THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:	)	
Hubalou, LLC t/a Station 4	)	
Holder of a Retailer's Class CR License	)	License No. ABRA-086192 Order No. 2012-091
at premises 1101 4th Street, S.W. Washington, D.C. 20024	)	

Hubalou, LLC, t/a Station 4 (Licensee)

Andy Litsky, Chairperson, Advisory Neighborhood Commission (ANC) 6D

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Calvin Nophlin, Member
Mike Silverstein, Member
Jeannette Mobley, Member

ORDER ON AMENDMENT TO VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Hubalou, LLC, t/a Station 4, (Licensee), and ANC 6D entered into a Voluntary Agreement (Agreement), dated February 14, 2011, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Voluntary Agreement (Amendment), dated February 13, 2012, in accordance with D.C. Official Code § 25-446 (2001).

The official records of the Board reflect that the Parties have agreed to amend their Voluntary Agreement, dated February 14, 2011, to amend the hours of operation, sales/service and consumption of alcoholic beverages for the indoor space and in the summer garden on Saturdays and Sundays and hours of live entertainment in indoor space only.

All terms and conditions of the original Agreement, not amended by the Amendment, shall remain in full force and effect.

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Andy Litsky, Commissioner Bob Craycraft and Coralie Farlee, on behalf of ANC 6D, are signatories to the Agreement.

Accordingly, it is this 7th day of March 2012, **ORDERED** that:

1. The above-referenced Amendment to Voluntary Agreement, dated February 13, 2012, submitted by the Licensee and ANC 6D to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED**; and

2. Copies of this Order shall be sent to the Licensee and ANC 6D.

District of Columbia
Alcoholic Beverage Control Board

Ruthanne Miller, Chairperson

Nick Alberti, Member

Donald Brooks, Member

Calvin Nophlin, Member

Mike Silverstein, Member

Jeannette Mobley, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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.

Advisory Neighborhood Commission 6D

1101 4th Street, SW, Suite W130
Washington, DC 20024
Office: 202 554-1795 • FAX: 202 554-1774
office@anc6d.org

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION

2012 FEB 22 P 1:07

REC'D BY _____

February 13, 2012

Ms. Ruthanne Miller, Chairperson
Alcoholic Beverage Regulatory Administration
1250 U Street, N.W.
Washington, D. C. 20009

Re: Amended VA for Restaurant Class CR license number ABRA-086192 for Hubalou, LLC t/a "Station 4" 1101 4th Street, SW

The ANC6D, at its regularly scheduled meeting on February 13, 2012, with a quorum present, (a quorum being four persons), voted 5 to 0 to 0 (abstain) to recommend the following amendments to the Voluntary Agreement dated 2/14/11, Board Order 2011-158 dated March 16, 2011:

1- Re: Hours of operation and sales/service and consumption of alcoholic beverages in the indoor space on Saturdays and Sundays - **change from 11:00 a.m. to 10:00 a.m.**, i.e., to open one hour earlier and provide for service of alcoholic beverages one hour earlier on week-end mornings only; and

2- Re: hours of sales/service and consumption of alcoholic beverages in the summer garden on Saturdays and Sundays – **change from 11:00 a.m. to 10:00 a.m.,** i.e., to allow sales/service and consumption of alcoholic beverages in the summer garden one hour earlier on week-end mornings only; and

3- Re: hours of live entertainment in indoor space only on Saturdays and Sundays - **change from 9:00 p.m. to 1:30 a.m. on Sundays and 9:00 p.m. to 2:30 a.m. on Saturdays to add the hours of 10:00 a.m. to 3:00 p.m. on Saturdays and Sundays,** i.e., to allow live entertainment in indoor space for week-end "Brunch" on both Saturday and Sunday.

If you have questions about this motion or the attached VA, please contact Dr. Coralie Farlee, Chair, ABC Committee, ANC6D at cfarlee@mindspring.com or Bert Randolph, Executive Assistant at office@anc6d.org.

