

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

_____)
In the Matter of:)
)
The Borderline, Inc.)
t/a Cedar Crossing Tavern and Wine Bar)
)
Application for Retailer's)
Class CT License) License No. 81538
) Order No. 2009-138
at premises)
341 Cedar Street, N.W.)
Washington, D.C.)
_____)

The Borderline, Inc., t/a Cedar Crossing Tavern and Wine Bar

Douglass Sloan, Chair, Advisory Neighborhood Commission 4B

BEFORE: Peter B. Feather, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Charles Brodsky, Member
Donald Brooks, Member
Herman Jones, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Control Board (Board) reflect that The Borderline, Inc., t/a Cedar Crossing Tavern and Wine Bar, Applicant for Retailer's Class CT license located at 341 Cedar Street, N.W., Washington D.C., and Douglass Sloan, Commissioner, on behalf of Advisory Neighborhood Commission (ANC) 4B, (collectively, the Parties) have entered into a Voluntary Agreement (Agreement) dated May 18, 2009, setting forth the terms and conditions that govern the operation of the Applicant's establishment.

The Agreement restricts the hours of operations every day until 12:00 a.m.¹, except that the Applicant shall have 10 exceptions annually where it may stay open until 2:00 a.m. if it provides notification at least 48 hours in advance to the Cedar Crossing Condominium Board. The Agreement has been reduced to writing and has been properly executed and filed with the Board. Both the Applicant and Commissioner Sloan are signatories to the Agreement.

¹ The Board notes the typographical error in the Voluntary Agreement at Page 1, Number 2, where it states "12:00 p.m." The Board assumes that the Parties intended this to be "12:00 a.m."

The Borderline, Inc.
t/a Cedar Crossing Tavern and Wine Bar
License No. 81438
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Accordingly, it is this 3rd day of June 2009, **ORDERED** that:

1. The Application filed by The Borderline, Inc., t/a Cedar Crossing Tavern and Wine Bar for a Retailer's Class CT license located at 341 Cedar Street, N.W., Washington, D.C., is **GRANTED**

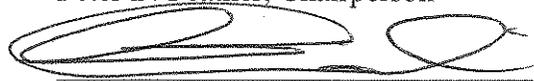
2. This above-referenced Voluntary Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and

3. Copies of this Order shall be sent to the Applicant and to ANC 4B.

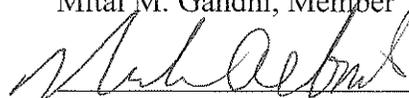
District of Columbia
Alcoholic Beverage Control Board



Peter B. Feather, Chairperson



Mital M. Gandhi, Member



Nick Alberti, Member

Charles Brodsky, Member



Donald Brooks, Member

Herman Jones, 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.

**Cedar Crossing Tavern and Wine Bar
Voluntary Agreement**

Made this 18 day of May, 2009 by and between The Borderline, Inc. (the Applicant), Advisory Neighborhood Commission 4B, Takoma (the ANC), and residents of Cedar Crossing Condominiums and the surrounding area.

WHEREAS, pending before the District of Columbia Alcoholic Beverages Control Board, is the Applicant's Application No. ABRA-081538 for a Class CT license—C Tavern for its premises at 341 Cedar Street, NW; and

WHEREAS, the Applicant, the ANC, and the residents ("the parties") desire to enter into an agreement commemorating certain understandings regarding Applicant's operating plans;

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

- (1) The Applicant shall operate a tavern on its premises and may apply for a full liquor license.
- (2) The Applicant's hours of operation shall end no later than 12:00 pm, Sunday through Saturday, with 10 exceptions annually when operations shall end no later than 2:00 am. The Applicant shall provide notification to the Cedar Crossing Condominium Board no later than 48 hours prior to exception event.
- (3) The Applicant shall offer a menu of food items for sale, at all times it is serving alcoholic beverages, which comprises more than bar snacks.
- (4) The Applicant shall comply with noise-controls provisions of the District of Columbia laws and regulations.
- (5) The Applicant agrees to meet up to two times a year with neighborhood residents via an established group (e.g., the Advisory Neighborhood Commission meetings, Cedar Crossing Board Association meetings) upon request and make good faith efforts to resolve community concerns presented.
- (6) The Applicant shall make every reasonable effort (i.e., signage) to discourage individuals from congregating or loitering and smoking outside of and in areas adjacent to the establishment during business hours and encourage patrons to leave those areas at closing.
- (7) The Applicant shall remove trash and debris at closing each evening from the public sidewalk starting at 343 Cedar Street through the driveway entrance of 343 Cedar Street. The Applicant shall also make separate arrangements for trash and recycling from that of Cedar Crossing Condominiums.
- (8) In addition to the foregoing, Applicant will operate in compliance with all applicable laws and regulations.

**Cedar Crossing Tavern and Wine Bar
Voluntary Agreement**

In consideration of and in reliance upon the commitments in this agreement, the ANC will advise the ABC Board that it does not oppose Applicant's pending Application No. ABRA-081538 for a Class CT license—C Tavern for its premises at 341 Cedar Street, NW.

The Parties further agree that 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 to gain the Applicant's compliance with the terms of this agreement.

**Cedar Crossing Tavern and Wine Bar
Voluntary Agreement**

IN WITNESS WHEREOF, the parties have affixed their signatures:

By:   The Borderline, Inc.
Sarbjit Kochhar / Meem Kochhar

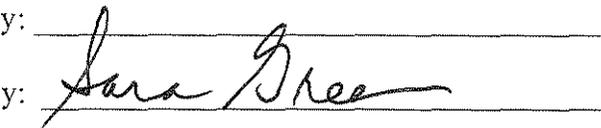
By:  Mona Davies

By:  Valentine Davies

By:  ANC Commissioner(s), 4B
Douglass Sloan, Chair

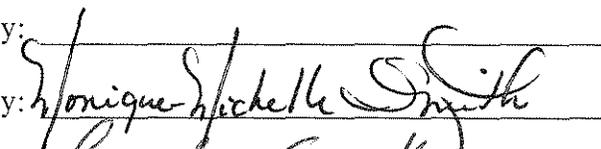
By:  Faith Wheeler, Vice Chair

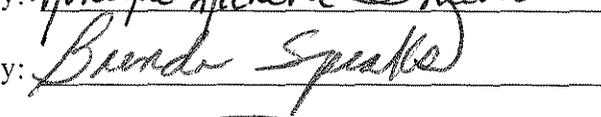
By: _____ Idriys Abdullah

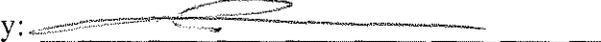
By:  Sara Green, Secretary

By: _____ Yvonne Jefferson

By: _____ Judi Jones

By:  Monique Michelle Smith

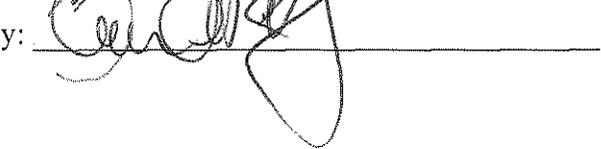
By:  Brenda Speaks

By:  James J. Sydnor, Treasurer

By:  Community Members
Montina Cole

By:  Sharon Gilles, Cedar Crossing Cond.

By:  Jeffery Jensen, Cedar Crossing Cond.

By:  Allison Rosenberg, Cedar Crossing Cond.