

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

In the Matter of:)	
)	
Texas de Brazil (DC) Corporation)	
t/a Texas de Brazil)	
)	
Holder of a)	License No. ABRA-098330
Retailer's Class CR License)	Order No. 2015-430
)	
at premises)	
455 Massachusetts Avenue, N.W.)	
Washington, D.C. 20001)	

Texas de Brazil (DC) Corporation, t/a Texas de Brazil (Licensee)

Marge Maceda, Chairperson, Advisory Neighborhood Commission (ANC) 6E

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

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Texas de Brazil (DC) Corporation, t/a Texas de Brazil, (Licensee), and ANC 6E have entered into a Settlement Agreement (Agreement), dated September 1, 2015, that governs the operation of the Licensee's establishment.

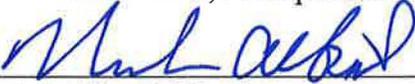
The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Chairperson Marge Maceda, on behalf of ANC 6E, are signatories to the Agreement.

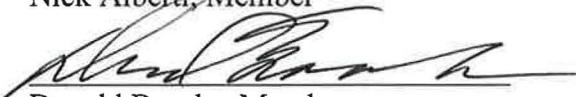
Accordingly, it is this 16th day of September, 2015, **ORDERED** that:

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

District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson

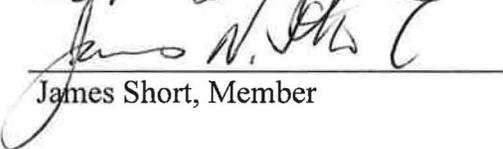

Nick Alberti, Member


Donald Brooks, Member

Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


James Short, Member

Pursuant to 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 14th 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).

THIS SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("Agreement") is made on this 1st day of Sept 2015 by and between Texas de Brazil (DC) Corporation t/a Texas de Brazil located at 455 Massachusetts Avenue N.W., Suite #100, Washington D.C., ABRA License #098330 ("Applicant") and Advisory Neighborhood Commission 6E ("ANC 6E"), collectively "the Parties".

WITNESETH

WHEREAS, Applicant has applied for a Class CR license for restaurant ("the Establishment") with a sidewalk café to be located at 455 Massachusetts Avenue N.W., Suite #100, Washington, D.C. (the "Premises");

WHEREAS, the parties are desirous of entering into a Settlement Agreement pursuant to D.C. Official Code § 25-446 governing certain aspects of the operation and maintenance of the Establishment in such a manner as to minimize the potential for negative effects of the Establishment on the surrounding neighborhood; and

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants and conditions set forth below, 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 operate and manage a restaurant with indoor seating to be governed by its Certificate of Occupancy and a sidewalk café with seating determined by its Public Space Permit.
3. *Hours of Operation/Entertainment.*
 - a. The Applicant's hours of operation and hours of sale and service of alcohol in the interior of the Establishment shall be:
Sunday through Saturday, 11 a.m. to 2 a.m.

Provided, however: (1) On days designated by the ABC Board as "extended hours for ABC Establishments," Applicant may serve alcoholic beverages for one additional hour (in this case, until 3 a.m.); (2) In the event the Council of the District of Columbia or the ABC Board grant licensees generally extended operating hours for particular dates, holidays or events, Applicant may avail itself of such extended hours; and, (3) On January 1 of each year, Applicant may operate and service alcoholic beverages until 4 a.m.

- b. The Applicant's hours of operation and hours of sale and service of alcohol on the sidewalk café of the Establishment shall be:
Sunday through Saturday, 11a.m to 12a.m.
 - c. The Establishment has not requested an entertainment endorsement and shall not have live entertainment in the interior of the Premises or on the sidewalk café. If Applicant desires to host live entertainment, it shall apply for an entertainment endorsement with the ABC Board.

4. *Valet Parking.* Applicant may offer valet parking to its evening customers, to be located on "I Street". Applicant shall not set up a valet station on Massachusetts Avenue, N.W., but a removal valet sign may be placed on Massachusetts Avenue alerting patrons of the valet's location on "I Street."
5. *Exterior of the Establishment.* The exterior of the Premises, including the adjacent sidewalk café, shall be maintained in a neat, clean and orderly manner. Applicant shall provide a receptacle for disposal of cigarettes.
6. *Incorporation of Agreement into License.* The parties request that the ABC Board enter an order approving Applicant's license application subject to the terms of this Agreement.

ADVISORY NEIGHBORHOOD
COMMISSION 6E:

By: 
Marge Maceda, Chairperson

TEXAS DE BRAZIL (DC) CORPORATION

By: 
Leila Izzedin, President