Sincerely,

Andy Litsky	Med Lahlou,	Bob Craycraft	Coralie Farlee
Chairman ANC6D	Managing Member, Hubalou,LLC t/a Station 4	Commissioner, ANC6D01	Chair, ANC Committee, ANC6D

Cc: Martha Jenkins

THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:	)	
Hubalou, LLC t/a Station 4	)	
Applicant for a New Retailer's Class CR License	)	License No. ABRA-086192 Order No. 2011-158
at premises 1101 4th Street, S.W. Washington, D.C. 20024	)	

Hubalou, LLC, t/a Station 4 ("Applicant")

Ron McBee, Chairperson, Advisory Neighborhood Commission ("ANC") 6D

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 COOPERATIVE AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Hubalou, LLC, t/a Station 4, Applicant for a new Retailer's Class CR License located at 1101 4th Street, S.W., Washington, D.C., and Ron McBee, on behalf of ANC 6D, have entered into a Cooperative Agreement (Agreement), dated February 14, 2011, that govern 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 McBee, Commissioner Bob Craycraft, and Coralie Farlee, on behalf of ANC 6D, are signatories to the Agreement.

Accordingly, it is this 16th day of March 2011, **ORDERED** that:

1. The above-referenced Cooperative Agreement submitted by the Applicant and ANC 6D to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

   Section 1 should be modified as follows so that it is consistent with the law: "Any change from this model shall be of concern to residents and requires prior approval by the ABC Board."

The parties have agreed to this modification.

2. Copies of this Order shall be sent to the Applicant and ANC 6D.

District of Columbia
Alcoholic Beverage Control Board

Charles Brodsky, Chairperson

Mital M. Gandhi, Member

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

Advisory Neighborhood Commission 6D

1101 4th Street, SW, Suite W130
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Office: 202 554-1795 • FAX: 202 554-1774
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DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATORY ADMINISTRATION

February 14, 2011

2011 FEB 15 P 2:41

Mr. Charles Brodsky, Chair
Alcoholic Beverage Regulatory Administration
1250 U Street, N.W.
Washington, D. C. 20009

Re: New application for Restaurant Class CR license number ABRA-086192 for Hubalou, LLC t/a "Station 4" 1101 4th Street, SW

The ANC6D, at its regularly scheduled meeting on February 14, 2011, with a quorum present, (a quorum being four persons), voted 5 to 0 to 1 (abstained) to recommend approval of the new application for a Restaurant Class CR license, ABRA number 086192 for Hubalou, LLC t/a "Station 4" at 1101 4th Street, SW. **Please note that the applicant has agreed to not have a "dancing" endorsement, although that was proposed in the initial application.**

A copy of the signed Voluntary/Cooperative Agreement is attached.

If you have questions about this motion or the attached VA, please contact Dr. Coralie Farlee, Chair, ABC Committee, ANC6D at cfarlee@mindspring.com or Bert Randolph, Executive Assistant at office@anc6d.org.

Sincerely,

Ron McBee
Chairman ANC6D

Coralie Farlee, Chair,
ABC Committee, ANC6D

Attachment: VA Station 4

Cc: Martha Jenkins

 ABRA

★ ★ ★ Advisory Neighborhood Commission 6D

1001 4th Street, SW, Suite W130
• Washington, DC 20024
ANC Office: 202 554-1795 ■ FAX: 202 554-1774
office@anc6d.org

DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
2011 FEB 15 P 2:41

VOLUNTARY/COOPERATIVE AGREEMENT

THIS VOLUNTARY/COOPERATIVE AGREEMENT ("Agreement") is made on this 14th day of February 2011 by and between Hubalou, LLC, t/a Station 4, 1101 4th Street, SW, ABRA License #086192 ("Applicant"), and Advisory Neighborhood Commission 6D ("Protestant"), (collectively, the "Parties").

PREAMBLE

Through this agreement, both parties aim to create an environment in which the Applicant may operate as a viable establishment which contributes to the ANC6D community.

