

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

_____ )	
<b>In the Matter of:</b> )	
)	
La Goulu, Inc. )	
t/a Montmartre/7th Hill )	
)	License No. ABRA-060422
Holder of a )	Order No. 2016-345
Retailer's Class CR License )	
)	
at premises )	
327 7 <sup>th</sup> Street, S.E. )	
Washington, D.C. 20003 )	
_____ )	

La Goulu, Inc., t/a Montmartre/7th Hill (Licensee)

Kirsten Oldenburg, Chairperson, Advisory Neighborhood Commission (ANC) 6B

**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
Ruthanne Miller, Member  
James Short, Member

**ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that La Goulu, Inc., t/a Montmartre/7th Hill (Licensee), located at 327 7<sup>th</sup> Street, S.E., Washington, D.C. and ANC 6B entered into a Settlement Agreement (Agreement), dated October 12, 2010, that governs the operation of the Licensee's establishment.

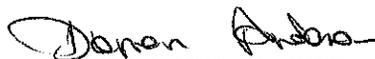
This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated May 10, 2016, in accordance with D.C. Official Code § 25-446 (2001).

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Kirsten Oldenburg, on behalf of ANC 6B, are signatories to the Amendment.

Accordingly, it is this 25th day of May, 2016, **ORDERED** that:

1. The above-referenced Amendment to Settlement Agreement, dated May 10, 2016, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Settlement Agreement not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6B.

District of Columbia  
Alcoholic Beverage Control Board



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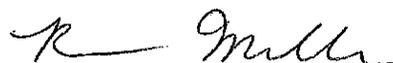
Donovan Anderson, Chairperson

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Nick Alberti, Member

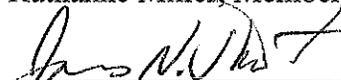
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Mike Silverstein, Member



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Ruthanne Miller, Member



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James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

**AMENDMENT TO SETTLEMENT AGREEMENT**

This amendment to Settlement Agreement (“Agreement”) is made this 10<sup>th</sup> day of May, 2016 by and between La Goulu, Inc. d/b/a Montmartre/7th Hill (“Applicant”) and Advisory Neighborhood Commission 6B (“ANC6B”).

**WITNESSETH**

WHEREAS, ANC6B and Applicant previously entered into a Settlement Agreement dated October 12, 2010 which agreement was approved by the Alcoholic Beverage Control Board (“ABC Board”) by Order dated January 8, 2014;

WHEREAS, Applicant as the current holder of the License, is bound by the terms of the Agreement;

WHEREAS, the Agreement, section 7 addresses “Public Space and Trash”;

WHEREAS, the ANC6B and Applicant seek to update the Agreement to reflect the current best practices for trash management;

WHEREAS, the Applicant currently does not use any exterior dumpster and exclusively disposes of all waste, recycling, and grease into an interior trash space.

NOW, THEREFORE, the parties agree as follows:

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Hours of Operation and Sales.** The applicant’s hours of operation and sales shall be as follows:

Applicant’s hours of operation and alcoholic beverage sales may be changed from time to time in Applicant’s discretion, as may be otherwise permitted by its License, but in no event shall exceed or extend beyond the following:

Applicant’s hours of Operation shall be as follows:

Sunday through Thursday:	10:00 a.m. – 11:30 p.m.
Friday and Saturday:	10:00 a.m. – 11:30 p.m.

Applicant’s sale of alcohol within and operation of the Sidewalk Cafe shall be as follows:

Sunday through Thursday:	10:00 a.m. – 11:30 p.m.
Friday and Saturday:	10:00 a.m. – 11:30 p.m.

Provided, however, that (1) on days designated by the DC ABC Board as "extended Hours for ABC Establishments," Applicant may serve alcoholic beverages for one additional hour; (2) in the event the Council of the District of Columbia or the ABC Board grant licenses in general extended operating hours for particular event(s), Applicant may avail itself of such extended hours; and, (3) on January 1 of each year Applicant may serve alcoholic beverages and provide entertainment until 3 a.m. Applicant must submit, as required by regulation, any forms or document to the authorizing agency for such extended hours. These extended hours are for inside the establishment.

**3. Public Space and Trash.**

Applicant shall operate its Sidewalk Café consistent with the terms and conditions of its Public Space Management Branch Certification for such space, and shall cause its employees to maintain the Sidewalk Café in a clean and orderly manner, and not to cause or permit storage of any refuse, foodstuffs, perishable or odiferous materials in or adjacent to the Premises. Applicant shall cause the area extending from the front door(s) to the curb in front of the Establishment to be regularly swept, power-washed, and shall remove litter and debris on not less than a daily basis, weather permitting. Applicant shall provide exterior receptacles for extinguishing and disposing of smoking materials, and such supplemental refuse disposal receptacles as may be reasonably required to contain and minimize public disposal of waste and litter originating from the Premises.

