

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

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<b>In the Matter of:</b>	)	
	)	
Daci Enterprises, LLC	)	
t/a Dacha Beer Garden	)	
	)	
Holder of a	)	License No.: ABRA-092773
Retailer's Class CT License	)	Order No.: 2016-535
	)	
at premises	)	
1600 7th Street, N.W.	)	
Washington, D.C. 20009	)	

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Daci Enterprises, LLC, t/a Dacha Beer Garden (Licensee)

Alexander M. Padro, Vice Chairperson, Advisory Neighborhood Commission (ANC) 6E

**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
Ruthanne Miller, Member  
James Short, Member

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**ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT**

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The official records of the Alcoholic Beverage Control Board (Board) reflect that Daci Enterprises, LLC, t/a Dacha Beer Garden (Licensee) and ANC 6E entered into a Settlement Agreement (Agreement), dated November 5, 2015, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated September 14, 2016, 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 Licensee's interior hours of operation and sales of alcoholic beverages.

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Vice Chairperson Alexander M. Padro, on behalf of ANC 6E, are signatories to the Amendment.


Accordingly, it is this 28th day of September, 2016, **ORDERED** that:

1. The above-referenced Amendment to Settlement Agreement, dated September 14, 2016, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the previous Agreement, not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6E.

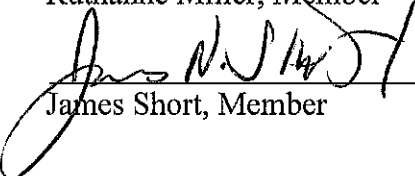
District of Columbia  
Alcoholic Beverage Control Board

  
\_\_\_\_\_  
Donovan Anderson, Chairperson

  
\_\_\_\_\_  
Nick Alberti, Member

  
\_\_\_\_\_  
Mike Silverstein, Member

  
\_\_\_\_\_  
Ruthanne Miller, Member

  
\_\_\_\_\_  
James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

**AMENDMENT TO SETTLEMENT AGREEMENT BETWEEN DACI  
ENTERPRISES, LLC T/A DACHA BEER GARDEN AND ADVISORY  
NEIGHBORHOOD COMMISSION 6E**

This Amendment to Settlement Agreement (“Amendment”) is made on this 14th day of September 2016, by and between DACI Enterprises, LLC t/a Dacha Beer Garden (“Licensee”) and Advisory Neighborhood Commission 6E (the “ANC”).

**RECITALS**

- a. The Licensee is a holder of a retailer’s Class C Tavern License (“The Licensee”) for a business establishment (“Establishment”) located at 1600-02 7<sup>th</sup> Street, NW including adjacent public space and summer garden seating (the “Premises”); and
- b. The parties agreed to a Settlement Agreement dated November 5, 2015, which agreement was approved by the Alcoholic Beverage Control Board (the “Board”) by Order on Settlement Agreement and Withdrawal of Protest of ANC 6E dated November 25, 2015;
- c. The Licensee has applied to increase its hours for the interior portion of the premises located in the building at 1602 7<sup>th</sup> Street, NW;
- d. In lieu of contested protest proceedings regarding the application for Substantial Change to expand the hours of the interior premises, the Parties wish to enter into this Amendment to Settlement Agreement.

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

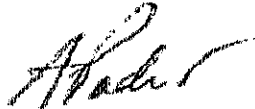
1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.
2. Amendment of Hours of Operation. Section 5 of the Settlement Agreement, Hours of Operation, is hereby amended by adding a Section 5.b. as follows:
  - b. Interior Hours. The Licensee’s Hours of Operation and Services of alcoholic beverages for the interior portion of the Premises shall not exceed the following, except as otherwise restricted by law:
    - i. Sunday – Thursday: 7 am – 2 am
    - ii. Friday & Saturday: 7 am – 3 am
    - iii. The eve of holidays: 7 am – 3 am

Nothing herein shall prohibit the Licensee from seeking an extension of the hours of operation or sale for the interior portion of the premises for inauguration week, Holidays, or on such other dates or events as might be permitted by the laws of the District of Columbia.

3. Settlement Agreement Unaffected. Except as explicitly provided herein, the Settlement Agreement is not amended or modified and shall remain in full force and effect.

In consideration of the conditions listed above, and the conditions set forth in the Settlement Agreement, the ANC supports the Licensee's expansion of hours for the interior portion of the premises, pursuant to a vote to approve this Amendment at the Commission's duly noticed meeting on September 6, 2016, four in favor, one opposed, and no abstentions, with a quorum present.

**ADVISORY NEIGHBORHOOD COMMISSION 6E**



By: \_\_\_\_\_  
Alexander M. Padro, Vice Chair

**DACI ENTERPRISES, LLC**



By: \_\_\_\_\_  
Ilya Alter, Managing Member