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

_____)
In the Matter of:)

Christian & Dave, Inc.)
t/a Colony Liquors)

Application for a Retailer's License)
Class A - renewal)
at premises)
4901 Georgia Avenue, N.W.)
Washington, D.C.)
_____)

App. No. 804-97034P

Dwight Singleton and Zarita Pearson, on behalf of VIVRA Renal Care, Protestants

Andrew Kline, Esquire, on behalf of the Applicant

**BEFORE: BARBARA L. SMITH, ESQUIRE, CHAIR;
DENNIS BASS, MEMBER;
ALLEN BEACH, MEMBER;
MARY EVA CANDON, ESQUIRE, MEMBER;
LAVERNE KING, MEMBER;
EYDIE WHITTINGTON, MEMBER;
DUANE WANG, MEMBER**

ORDER ON A WITHDRAWN PROTEST

The application, having been protested came before the Board for public hearing on May 28, 1997 and was continued until June 25, 1997, and November 19, 1997, in accordance with D.C. Code Section 25-115(c)(5)(1996 Supp.), providing for remonstrants to be heard. Dwight Singleton, and Zarita Pearson on behalf of VIVRA Renal Care, filed timely protest letters and petitions.

The official records of the Board reflect that the parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the Agreement dated November 10, 1997, the Protestants

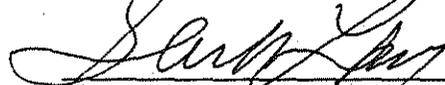
Christian & Dave, Inc.
t/a Colony Liquors
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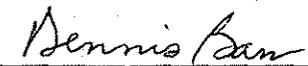
have agreed to withdraw the opposition, provided, however the Board's approval of the pending application is conditioned.

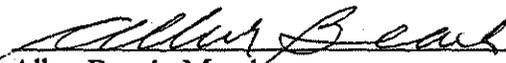
Accordingly, it is this 18th day of March 199⁷, **ORDERED** that:

1. The protests of Dwight Singleton and Zarita Pearson, on behalf of VIVRA Renal Care, be, and the same hereby, are **WITHDRAWN**;
2. The above-referenced Agreement between the parties be, and the same hereby, is **INCORPORATED** as part of this Order;
3. The application of Christian & Dave, Inc., t/a Colony Liquors for a retailer's license class A - renewal at premises 4901 Georgia Avenue, N.W., be, and the same hereby, is **GRANTED**; and,
4. Copies of this Order shall be sent to the Protestants, the Attorney for the Applicant, and the Applicant.

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

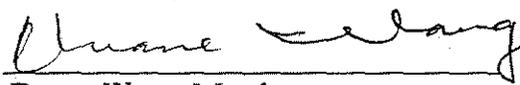

Barbara L. Smith, Esquire, Chair


Dennis Bass, Member


Allen Beach, Member

Mary Eva Candon, Esquire, Member

Laverne King, Member


Duane Wang, Member

Eydie Whittington

*BRF: ABC
11/19/97
Est*

VOLUNTARY AGREEMENT

THIS AGREEMENT made this 19th day of ~~September~~ ^{November}, 1997, by and between CHRISTIAN & DAVE, INC. T/A COLONY LIQUORS ("Applicant") and DWIGHT E. SINGLETON, ZARITA PEARSON and MARY HOOKER ROBINSON ("Protestants").

WITNESSETH

WHEREAS, Applicant is the holder of a retailer's license class A at premises 4901 Georgia Avenue, NW, Washington, DC, application no. 804;

WHEREAS, Applicant has applied for reissuance of the license;

WHEREAS, Protestants have protested the reissuance of the license pursuant to the provisions of section 14(b) of District of Columbia Alcoholic Beverage Control Act;

WHEREAS, given the desire and understanding that the APPLICANT wishes to work with the PROTESTANTS and become part of the community to assist in solving some of the problems present in the neighborhood, particularly those attributable to the operation of an alcoholic beverage establishment near a residential neighborhood; and

WHEREAS, the parties have agreed to enter into this Voluntary Agreement and to request the Board to approve the issuance of Applicant's reissuance license application condition, upon Applicant's compliance with the terms of this written agreement.

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. The recitals set forth above are incorporated and herein by reference.
2. If Jefferson Liquors, Hamilton Liquors, Twin Liquors and Three Way Liquors and their successors (the "Neighboring Stores") all agree to limit the sale of alcoholic beverages in single serving packaging such that single servings are not to be as single units but only as part of a "six-pack" or case, than Applicant shall agree to comply with the least restrictive limitation concerning single units agreed to be the Neighboring Stores.
3. Applicant agrees not to sell products associated with illegal drug activities, such as cigarette papers, pipes, and bong, among other things, and will refuse to sell alcoholic beverages to persons who frequently congregate for extended periods or engage in boisterous conduct in or immediately near its business premises. The Applicant shall notify the Metropolitan Police Department if such activity and conduct persist in or immediately near its premises. *OK*
4. Applicant agrees to prevent customers and others from consuming alcoholic beverages in the areas adjacent to the premises. Applicant shall instruct any person consuming alcoholic beverages adjacent to the premises to move on and shall notify the *OK*

Metropolitan Police Department of any increased activity.

5. Applicant agrees to use its best efforts to have liquor distributors and other purveyors make deliveries to the Business Premises only between the hours of 7:00 a.m. and 1:00 p.m. *ok*

6. Applicant agrees to meet, at least quarterly, with a community advisory group to discuss issues and solutions to problems concerning the operation of Applicant's liquor store and the neighborhood. The community advisory group shall be made up of a representative from the Advisory Neighborhood Commissioners (ANC) 4D06, neighborhood church community, and local business community. *every 3 - mon*

7. Applicant agrees to prohibit persons under the age of 18 from entering its establishment before 3:00 p.m. and any day on which schools are in session. *ok*

8. Applicant agrees to comply with the District of Columbia Department of Consumer and Regulatory Affairs' statutes and regulations governing trash collection and maintaining cleanliness from store front to the street curb. *ok*

9. Applicant agrees to sponsor a little league baseball team for neighborhood children to participate each Spring and Summer. *donated to project sample*

10. Protestants hereby withdraw their protest and join with the Applicant in requesting the Alcohol Beverage Control Board to accept this agreement as a condition of reissuance of Applicant's license.

11. Protestants warrant and represent that they have the authority to enter into this agreement on behalf of all of the Protestants to reissuance of the Applicant's license.

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

WITNESS

APPLICANT:

Christian & Dave, Inc.

Andrew J. Kline

By:

Dave Pauling
Secretary, Treasurer

PROTESTANTS:

DWIGHT E. SINGLETON

Dwight E. Singleton

Dwight E. Singleton

ZARITA PEARSON

Zarita Pearson

Zarita Pearson

Mary Hooker Robinson