

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

_____)		
In the Matter of:)	
)	
Helene & Company)	
t/a Soho Tea & Coffee)	
)	
Holder of a)	License No. ABRA-080603
Retailer's Class DR License)	Order No. 2011-189
)	
at premises)	
2150 P Street, N.W.)	
Washington, D.C. 20037)	
_____)		

Helene & Company, t/a Soho Tea & Coffee ("Applicant")

Will Stephens, Chairperson, Advisory Neighborhood Commission (ANC) 2B

BEFORE: Charles Brodsky, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member

**ORDER ON VOLUNTARY AGREEMENT AND
AMENDED VOLUNTARY AGREEMENT**

Helene & Company, t/a Soho Tea & Coffee ("Applicant") and ANC 2B, entered into a Voluntary Agreement (Agreement) dated December 11, 2008, and an Amendment to Voluntary Agreement (Amendment) dated February 22, 2011, setting forth the terms and conditions by which the Applicant will operate its establishment. The Agreement was not previously approved by the Board. This matter comes now before the Alcoholic Beverage Control Board (Board) to consider the Parties' Agreement and Amendment, in accordance with D.C. Official Code § 25-446 (2001).

The official records of the Board reflect that the Parties have agreed to amend the Voluntary Agreement, dated December 11, 2008, and the Applicant and ANC 2B are signatories to the Agreement and Amendment.

The Agreement and Amendment have been reduced to writing and have been properly executed and filed with the Board. Pursuant to the Amendment, all terms and conditions of the Voluntary Agreement, dated December 11, 2008, not amended by the Amendment shall remain in full force and effect.

Accordingly, it is this 20th day of April 2011, **ORDERED** that:

1. The above-referenced Voluntary Agreement submitted by and between Helene & Company, t/a Soho Tea & Coffee, located at 2150 P Street, N.W., Washington, D.C., and ANC 2B to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

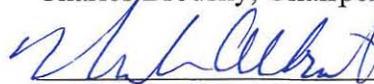
The hours of alcoholic beverage service shall be 11 a.m. to 12 a.m. Sunday through Wednesday, and 8 a.m. to 12 a.m. on Thursday, Friday, and Saturday.

2. The Amendment to Voluntary Agreement by the Applicant and ANC 2B to the December 11, 2008 Voluntary Agreement is **APPROVED** and **INCORPORATED** as part of the Voluntary Agreement and this Order; and
3. Copies of this Order shall be sent to the Applicant and ANC 2B.

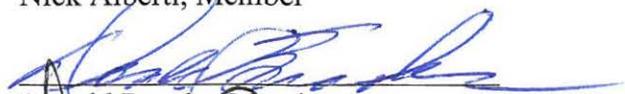
Helene & Company
t/a Soho Tea & Coffee
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District of Columbia
Alcoholic Beverage Control Board

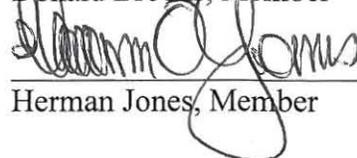
Charles Brodsky, Chairperson



Nick Alberti, Member



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 from the date of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Amendment to Voluntary Agreement

This Agreement, made and entered into this 2/22/2011, by and between Soho Tea and Coffee, 2150 P Street, NW, Washington, DC (hereinafter the "Applicant") and Advisory Neighborhood Commission 2B (hereinafter "ANC 2B").

RECITALS

WHEREAS the Applicant currently possesses a Class DR license issued by the Alcoholic Beverage Control Board of the District of Columbia for the premises known as 2150 P Street, NW; and

WHEREAS, a Voluntary Agreement currently exists between the Applicant and ANC 2B executed on December 11th, 2008; and

WHEREAS, current provisions of the Voluntary Agreement call for the hours of alcoholic beverage service to be 11 a.m. to 12 a.m. Sunday through Wednesday and 8 a.m. to 12 a.m. Thursday, Friday and Saturday;

NOW, therefore, in consideration of the Recitals set forth above, and the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

- 1) Hours of Alcoholic Beverage Service: The hours of operations set forth in the previously agreed upon voluntary are hereby amended. The Applicant agrees the hours of alcoholic beverage service shall be 11 a.m. to 2 a.m. Sunday through Wednesday, and 8 a.m. to 2 a.m. Thursday, Friday and Saturday.
- 2) Continuation of Existing Voluntary Agreement: The Applicant agrees to follow all other provisions of the existing Voluntary Agreement dated December 11th, 2008 between the Applicant and ANC 2B as previously agreed.

