of Advisory Neighborhood Commission 2B, Protestant

**BEFORE:** Charles A. Burger, Chair  
Vera Abbott, Member  
Judy A. Moy, Member  
Audrey E. Thompson, Member  
Peter B. Feather, Member

**ORDER ON VOLUNTARY AGREEMENT**

This matter came before the Board for approval on April 21, 2004. The signatories to the attached voluntary agreement, dated April 15, 2004, submitted the agreement to the Board in accordance with 23 DCMR Section 1513 (June 1997).

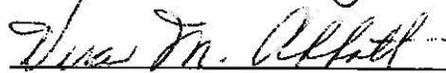
Having determined that the agreement complies with all applicable laws and regulations and the applicant qualifies for licensure, the Board does hereby this 21 day of April 2004, **APPROVE** the license application conditioned on the applicant's compliance with the terms of the voluntary agreement and **INCORPORATE** the text of the same into the Order.

Louyans, Inc.  
t/a City Lights of China  
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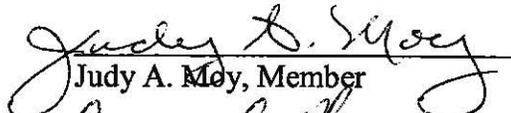
District of Columbia  
Alcoholic Beverage Control Board



Charles A. Burger, Chair



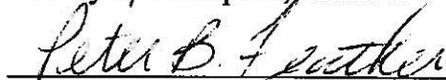
Vera Abbott, Member



Judy A. Moy, Member



Audrey E. Thompson, Member



Peter B. Feather, Member

## VOLUNTARY AGREEMENT

**THIS AGREEMENT**, made and entered into this 14th day of April 2004, by and between Louyans Inc., trading as City Lights of China (hereinafter the "Applicant"), and Advisory Neighborhood Commission 2B, (hereinafter the "Protestant"), witnesses:

**Whereas**, the Applicant has filed a substantial change application (#9597) with the DC Alcoholic Beverage Control Board (hereinafter the "Board") for the purpose of expansion into the neighboring premises of 1927 Connecticut both premises to be known collectively as City Lights of China located at 1927 and 1931 Connecticut Ave, in Washington, DC.

**Whereas**, the Protestant has filed before the ABC Board a protest opposing the granting of this substantial change application.

**Whereas**, in recognition of the Board's policy of encouraging parties to a protested proceeding to settle their differences by reaching voluntary agreements, the Parties hereto desire to enter into a voluntary agreement whereby (1) Applicant will agree to adopt certain measures to address the Protestant's concerns and to include this agreement as a formal condition of its application, and (2) Protestant will agree to the issuance of the substantial change related to this license and withdrawal of the Protest *provided* that such agreement is incorporated into the Board's order renewing the license, which order is thereby conditioned upon compliance with such agreement.

**Whereas**, the Applicant has recently taken or intends to take certain measures designed to ameliorate Protestant's concerns.

**Now agree therefore**, in consideration of the mutual covenants and undertakings memorialized herein, the Parties hereby agree as follows:

1. Noise/Music/Dancing. Applicant acknowledges familiarity with and will comply with noise-control provisions of District of Columbia law and regulations, including preventing emissions of sound, capable of being heard outside the premises, by any musical instrument or amplification device or other device or source of sound or noise, in accordance with DCMR 905.
2. Trash/garbage/rodents. Applicant shall maintain regular trash garbage removal service, regularly remove trash from the trash area, and see that the trash area remain clean. Applicant shall deposit trash and garbage only in rodent-proof dumpsters, and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed. No garbage, trash, cardboard, wood, or other detritus will be stored outside of an appropriate holder, nor in view of pedestrians or the neighborhood residents.
3. Delivery Personnel. Applicant will not permit delivery personnel to double park, block traffic, drive on sidewalks (other than to enter or depart the private parking area at the rear of the new location), drive backwards down 20th Street from S Street, or otherwise drive in an unsafe or reckless manner, or in a manner contrary to law..
4. Exterior and public space usage provisions.

(a) Applicant shall assist in the maintenance of the alleyway and the space in front of the

establishment to at least 18 inches outward from the curb as need to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulations in these respects. Applicant shall make every reasonable effort to prevent or disperse loitering or any other source of noise or disturbance in the areas in front or to the rear of the premises during business hours and at closing, and to cause patrons to leave those areas at closing.

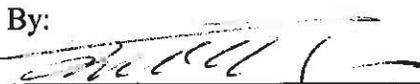
(b) Applicant will comply with all applicable signage regulations, including those for historic districts and will remove those that are in violation.

(c) Applicant will hose down areas in the rear of the establishment daily to remove food debris, except in below freezing weather.

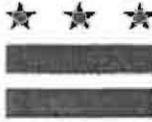
- 5. Consideration. Applicant will encourage employees and patrons to be considerate of neighboring residents at all times. Applicant will encourage those leaving the establishment to keep conversations and noise down after 10 pm.
- 6. Modification. This agreement can be modified only by the ABC Board, or by mutual agreement of all the parties with the approval of the ABC Board. In the case of ANC 2B, if Applicant desires to modify the terms of this agreement, prior to implementing the changes Applicant shall receive written agreement from ANC 2B.
- 7. Regulations. In addition to the foregoing, Applicant will operate in compliance with all applicable laws and regulations.
- 8. Withdrawal of protest. Protestant agrees to the issuance of the substantial change to the license and the withdrawal of their protest *provided* that the present Voluntary Agreement is incorporated into the Board's order renewing the license, which order is thereby conditioned upon compliance with such Voluntary Agreement.

APPLICANT:  
Louyans Inc.

PROTESTANT:  
Advisory Neighborhood Commission 2B

By:   
 Andy S. Chang *President*  
 Owner, City Lights of China  
 Date: 4/15/04

By:   
 Darren Bowie  
 Chair, ANC 2B  
 Date: April 15, 2004



**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Dupont Circle Advisory Neighborhood Commission 2B**

October 8, 2007  
Mr. Peter B. Feather, Acting Chairperson  
Alcoholic Beverage Control Board  
941 North Capitol Street NE, Suite 7200  
Washington, DC 20002

**Re: Louyans, Inc. T/A City Lights of China, License No. 14818**

Dear Mr. Feather:

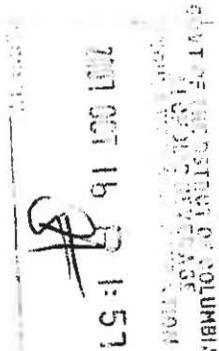
I am writing with reference to my letter of May 25, 2007 in which ANC 2B filed a protest against the application of Louyans, Inc for renewal of their "CR" license. I wish to confirm the withdrawal of this protest explained at the Role Call Hearing of September 12, 2007, by Commissioner Curtis Farrar. We have secured agreement from Louyans, Inc. to participate fully in a collaborative effort with the ANC and neighboring establishments to resolve issues of trash management and rodent infestation. This will be a long term and difficult effort, and active participation by City Lights will be an important element of achieving success. We are therefore well satisfied with the outcome. The scope of the common program will in due course be embodied in voluntary agreements involving all the parties.

Commissioner Curtis Farrar (ANC 2B01) is the Commission's representative on this matter. Commissioner Farrar may be reached at 202-667-2375 or at [curtis.farrar@dupontcircleanc.net](mailto:curtis.farrar@dupontcircleanc.net) for additional information or assistance.

ON BEHALF OF THE COMMISSION.

Sincerely,

Ramon Estrada  
Chairman



CC: Daniel Chang, City Lights of China, Curtis Farrar, Commissioner (2B01)