

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

In the Matter of:)
)
Vasili Enterprises, LLC)
t/a Zuccharbar)
)
Retailer's Class CR License) Application no. 28182
) 2003-44
)
at premises)
)
1843 Columbia Road, N.W.)
Washington, D.C. 20009)
)

Alan J. Roth, Chairman, on behalf of the Advisory Neighborhood Commission 1C, Denis I.E. James, ABC Licensing Chairman, on behalf of the Kalorama Citizens Association, and William C. Roulidis, Managing Member on behalf of Applicant, Signatories

BEFORE: Charles Burger, Interim Chairperson
Vera Abbott, Member
Laurie Collins, Member
Judy Moy, Member
Ellen Opper-Weiner, Esquire, Member
Audrey Thompson, Member

ORDER ON VOLUNTARY AGREEMENT

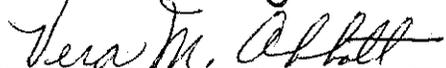
This matter came before the Board for approval on June 11, 2003. The signatories to the attached voluntary agreement dated May 7, 2003 submitted the agreement to the Board in accordance with the D.C. Official Code Title 25, Section 446 (2000 Edition).

Having determined that the agreement complies with all applicable laws and regulations and the applicant qualifies for licensure, the Board does hereby this 9th day of July 2003, **APPROVE** the license application conditioned on the applicant's compliance with the terms of the voluntary agreement and does **INCORPORATE** the text of the same into the Order.

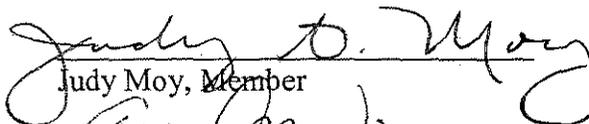
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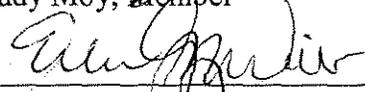
District of Columbia
Alcoholic Beverage Control Board

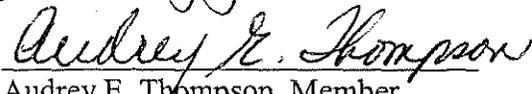

Charles Burger, Interim Chairperson


Vera Abbott, Member

Laurie Collins, Member


Judy Moy, Member


Ellen Opper-Weiner, Esquire, Member


Audrey E. Thompson, Member

**COOPERATIVE AGREEMENT CONCERNING ISSUANCE
OF LICENSE FOR SALE OF ALCOHOLIC BEVERAGES**

THIS AGREEMENT, made and entered into this 8th day of May, 2003, by and between Vasili Enterprises, L.L.C., trading as Zuccharbar (hereinafter the "Applicant"), the Advisory Neighborhood Commission 1C (hereinafter "ANC-1C") and the Kalorama Citizens Association (hereinafter the "KCA") witnesses:

Whereas Applicant is seeking transfer of C/R License Application Number 028182, a license currently in safekeeping with the District of Columbia Alcoholic Beverage Control Board (hereinafter the "Board"). Upon completion of all required transfer procedures and necessary regulatory inspections of the Applicant's build-out of the restaurant to be known as Zuccharbar, located at 1843 Columbia Road, NW, Washington, DC 20009, basement level, the following terms of this Cooperative Agreement will take effect.

Whereas Applicant has recently taken or intends to take certain measures designed to ameliorate ANC-1C and KCA's concerns.

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

1. The parties agree that the conclusion of this Agreement will nullify any previous Voluntary or Cooperative Agreement that either ANC-1C or KCA had made in association with this license.

2. Hours. The hours of operation shall be:

Inside: Sunday through Thursday: 8 am until 2 am
Friday and Saturday: 8 am until 3 am

Sidewalk Cafe/Summer Garden: None

3. Seating. Seating capacity will not exceed:

Interior tables and bar: 74

Sidewalk Cafe/Summer Garden: None

4. Noise/Music/Dancing. Applicant acknowledges familiarity with and will comply with all noise-control provisions of District of Columbia law and regulations, in particular, the D.C. Noise Control Act of 1977, as amended (Public Law 2-53), 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 Title 25, Section 725. The doors and windows of the premises will be kept closed at all times during business hours when music is being played or a sound amplification device is being employed in the premises, except when persons are in the act of using the door for ingress to or egress from the premises. In addition to the foregoing, Applicant agrees that he shall not at any time provide, offer or permit in the premises, recorded music or any other recorded entertainment audible from the exterior of the premises or in any residential dwelling in the floors above, nor shall Applicant at any time provide, offer or permit in the premises any form of live music, live entertainment, dancing or "adult" entertainment of any type, nor shall Applicant at any time impose, require or collect a cover charge or entry fee for the premises associated with this ABC license.

5. Trash/Garbage/Rodents. Applicant shall maintain regular trash/garbage removal service, regularly remove trash from the trash and dumpster area, and see that the trash and dumpster 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. Applicant will make every reasonable effort to eliminate food sources for rodents to help eliminate the rat population. Applicant will recycle the following items as per DC Law 7-226: cardboard, glass and cans. Applicant agrees that there will be no trash/garbage pick-ups between the hours of 11 pm and 8 am.

Applicant shall provide for the proper removal of grease and fatty oils from the establishment and will not deposit grease or fatty oils in the dumpster. Applicant will provide ANC-1C and KCA with a copy of his contract with a licensed recycler of grease and fatty oils prior to the conclusion of this Agreement and every two years when the license is up for renewal and will continuously maintain such a contract.

6. Exterior including Public Space. (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 needed to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable DC 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 encourage patrons to leave those areas at closing.

7. Items specific to establishment.

Applicant agrees that there will be no deliveries of any type prior to 7 am.

8. Bar/Pub Crawls. Applicant agrees not to promote or participate in bar or pub "crawls" or "tours", or any other similar event.

9. Consideration. Applicant will encourage employees and patrons to be considerate of neighboring residents at all times. Applicant will encourage employees leaving the establish-

ment to keep conversations and noise to a minimum from 11:00 PM to 7:00 AM.

10. Modification. This agreement can be modified only by the ABC Board or the mutual agreement of all the parties with the approval of the ABC Board. In the case of ANC-1C, any modification of this Agreement must be approved at a properly noticed meeting with the approval of a majority of the commissioners present constituting a quorum.

11. Regulations. In addition to the foregoing, Applicant will operate in compliance with all applicable laws and regulations.

12. Availability of Voluntary Agreement. Applicant agrees to keep available at all times a copy of this agreement at his establishment and to familiarize all his employees with its conditions.

APPLICANT:

PROTESTANTS

For Zuccharbar

For Advisory Neighborhood
Commission 1C (ANC-1C)



By: William C. Roulidis
Managing Member

Alan Roth, Chairman

Date: 5/7/03

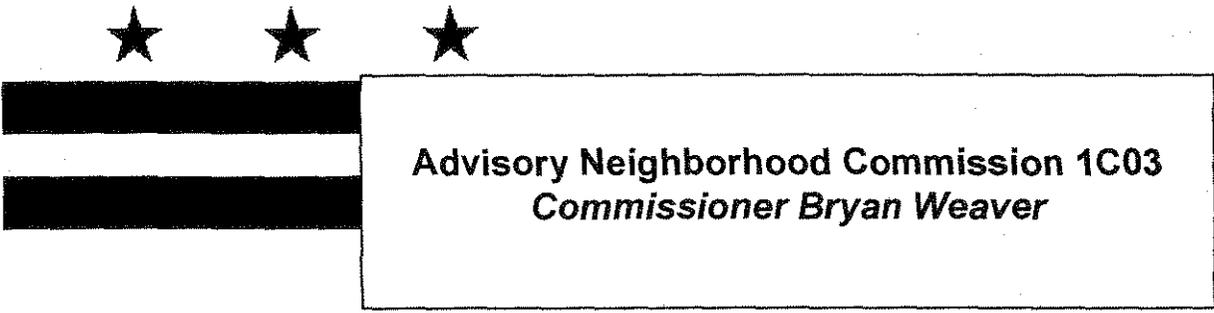
Date: May 7, 2003

For Kalorama Citizens Association



Denis I.E. James, ABC Licensing Chairman

Date: 5-7-2003



Charles Burger, Chairman (Acting)
Laura S. Byrd, Chief
Alcoholic Beverage Regulation Administration
Department of Consumer and Regulatory Affairs
941 North Capitol Street, NE 7th Floor
Washington, DC 20002

RE: # 028182 (the former restaurant Jegall)

Chairman Burger and Chief Byrd:

We are pleased to announce that on the 9th day of May 2003, ANC 1C and the Kalorama Citizens Association reached a new voluntary agreement with Vassli, Inc., trading as Zuccharbar located at 1843 Columbia Rd., NW. Applicant is seeking a license currently in safekeeping with the District of Columbia Alcoholic Beverage Control Board (028182), and wanted to open the cooperative agreement to reflect a change in ownership from the prior establishment with said license, to which all parties agreed.

ANC 1C wants this voluntary agreement to be included as part of Zucchbars's permanent file. All parties, having reached and signed this agreement we therefore ask for this voluntary agreement to supercede all previous between the parties.