Applicant shall exclusively utilize an interior trash storage room to store all grease, recyclable trash, and non-recyclable trash (garbage). The interior trash storage room will have direct access from the dining, hallway, and/or kitchen area. The interior trash storage room will be constructed in compliance with DC Department of Health requirements for indoor trash storage.

**4. Agreement Otherwise in Full Force and Effect.**

Except as otherwise explicitly provide herein, the agreement from 2014 shall remain in full force effect and the Agreement as this Amendment shall constitute the agreement between the parties. This Amendment may only be modified by written agreement of the parties or their successors, or otherwise in accordance with law.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first written above.

Applicant:

La Goulu, Inc. d/b/a Montmartre/7th Hill  
ABRA# 060422  
327 7th St. SE  
Washington, DC 20003  
Phone: 202-355-5915  
Email: montmartredc@hotmail.com  
Name of Person Authorized to Sign: Christopher Raynal

Title: Managing Member *v. P. Christopher*  
*R771492*

Signature: \_\_\_\_\_  
*[Handwritten signature]*

Date: *5/9/16*

ANC:

Advisory Neighborhood Commission 6B  
921 Pennsylvania Avenue, SE  
Washington, DC 20003  
Kirsten Oldenburg, Chairperson  
Phone: (202) 543-3344

Signature: \_\_\_\_\_  
*[Handwritten signature: K Oldenburg]*

Date: *5-10-16*

# ANC 6B

*Capitol Hill / Southeast*

May 18, 2016

921 Pennsylvania Avenue SE  
Washington, DC 20003-2141  
6B@anc.dc.gov  
202-546-8542

Donovan Anderson, Chair  
Alcoholic Beverage Control Board  
2000 14<sup>th</sup> Street NW, Suite 400S  
Washington, DC 20009

## OFFICERS

Chair  
*Kirsten Oldenburg*

Vice-Chair  
*Nick Burger*

Secretary  
*Daniel Chao*

Treasurer  
*Diane Hoskins*

Parliamentarian  
*Denise Krepp*

VIA E-MAIL: [abra.legal@dc.gov](mailto:abra.legal@dc.gov)

RE: ABRA-060422—Montmartre/7<sup>th</sup> Hill, 327 7<sup>th</sup> Street SE, renewal of Class C Restaurant license

Dear Mr. Anderson:

At its regularly scheduled, properly noticed meeting of May 10, 2016, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 10-0-0 to support the above-referenced ABC license renewal.

For your review and approval, please find attached an Amendment to the existing Settlement Amendment, which was executed by both parties.

Please contact Commissioner Chander Jayaraman, ANC 6B's Alcohol Beverage Control Committee Chair, at 202-546-2609 or [chander6b08@anc6b.org](mailto:chander6b08@anc6b.org) if you have questions or need further information. Thank you.

Sincerely,



Kirsten Oldenburg  
Chair

## COMMISSIONERS

- SMD 1 *Jennifer Samolyk*
- SMD 2 *Diane Hoskins*
- SMD 3 *James Loots*
- SMD 4 *Kirsten Oldenburg*
- SMD 5 *Steve Hagedorn*
- SMD 6 *Nick Burger*
- SMD 7 *Daniel Chao*
- SMD 8 *Chander Jayaraman*
- SMD 9 *Daniel Ridge*
- SMD 10 *Denise Krepp*

Attachment

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

<b>In the Matter of:</b>	)	
	)	
La Goulu, Inc.	)	
t/a Montmartre/7th Hill	)	
	)	
Holder of a	)	
Retailer's Class CR License	)	License No. ABRA-060422
	)	Order No. 2014-021
at premises	)	
327 7 <sup>th</sup> Street, S.E.	)	
Washington, D.C. 20003	)	

La Goulu, Inc., t/a Montmartre/7th Hill (Licensee)

Brian Flahaven, Chairperson, Advisory Neighborhood Commission (ANC) 6B

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Mike Silverstein, Member  
Herman Jones, Member

**ORDER ON SETTLEMENT AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that La Goulu, Inc., t/a Montmartre/7th Hill, (Licensee), and ANC 6B have entered into a Settlement Agreement (Agreement), dated October 12, 2010, that governs the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Brian Flahaven, on behalf of ANC 6B, are signatories to the Agreement.

**La Goulu, Inc.**  
**t/a Montmartre/7th Hill**  
**License No. ABRA-060422**  
**Page 2**

Accordingly, it is this 8<sup>th</sup> day of January, 2014, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modifications:

Section 2 (Nature of the Business) – The first sentence shall be modified to read as follows: “The Applicant shall manage and operate at the address, a place that is regularly used for the sale and service of prepared food and alcoholic beverages.”

