

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

In the Matter of:

After Peacock Room, Inc.
t/a After Peacock Room

Applicant for a New
Retailer's Class CR

at premises
2622 P Street, N.W.
Washington, D.C. 20007

Case No. 14-PRO-00061
License No. ABRA-095964
Order No. 2014-382

After Peacock Room, Inc., t/a After Peacock Room (Applicant)

Ron Lewis, Chairperson, Advisory Neighborhood Commission (ANC) 2E

Pamela Moore, President, Citizens Association of Georgetown (CAG)

Robert Yahn, Daisy Sewell and Robert Stout, Abutting Property Owners (Abutting Property Owners)

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 AND WITHDRAWAL OF
PROTESTS OF ANC 2E, CAG, AND ABUTTING PROPERTY OWNERS**

The Application filed by After Peacock Room, Inc., t/a After Peacock Room, for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 15, 2014, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant, ANC 2E, CAG, and the Abutting Property Owners have entered into a Settlement Agreement (Agreement), dated September 29, 2014, that governs the operation of the Applicant's establishment.

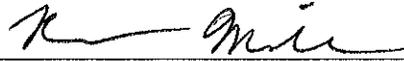
The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant; Chairperson Ron Lewis, on behalf of ANC 2E; Pamela Moore, on behalf of CAG; and Robert Yahn, on behalf of the Abutting Property Owners; are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protests filed by ANC 2E, CAG, and the Abutting Property Owners.

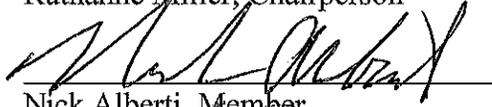
Accordingly, it is this 22nd day of October, 2014, **ORDERED** that:

1. The Application filed by After Peacock Room, Inc., t/a After Peacock Room, for a new Retailer's Class CR License, located at 2622 P Street, N.W., Washington, D.C., is **GRANTED**;
2. The Protests of ANC 2E, CAG, and the Abutting Property Owners in this matter are hereby **WITHDRAWN**;
3. The above-referenced Settlement Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Applicant, ANC 2E, CAG, and Robert Yahn, on behalf of the Abutting Property Owners.

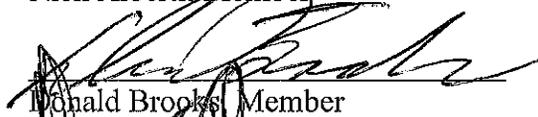
District of Columbia
Alcoholic Beverage Control Board



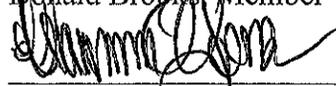
Ruthanne Miller, Chairperson



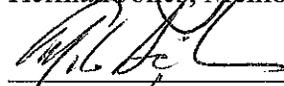
Nick Alberti, Member



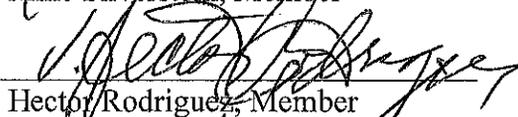
Donald Brooks, Member



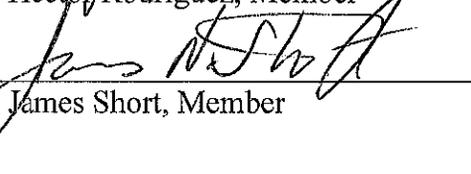
Herman Jones, Member



Mike Silverstein, Member



Hector Rodriguez, Member



James Short, Member

Pursuant to D.C. Official Code § 25-433, 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.

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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to D.C. Official Code § 25-433, 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).

AGREEMENT

THIS AGREEMENT ("Agreement") is made by After Peacock Room, Inc., a District of Columbia corporation, t/a After Peacock Room (the "Applicant") with Advisory Neighborhood Commission 2E ("the ANC"), the Citizens Association of Georgetown ("CAG"), and Robert Yahn, the latter a resident at 1417 27th Street, NW (hereinafter together "the Protestants").

WHEREAS, the Applicant has applied for a Retailer's Class "C" restaurant license for the property located at 2622 P Street NW, License No. ABRA-095964, which is pending approval before the District of Columbia Alcoholic Beverage Control (ABC) Board, and

WHEREAS, the ANC represents the residents and taxpayers within its boundaries and wishes to insure that no establishment that sells alcoholic beverages will adversely affect the health, safety, and quality of life in the surrounding community; and

WHEREAS, CAG is a citizens association incorporated under the laws of the District of Columbia which represents the interests of the residents of Georgetown; and

WHEREAS, in order to secure the aforementioned approval, Applicant has agreed to enter into this Agreement commemorating certain understandings regarding the Applicant's operational plans; in recognition of the ABC Board's policy of encouraging parties to a protested proceeding to settle their differences by negotiating agreements, the parties hereto being desirous of entering into an agreement whereby, subject to the approval of the ABC Board, the Applicant will agree to adopt certain measures to address the Protestant's concerns and the Protestants will agree to the issuance of the ABC License and withdraw the Protest.

NOW THEREFORE, in consideration of the agreements set forth herein, the parties hereto mutually agree as follows:

1. Nature of Operation. The Applicant will operate at all times as a bona fide Class CR Restaurant with service of alcoholic beverages limited to beer and wine. Food and beverage service shall be limited to the interior of the premises with occupancy of 46 patrons, and with no service or accommodation for patrons in the exterior of the property.
2. Hours of Operation. The hours of operation shall be Wednesday through Monday 10:00 a.m. —10:00 p.m., and Tuesday 7:00 a.m – 10:00 p.m.
3. Trash Pick-Up and Removal. Applicant will maintain regular trash removal at a minimum of twice weekly. All trash shall be stored on the premises until it is picked up for removal. The Applicant shall keep all trash containers tightly closed and incapable of being entered by rodents, in order to limit odors and control pest and rodent populations.

4. Ingress and Egress. No patron shall be allowed ingress or egress at any location, including at the rear of the property, except at the building's designated front entrance (or in case of an emergency.)

The parties agree that the above provisions are conditions of the license and any failure of Applicant to adhere to the foregoing commitments would constitute grounds for any or all of the Protestants to petition the ABC Board for issuance of an order to show cause. Prior to so petitioning, however, Protestants shall notify the Applicant of any perceived violations and afford Applicant at least seven (7) calendar days in which to address or rectify the perceived violation.

This written agreement constitutes the only agreement among the parties and may be modified only by the written agreement of all the parties.

IN WITNESS THEREOF, the parties have affixed hereunto their signatures on the year and the day indicated below.

Executed this 29th day of Sept 2014.

APPLICANT

After Peacock Room, Inc. t/a After Peacock Room

BY: *Heewon Ra*
Heewon Ra

BY: *Ron Lewis*
Ron Lewis, Chairman
ADVISORY NEIGHBORHOOD COMMISSION 2E

BY: *Pamela H. Moore*
Pamla Moore, President
CITIZENS ASSOCIATION OF GEORGETOWN

BY: *Robert M. Yahn*
Robert Yahn