

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

In the Matter of:)	
)	
New York Avenue Beach Bar, LLC)	
t/a New York Avenue Beach Bar)	
)	
Applicant for a New)	
Retailer's Class CT License)	License No. ABRA-089365
)	Order No. 2012-534
at premises)	
645 New York Avenue, N.W.)	
Washington, D.C. 20001)	
)	

New York Avenue Beach Bar, LLC, t/a New York Avenue Beach Bar (Applicant)

Alexander M. Padro, Chairperson, Advisory Neighborhood Commission (ANC) 2C

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

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that New York Avenue Beach Bar, LLC, t/a New York Avenue Beach Bar, Applicant for a new Retailer's Class CT license, located at 645 New York Avenue, N.W., Washington, D.C., and ANC 2C have entered into a Voluntary Agreement (Agreement), dated March 7, 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 Alexander M. Padro, on behalf of ANC 2C, are signatories to the Agreement.

New York Avenue Beach Bar, LLC
t/a New York Avenue Beach Bar
License No. ABRA-089365
Page 2

Accordingly, it is this 13th day of December, 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 modifications:

Paragraph 3 – The following language shall be removed: “Said services are to be provided by U Street Parking.”

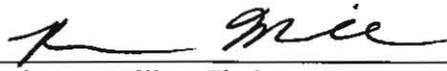
Paragraph 6 – The following sentence shall be modified to read as follows: “The Establishment agrees to daily maintenance of the sand that will be present at the Establishment and general site maintenance and upkeep.”

The parties have agreed to these modifications.

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

New York Avenue Beach Bar, LLC
t/a New York Avenue Beach Bar
License No. ABRA-089365
Page 3

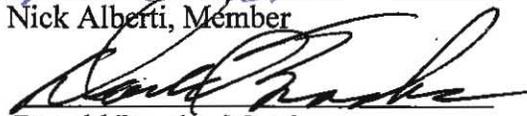
District of Columbia
Alcoholic Beverage Control Board



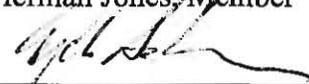
Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member

Herman Jones, 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.

VOLUNTARY AGREEMENT BETWEEN ADVISORY NEIGHBORHOOD COMMISSION 2C
AND NEW YORK AVENUE BEACH BAR, LLC

Advisory Neighborhood Commission 2C ("the Commission") and New York Avenue Beach Bar, LLC ("the Establishment"), having agreed on a number of provisions related to the issuance of stipulated and permanent Alcoholic Beverage Control licenses for said establishment to operate at 645 New York Avenue, NW, agree to the terms and conditions detailed in this Agreement.

The Establishment will be applying for a Retailer's Class CT (Tavern) license, to be issued by the District of Columbia Alcoholic Beverage Regulation Administration (ABRA). The Commission agrees to support the application for said license pursuant to the terms and conditions stipulated in this Agreement.

In order to address any potential negative impacts related to increased parking demand resulting from the operation of the Establishment, the Establishment agrees that it will arrange for valet parking services to be offered to customers during the hours of operation stipulated in the Application and approved by the Alcoholic Beverage Control Board ("the ABC Board"). Said services are to be provided by U Street Parking.

In order to encourage the use of bicycles as a means of transportation for customers to arrive at and depart from the Establishment, bicycle racks shall be placed by the Establishment on the sidewalk in front of the Establishment.

Multiple means of public transportation are available in the area. The Establishment shall, through its website and promotions, encourage the use of public transportation by customers.

The Establishment agrees to employ neighborhood youth to help perform daily maintenance of the sand that will be present at the Establishment and general site maintenance and upkeep. The Commission agrees to help promote these job opportunities to neighborhood youth.

The Establishment shall not include facilities for the preparation of food. However, a space on the premises of the Establishment shall be allocated for a Food Truck to sell food to the Establishment's customers. This space shall not be in public space, but on the property to be utilized by the Establishment.

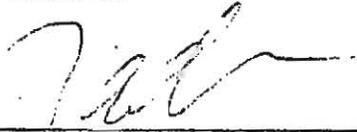
The Establishment shall provide and maintain emergency egress from the businesses that currently have an entrance/exit on the west wall facing the Establishment. The Establishment agrees to install additional lighting in said emergency egress area to discourage loitering there during and after normal hours of operation. The Establishment shall also use Closed Circuit TV cameras to enhance security in this area.

The Establishment agrees to provide private security to control crowds onsite and at the entrance to the Establishment.

In the event that either the District of Columbia Alcoholic Beverage Regulation Administration or the Alcoholic Beverage Control Board, or both entities, reject, refuse to approve, or cannot enforce any of the conditions of this Agreement, the Commission agrees to withdraw said conditions and allow the balance of the Agreement to remain in effect.

Agreed this Seventh day of March, 2012.

For ANC 2C:



Alexander M. Padro
Chair, ANC 2C

For New York Avenue Beach Bar, LLC:



Robert Bailey
Member