

BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:)
)
April Corporation)
T/a Bloomingdale Liquors)
)
Application for a Retailer's)
Class A - renewal)
at premises)
)
1836 1st Street, NW)
Washington, DC 20001)
)

Case No. 11086-01/063P

**James D. Berry, Jr., Chair, Advisory Neighborhood Commission 5C (ANC 5C)
Protestant**

David H. Lee, President, Applicant

**BEFORE: RODERIC L. WOODSON, ESQUIRE, CHAIR
VERA ABBOTT, MEMBER
CHARLES BURGER, MEMBER
LAURIE COLLINS, MEMBER
JUDY MOY, MEMBER
ELLEN OPPER-WEINER, ESQUIRE, MEMBER
AUDREY THOMPSON, MEMBER**

ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT

This matter, having been protested, was scheduled for a roll call hearing on May 30, 2001, in accordance with D.C. Code Section 25-115(c)(5) (1999 Supp.), providing for the protestants to be heard. The Board received a timely protest letter from James D. Berry, Jr., Chair, ANC 5C. The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement, dated May 15, 2001, the protestants have agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

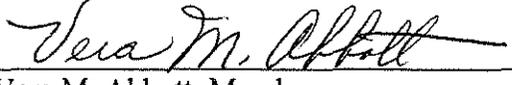
April Corporation
T/a Bloomingdale Liquors
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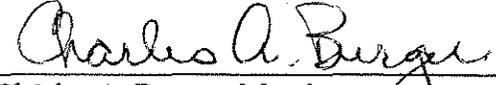
Accordingly, it is this 30th day of May 2001, **ORDERED** that:

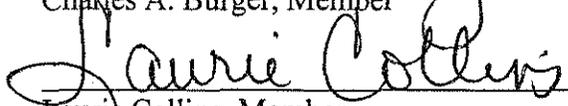
1. The opposition of James D. Berry, Jr., Chair ANC 5C, be, and the same hereby is **WITHDRAWN**;
2. The application of April Corporation, t/a Bloomingdale Liquors, for a retailer's class A license (renewal) at premises 1836 1st Street, NW, Washington, DC, 20001, be, and the same hereby, is **GRANTED**; and
3. The above-referenced agreement between the parties, be, and the same hereby is **INCORPORATED** and part of this **ORDER**; and;
4. Copies of this Order shall be sent to the Protestant and the Applicant.

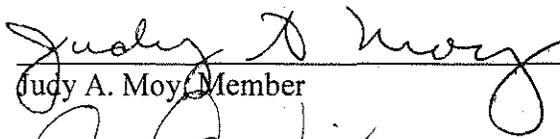
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL
BOARD


Roderic L. Woodson, Esquire, Chair

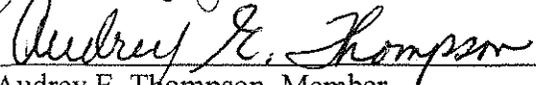

Vera M. Abbott, Member


Charles A. Burger, Member


Laurie Collins, Member


Judy A. Moy, Member


Ellen Opper-Weiner, Esquire, Member


Audrey E. Thompson, Member

#11086

**COOPERATIVE AGREEMENT BETWEEN
April Corporation , t/a/ Bloomingdale Liquors AND ANC 5C**

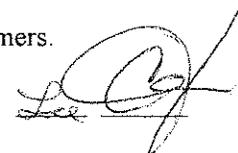
WHEREAS April Corporation, t/a Bloomingdale Liquors, ("Licensee") has applied to renew an Alcoholic Beverage Control (ABC) Retail Class B license for the business trading as April Corporation , t/a Bloomingdale Liquors, located at 1836 First Street, NW Washington, DC 20001; and

WHEREAS licensee and ANC 5C have discussed the concerns of the neighborhood and have reached an understanding relating to the operation of the licensee and cooperation between the licensee and ANC 5C.

NOW, THEREFORE, in consideration of the agreements by licensee set forth herein, ANC 5C agrees to refrain from filing a protest to the renewal of the license and licensee agrees to comply fully with the terms of this cooperative agreement. Licensee agrees:

- A. To comply with all laws and regulations governing the operation of the establishment at 1836 First Street, NW, in Washington, D.C., including the laws and regulations governing the Class B (retail) license to which this cooperative agreement applies, as applied for and approved by the District of Columbia in the name of the licensee.
- B. That the licensee and its officers and employees will cooperate with the Advisory Neighborhood Commission 5C ("ANC") to address any alleged violation of the laws and regulations referred to in Paragraph A above, and in any request that the appropriate enforcement agency investigate an alleged violation.
- C. That licensee will not sell or deliver alcohol after ABC regulated hours.
- D. That licensee will keep public space surrounding the business free of debris and trash.
- E. That licensee will take reasonable measures to ensure that the immediate environs of the location are kept free of litter and debris. The "immediate environs" is defined in Section 720.2 of the ABC regulations as including "all property on which the premises are located; all property used by the licensee to conduct business, whether part of the premises or not, including parking lots and the portions of alleys, sidewalks, or other public property immediately adjacent to the premises or adjacent to the property used by the licensee to conduct business."
- F. That licensee will prohibit loitering in front of the business and take whatever actions are necessary to enforce such prohibition.
- G. That licensee will not provide "go-cups" to customers. A "go-cup is defined in Section 709.7 of the ABC regulations as a "drinking utensil provided at no charge or a nominal charge to customers for the purpose of consuming [alcoholic] beverages."
- H. That licensee will not sell or provide miniature bags of ice to customers.
- I. That licensee will not sell single cigarettes or drug paraphernalia to customers.

Initials:



960910001

AGREEMENT BETWEEN PROTESTANTS
KAREN COTTON, PATRICIA MITCHELL,
STEPHEN ISAACS, AND DAVID BROOKS
and BLOOMINGDALE LIQUORS.

SEP 10 1 00 PM '96

The Protestants have entered into this agreement to seek a mutually beneficial resolution of certain problems and concerns shared by the PROTESTANTS and the APPLICANT.

RECEIVED
ALCOHOL BEVERAGE
CONTROL DIVISION

Bloomingtondale Liquors is located within a diverse economic and cultural section of the city and there are efforts by the residents and business establishments to improve the quality of life of the residents and economic opportunity for merchants.

The protestants have met with the applicant and have negotiated an agreement. The applicant has agreed to peacefully and productively coexist by performing the following conditions:

1. The daily continuous cleaning of the areas adjacent to and behind the premises,
2. The placement of nighttime lighting sufficient to cover all sides of the store's exterior,
3. Conduct a 100% identification (ID) check of customers purchasing alcohol,
4. Conduct no sale of cigarette paper.

It is the protestant's belief that if these issues are adequately addressed then the quality of life in our neighborhood will be achieved through these negotiations.

This agreement takes effect immediately, upon which the protestants withdraws their protest of the renewal of the Class A liquor license, and shall be binding for any renewal period through March 31, 1997.

Date: September 9, 1996

For the Protestants

By: Karen Cotton
Karen Cotton

Stephen Isaacs
Stephen Isaacs

Patricia Mitchell
Patricia Mitchell
David Brooks
David Brooks

For the Applicant

By: DG Hu Lee