

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

In the Matter of:

Juanita's, Inc.
t/a Juanita's Restaurant

Holder of a
Retailer's Class CT License

at premises
3521 14th Street, N.W.
Washington, D.C. 20010

License No. ABRA-091432
Order No. 2014-200

Juanita's, Inc., t/a Juanita's Restaurant (Licensee)

Kent C. Boese, Chairperson, Advisory Neighborhood Commission (ANC) 1A

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that a previous holder of a license for the premises and ANC 1A entered into a Settlement Agreement dated November 2, 2011 (Agreement) and it was approved by the Board on December 13, 2012. Juanita's, Inc., t/a Juanita's Restaurant, (Licensee), as the current holder of a Retailer's Class CT license, is required to comply with the terms of the Agreement, dated November 2, 2011, 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 February 12, 2014, in accordance with D.C. Official Code § 25-446 (2001).

The official records of the Board reflect that the Parties have agreed to amend the Licensee's sidewalk café hours of operation and sales of alcoholic beverages.

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t/a Juanita's Restaurant
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The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Kent C. Boese, on behalf of ANC 1A, are signatories to the Amendment.

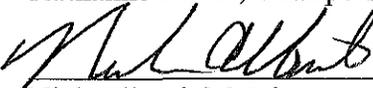
Accordingly, it is this 21st day of May, 2014, **ORDERED** that:

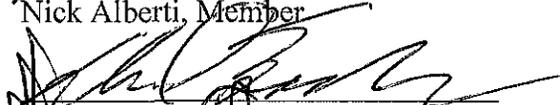
1. The above-referenced Amendment to Settlement Agreement, dated February 12, 2014, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the previous Agreement, not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 1A.

Juanita's, Inc.
t/a Juanita's Restaurant
License No. ABRA-091432
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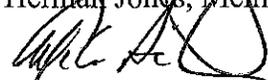
District of Columbia
Alcoholic Beverage Control Board

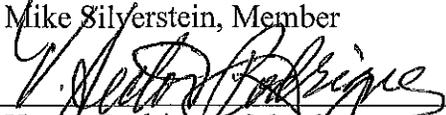

Ruthanne Miller, Chairperson

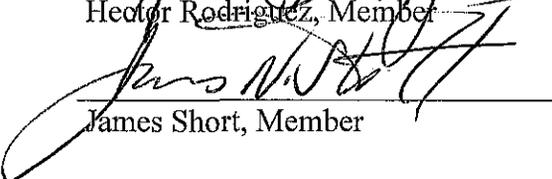

Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


James Short, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 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).

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ADVISORY NEIGHBORHOOD COMMISSION 1A

SMD 1A01 – Daniel Kornfield
SMD 1A04 – Morgan Corr
SMD 1A07 – Thomas Boisvert
SMD 1A10 – Anthony Cimino

SMD 1A02 – Vickey Wright-Smith
SMD 1A05 – Kevin Holmes
SMD 1A08 – Kent Boese
SMD 1A11 – Dotti Love Wade

SMD 1A03 – Steve Swank
SMD 1A06 – Patrick W. Flynn
SMD 1A09 – Bobby Holmes
SMD 1A12 – Rosalind M. Gilliam

**RESOLUTION TO AMEND THE SETTLEMENT AGREEMENT BETWEEN ANC 1A AND
JUANITA'S RESTAURANT**

WHEREAS; Juanita's Restaurant (3521 14th Street, NW) seeks to extend their hours of operation and service to include service on their outdoor sidewalk café; and

WHEREAS; the current version of the Settlement Agreement (dated November 7, 2011) restricts hours of operation and service strictly to the indoor restaurant space; and,

WHEREAS; A review of ABRA's records indicates that Juanita's Restaurant's is a responsible business owner with no history of violations.

THEREFORE, BE IT FURTHER RESOLVED THAT:

ANC 1A amend the Settlement Agreement to read:

The Applicant's hours of operation and selling alcohol on their sidewalk café shall be as follows:

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

On special occasions, to include holidays, the establishment may stay open later if permissible by DC law or ABRA.

