

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

In the Matter of:)	
)	
Lalibela, Inc.)	
t/a Lalibela Ethiopian Restaurant)	
)	
Application for Renewal of a)	Case No. 13-PRO-00024
Retailer's Class CR License)	License No. ABRA-023745
)	Order No. 2013-283
at premises)	
1415 14 th Street, N.W.)	
Washington, D.C. 20005)	

Lalibela, Inc., t/a Lalibela Ethiopian Restaurant (Applicant)

A Group of Five or More Individuals

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member

**ORDER ON SETTLEMENT AGREEMENT AND WITHDRAWAL OF PROTEST
OF A GROUP OF FIVE OR MORE INDIVIDUALS**

The Application filed by Lalibela, Inc., t/a Lalibela Ethiopian Restaurant, for renewal of its Retailer's Class CR License, was protested; however, a Roll Call Hearing scheduled for June 3, 2013, was not held, because the Parties submitted a Settlement Agreement before the hearing.

The Applicant and A Group of Five or More Individuals have entered into a Settlement Agreement (Agreement), dated April 17, 2013, setting forth the terms and conditions 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 and Tim Hillard, Jeffrey Speicher, Tarek Soueid, Luke Hall-Jordan, and Leif Redmond, protestants with the Group of Five or More Individuals, are signatories to the Agreement.

Lalibela, Inc.
t/a Lalibela Ethiopian Restaurant
Case No. 13-PRO-00024
License No. ABRA-023745
Page 2

This Agreement constitutes a withdrawal of the Protest filed by the Group of Five or More Individuals.

Accordingly, it is this 12th day of June, 2013, **ORDERED** that:

1. The Application filed by Lalibela, Inc., t/a Lalibela Ethiopian Restaurant, for renewal of its Retailer's Class CR License, located at 1415 14th Street, N.W., Washington, D.C., is **GRANTED**;
2. The Protest of the Group of Five or More Individuals in this matter is hereby **WITHDRAWN**;
3. The above-referenced Settlement 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 Tim Hillard, Jeffrey Speicher, Tarek Soueid, Luke Hall-Jordan, and Leif Redmond, protestants of the Group of Five or More Individuals.

Lalibela, Inc.
t/a Lalibela Ethiopian Restaurant
Case No. 13-PRO-00024
License No. ABRA-023745
Page 3

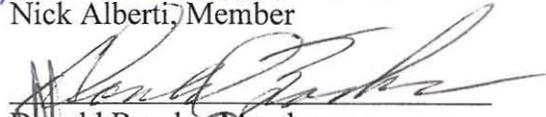
District of Columbia
Alcoholic Beverage Control Board



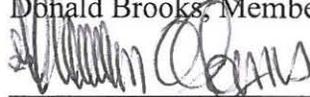
Ruthanne Miller, Chairperson



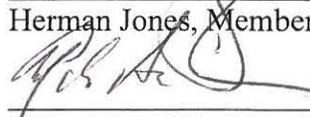
Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member

Pursuant to D.C. Official Code § 25-433, 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.

VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT (“Agreement”) is made on this 17th day of April, 2013, by and between Lalibela (“Applicant”), the Rockingham Condominium Association, a group of five (RCA).

RECITALS

(a) Applicant has applied for renewal of a Retailer Class CR License (the “License”) for a business establishment (“Establishment”) located at 1415 14th Street, NW, Washington, D.C. (the “Premises”) ; and,

(b) Applicant desires to cooperate with RCA in order to mitigate concerns related to the potential impact of operation of the Establishment on the surrounding community; and,

(c) In lieu of contested protest proceedings regarding the application for the License, the Parties wish to enter into a Voluntary Agreement pursuant to D.C. Official Code § 25-446 to address such concerns:

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.
2. Nature of the Business. The applicant will manage and operate a restaurant with an emphasis on food service. Any substantial change in their operations shall require prior approval by the ABC Board.
3. Hours of Operation. Applicant’s hours of interior operation shall not exceed the following:

Sunday – Thursday	11 am - 1 am
Friday - Saturday	11am – 10:59 am

The hours of operation of the Applicant’s sidewalk café shall be limited to:

Sunday – Thursday

10 am - 11 pm

Friday - Saturday

10 am – Midnight

It is understood that upon expiration of the above hours of operation, no patron may remain on the Premises (interior or exterior, as the case may be).

