

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

<b>In the Matter of:</b>	)	
	)	
Eugene, Inc.	)	
t/a Roland's of Capitol Hill	)	
	)	
Application for Renewal of the	)	
Single Sales Exception to a	)	License No. ABRA-078514
Retailer's Class B License	)	Order No. 2011-278
	)	
at premises	)	
333 Pennsylvania Avenue, S.E.	)	
Washington, D.C. 20003	)	
	)	

Eugene, Inc., t/a Roland's of Capitol Hill (Applicant)

Neil Glick, Chairperson, Advisory Neighborhood Commission (ANC) 6B

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

**ORDER ON APPLICATION FOR EXCEPTION  
TO SINGLE SALE MORATORIUM AND ON VOLUNTARY AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Eugene, Inc., t/a Roland's of Capitol Hill, Applicant for Renewal of the Exception to Single Sales Restriction, located at 333 Pennsylvania Avenue, S.E., Washington, D.C., and ANC 6B have entered into a Voluntary Agreement (Agreement), dated May 10, 2011, setting forth the terms and conditions that govern the operation of the Applicant's establishment and incorporating an agreement to waive the single sales restriction.

The Applicant does not have any primary or secondary tier violations within twelve months preceding the date of the Application and the ANC 6B supports this request, as demonstrated in the Voluntary Agreement among the Parties to waive the single sales restriction for this establishment subject to the terms and conditions therein. For these reasons, the Board finds no significant adverse impacts and grants the Application. The Agreement has been reduced to writing and has been properly executed

**Eugene, Inc.**  
**t/a Roland's of Capitol Hill**  
**License No. ABRA-078514**  
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and filed with the Board. The Applicant and Chairperson Neil Glick, on behalf of ANC 6B, are signatories to the Agreement.

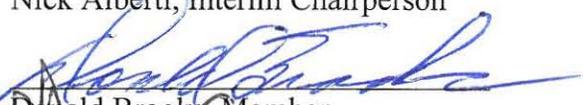
Accordingly, it is this 8<sup>th</sup> day of June 2011, **ORDERED** that:

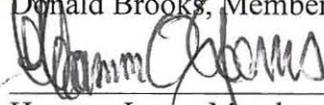
1. The Application filed by Eugene, Inc., t/a Roland's of Capitol Hill for Renewal of the Exception to the Single Sales Restriction at the location of 333 Pennsylvania Avenue, S.E., Washington, D.C., is **GRANTED**;
2. The Board's approval of this Application is perpetual and not limited to one year;
3. 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; and
4. Copies of this Order shall be sent to the Applicant and to ANC 6B.

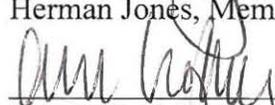
**Eugene, Inc.**  
**t/a Roland's of Capitol Hill**  
**License No. ABRA-078514**  
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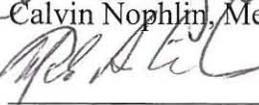
District of Columbia  
Alcoholic Beverage Control Board

  
\_\_\_\_\_  
Nick Alberti, Interim Chairperson

  
\_\_\_\_\_  
Donald Brooks, Member

  
\_\_\_\_\_  
Herman Jones, Member

  
\_\_\_\_\_  
Calvin Nophlin, Member

  
\_\_\_\_\_  
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, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, D.C. 20009.

## VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT is made on this 10th day of May, 2011 by and between Eugene, Inc., t/a Roland's of Capitol Hill and Advisory Neighborhood Commission 6B.

### WITNESSETH

WHEREAS, Applicant's renewal of an exemption for singles sales is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises at 333 Pennsylvania Ave SE 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 Retailer Class B Liquor License (ABRA #60816) 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 Retailer Class B license under the following:
  - a. That the Applicant will comply with all laws and regulations governing the operations of the establishment at 333 Pennsylvania Ave SE, within the District of Columbia, including the laws and regulations governing the Class A (Retail) license to which this Voluntary Agreement applies, as applied for and previously approved by the District of Columbia in the name of the Licensee,
  - b. That the Applicant and its officers and employees will cooperate with Advisory Neighborhood Commission 6B to address any alleged violation of the laws and regulations and in any request by the ANC that the appropriate enforcement agency investigate any violations,
  - c. That notwithstanding the restriction on sales imposed by D.C. Code §25-346 the Applicant is authorized sell, give, offer, expose for sale, or deliver an individual container