Section 6 (Noise, Odor, and Privacy) – The following word shall be removed: “seasonally.”

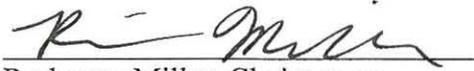
Section 8 (Rats and Vermin Control) – The following sentence shall be removed: “Applicant shall provide proof of its rat and vermin control contract upon the request.”

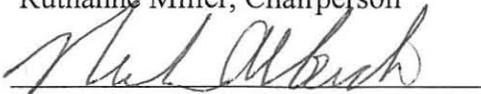
The parties have agreed to these modifications.

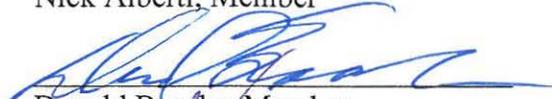
2. Copies of this Order shall be sent to the Licensee and ANC 6B.

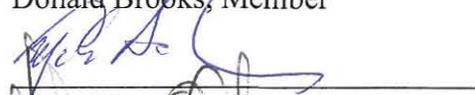
**La Goulu, Inc.**  
**t/a Montmartre/7th Hill**  
**License No. ABRA-060422**  
**Page 3**

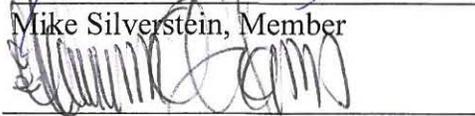
District of Columbia  
Alcoholic Beverage Control Board

  
Ruthanne Miller, Chairperson

  
Nick Alberti, Member

  
Donald Brooks, Member

  
Mike Silverstein, Member

  
Herman Jones, Member

Pursuant to D.C. Official Code § 25-433, 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, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to D.C. Official Code § 25-433, stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b).

## SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("Agreement") is made on this 12th day of October, 2010 by and between Montmartre/7th Hill ("Applicant"), and Advisory Neighborhood Commission 6B, (Collectively, the "Parties").

### WITNESSETH

WHEREAS, Applicant's application for a license for premises, 327 7th Street, SE, Washington, DC, 20003, 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 "C" Restaurant Liquor License at the subject premises; and,

WHEREAS, the Parties are desirous of entering into a Voluntary Agreement pursuant to D.C. Official Code § 25-446 for the operation and maintenance of the Establishment in such a manner as to promote the peace, order and quiet of the neighborhood. Both parties recognize the importance of business neighborhoods that are safe, clean, and "pedestrian friendly".

NOW, THEREFORE, the parties agree as follows:

1. ***Recitals Incorporated.*** The recitals set forth above are incorporated herein by reference.
2. ***Nature of the Business.*** The Applicant will manage and operate a CR license at the listed address. The license shall have limited indoor seating of 56 patrons and outside (sidewalk) seating of 30 patrons.
3. ***Hours of Operation and Sales.*** The Applicant's hours of operation shall be as follows:
  - Inside Services  
Sunday through Saturday 10:30 am to 11:30 pm
  - Sidewalk Services  
Sunday through Saturday 10:30 am to 11:30 pm
4. ***Floors Utilized and Occupancy.*** The Applicant will operate its establishment according to the occupancy indicated on the Certificate of Occupancy issued by

the Department of Consumer and Regulatory Affairs.

5. ***Sidewalk Café.*** Applicant will operate its sidewalk café in accordance with the Public Space Management Branch Certification. Applicant will direct that its employees inspect the sidewalk café on a regular basis to ensure its cleanliness.
  
6. ***Noise, Odor, and Privacy.*** No objectionable noises, sounds, odors, or other conditions will be created by the Applicant. Applicant will strictly comply with D.C. Official Code § 25-725 and to that end shall make architectural improvements to the property and take all necessary actions to ensure that music, noise and vibration from the Establishment are not audible outside the establishment at any time. Applicant agrees to keep its doors and windows closed when music is being played at the establishment. However, it is understood by the parties that Applicant may open its window panels seasonally, and that music may be played at such times at a level not audible beyond the street curbside. If necessary, Applicant will take reasonable steps to reduce noise emanating from the Establishment from the opening of the entry or exit doors. The applicant will take all reasonable steps necessary to mitigate noise emanating from mechanical equipment associated with the applicant's operations (e.g., air conditioning unit, grease fan) -- including installing sound-mitigating insulating material around the equipment, if necessary -- to comply with D.C. regulations, prevent an increase in existing sound level conditions of the site, and abate noises objectionable to the residential neighbors..
  
7. ***Public Space and Trash.***
  - a. Applicant shall keep their entire property and the sidewalk (up to and including the curb), tree box(es), curb, and alley clean and free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall police these areas sufficiently to assure that refuse and other materials are promptly removed.
  