Provided, however, that (a) on days designated by the ABC Board as “Extended Hours for ABC Establishments” or “Daylight Savings Time Extension of Hours” Applicant may operate for one additional hour (that is, one hour later); (b) in the event the Council of the District of Columbia or the ABC Board grants licensees in general extended operating hours for specific occasions, such as Inauguration or World Cup, Applicant may avail itself of such extended hours; and (c) on January 1 of each year Applicant may operate until 3 a.m.

4. Occupancy. The Establishment’s interior seating and occupancy shall not exceed the maximum capacity allowed for the building by the District of Columbia. Applicant shall post its Certificate of Occupancy in a prominent location within the Establishment.

5. Sidewalk Café. The Applicant may have outside seating in accordance with a sidewalk café endorsement to its ABC license and a duly-issued public space permit, and may serve alcoholic beverages to seated patrons in such area, provided, the total capacity for such sidewalk café shall not exceed 25 seats, nor extend beyond its current eastern boundary on P Street NW, as defined by existing fencing on the date of this Agreement. Any increase in such seating shall require approval of the District of Columbia Public Space Committee, after notice and opportunity for comment by the ANC and approval by the ABC Board. Applicant shall not serve alcoholic beverages on its sidewalk café later than thirty (30) minutes prior to the hour of termination of operation of said sidewalk café, as specified in Section 3, above. Applicant shall direct its employees to inspect the sidewalk cafe regularly.

6. Noise. Applicant shall adhere to DC Code 25-725 with respect to emanation of noise from the Establishment. Applicant shall undertake such measures as reasonably are required to preclude unreasonable disturbance to occupants of abutting residential properties from emanation of noise or vibration from the Establishment. Applicant shall not install any exterior speakers to the Establishment, and agrees that no speakers will be installed in or in any way directed to the sidewalk café.

7. Entertainment Endorsement. As part of its entertainment endorsement, Applicant states its use will be for a 1-person music entertainer, as well as Karaoke. In both instances, entertainers will use a single speaker. Applicant shall not create facilities for, advertise, or otherwise encourage dancing by patrons or employees. Any change in this plan shall require notice and opportunity for comment by the ANC and approval by the ABC Board.

8. Public Space and Trash. Applicant shall keep the sidewalk (up to and including the curb), tree boxes and alley free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall police these areas twice daily for refuse and other materials. Applicant further agrees to hold all recyclable materials and perishable food waste within the building until the morning of the scheduled pick-up, with no materials or waste placed in the dumpsters between the hours of 11 pm and 7 am on weekdays, 11 pm and 8:30 am on weekends. The Applicant shall require its trash, recycling and grease removal contractors to pick up trash and materials not earlier than 7 a.m. on weekdays and 9 a.m. on weekends.

9. Rat and Vermin Control. Applicant shall provide monthly rat and vermin control for the Establishment.

10. Patrons. Applicant shall take reasonable steps to prevent its patrons from causing noise or disturbances in front of, or immediately adjacent to, the Establishment during the hours of

operation and as they depart at closing. Specifically, Applicant will post an interior sign requesting that patrons leaving the establishment be respectful of their neighbors' desire for peace and quiet.

11. Parking. Applicant will discourage patrons from parking on public space by posting signs.

12. Agreement Available Upon Demand. A copy of this Agreement shall be kept on the premises and made available to law enforcement officers and Alcoholic Beverage Regulatory Administration inspectors immediately upon request.

13. Compliance with ABRA Regulations. Applicant shall abide by applicable Alcoholic Beverage Administration (ABRA) regulations regarding ownership of the License.

14. Participation in the Community. Applicant is encouraged to send a representative from time to time to ANC 2F meetings. ANC 2F meetings occur on the first Wednesday of each month at 7:00 p.m. at the Washington Plaza Hotel, 10 Thomas Circle, NW, Washington, DC 20005, except as may be specified on www.ANC2F.org.

