

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

<b>In the Matter of:</b>	)	
La Plaza Inc.	)	
t/a La Plaza Mexican Restaurant	)	
Application for Substantial Change	)	
(Increase the Occupancy and	)	License No. ABRA-060614
Extension of Hours)	)	Order No. 2012-439
to Retailer's Class CR License	)	
at premises	)	
629 Pennsylvania Avenue, S.E.	)	
Washington, D.C. 20003	)	
	)	

La Plaza Inc., t/a La Plaza Mexican Restaurant

Andrew Jared Critchfield, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 6B

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member

**ORDER ON VOLUNTARY AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that La Plaza Inc., t/a La Plaza Mexican Restaurant (Applicant) and ANC 6B have entered into a Voluntary Agreement (Agreement), dated October 10, 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 Andrew Jared Critchfield, on behalf of ANC 6B, are signatories to the Agreement.

**La Plaza Inc.**  
**t/a La Plaza Mexican Restaurant**  
**License No. ABRA-060614**  
**Page 2**

Accordingly, it is this 31<sup>st</sup> day of October, 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:

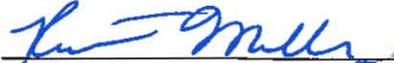
Section 2 (Nature of the Business) – The following sentence shall be modified to read as follows: “The Applicant will manage and operate a restaurant serving food at the listed address.”

The parties have agreed to this modification.

2. Copies of this Order shall be sent to the Applicant and ANC 6B.

**La Plaza Inc.**  
**t/a La Plaza Mexican Restaurant**  
**License No. ABRA-060614**  
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District of Columbia  
Alcoholic Beverage Control Board



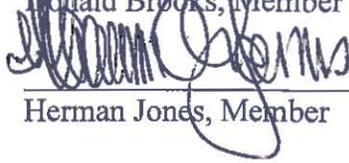
Ruthanne Miller, Chairperson



Nick Alberti, Member

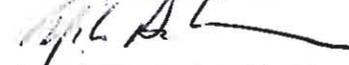


Donald Brooks, Member



Herman Jones, Member

Calvin Nophlin, 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 14<sup>th</sup> Street, N.W., Suite 400S, Washington, D.C. 20009.

## VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT is made on this 10<sup>th</sup> day of October, 2012 by and between La Plaza, Inc., t/a La Plaza Mexican Restaurant, Applicant, and Advisory Neighborhood Commission 6B.

### WITNESSETH

WHEREAS, Applicant has applied for a change to approved hours and seating for license # ABRA - 060614, for premises at 629 Pennsylvania Ave, SE, Washington, DC, 20003, which is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC, and,

WHEREAS, the Parties desire to enter into an agreement governing certain understandings regarding the issuance of a Restaurant Class C License at the subject premises; and,

WHEREAS, the Parties are desirous of entering into a Voluntary Agreement pursuant to D.C. Official Code § 25-446 for the operation and maintenance of the Establishment in such a manner as to promote the peace, order and quiet of the neighborhood. Both parties recognize the importance of business neighborhoods that are safe, clean, and "pedestrian friendly".

NOW, THEREFORE, 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 manage and operate a restaurant serving Mexican food at the listed address. There will be no amplified live music or live entertainment on the premises.
3. ***Hours of Operation and Sales.***

The Applicant's hours of sales and service for the premises shall be as follows:

Indoors:

Sunday – Thursday 10:00 a.m. – 2:00 a.m.

Friday and Saturday 10:00 a.m. – 3:00 a.m.

Sidewalk Café:

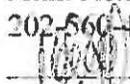
Sunday – Saturday 10:00 a.m. – 12:00 a.m.

4. ***Floors Utilized and Occupancy.*** The Applicant will operate its establishment on the first floor with an occupancy load of 70; and a the sidewalk café with 20 seats. Applicant will ultimately adhere to the seating as provided in the COO.

5. **Noise and Privacy.** Applicant will strictly comply with D.C. Official Code § 25-725 and to that end shall make architectural improvements to the property and take all necessary actions to ensure that noise and vibration from the Establishment are not audible outside the establishment at any time. Applicant will not operate the premises as a nightclub, dance venue, or similar venue.
6. **Public Space and Trash.** Applicant shall keep the sidewalk (up to and including the curb), tree box (es), curb, and alley clean and free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall police these areas sufficiently to assure that refuse and other materials are promptly removed. Applicant agrees to minimize noise from end of the day clean-up. Commercial trash pick up in residential areas will only take place between 7 a.m.-9 p.m.
7. **Ruts and Vermin Control.** The Applicant shall provide rat and vermin control for its property. Applicant shall have the Establishment and the area around the Premises properly cleaned at the end of each night to ensure no garbage and odors are present the following morning.
9. **Security Cooperation in Stemming Illegal Drugs and Public Drinking.** Applicant agrees that it shall take all necessary steps to minimize such problems, including, without limitation, designating a sufficient number of employees to assure adequate security and to control unruly patrons, whether inside or in the immediate outside area; monitoring for and prohibiting sales or use of illegal drugs within or about the Premises, maintaining contact and cooperating with MPD and other enforcement officials when known or suspected drug activities occur.