  - b. Applicant shall ensure that the area around the dumpster is kept clean at all times and the dumpster is placed such that it does not encroach on the abutting property owners and that no garbage is placed on the abutting property. Applicant shall ensure that no trash is placed outside the establishment other than in a fully-closed dumpster. Applicant shall ensure that the lids on all dumpsters are fully closed at all times. Applicant shall not place trash in its dumpster in any manner that would prevent the full closure of the dumpster. Applicant shall ensure that all dumpsters used are properly maintained and replaced when damaged.
  
  - c. Applicant shall ensure that all grease is placed in a secure well-maintained container inside the property where possible. Any grease leak shall be cleaned up promptly and all containers shall be properly maintained and replaced when damaged or leaking.

- d. Applicant will ensure timely trash disposal that is the least disruptive to the neighbors. To that end, no glass shall be recycled or otherwise disposed after 10 p.m. or before 7 a.m. Any glass material needing to be recycled or otherwise disposed between 10 p.m and 7 a.m. shall be stored inside the Applicant's establishment until 7 a.m.
- e. Commercial trash pick up in residential areas takes place between 7 a.m.-7 p.m. Applicant shall not allow for its trash to be picked up outside of those hours.
8. ***Rats and Vermin Control.*** The Applicant shall provide rat and vermin control for its property. Applicant shall provide proof of its rat and vermin control contract upon the request. Applicant shall maintain property and take landscaping steps, such as removing thick ground cover, trimming bushes, closing rat holes, and using pond stones where needed, to reduce habitat for rats and vermin. Applicant shall have the Establishment and the area around the Premises and its dumpsters properly cleaned at the end of each night to ensure that there are not garbage and odors present the following morning.
9. ***Security Cooperation in Stemming Illegal Drugs and Public Drinking.*** Applicant agrees that it shall take all necessary steps to minimize such problems, including, without limitation, designating a sufficient number of employees to assure adequate security and to control unruly patrons, whether inside or in the immediate outside area; monitoring for and prohibiting sales or use of illegal drugs within or about the Premises, maintaining contact and cooperating with MPD and other enforcement officials when known or suspected drug activities occur. Applicant shall to the full extent permissible by law discourage loitering in the vicinity of the Premises. This will include providing an appropriate number of security officers, at all times when the Establishment is open to the public, who shall be responsible for ensuring that any individuals who are simply loitering are asked to move along.
10. ***Compliance with ABRA Regulations.*** Applicant promises that it shall abide by all Alcoholic Beverage Regulations Administration (ABRA) regulations regarding the ownership of the license and all other provisions applicable to liquor licensees.

IN WITNESS WHEREOF, the parties have affixed hereunto their signatures.

Applicant: Montmartre/7th Hill  
ABRA060422  
[327 7th Street], SE  
Washington, DC 20003  
Christopher Raynal, Managing Member  
[202-355-5915]

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Date: 04/02/13

Advisory Neighborhood Commission 6B  
Washington, DC 20003  
Brian Flahaven, Chairperson  
(202) 543-3344  
Fax (202) 543-3507

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Date: 4/2/13

*Christopher Reynard*



5/7/13

*Brian Flahaven*

# ANC 6B

*Capitol Hill / Southeast*

921 Pennsylvania Avenue SE  
Suite 305  
Washington, DC 20003-2141  
202-543-3344 (office)  
202-543-3507 (fax)  
office@anc6b.org

Executive Director  
*Susan Eads Role*

May 13, 2013

Ruthanne Miller, Chair  
Alcoholic Beverage Control Board  
2000 14<sup>th</sup> Street NW, Suite 400S  
Washington, DC 20009

VIA E-MAIL: sarah.fashbaugh@dc.gov

RE: ABRA-060422, Montmartre/7<sup>th</sup> Hill, 327 7th Street SE, License Renewal

Dear Ms. Miller:

At its regularly called, properly noticed meeting on April 9, 2013, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 9-0 in support of the above-referenced request.

For your review and approval, please find enclosed a Settlement Agreement, which was executed by both parties.

Please contact ANC 6B's Executive Director Susan Eads Role if you have questions or need further information. Thank you.

Sincerely,



Brian Flahaven  
Chair

## OFFICERS

Chair  
*Brian Flahaven*

Vice-Chair  
*Ivan Frishberg*

Secretary  
*Philip Peisch*

Treasurer  
*Brian Pate*

Parliamentarian  
*Nichole Opkins*

## COMMISSIONERS

SMD 1 *David Garrison*  
SMD 2 *Ivan Frishberg*  
SMD 3 *Philip Peisch*  
SMD 4 *Kirsten Oldenburg*  
SMD 5 *Brian Pate*  
SMD 6 *Nichole Opkins*  
SMD 7 *Sara Loveland*  
SMD 8 *Chander Jayaraman*  
SMD 9 *Brian Flahaven*  
SMD 10 *Francis Campbell*

Enclosure