15. License Ownership. Applicant agrees not to transfer or sell the license to any other entity before obtaining approval from the Alcohol Beverage Control Board. Applicant agrees to specifically notify any prospective transferee, assignee, or contractee of the existence of this Agreement and to provide them with a copy.

16. Binding Effect. This Agreement shall be binding upon and enforceable against the successors and assigns of the Applicant.

17. Counterparts. This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

ROCKINGHAM CONDOMINIUM ASSOCIATION

By: Tim Hillard

Tim Hillard

By: Jeffrey Speicher

Jeffrey Speicher

By: Tarek Soueid

Tarek Soueid

By: Luke Hall-Jordan

Luke Hall-Jordan

By: Leif Redmond

Leif Redmond

LALIBELA

By: Taye Wogederes 4/17/2013

Taye Wogederes

The Rockingham

April 22, 2013

Alcoholic Beverage Regulation Administration, Adjudication Division
2000 14th Street, NW
Suite 400S
Washington, DC 20009

2013 APR 26 P 10 23
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

RE: Lalibela/1415 14th St NW/License #23745

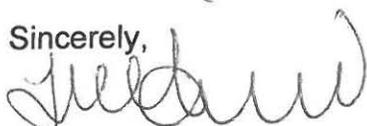
Dear Chairperson Miller:

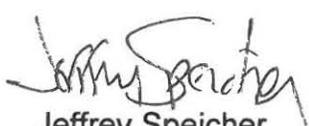
We are a group of five property owners in the Rockingham Condominium, located at 1317 Rhode Island Ave NW. The Lalibela restaurant directly abuts our western property line and all our individual units are located within 100 feet of the restaurant.

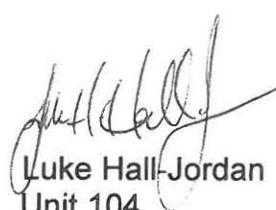
Our building association has a Voluntary Agreement on record with Lalibela (ABRA order 2007-058.) Because the co-signer of that Agreement (the Rhode Island Avenue West Neighborhood Association) is no longer active, and to be consistent with recent changes in liquor laws, we are filing a protest on the renewal of this license on the grounds that the establishment will have an adverse impact on the peace, order and quiet of our individual units and threaten our real property values.

To address these issues, we have reached a new Voluntary Agreement with Lalibela. We request the board accept this new Agreement. Upon acceptance by the board, our Protest is withdrawn.

Sincerely,


Timothy Hillard
Unit 201


Jeffrey Speicher
Unit 301


Luke Hall-Jordan
Unit 104


Leif Redmond
Unit 1


Tarek Soueid
Unit 101

1317 Rhode Island Avenue NW
Washington, DC 20005

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

<hr/>)	
)	
Lalibela Restaurant)	
)	
Application for a)	License No.: 23745
Retailer's Class CN License –)	Case No.: 29925
at premises)	Order No.: 2007-058
1415 14 th Street, N.W.)	
Washington, D.C.)	
<hr/>)	

Taye Wogedeeres, on behalf of the Applicant, Lalibela Restaurant

Jeffrey Speicher, President, on behalf of Rockingham Condominium Association and
Jerry Newberry, President, Rhode Island Avenue West Neighborhood Association

BEFORE: Peter B. Feather, Acting Chairperson
 Vera M. Abbott, Member
 Judy A. Moy, Member
 Audrey E. Thompson, Member
 Albert G. Lauber, Member
 Mital M. Gandhi, Member

ORDER ON VOLUNTARY AGREEMENT

The Applicant and Representatives of the Rockingham Condominium Association and the Rhode Island Avenue West Neighborhood Association (collectively, "the Parties") originally entered into a Voluntary Agreement ("Agreement") dated August 10, 2004 setting forth the terms and conditions by which the Applicant would operate his establishment. This matter comes now before the Alcoholic Beverage Control Board ("Board") to consider the Parties' new Voluntary Agreement in accordance with D.C. Official Code § 25-446 (2001).

