

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

In the Matter of :)

BSD, LLC)

t/a Georgetown Station)

Application for a Retailer's Class)
CR – renewal application)

Application no. 11374

3125 M Street, Northwest)
Washington, D.C.)
_____)

Peter Pulsifer, Chair, on behalf of the Advisory Neighborhood Commission 2E, Protestant

Michael Fonseca, Esquire, on behalf of 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 E. Thompson, Member

ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT

This matter, having been protested, came before the Board for public hearing on June 7, 2000, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. Peter Pulsifer, Chair, on behalf of the Advisory Neighborhood Commission 2E, filed a protest letter in a timely manner.

The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated December 18, 2000, the protestant has 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.

BSD, LLC
t/a Georgetown Station
Page two

Accordingly, it is this 7th day of March 2001, **ORDERED** that:

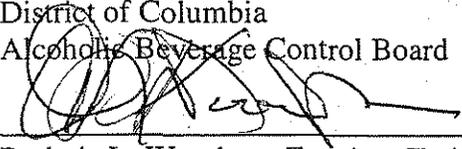
1. The opposition of Advisory Neighborhood Commission 2E, be, and the same hereby, is **WITHDRAWN**;

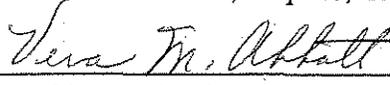
2. The application of BSD, LLC t/a Georgetown Station for a retailer's class CR license (renewal), located at 3125 M Street, N.W., Washington, D.C., be, and the same hereby, is **GRANTED**;

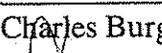
3. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**, and:

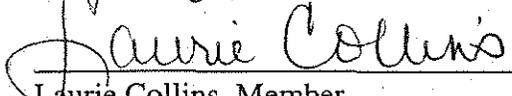
4. Copies of this Order shall be sent to the Protestant and the Applicant.

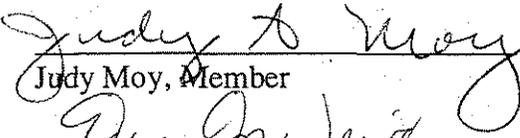
District of Columbia
Alcoholic Beverage Control Board


Roderic L. Woodson, Esquire, Chair


Vera Abbott, Member


Charles Burger, Member


Laurie Collins, Member


Judy Moy, Member


Ellen Opper-Werner, Esquire, Member


Audrey E. Thompson, Member

AGREEMENT

Made this 18th day of December, 2000, by and between BSD, L.L.C., t/a Georgetowne Station ("the Applicant") and Advisory Neighborhood Commission 2E ("ANC 2E").

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control (ABC) Board is the Applicant's renewal application for a Class "CR" license for premises 3125 M Street, N.W., ABC application number 11374; and

WHEREAS, premises 3125 M Street, N.W. is within the jurisdictional boundaries of the ANC; and

WHEREAS, the parties desire to enter into an agreement commemorating certain understandings regarding the Applicant's operating plans;

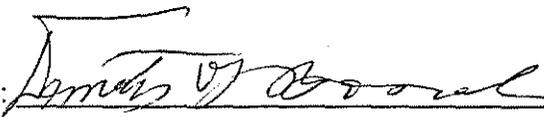
NOW, THEREFORE, in consideration of the premises above recited, and the covenants and promises set forth below, the parties agree as follows:

1. The restaurant will have a maximum capacity of 250 persons (seated and standing), as established by its Certificate of Occupancy, with its maximum seating capacity being 230 persons.
2. The Applicant will provide a late night menu offering, including hot food items, until one (1) hour prior to closing.
3. The Applicant will provide validated patron parking between the hours of 6:00 p.m. and 11:00 p.m., with a local Georgetown commercial parking establishment. Applicant will post signage in the front window, and interior entrance-way, notifying patrons of the validated parking.
4. A professional management team conversant with all aspects of this Agreement will be on-site at 3125 M Street, N.W. during all hours of operation. In addition, during all hours of operation, at least one (1) employee with certified alcohol awareness training will be on duty.
5. The applicant is committed to minimizing noise emanating from the establishment, and therefore agrees to the following: (a) Windows to the establishment shall be closed after 10 p.m. when music is being played; and, (b) There shall be no amplified live music, and any music when played shall comply with the noise restrictions set by ABC regulations at 23 DCMR 905.
6. In consideration of, and in reliance upon, the commitments reflected in the above numbered paragraphs, the ANC withdraws, hereby, its protest of Applicant's pending license application.

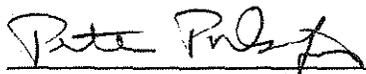
7. The parties further agree that the above provisions are conditions of the license and any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. §1513.5. Prior to so petitioning, however, the ANC shall notify the Applicant of any perceived violations and afford Applicant seven (7) calendar days in which to address or rectify the perceived violation.
8. This agreement supercedes any previous agreements between the parties.

IN WITNESS THEREFORE, the parties have affixed hereunto their hands and seals on the year and day first above-written.

BSD, L.L.C.

By: 
Demetrios Boosalis, Managing Member

Advisory Neighborhood Commission 2E

By: 
Peter Pulsifer, Chairman

AGREEMENT

Aug 6 9 22 AM '97
RECEIVED
ALCOHOLIC BEVERAGE
CONTROL DIVISION
Made this 5th day of August, 1997, by and between
BSD, L.L.C., t/a Georgetown Station ("the Applicant") and
Advisory Neighborhood Commission 2E, Georgetown ("the ANC").

WITNESSETH

WHEREAS, pending before the District of Columbia
Alcoholic Beverage Control (ABC) Board is the Applicant's renewal
application for a Class "CR" license for premises 3125 M Street,
N.W., ABC Application #11374; and

WHEREAS, premises 3125 M Street, N.W. is within the
jurisdictional boundaries of the ANC; and

WHEREAS, the parties desire to enter into an agreement
commemorating certain understandings regarding the Applicant's
operating plans;

NOW, THEREFORE, in consideration of the premises above
recited, and the covenants and promises set forth below, the
parties agree as follows:

1. The restaurant will have a maximum capacity of 250
persons (seated and standing), as established by its Certificate
of Occupancy, with its maximum seating capacity being 230
persons.

2. The Applicant will provide a late night menu
offering, including hot food items, until one (1) hour prior to
closing.

3. The Applicant will provide valet and validated patron parking between the hours of 6:00 p.m. and 11:00 p.m., with a local Georgetown commercial parking establishment. Applicant will post signage in the front window and interior entrance-way, notifying patrons of the valet service. Valet parking for drop-off will terminate at 11:00 p.m., however, cars valet parked prior to 11:00 p.m. will be retrieved by valets until closing.

4. A professional management team conversant with all aspects of this Agreement will be on-site at 3125 M Street, N.W. during all hours of operation. In addition, during all hours of operation, at least one (1) employee with certified alcohol awareness training will be on duty.

5. In consideration of, and in reliance upon, the commitments reflected in paragraphs 1 through 4 above, the ANC withdraws, hereby, its protest of Applicant's pending license application.

6. The parties further agree that the above provisions are conditions of the license and any failure of Applicant to adhere to the foregoing commitments 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 hereunto
their hands and seals on the year and day first above-written.

BSD, L.L.C.

RECEIVED
ALCOHOLIC BEVERAGE
CONTROL DIVISION

BY:

Demetrios Boosalis
Demetrios Boosalis
Managing Member

ADVISORY NEIGHBORHOOD COMMISSION 2E

BY:

Fran Goldstein
Fran Goldstein
Chairman

Cynthia Anthony
Cynthia Anthony
Commissioner (SMD7)