WITNESETH

WHEREAS, Applicant has applied a Class C license for a Restaurant business ("Establishment") located at 1101 4th Street, SW, Washington, DC 20024 ("Premises"); and

WHEREAS, The Applicant will manage and operate an Establishment of 4200 square feet, with a total of 209 seats: 139 in the indoor space, and 70 in the summer garden for a Class C Restaurant which will have indoor live entertainment (estimated maximum of 4-piece band), with no dancing; and

WHEREAS, the hours of operation of, and sales/service and consumption of alcoholic beverages in the indoor space in the Establishment will be:

Sunday through Thursday, 11:00 a.m. to 2:00 a.m., and
Friday and Saturday, 11:00 a.m. through 3:00 a.m.

Hours of operation of, and sales/service and consumption of alcoholic beverages in the summer garden will be:

Sunday through Saturday, 11:00 a.m. to 12:00 a.m.

The hours of operation for Entertainment indoor space only will be:

Sunday through Thursday, 9:00 p.m. to 1:30 a.m., and
Friday through Saturday, 9:00 p.m. to 2:30 a.m.

On days before holidays designated by the DC ABC Board as "Extended Hours for ABC Establishments," Applicant may operate, serve alcohol, and provide entertainment for one

additional hour (that is, one hour later in the morning) in the indoor space. On New Year's Eve, Applicant may operate, serve, and provide entertainment until 4am in the indoor space; and

WHEREAS, the Applicant agrees that it will abide by Title 25 and other DC laws relating to alcohol sales and service, including, confirming age of patron to whom alcoholic service is provided; prevention of overserving of patrons; prevention of patron rowdiness; prohibition of taking alcoholic beverage out of the establishment; prohibition of loitering; ensuring appropriate training regarding service of alcoholic beverage to employees and/or caterers, licensed manager, all employees, and volunteers, if applicable; maintaining written log of all incidents (including description of the incident, date, time, names and contact information for victim, perpetrator, any witnesses, and the resolution of the incident) and making log available to representatives of MPD and ABRA on request; 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 minimize the effect, within the ANC, on (i) the peace, order and quiet of the neighborhood and (ii) parking, pedestrian safety and vehicular traffic, to protect the interests of the neighborhood, its residents and other businesses, and to eliminate the need for a Protest Hearing regarding the license application; and

WHEREAS, the Parties have agreed to enter into this Agreement and request that the Alcoholic Beverage Control Board ("ABC Board") approve the Applicant's license application conditioned upon the Applicant's acceptance of and compliance with the terms of this written Agreement;

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants and conditions set forth below, the Parties agree as follows:

1. ***Recitals Incorporated.*** The recitals set forth above are incorporated herein by reference. Any change from this model shall be considered by both Parties to be a substantial change in operation of great concern to residents and requires prior approval by the ABC Board.

2. ***Summer Garden/Sidewalk Café.*** Applicant shall not have live music on or music piped to the exterior summer garden area of the property. Applicant shall ensure that no open containers of alcohol are carried beyond the area authorized for the summer garden/sidewalk café. Applicant shall monitor sounds from voices on the sidewalk café and shall ensure that any reasonable concerns raised by nearby residents and commercial Establishments are remedied as soon as possible, at a maximum within a ten day period. Applicant shall not have events and parties in the summer garden/sidewalk café.

3. ***Noise and Privacy.*** Applicant will strictly comply with D.C. Official Code § 25-725 and to that end shall take all necessary actions to ensure that music, noise and vibration from the Establishment are not audible within the adjacent residential properties. There shall be no live music in the outdoor summer garden.

4. ***Public Space and Trash.*** Applicant shall keep the sidewalk (up to and including the curb), tree box(es), curb, and alley clean and free of litter and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall monitor these areas to assure that refuse and other materials are promptly removed or disposed of in secure containers. The Applicant uses an dumpster provided by landlord, Waterfront Associates, LLC. The Applicant agrees that no garbage will be placed any abutting property.

5. ***Parking/Valet Arrangements.*** It is a concern of the Protestants that the Applicant's operation of the Establishment does not create or exacerbate parking problems within the ANC boundaries. There is limited street parking available for vehicular parking; further, there may be a large number of patrons and attendees of special events. Applicant shall include in all advertisements and information for patrons that street parking is very limited and inform them that convenient public (bus and subway) transportation is available, i.e., Waterfront Station in Subway Green Line; Route 70 and Circulator busses. Applicant will also provide Valet parking service.