The official records of the Board reflect that the Parties have agreed to substitute the original Agreement with a new Agreement dated June 12, 2007 that permits live music wherein the noise level is in compliance with D.C. Official Code § 25-725 (2001). Rockingham Condominium Association and the Rhode Island Avenue West Neighborhood Association are signatories to the new Agreement. The new Agreement has been reduced to writing and has been properly executed and filed with the Board.

Lalibela Restaurant
License No.: 23745
Case No.: 29925
Page Two

Accordingly, it is this 1st day of August 2007, **ORDERED** that:

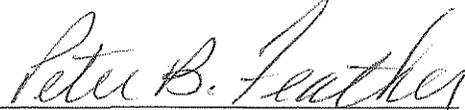
1. The new Voluntary Agreement by and between Taye Wogedeeres, Applicant on behalf of Lalibela Ethiopian Restaurant, 1415 14th Street, N.W., Washington, D.C., and the Rockingham Condominium Association and the Rhode Island Avenue West Neighborhood Association is **APPROVED**;

2. The above-referenced new Voluntary Agreement is **INCORPORATED** as part of this Order; and

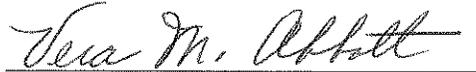
3. Copies of this Order shall be sent to the Applicant, the Rockingham Condominium Association and the Rhode Island Avenue West Neighborhood Association.

Lalibela Restaurant
License No.: 23745
Case No.: 29925
Page Three

District of Columbia
Alcoholic Beverage Control Board



Peter B. Feather, Chairperson



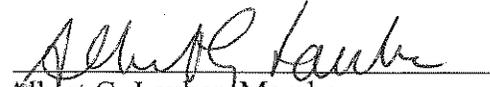
Vera M. Abbott, Member



Judy A. Moy, Member



Audrey E. Thompson, Member



Albert G. Lauber, Member



Mital M. Gandhi

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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

AGREEMENT

THIS AGREEMENT is made this 12th day of June 2007 by and between Lalibela Restaurant (the "Applicant,") the Rockingham Condominium Association, and the Rhode Island Avenue West Neighborhood Association.

REC'D BY _____
2007 JUN 21 P 2:42
COLUMBIA
REGULATORY DEPARTMENT
REGULATION

- **Square Footage and Occupancy**

The applicant's current occupancy is for 46 persons. Applicant may not expand its occupancy by more than 10% without amendment to this Agreement.

- **Sidewalk Dining**

On Sunday through Thursday nights, no alcoholic beverage service is permitted on the sidewalk café after 11 PM, and the sidewalk café shall be fully closed by 12 AM. On Friday and Saturday nights, no alcoholic beverage service is permitted on the sidewalk café after 12 AM, and the sidewalk café shall be fully closed by 1 AM. No music is permitted in the sidewalk café.

- **Noise and Privacy**

Applicant shall comply with Title 25, Section 725 of the DC Code and take all necessary actions to ensure that music, noise and vibration from the establishment are not audible from within the adjacent properties. Applicant will also take reasonable steps to ensure that music, noise, and vibration is not disruptive to the adjacent property owners' reasonable use of outdoor areas of their property. Should any sound, noise, vibration or music be heard in any premises other than the licensed establishment, Applicant will take immediate remedial action.

- **Live Music and Dancing**

Applicant shall not offer, create facilities for, or otherwise encourage or permit dancing by patrons or employees.

Live music is permitted but shall be limited to small combo-like groups and shall comply with the noise provisions cited above.

- **Public Space and Trash**

The Applicant shall keep the sidewalk (up to and including the curb,) tree boxes, and alley clean and free of litter, bottles, and other debris in compliance with DC Code (25-726.)

Trash and recyclable material shall not be deposited into the outside dumpster between the hours of 11 PM and 8:30 AM. Applicant shall require its trash contractors to pickup trash after 7 AM on weekdays and 8 AM on weekends.

- **Rat and Vermin Control**

GOVT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION

The Applicant shall provide rat and vermin control for the property. Applicant shall provide proof of its rat and vermin control contract upon request of parties to this Agreement.

