

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

In the Matter of:	)	
	)	
Staccato Enterprises, Inc.	)	
t/a Redrocks	)	
	)	License No. 075299
Applicant for Renewal of a	)	Order No. 2010-444
Retailer's Class CR License	)	Case No. 10-PRO-00025
at premises	)	
1036 Park Road, N.W.	)	
Washington, D.C. 20010	)	

Staccato Enterprises, Inc., t/a Redrocks, Applicant

Martin Thomas, Protestant

**BEFORE:** Charles Brodsky, Chairperson  
Mital M. Gandhi, Member  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member

**ORDER ON AMENDED VOLUNTARY AGREEMENT AND WITHDRAWAL OF  
PROTEST**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Staccato Enterprises, Inc., t/a Redrocks, (Applicant), has submitted an Application to Renew its Retailer's Class CR License, located at 1036 Park Road, N.W., Washington, D.C. The Applicant and Martin Thomas, have entered into an Amended Voluntary Agreement (Agreement), dated August 16, 2010, setting forth the terms and conditions that govern the operation of the Applicant's establishment. This Agreement also constitutes a withdrawal of the Protest of this Application.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Martin Thomas are signatories to the Agreement.

**Staccato Enterprises, Inc.**  
**t/a Redrocks**  
**License No. 075299**  
**Case No. 10-PRO-00025**  
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Accordingly, it is this 18th day of August 2010, **ORDERED** that:

1. The Application filed by Staccato Enterprises, Inc., t/a Redrocks (Applicant), for renewal of its Retailer's Class CR license located at 1036 Park Road, N.W., Washington, D.C., is **GRANTED**;
2. The Protest in this matter is hereby **WITHDRAWN**;
3. The above-referenced Amended Voluntary Agreement submitted by the Parties to govern the operations of the Applicant's establishment are **APPROVED** and **INCORPORATED** as part of this Order, except that the first sentence in Section 1 shall read as follows:

"Applicant agrees to install 2-inch Auralex Acoustics Studio Foam  
soundproofing where the Applicant and Protestant share a common wall."

The Parties have agreed to this modification.

4. Copies of this Order shall be sent to the Applicant and Martin Thomas.

Staccato Enterprises, Inc.  
t/a Redrocks  
License No. 075299  
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District of Columbia  
Alcoholic Beverage Control Board

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Charles Brodsky, Chairperson



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Mital M. Gandhi, Member



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Nick Alberti, Member



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Donald Brooks, Member



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Herman Jones, Member



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Calvin Nophlin, Member



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Mike Silverstein, 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, 1250 U Street, N.W., Third Floor, Washington, DC 20009.

## VOLUNTARY AGREEMENT ADDENDUM

THIS Voluntary Agreement Addendum is made and entered into this <sup>th</sup>16 day of August 2010, by and between Staccato Enterprises, Inc. d/b/a "RedRocks Firebrick Pizzeria" ("Applicant") and Martin Thomas, owner of property at 1034 Park Road N.W., 20010 ("Protestant"), and incorporates and adds to the provisions of the parties' prior Voluntary Agreement executed on November 15, 2006.

WHEREAS, a Protest Hearing is scheduled for August 18, 2010, before the District of Columbia Alcoholic Beverage Regulation Administration ("ABRA").

AND WHEREAS, both parties wish to avoid further costs and expenses associated with litigation and seek to maintain harmonious relations.

AND WHEREAS, Applicant will agree to adopt certain measures to address the Protestant's concerns and Protestant will agree to the issuance of the Applicant's license renewal and withdraws the Protest.

NOW, THEREFORE, in consideration of the mutual covenants and undertakings memorialized herein, the parties agree as follows:

1. Soundproofing: Applicant agrees to install 2-inch Auralex Acoustics Studio Foam soundproofing on the Protestant's property located 1034 Park Road N.W, in the Protestant's basement where the Applicant and Protestant share a common wall. The soundproofing will be installed in such a manner that it is fully removable without damaging or marking the common wall.
2. Kitchen Music: Applicant agrees to limit and control the volume of any music played in the Applicant's kitchen area, to a level that is not audible on the Protestant's property.
3. Noise Signage: Applicant agrees to post signs on its patio and indoors directed to both its customers and staff as reminders to limit their noise for the benefit of neighboring residents.
4. Designation of Responsible Staff: During the Applicant's hours of operation and while staff are working on-site before and after operation, it will assign a staff employee with the duty of being accountable for maintaining appropriate noise levels and this employee furthermore will be the contact person to resolve any noise-related problems.

IN THE WITNESS WHEREOF, the Parties place their signatures to the Agreement, this <sup>th</sup>16 day of August, 2010.

  
Staccato Enterprises, Inc.  
James O'Brien, President CEO

  
Martin Thomas  
Owner, 1034 Park Road, N.W.