- e. Keeping a written record of dates and time when the MPD was called for assistance. Applicant's log shall be provided to the Board, and for good cause shown to the Board, to any valid protestant during hearings involving future renewals or contested proceedings involving the Applicant's license; and
  - f. Opposing the installation of payphones outside the establishment.
5. ***Public Space Cleanliness and Maintenance.*** Applicant will maintain the public space (minimally the front sidewalk up to and including the gutter in front of the subject premises, and the alleyway behind the subject premises) adjacent to the establishment in a clean and litter-free condition by:
- a. Exercising due diligence to prevent and/or rid vermin infestation in and around establishment, including, minimally the recommendation and guidelines of the Vector Control Division of the Department of Public Works;
  - b. Picking up trash, including beverage bottles and cans, daily on a regular basis;
  - c. Maintaining regular trash removal service. Obtain a dumpster to be placed in the rear of the building and ensure that the area around the dumpster is kept clean at all times. Garbage area can not encroach on abutting properties. Disposal of commercial trash pick up make take place only between 7:00 a.m. – 9:00 p.m.;
  - d. Removing snow and/or ice from sidewalks in front (and including sidewalks at the side of corner buildings) within time limits set by the District of Columbia for such snow and/ice removal; and
  - e. Planting, watering, and generally tending to tree boxes directly in front of subject premises, if any.
6. ***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. Applicant shall to the full extent permissible by law discourage loitering in the front of the Premises at all times when the Establishment is open to the public, and shall request that any individuals who are loitering are asked to move along.
7. ***License Ownership and Compliance with ABRA Regulations.*** Applicant promises that it shall abide by all Alcoholic Beverage Regulations Administration (ABRA) regulations regarding the ownership of the license and all other provisions applicable to liquor licensees. This agreement will remain in full force and effect in the event applicant sells this business.

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

 **ANC 6B**  
*Capitol Hill / Southeast*

DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE  
REGULATION ADMINISTRATION

2011 MAY 13 P 5:00

703 D Street, SE  
Washington, DC 20003  
202.543.3344  
FAX 202.543.3507

May 11, 2011

**OFFICERS**

Chairperson  
*Neil Glick*  
Vice Chairperson  
*Ivan Frishberg*  
Secretary  
*Jared Critchfield*  
Treasurer  
*Carol Green*  
Parliamentarian  
*Brian Flahaven*

Charles Brodsky, Chair  
Alcoholic Beverage Regulation Administration  
C/o Martha Jenkins  
2000 14th Street, NW, Suite 400S  
Washington, DC 20009

**RE: Roland's of Capitol Hill**  
**Application # ABRA-60816**  
**333 Pennsylvania Ave., SE**  
**Renewal of Exemption from the Ban on the Sale of Singles**

**COMMISSIONERS**

SMD 1 *David Garrison*  
SMD 2 *Ivan Frishberg*  
SMD 3 *Norman Metzger*  
SMD 4 *Kirsten Oldenburg*  
SMD 5 *Brian Pate*  
SMD 6 *Jared Critchfield*  
SMD 7 *Carol Green*  
SMD 8 *Neil Glick*  
SMD 9 *Brian Flahaven*  
SMD 10 *Francis Campbell*  
SMD 11 *Vacant*

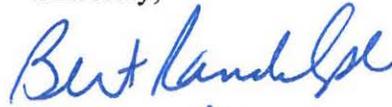
Dear Mr. Brodsky:

At a regularly called and properly noticed (via postings at Southeast Library, Eastern Market, ANC 6B website, and ANC 6B's constituents emailing list) meeting on May 10, 2011, with a quorum present (6 being a quorum), ANC 6B voted unanimously (9-0-0) to support the renewal of Roland's of Capitol Hill exemption from the sale of singles and half-pint or smaller spirits after having satisfied the one-year evaluation period without any violations.

Enclosed please find the Cooperative (Voluntary) Agreement that has been executed by Roland's of Capitol Hill and ANC 6B for your review and approval.

Please contact me should you have any questions regarding this matter.

Sincerely,



Neill Glick  
Chair, ANC 6B

Enclosure: