

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

_____)	
In the Matter of:)	
)	
Sushi Para Co.)	
t/a Sushi Sai)	
)	
Applicant for a New)	License No. ABRA-088557
Retailer's Class DR License)	Order No. 2012-082
)	
at premises)	
4221 Connecticut Avenue, N.W.)	
Washington, D.C. 20008)	
_____)	

Sushi Para Company, t/a Sushi Sai (Applicant)

Roman Jankowski, Chairperson, Advisory Neighborhood Commission (ANC) 3F

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Calvin Nophlin, Member
Mike Silverstein, Member
Jeannette Mobley, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Sushi Para Co., t/a Sushi Sai, Applicant for a new Retailer's Class DR license, located at 4221 Connecticut Avenue, N.W., Washington, D.C., and ANC 3F have entered into a Voluntary Agreement (Agreement), dated February 3, 2012, 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 Chairperson Roman Jankowski, on behalf of ANC 3F, are signatories to the Agreement.

Accordingly, it is this 29th day of February, 2012, **ORDERED** that:

1. The 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, except for the following modification:

Section 12 – The following language shall be removed: “Applicant upon notice from the ANC shall send a representative of the Establishment to a meeting to confer and deal in good faith with issues raised under this Agreement or new issues that might arise with regard to the operation of the Establishment.”

The parties have agreed to this modification.

2. Copies of this Order shall be sent to the Applicant and ANC 3F.

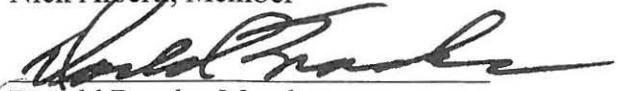
Sushi Para Co.
t/a Sushi Sai
License No. ABRA-088557
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District of Columbia
Alcoholic Beverage Control Board

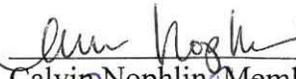
Ruthanne Miller, Chairperson



Nick Albert, Member



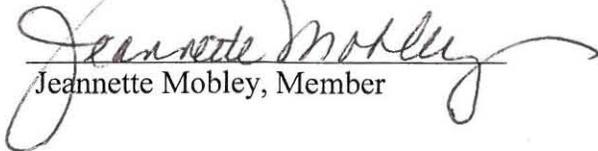
Donald Brooks, Member



Calvin Nophlin, Member



Mike Silverstein, Member



Jeannette Mobley, 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.

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3F
North Cleveland Park • Forest Hills • Tenleytown

3F01 – Adam Tope, Secretary
3F02 – Karen Perry, Vice Chair
3F03 – Karen Bailey
3F04 – Thomas Whitley
3F05 – Roman Jankowski, Chair
3F06 – Cathy Wiss
3F07 – Bob Summers gill, Treasurer



DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION Box 244
4401- A Connecticut Avenue, N.W.
Washington, D.C. 20008-2322
2012 FEB -6 P 3:52

Web site: www.anc3f.us

REC'D BY ~~email~~ commissioners@anc3f.us
Phone: 202.362.6120

February 6, 2012

Ruthanne Miller, Chair
Alcoholic Beverage Control Board
1250 U Street, N.W., 3rd Floor
Washington, D.C. 20009

RE: Sushi Para Co. T/A Sushi Sai
ABRA – 088557
4221 Connecticut Avenue, N.W.

Dear Chair Miller:

At a duly noticed public meeting on Tuesday, January 17, 2012, Advisory Neighborhood Commission 3F (ANC 3F) voted 7-0-0, with a quorum present (a quorum being 4) to adopt the attached resolution and voluntary agreement and to not object to the granting of a stipulated license and Class "DR" beer and wine license contingent on the approval of the Voluntary Agreement. Andrew Klein, Esquire, represented Sushi Para at the ANC meeting. The Voluntary Agreement was signed by Mr. Dong upon his arrival in Washington on February 3, 2012.

The applicant is aware that the placards must remain in the window of his establishment for the determined time even if the Board grants the stipulated license.

ANC 3F would appreciate the Board placing this item on the agenda for its next meeting on Wednesday, February 8, 2012. If you have any questions or concerns about the resolution or the Voluntary Agreement, please contact Commissioner Karen Perry, the designated ANC Commissioner and in whose single member district this establishment is located. She can be reached at 202-363-6748 or karenperry2@juno.com.

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION

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REC'D BY

Sincerely,

Karen Lee Perry, Vice Chair

**ANC 3F RESOLUTION
APPLICATION FOR A CLASS "DR" BEER AND WINE LICENSE AND
STIPULATED LICENSE FOR SUSHI PARA CO. T/A SUSHI SAI**

*Advisory Neighborhood Commission 3F
North Cleveland Park, Forest Hills & Tenleytown
4401-A Connecticut Avenue, N.W. Box #244
Washington, D.C. 20008-2322*

WHEREAS, SUSHI PARA CO. T/A SUSHI SAI (Applicant) has applied for a Retail Class "DR" Beer and Wine License, ABRA-088557, for a new full service restaurant at 4221 Connecticut Avenue, in SMD 3F02; and

WHEREAS, the Applicant and ANC 3F have entered into a voluntary agreement; and

WHEREAS, by signing this voluntary agreement, the Applicant shows an intent to operate and maintain the establishment in such a manner as to minimize the effect on the peace, order, and quiet of the neighborhood; and

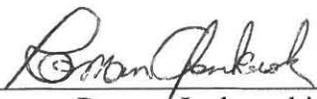
WHEREAS, the Applicant has posted in its front window the placard announcing the application for a Class "DR" license, with a Petition Date of February 21, 2012, and a Hearing Date of March 5, 2012; and

WHEREAS, the Applicant desires to open the restaurant and start serving beer and wine before the hearing date, for which it will need a stipulated liquor license; and

WHEREAS, the Applicant is aware that the placards must remain in the window of his establishment for the determined time even if the Board grants the request for a stipulated license;

THEREFORE BE IT RESOLVED THAT, ANC 3F does not object to granting a Class "DR" beer and wine license to the Applicant and ANC 3F supports the request for a stipulated liquor license.