REC'D BY _____

- **Parking**

Applicant shall never permit its patrons to block the sidewalk, nor use the adjacent public space for parking without specific approval of the DC government.

- **License Ownership**

Applicant agrees to notify any prospective transferee, assignee, or contractee of the existence of this Agreement.

For Lalibela Restaurant:



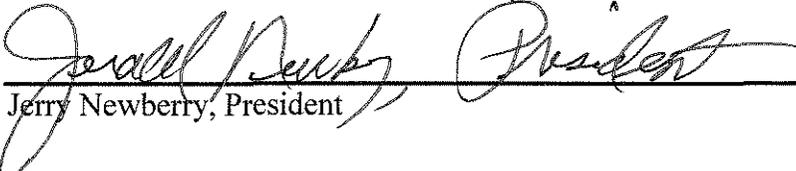
Taye Wogedeeres

For the Rockingham Condominium Association:



Jeffrey Speicher, President

For the Rhode Island Avenue West Neighborhood Association:



Jerry Newberry, President

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

In the Matter of:)	
)	
Lalibela, Inc.)	
t/a Lalibela)	
)	Case No. 29925-99070P
Application for a Retailer's Class)	
CR License (substantial change))	
at premises)	
1415 - 14 th Street, N.W.)	
Washington, D.C.)	

David Stephens, Vice Chair, Advisory Neighborhood Commission 2F, Protestant

Taye Wogederes, President, on behalf of Applicant

**BEFORE: RODERIC L. WOODSON, ESQUIRE, CHAIR
VERA ABBOTT, MEMBER
ALLEN BEACH, MEMBER
ELLEN OPPER-WEINER, ESQUIRE, MEMBER
MAX SALAS, MEMBER
JOSEPH WRIGHT, MEMBER**

ORDER ON WITHDRAWN PROTEST

The request to amend the application to include a sidewalk café with a seating capacity of 20 was protested and came before the Board for public hearing on June 23, 1999, in accordance with D.C. Code Section 25-115 (c)(5)(1999 Supp.), providing for the protestants to be heard. David Stephens, Vice Chair, Advisory Neighborhood Commission 2F, filed timely opposition by letter dated June 8, 1999.

The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated August 17, 1999, the protestant has agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned.

Accordingly, it is this 20th day of September 1999, **ORDERED** that:

1. The protest of David Stephens, Vice Chair, Advisory Neighborhood Commission 2F, be, and the same hereby, is **WITHDRAWN**;

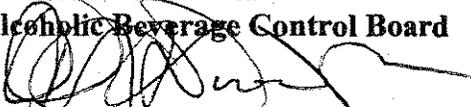
Lalibela, Inc.
t/a Lalibela
Page two

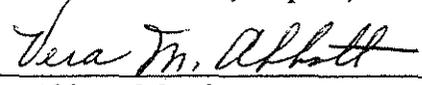
2. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**;

3. The request to amend the application of Lalibela, Inc. t/a Lalibela to include a sidewalk café with a seating capacity of 20 for a retailer's class CR license at premises 1415 - 14th Street, N.W., be, and the same hereby, is **GRANTED**; and,

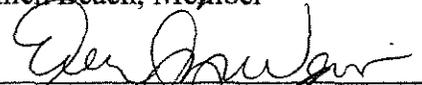
4. Copies of this Order shall be sent to the Protestant and the Applicant.

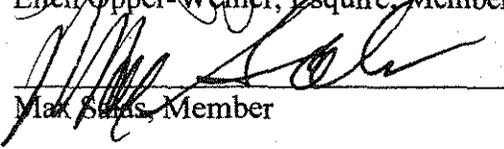
**District of Columbia
Alcoholic Beverage Control Board**


Roderic L. Woodson, Esquire, Chair


Vera Abbott, Member


Allen Beach, Member


Ellen Opper-Weiner, Esquire, Member


Max Sells, Member

Joseph Wright, Member

ALCOHOLIC BEVERAGE CONTROL
VOLUNTARY AGREEMENT
PREMISE ADDRESS: 1415 14TH STREET, NW
APPLICATION NO. 29925 License Class: "CR"

This Voluntary Agreement (the "Agreement") is made this 17TH day of August 1999 by and between Advisory Neighborhood Commission 2F (hereinafter the "Protestant") and Lalibela, Inc., t/a Lalibela (the "Applicant") for a substantial change in operation at the premises located at 1415 14th Street, NW, Washington, DC (the "Establishment").

