

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

| | | |
|-----------------------------|---|--------------------|
| In the Matter of: |) | |
| |) | |
| Escobar Rincon, Inc. |) | |
| t/a La Lomita Dos |) | |
| |) | |
| Application to Renew the |) | License No. 15387 |
| Retailer's Class CR License |) | Order No. 2007-087 |
| at premises |) | |
| 308 Pennsylvania Ave., S.E. |) | |
| Washington, D.C. 20003 |) | |

Escobar Rincon, Inc., t/a La Lomita Dos, the Applicant

Julie Olson, Chairperson, Advisory Neighborhood Commission 6B

BEFORE: Peter B. Feather, Acting Chairperson
Vera M. Abbott, Member
Judy A. Moy, Member
Audrey E. Thompson, Member
Albert G. Lauber, Member
Mital M. Gandhi, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Control Board (Board) reflect that Applicant and Julie Olson, Chairperson of Advisory Neighborhood Commission (ANC) 6B (collectively, the Parties) have entered into a Voluntary Agreement (Agreement) dated July 19, 2007 setting forth the terms and conditions by which the Applicant would operate their establishment. The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Julie Olson, on behalf of ANC 6B are signatories to the Agreement.

Escobar Rincon, Inc.
t/a La Lomita Dos
License No. 15387
Page Two

Accordingly, it is this 3rd day of October 2007, **ORDERED** that:

1. The above-referenced Voluntary Agreement is **INCORPORATED** as part of this Order; and

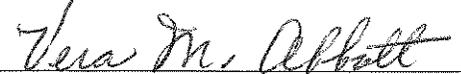
2. The Application of Escobar Rincon, Inc. t/a La Lomita Dos, 308 Pennsylvania Ave., S.E., Washington, D.C., for renewal of its Retailer's Class CR License is **APPROVED**;

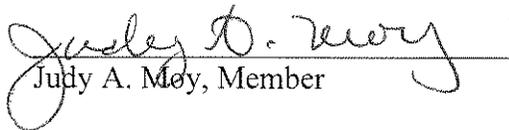
3. Copies of this Order shall be sent to the Applicant and ANC 6B.

Escobar Rincon, Inc.
t/a La Lomita Dos
License No. 15387
Page Three

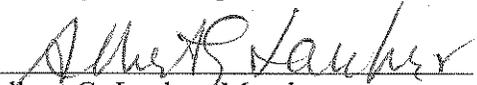
District of Columbia
Alcoholic Beverage Control Board


Peter B. Feather, Acting Chairperson


Vera M. Abbott, Member


Judy A. Moy, Member

Audrey E. Thompson, Member


Albert G. Lauber, Member


Mital M. Gandhi, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

Voluntary (Cooperative) Agreement

Made this 8th day of May, 2007, by and between Escobar Rincon Inc., t/a La Lomita Dos (the Applicant), and Advisory Neighborhood Commission 6B, (the ANC, Collectively, the "Parties").

WITNESSETH

WHEREAS, Applicant's application for a Retailers' Class "CR" license for premises, 308 Pennsylvania Avenue, S.E., Washington, DC, 20003, ABC License # 15387, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC; and,

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issue of a Retailers' Class "CR" Liquor License at the subject premises;

WHEREAS, the parties wish to state their mutual desire to promote the peace, order and quiet of the neighbors in the immediate area. Both parties recognize the importance of business neighborhoods that are safe, clean and "pedestrian friendly".

NOW, THEREFORE, the parties agree as follows:

1. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, on a daily basis; and,
 - b. Sweeping the outside of the establishment on a daily basis; and,
 - c. Taking due diligence to prevent vermin infestation in and around the establishment, including following the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
2. The Applicant will not provide, or permit, a disc jockey, amplified live music or amplified live entertainment at the premises.
3. Any music provided on the Premises will not be audible outside of the premises.
4. Sales and Service of alcoholic beverages inside will be Monday through Thursday, 11:00 AM to 10:30 PM; Friday, 11:00 AM to 11:00 PM, Saturday, 12:00 PM to 11:00 PM, and Sunday 4:00

PM to 10:00 PM.

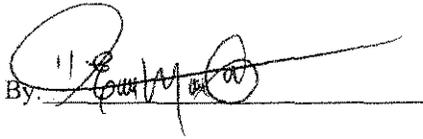
5. Applicant will not operate the Premises as a nightclub, dance venue or similar venue.

In consideration of, and reliance upon, the commitments reflected in paragraphs 1 thru 5 the ANC will not oppose the applicant's pending license application.

The parties further agree that any failure of Applicant to adhere to the foregoing commitment would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

By: 

ANC 6B:

By: 
Julie Olson, Chair