This resolution was approved by a vote of 7-0-0 at a duly noticed public meeting of ANC 3F on Tuesday, January 17, 2012, with a quorum present, a quorum being four.



Roman Jankowski, Chair

REC'D BY 
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DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION

AGREEMENT

Made this 3 day of February 2012, by and between SUSHI PARA CO. T/A SUSHI-SAI (the "applicant") and ADVISORY NEIGHBORHOOD COMMISSION 3F, North Cleveland Park, Forest Hills, and Tenleytown (the "ANC" or "ANC 3F").

DISTRICT OF COLUMBIA
REGULATION & ADMINISTRATION

2012 FEB -6 P 3:55

WITNESSETH:

REC'D BY _____

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control ("ABC") Board is Applicant's application for a Retail Class "DR" liquor license for the premises known as 4221 Connecticut Avenue, N.W., License Number ABRA-088557; and

WHEREAS, both Applicant and the ANC (the "parties") are desirous of entering into a Voluntary Agreement commemorating certain understandings regarding Applicant's operating plans;

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

1. Applicant shall manage and operate a *bona fide* restaurant on its premises with an emphasis on food.
2. According to the Certificate of Occupancy, the restaurant shall have a maximum of 70 seats and an occupancy load of 80 persons. Beer and wine will be served primarily in conjunction with meal service.
3. Applicant's hours of operation and sale, service, or consumption of alcoholic beverages will be 8:00 a.m. to 12:00 midnight Monday through Sunday.
4. Patrons shall be able to purchase food from the Applicant until 1 (one) hour before closing.
5. Applicant plans to offer take-out food service. Applicant may offer delivery service through Take-Out Taxi or another delivery service. Applicant will not have delivery trucks.
6. Applicant shall have no dancing or live entertainment. Applicant shall be permitted to present recorded music inside the restaurant as soft background music for dining; provided, however, that no doors to the exterior of the restaurant shall be propped open at any time when music is being played in the restaurant.
7. Applicant shall not install or utilize any equipment for the showing of videos or video games or jukeboxes.
8. Applicant shall be prohibited from displaying any advertising banners, neon signs, or outside signage other than the sign permitted by zoning above its establishment. Applicant shall post no signs in public space or outside the restaurant advertising beer and wine sales, happy hours, or the like.
9. Applicant shall care for the 35 feet of public spaces that borders the restaurant on Connecticut Avenue, including provision of suitable plantings, if applicable.
10. Applicant shall have the restaurant and the area around the premises properly cleaned at the end of each night to ensure there is no garbage or odors. Applicant shall respect the residential building 16 feet away and limit noise after closing hours when disposing of trash and bottles in the receptacles.
11. Applicant shall comply with District of Columbia Official Code Title 25 and District of Columbia Municipal Regulations Title 23 as they apply to the establishment and the laws and regulations of the District of Columbia in the operation of his establishment.
12. Applicant agrees to maintain open communication with the ANC and the community for which the ANC acts. Applicant, upon notice from the ANC shall send a representative of the Establishment to a meeting to confer and deal in good faith with issues raised under this Agreement or new issues that might arise with regard to the operation of the Establishment. In the event that any of the parties is in breach of this Agreement, it shall be entitled to reasonable notice and opportunity to cure, as a condition precedent to seeking enforcement of the Agreement. Unless the breach is of an emergency nature or is a repetition of a prior breach, reasonable notice and opportunity shall provide for a cure within 30 days of the date of such

notice. If the licensee fails to cure within the 30-day period (or, with respect to a breach which reasonably requires more than 30-days to cure, fails to commence cure of such breach and diligently pursues such cure) failure shall constitute a cause for seeking a Show Cause Order from the ABC Board pursuant to D.C. Official Code § 25-447. Unless otherwise noted above, any notices required to be made under this Agreement shall be in writing and mailed via certified mail, return receipt requested, or hand-delivered, to the other parties to this Agreement at the following addresses. Notice shall be deemed given as of the time of receipt or refusal of receipt:

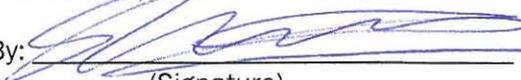
If to Applicant: Sushi Para Co. t/a Sushi Sai
4221 Connecticut Avenue, N.W.
Washington, D.C. 20008

If to ANC: Advisory Neighborhood Commission 3F
4401-A Connecticut Avenue, N.W., PMB 244
Washington, D.C. 20008-2322

- 13. In consideration or, and in reliance upon, the commitments reflected in paragraphs 1 through 13 above, the ANC will advise the ABC Board that it does not oppose Applicant's pending application for a Retailer's Class "DR" license.
- 14. The parties further agree that any failure of Applicant to adhere to the foregoing commitments will 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.

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

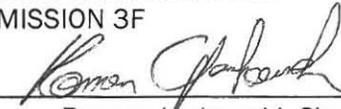
APPLICANT, SUSHI PARA CO. T/A SUSHI SAI

By: 
(Signature)

Name: Andrew Dong

Title: President

ADVISORY NEIGHBORHOOD
COMMISSION 3F

By: 
Roman Jankowski, Chair