

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

<b>In the Matter of:</b>	)	
	)	
District Taco, LLC	)	
t/a District Taco	)	
	)	
Holder of a	)	License No. ABRA-092791
Retailer's Class DR License	)	Order No. 2016-337
	)	
at premises	)	
656 Pennsylvania Avenue, S.E.	)	
Washington, D.C. 20003	)	

District Taco, LLC, t/a District Taco (Licensee)

Kirsten Oldenburg, Chairperson, Advisory Neighborhood Commission (ANC) 6B

**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
Ruthanne Miller, Member  
James Short, Member

**ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that District Taco, LLC, t/a District Taco (Licensee), located at 656 Pennsylvania Avenue, S.E., Washington, D.C., and ANC 6B entered into a Settlement Agreement (Agreement), dated September 10, 2013, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated May 10, 2016, in accordance with D.C. Official Code § 25-446 (2001).

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Kirsten Oldenburg, on behalf of ANC 6B, are signatories to the Amendment.

Accordingly, it is this 25th day of May, 2016, **ORDERED** that:

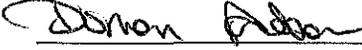
1. The above-referenced Amendment to Settlement Agreement, dated May 10, 2016, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

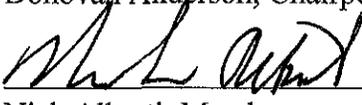
Section 2 (Hours of Operation and Sales) – The following language shall be modified to read as follows: “Applicant’s sale of alcohol on the Sidewalk Café shall be as follows: Sunday through Saturday: 11:00 a.m. – 10:00 p.m.”

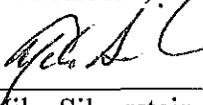
The parties have agreed to this modification.

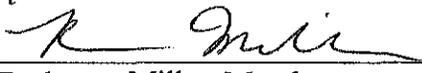
2. All terms and conditions of the original Settlement Agreement, not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6B.

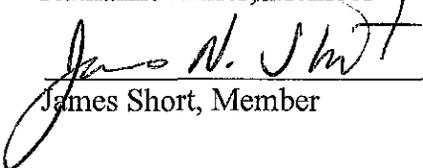
District of Columbia  
Alcoholic Beverage Control Board

  
\_\_\_\_\_  
Donovan Anderson, Chairperson

  
\_\_\_\_\_  
Nick Alberti, Member

  
\_\_\_\_\_  
Mike Silverstein, Member

  
\_\_\_\_\_  
Ruthanne Miller, 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 14<sup>th</sup> 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).

**AMENDMENT TO SETTLEMENT AGREEMENT**

This amendment to Settlement Agreement (“Amendment”) is made this 10<sup>th</sup> day of May, 2016 by and between District Taco, LLC d/b/a District Taco (“Applicant”) and Advisory Neighborhood Commission 6B (“ANC6B”).

WITNESSETH

WHEREAS, ANC6B and Applicant previously entered into a Settlement Agreement dated September 10, 2013 which agreement was approved by the Alcoholic Beverage Control Board (“ABC Board”) by Order dated January 8, 2014 (“Agreement”);

WHEREAS, Applicant as the current holder of the License, is bound by the terms of the Agreement;

WHEREAS, the Agreement, section 6 addresses “Public Space and Trash”;

WHEREAS, the ANC6B and Applicant seek to amend the Agreement in the manner hereinafter provided;

WHEREAS, the Applicant currently does not use any exterior dumpster and exclusively disposes of all waste, recycling, and grease into an interior trash space consistent with the current best practices for trash management;

NOW, THEREFORE, the parties agree as follows:

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Hours of Operation and Sales.** (Agreement Section 2)

Applicant’s hours of operation and alcoholic beverage sales may be changed from time to time at Applicant’s discretion, as may be otherwise permitted by its License, but in no event shall exceed or extend beyond the following:

Applicant’s hours of Operation shall be as follows:

Sunday through Saturday: 7:00 a.m. – 10:00 p.m.

Applicant’s sale of alcohol on the Sidewalk Cafe shall be as follows:

Sunday through Sunday: 11:00 a.m. – 10:00 p.m.