Applicant shall to the full extent permissible by law discourage loitering in the vicinity of the Premises.

IN WITNESS WHEREOF, the parties have affixed hereunto their signatures.

Applicant: La Plaza, Inc  
 dba: La Plaza Mexican Restaurant  
 629 Pennsylvania Ave, SE  
 Washington, DC 20003  
 Attn: Henry Mendoza  
 202-560-4913  
 Henry Mendoza (Signature)

ANC: Advisory Neighborhood Commission  
 921 Pennsylvania Ave, SE  
 Washington, DC 20003  
 Andrew Jared Critchfield, Chairperson  
 (202) 543-3344

 (Signature)

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

**In the Matter of:**

La Plaza, Inc.

t/a La Plaza Mexican Restaurant

Application for Renewal of the

Retailer's Class CR License

at premises

629 Pennsylvania Ave., S.E.

Washington, D.C.

) License No. 60614

) Order No. 2007-086

La Plaza, Inc., t/a La Plaza Mexican Restaurant, the Applicant

Julie Olson, Chairperson, Advisory Neighborhood Commission 6B

**BEFORE:** Peter B. Feather, Acting Chairperson

Vera M. Abbott, Member

Judy A. Moy, Member

Audrey E. Thompson, Member

Albert G. Lauber, Member

Mital M. Gandhi, Member

**ORDER ON VOLUNTARY AGREEMENT**

The official records of the Alcoholic Control Board (Board) reflect that Applicant and Julie Olson, Chairperson of Advisory Neighborhood Commission (ANC) 6B (collectively, the Parties) have entered into a Voluntary Agreement (Agreement) dated May 8, 2007 setting forth the terms and conditions by which the Applicant would operate its establishment. The Agreement has been reduced to writing and has been properly executed and filed with the Board. Both Parties are signatories to the Agreement.

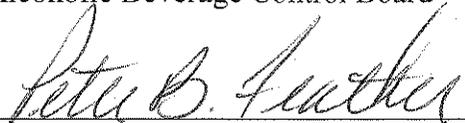
**La Plaza, Inc.**  
**t/a La Plaza Mexican Restaurant**  
**License No. 60614**  
**Page Two**

Accordingly, it is this 3rd day of October 2007, **ORDERED** that:

1. The above-referenced Voluntary Agreement is **INCORPORATED** as part of this Order; and
2. The Application of La Plaza, Inc. t/a La Plaza Mexican Restaurant, 629 Pennsylvania Ave., S.E., Washington, D.C., for renewal of its Retailer's Class CR License is **APPROVED**;
3. Copies of this Order shall be sent to the Applicant and ANC 6B.

La Plaza, Inc.  
t/a La Plaza Mexican Restaurant  
License No. 60614  
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District of Columbia  
Alcoholic Beverage Control Board

  
Peter B. Feather, Acting Chairperson

  
Vera M. Abbott, Member

  
Judy A. Moy, Member

Audrey E. Thompson, Member

  
Albert G. Lauber, Member

  
Mital M. Gandhi, 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.

Voluntary (Cooperative) Agreement

Made this 8<sup>th</sup> day of May, 2007, by and between La Plaza, Inc., t/a La Plaza Mexican Restaurant (the Applicant), and Advisory Neighborhood Commission 6B, (the ANC, Collectively, the "Parties").

WITNESSETH

WHEREAS, Applicant's application for a Retailers' Class "CR" license for premises, 629 Pennsylvania Avenue, S.E., Washington, DC, 20003, ABC License # 25153, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC; and,

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issue of a Retailers' Class "CR" Liquor License at the subject premises;

WHEREAS, the parties wish to state their mutual desire to promote the peace, order and quiet of the neighbors in the immediate area. Both parties recognize the importance of business neighborhoods that are safe, clean and "pedestrian friendly".

NOW, THEREFORE, the parties agree as follows:

1. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
  - a. Picking up trash, including beverage bottles and cans, on a daily basis; and,
  - b. Sweeping the outside of the establishment on a daily basis; and,
  - c. Taking due diligence to prevent vermin infestation in and around the establishment, including following the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
2. The Applicant will not provide, or permit, a disc jockey, amplified live music or amplified live entertainment at the premises.
3. Any music provided on the Premises will not be audible outside of the premises.
4. Sales and Service of alcoholic beverages inside and sidewalk will be Monday through Sunday, 11:00 AM to 12:00 AM.

5. Applicant will not operate the Premises as a nightclub, dance venue or similar venue.

In consideration of, and reliance upon, the commitments reflected in paragraphs 1 thru 5 the ANC will not oppose the applicant's pending license application.

The parties further agree that any failure of Applicant to adhere to the foregoing commitment would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R.

1513.5

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

ANC 6B:

By: \_\_\_\_\_



By: \_\_\_\_\_

  
Julie Olson, Chair