6. ***Rats and Vermin Control.*** The landlord, Waterfront Associates, LLC, will provide professional rat and vermin control. Applicant shall have the Establishment and the area around the property properly cleaned at the end of each night to ensure that there are not garbage and odors present the following morning.

7. ***Security Cooperation in Stemming Illegal Drugs and Public Drinking.*** Protestants are concerned that nature of the business of the Applicant will not pose security and crime issues. Applicant agrees that it shall take all necessary steps to minimize such problems, including, designating a sufficient number of TIPPS (or the equivalent)-trained employees to control any unruly patrons, assure adequate security, whether inside, or in the summer garden area, or in the immediate outside public area; monitoring for and prohibiting sales or use of illegal drugs within or about the Premises, maintaining contact and cooperating with MPD and other enforcement officials when known or suspected drug activities occur. Applicant shall to the full extent permissible by law discourage loitering in the vicinity of the Premises. Applicant shall have security cameras in several locations, including all customer entrances and exits, all areas of customer business and the summer garden area which record and store information for at least 30 days whose recordings shall be made available to representatives of ABRA and/or MPD.

Applicant shall maintain a log in the Premises to record any security incidents and include in the log: the nature of the incident, who was involved (e.g., victim, perpetrator, witnesses), and how it was resolved (e.g., First Aid assistance provided; taken to hospital; MPD contacted). These logs shall be made available to representatives of the MPD and/or ABRA on request. Applicant shall to the full extent permissible by law discourage loitering in the vicinity of the Establishment. The Applicant shall ensure that there is no post-event activity continuing in the public space area adjacent to the Establishment on the dock and that persons who are congregating in that manner shall be asked to move along.

8. ***License Ownership and Compliance with ABRA Regulations.*** Applicant promises to Protestants 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, and agrees that Protestants shall have standing to ask the ABC Board to enforce any violations of the agreement. Applicant also specifically agrees to be the sole owner of the ABC license.

9. ***Notice and Opportunity to Cure.*** In the event that any of the parties is in breach of this Agreement, it shall be entitled to reasonable notice and opportunity to cure, as a condition precedent to seeking enforcement of the Agreement. Unless the breach is of an emergency nature or is a repetition of a prior breach, reasonable notice and opportunity shall provide for a cure within 30 days of the date of such notice. If Applicant or the licensee fails to cure within the 30-day period (or, with respect to a breach which reasonably requires more than 30-days to cure, fails to commence cure of such breach and diligently pursues such cure) failure shall constitute a cause for seeking a Show Cause Order from the ABC Board pursuant to D.C. Official Code § 25-447. Unless otherwise noted above, any notices required to be made under this Agreement shall be in writing and mailed via certified mail, return receipt requested, postage prepaid, or hand-delivered, to the other parties to this Agreement at the following addresses. Notice shall be deemed given as of the time of receipt or refusal of receipt:

If to Applicant:
Med Lahlou, Managing Member.
Hubalou, LLC t/a Station 4
1214 U Street, NW
Washington, DC 20009
Phone: 202-234-0123
FAX: 202-234-0122
e-mail: medlahlou0@gmail.com

If to Protestants:
Advisory Neighborhood Commission 6D
1101 4th Street, S.W., Suite W130
Washington, DC 20024
Attn: Chair, ANC
(202) 202 554-1795
Fax (202) 202 554-1774
Email: office@anc6D

Failure to give notice shall not constitute waiver or acquiescence to the violation, but notice shall be a prerequisite to the filing of a complaint with the ABC Board or any other enforcement action.

14. ***Withdrawal of Protest.*** Upon execution of this Agreement by the Parties and its acceptance by the ABC Board, Protestants shall withdraw the Protest.

PROTESTANT:	**APPLICANT:**
Chair, ABC Committee, ANC6D Coralie Farlee 2/14/11 Coralie Farlee Date	Hubalou, LLC t/a Station 4 2.14.11 Med Lahlou, Managing Member Date
Commissioner ANC6D01 for Ron McBee 2/14/11 Bob Craycraft Date	
Chair, ANC6D Ron McBee 2/14/11 Ron McBee Date	