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Certification:

After providing sufficient notice for and with a quorum of 9 present at its February 12, 2014, meeting, Advisory Neighborhood Commission 1A voted, with 8 Yeas, 0 Nos and 1 Abstentions, to adopt the above resolution.


Kent C. Boese
Chairperson, ANC 1A


Cesar Buruca
Proprietor, Juanita's Restaurant

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

_____)	
In the Matter of:)	
)	
Carolina D. Nunez)	
t/a Maranon Café)	
)	
Holder of a)	License No. ABRA-088264
Retailer's Class CR License)	Order No. 2012-533
)	
at premises)	
3521 14 th Street, N.W.)	
Washington, D.C. 20010)	
_____)	

Carolina D. Nunez, t/a Maranon Café, Applicant

Thomas Boisvert, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 1A

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

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Carolina D. Nunez, t/a Maranon Café (Applicant), and ANC 1A have entered into a Voluntary Agreement (Agreement), dated November 7, 2011, that governs the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and former Chairperson William E. Brown, on behalf of ANC 1A, are signatories to the Agreement.

Carolina D. Nunez
t/a Maranon Café
License No. ABRA-088264
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Accordingly, it is this 13th day of December, 2012, **ORDERED** that:

1. The above-referenced Voluntary Agreements submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

Section 10 shall be removed.

The parties have agreed to this modification.

2. Copies of this Order shall be sent to the Applicant and ANC 1A.

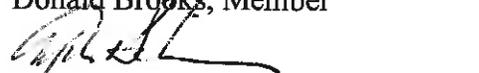
Carolina D. Nunez
t/a Maranon Café
License No. ABRA-088264
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District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson


Nick Alberti, Member


Donald Brooks, Member


Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.



ADVISORY NEIGHBORHOOD COMMISSION 1A

ANC 1A01 - Lisa Kralovic
ANC 1A04 - Betty Pair
ANC 1A07 - Thomas Boisvert
ANC 1A10 - Lenwood O. Johnson

ANC 1A02 - Vickey Wright-Smith
ANC 1A05 - Laina Aquiline
ANC 1A08 - Kent C. Boese

ANC 1A03 - Sheldon Scott
ANC 1A06 - William Brown
ANC 1A09 - Bobby Holmes
ANC 1A11 - Dotti Love-Wade

1380 Monroe Street, NW

VOLUNTARY AGREEMENT

THIS AGREEMENT made and entered into this 7th day of November 2011 by and between Carolina D. Nunez, T/A Marañon Café (hereinafter the "Applicant") and the Neighborhood Advisory Commission 1A, on behalf of the community of Single Member District 1A-04 (hereinafter the "SMD").

Applicant, having filed an application with the District of Columbia Alcohol Beverage Control Board (hereinafter "ABC Board") for issuance of a class "C" license for the premises at 3521 - 14th Street, NW, Washington, DC 20010, which application before the ABC Board in case number ABRA-088264.

In recognition of the ABC Board's policy of encouraging parties to a proceeding to negotiate an agreement, the parties hereto being desirous of entering into an agreement whereby, subject to approval of the ABC Board, Applicant will agree to adopt certain measures to address neighborhood concerns, and the SMD will support the issuance of the ABC License.

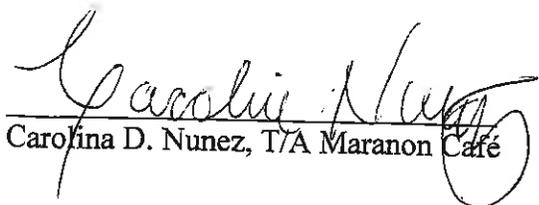
In consideration of the mutual covenants and undertakings memorialized herein, the parties agree as follows:

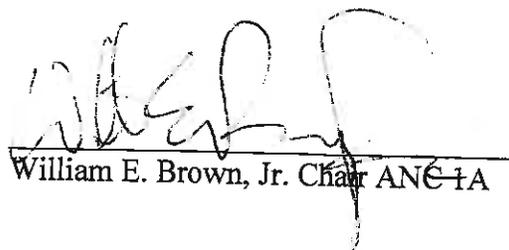
1. All due diligence will be made by the Applicant to ensure there is no loitering in front of or in the vicinity of its establishment, especially loud cursing, public drunkenness, fighting and other acts of aggression.
2. Applicant shall open its doors to receive patrons on Sunday through Thursday from no earlier than 7:00 am until 2:00 am, and from 7:00 am until 3:00 am on Friday and Saturday. Alcoholic beverages may not be consumed on the public sidewalks adjacent to the premises. Alcoholic beverages may not be served before 8:00 am on any of the days specified.
3. Live entertainment shall be allowed on Thursday from 7:00 pm until 2:00 am, on Friday and Saturday from 7:00 pm until 2:45 am, and on Sunday from 7:00 pm until 11:00 pm.
4. There shall be no loud music performed in the establishment. Sound emanating from any part of the establishment shall not be audible in residential structures in the vicinity of, or on the sidewalks across the street from and adjacent to the café. The Applicant's operation shall be at all times in compliance with the DC Noise Control Act. Applicant

will encourage, to the best of its ability, employees and patrons, by posted signs or other printed notation (easily visible to the naked eye on the exterior and interior of the premises), to be considerate of residents in the neighborhood after departing the premises, by keeping conversations and other noises at a level that will not disturb the *peace, order, quiet and tranquility* of residents in the enjoyment of their homes or generate a noise complaint.

5. Applicant will maintain regular trash/garbage removal service (number of times per week to be determined by owner and business necessity). Applicant will provide for the proper removal of grease and oils and will not deposit these substances in any dumpster or garbage receptacle.
6. Applicant will maintain free of trash and litter the public space to a minimum distance of 18 feet from the curb, adjacent to the front and sides of the premises, in compliance with applicable D.C. Regulations in this respect, as often as needed.
7. Applicant will comply in all respects with the requirements of its license or other requirements of the law, including maintain the appropriate ratio between food service and liquor sales (45 percent liquor sales and 55 percent food sales or that ration mandated by District Regulations pursuant to the particular license requested herein). The applicant shall refuse to sell alcohol to legally underage persons and refuse to sell alcohol to inebriated patrons.
8. No patron shall be allowed ingress or egress at any location except at the designated building's entrances except where this event may occur at the designated emergency exits.
9. Applicant will not place any items outside the building without proper licensing and notification.
10. Applicant will make its best effort to recruit, hire and maintain employees from the Columbia Heights neighborhood.
11. The parties agree that if reasonable discussions of violations are not resolved, then any failure of the Applicant to adhere to foregoing commitments would constitute a breach of this agreement and provide grounds for the Neighborhood Advisory Commission and SMD to petition the Board for issuance of an order to Show Cause, as provided by D.C. Regulations.

The undersigned parties acknowledge their agreement by placing their signatures, this 7^h day of November 2011.


Carolina D. Nunez, T/A Maranon Café


William E. Brown, Jr. Chair ANCA



ADVISORY NEIGHBORHOOD COMMISSION 1A

ANC 1A01 - Lisa Kralovic
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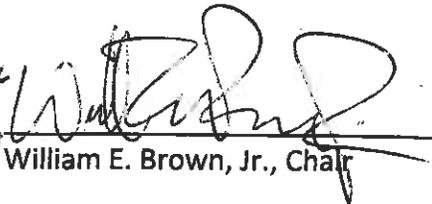
RESOLUTION ANC 1A SUPPORT OF STIPULATED LIQUOR LICENSE 3521 - 14TH STREET, NW MARANON CAFÉ

Carolina D. Nunez, owner of the business known as *Maranon Café*, has made application for a Class "C" liquor license and states that her business will be affected adversely if she is not able to obtain a stipulated liquor license to serve alcohol prior to the issuance of the Class "C" license in February 2012.

Ms. Nunez has entered into a Voluntary Agreement dated 7 November 2011 that will govern the conduct of her business.

ANC 1A has no objection to the approval of a stipulated liquor license for Maranon Café and supports Ms. Nunez in her effort to procure one.

Adopted Not Adopted by a vote as follows: 8 Yes 0 No 0 Abstain
at the 16 November 2011 meeting of ANC 1A.


William E. Brown, Jr., Chair


Lisa A. Kralovic, Vice Chair
KENT BOESE, SECRETARY