WITNESSETH

Whereas, pending before the District of Columbia Alcoholic Beverage Control Board (the "ABC Board") is the Applicant's application number 29925 for a substantial change in the operation of the Establishment to permit a sidewalk café (seating capacity 20); and

Whereas, the parties to this Agreement have worked together in the past to ensure that the operations of the Establishment do not undermine the peace, order and quiet of the adjacent residential neighborhood;

Now therefore, in consideration of the premises recited above and the covenants and promises set forth below, the parties agree as follows:

1. **Hours of Outdoor Operation.** The Applicant will operate the Establishment pursuant to the terms of its current license, including provisions of the Voluntary Agreement dated 7 October 1998 (attached), with the following amendments and restrictions:
 - a. On Sunday through Thursday nights, no alcoholic beverage service is permitted on the sidewalk café after 1100 PM, and the sidewalk café shall be fully closed by 1200 PM.
 - b. On Friday and Saturday nights, no alcoholic beverage service is permitted on the sidewalk café after midnight, and the sidewalk café shall be fully closed by 1:00 AM.

2. **Conditions of the Liquor License.** The provisions of this Voluntary Agreement shall become a part of the conditions of the Liquor License and shall remain in force upon renewal or transfer of the Liquor License.

3. **Issues Arising from this Agreement.** The Parties to this agreement shall make good faith efforts to resolve amongst themselves any issues arising from this agreement prior to seeking action from the ABC Board. Should an issue not be successfully resolved by the Parties, the Protestant may file a complaint with the ABC Board, describing the alleged violation of the voluntary agreement and requesting the ABC Board to conduct a formal hearing to determine the validity of the complaint. The Protestant must notify the Applicant in writing at least thirty (30) days in advance of seeking ABC action. The Applicant is aware that applicable DC law permits the ABC Board to take appropriate action, including suspension or revocation of the Liquor License, due to failure to comply with the terms of this Voluntary Agreement.

The Protestant hereby withdraws its protest of the Application and agrees to provide whatever further evidence of said withdrawal that may be required by the Board.

For Lalibela Restaurant

Taye Wogederes
8/17/99.

Taye Wogederes

For ANC 2F

David Stephens

David Stephens, Vice-Chair

1708500
ANC 2F Advisory Neighborhood Commission 2F
Government of the District of Columbia
P.O. Box 9348, Mid-City Station, Washington, DC 20005
Telephone: (202) 842-7671 Fax: (202) 842-7672

1999 AUG 30 PM 4: 29

COMMISSIONERS:

2F01 David Stephens, *Vice Chair*
2F02 Jim Brandon, *Treasurer*
2F03 Vacant
2F04 Helen M. Kramer, *Secretary*
2F05 Leslie Miles, *Chair*
2F06 Rodney Foxworth

August 23, 1999

Mr. Paul E. Waters, Esquire
Program Manager
Alcohol Beverage Control Division
941 North Capitol Street, NE Room 7159
Washington, DC 20002

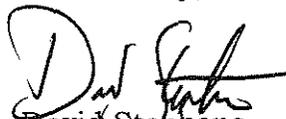
RE: Case No. 29925-99070, Ret. CR – Substantial Change
Lalibela, Inc., t/a Lalibela, 1415 14th Street, NW

Dear Mr. Waters:

ANC 2F is pleased to inform the ABC Board that the Commission and Lalibela Restaurant have concluded a Voluntary Agreement (enclosed) concerning Lalibela's request for a substantial change to its ABC license. With signature of this agreement, ANC 2F withdraws its protest in the above-referenced matter.

ANC 2F also wishes to extend its thanks to Mr. Fred Moosally for helping the parties successfully conclude the final agreement.

Sincerely,


David Stephens
Vice-Chair