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

APPLICANT:

~~SOHO COFFEE AND TEA~~ **Tea And Coffee**

By: Helene Bloom
Vice President

ADVISORY NEIGHBORHOOD COMMISSION, 2B

By: Will Stephens
Chairperson

VOLUNTARY AGREEMENT

This Agreement, made and entered into this 11th day of December 2008, by and between Helene & Company, DBA "Soho Tea and Coffee", 2150 P Street, N.W., Washington, D.C. (hereinafter the "Applicant") and Advisory Neighborhood Commission 2B (hereinafter "ANC 2B").

RECITALS

WHEREAS, the Applicant has filed for a Class DR license to be issued by the Alcoholic Beverage Control Board of the District of Columbia for premises known as 2150 P Street, N.W.; and

WHEREAS, ANC 2B desires to withhold a protest of the Application; and

WHEREAS, the parties desire to enter into this Voluntary Agreement in lieu of ANC 2B's protest of the application; and

NOW, therefore, in consideration of the Recitals set forth above, and the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

1. Hours of Operation. The hours of operation of the Applicant shall be 7a.m. to 1 a.m. Sunday through Wednesday, and 7 a.m. to 4 a.m. on Thursday, Friday and Saturday. The hours of alcoholic beverage service shall be 11 a.m. to 12 a.m. Sunday through Wednesday, and 7 a.m. to 12 a.m. on Thursday, Friday and Saturday.
2. Music. Applicant shall provide background music only. Applicant shall not provide live music, shall have no disc jockey, no dancing, and no cover charge.
3. Noise. Applicant acknowledges that, historically, noise concerns have been more acute in warmer months. Applicant agrees to provide greater vigilance to address this concern during the warmer months.
4. Intoxication. Applicant shall not serve alcohol to anyone who is intoxicated, in accordance with applicable law.
5. Trash Pick-up, Extermination, and Debris Clean Up. For trash and recycling collection, Applicant shall employ a licensed company(ies) that shall agree, in writing, that collection shall not occur before 7:00 a.m. on weekdays, before 10:00 a.m. on weekends, or after 5:00 p.m. on any day. Applicant agrees to regularly schedule exterminator service for its premises.

Applicant shall keep the exterior of the Premises free of trash and weeds, and shall remove any graffiti appearing on or around the establishment. After closing each night, Applicant shall remove litter in the vicinity of the Premises, defined as the sidewalk areas adjacent to the storefront to the curb.

6. Public Payphones. Applicant shall not install any public payphones outside the Premises.
7. License Approval. ANC 2B hereby joins in with the Applicant in requesting the Alcoholic Beverage Control Board of the District of Columbia approve the Application submitted by Applicant conditioned upon Applicant's compliance with the terms of this Agreement.

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

APPLICANT:

HELENE & COMPANY
DBA 'SOHO TEA AND COFFEE'

ADVISORY NEIGHBORHOOD
COMMISSION 2B

By: 

Helene Bloom, President

By: 

Chairperson

January 21, 2009

Ramon Estrada, Chair
Advisory Neighborhood Commission 2B
Address
Washington, D.C. 20zip

Dear Chairman Estrada,

This letter serves to inform you that on January 14, 2009, the Alcoholic Beverage Control Board (Board) reviewed the Voluntary Agreement (VA) dated December 11, 2008, entered into between Soho Tea and Coffee, and Advisory Neighborhood Commission (ANC) 2B.

The Board is returning the VA to you and the Licensee for modification and execution of a new VA. The establishment is not legally permitted to serve or sell alcoholic beverages before 8:00 am on weekdays and Saturday, nor before 10:00 a.m. on Sunday. Please make this modification to Section 1. Hours of Operation, execute the document and resubmit it at your earliest convenience. Once the Board is in receipt of the modified agreement, it will then issue its final approval and Order.

Thank you for your timely cooperation. If you have any questions regarding this matter, please do not hesitate to contact me at 202/442-4448.

Sincerely,

Angela Walton
Adjudication Specialist

C: Soho Tea and Coffee