Provided, however, that (1) on days designated by the DC ABC Board as “extended Hours for ABC Establishments,” Applicant may serve alcoholic beverages for one additional hour; (2) in the event the Council of the District of Columbia or the ABC Board grant licensees in general extended operating hours for particular event(s), Applicant may avail itself of such extended hours; and, (3) on January 1 of each year

Applicant may serve alcoholic beverages and provide entertainment until 3 a.m. Applicant must submit, as required by regulation, any forms or document to the authorizing agency for such extended hours. These extended hours are for inside the establishment.

**3. Public Space and Trash. (Agreement Section 6)**

Applicant shall operate its Sidewalk Café consistent with the terms and conditions of its Public Space Management Branch Certification for such space, and shall cause its employees to maintain the Sidewalk Café in a clean and orderly manner, and not to cause or permit storage of any refuse, foodstuffs, perishable or odiferous materials in or adjacent to the Premises. Applicant shall cause the area extending from the front door(s) to the curb in front of the Establishment to be regularly swept, power-washed, and shall remove litter and debris on not less than a daily basis, weather permitting. Applicant shall provide exterior receptacles for extinguishing and disposing of smoking materials, and such supplemental refuse disposal receptacles as may be reasonably required to contain and minimize public disposal of waste and litter originating from the Premises.

Applicant shall exclusively utilize the existing interior trash storage room to store all grease, recyclable trash, and non-recyclable trash (garbage). The interior trash storage room does have direct access from the dining, hallway, and/or kitchen area. The interior trash storage room is constructed in compliance with DC Department of Health requirements for indoor trash storage.

**4. Agreement Otherwise in Full Force and Effect.**

Except as otherwise explicitly provide herein, the agreement from 2014 shall remain in full force effect and the Agreement as this Amendment shall constitute the agreement between the parties. This Amendment may only be modified by written agreement of the parties or their successors, or otherwise in accordance with law.

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

Applicant:

District Taco, LLC d/b/a District Taco  
ABRA# 092797  
656 Pennsylvania Ave., SE  
Washington, DC 20003  
Phone: ~~202-355-5915~~ 202-340-6702  
Email: cmedhurst@districttaco.com  
Chris Medhurst, Owner  
Managing Member

Signature: 

Date: 05 / 10 / 2016

ANC:

Advisory Neighborhood Commission 6B  
921 Pennsylvania Avenue, SE  
Washington, DC 20003  
Kirsten Oldenburg, Chairperson

Signature: 

Date: 5-10-16

# ANC 6B

*Capitol Hill / Southeast*

921 Pennsylvania Avenue SE  
Washington, DC 20003-2141  
6B@anc.dc.gov  
202-546-8542

May 11, 2016

## OFFICERS

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*Kirsten Oldenburg*

Vice-Chair  
*Nick Burger*

Secretary  
*Daniel Chao*

Treasurer  
*Diane Hoskins*

Parliamentarian  
*Denise Krepp*

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SMD 2 *Diane Hoskins*  
SMD 3 *James Loots*  
SMD 4 *Kirsten Oldenburg*  
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SMD 6 *Nick Burger*  
SMD 7 *Daniel Chao*  
SMD 8 *Chander Jayaraman*  
SMD 9 *Daniel Ridge*  
SMD 10 *Denise Krepp*

Donovan Anderson, Chair  
Alcoholic Beverage Control Board  
2000 14<sup>th</sup> Street NW, Suite 400S  
Washington, DC 20009

VIA E-MAIL: [abra.legal@dc.gov](mailto:abra.legal@dc.gov)

RE: ABRA-092791—District Taco, 656 Pennsylvania Avenue SE, renewal of  
Class D Restaurant license

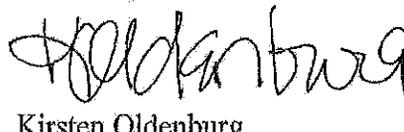
Dear Mr. Anderson:

At its regularly scheduled, properly noticed meeting on May 10, 2016, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 10-0-0 to support the above-referenced ABC license renewal.

For your review and approval, please find attached an Amendment to the existing Settlement Amendment (Board Order 2014-009), which was executed by both parties.

Please contact Commissioner Chander Jayaraman, ANC 6B's Alcohol Beverage Control Committee Chair, at 202-546-2609 or [chander6b08@anc6b.org](mailto:chander6b08@anc6b.org) if you have questions or need further information. Thank you.

Sincerely,



Kirsten Oldenburg  
Chair

Attachment