

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

In the Matter of:)

Georgetown Wine Cellar, Inc.)

t/a Georgetown Wine Cellar)

Application for a Retailer's)

License Class A - new)

at premises)

1635 Wisconsin Avenue, N.W.)

Washington, D.C.)

Case No. 28410-97027P

Westy Byrd, Single Member District Commissioner, Advisory Neighborhood Commission
2E, Protestant

Bernard C. Dietz, Esquire, on behalf of Applicant

**BEFORE: BARBARA L. SMITH, ESQUIRE, CHAIR;
DENNIS BASS, MEMBER;
ALLEN BEACH, MEMBER;
MARY EVA CANDON, ESQUIRE, MEMBER;
LAVERNE KING, MEMBER;
EYDIE WHITTINGTON, MEMBER;
DUANE WANG, MEMBER**

ORDER ON WITHDRAWN PROTEST

The application, having been protested came before the Board for public hearing on March 19, 1997, in accordance with D.C. Code Section 25-115(c)(5)(1996 Supp.), providing for remonstrants to be heard. Westy Byrd, Single Member District Commissioner, Advisory Neighborhood Commission 2E, filed a timely protest by letter dated February 27, 1997.

The official records of the Board reflect that the parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the Agreement, the Protestant has agreed to withdraw her protest, provided, however the Board's approval of the pending application is conditioned

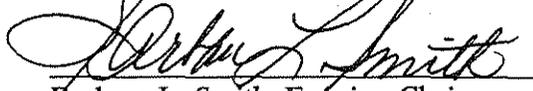
Georgetown Wine Cellar, Inc.
t/a Georgetown Wine Cellar
Page two

upon the licensee's continuing compliance with the terms of the Agreement, dated July 14, 1997.

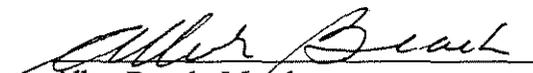
Accordingly, it is this 3rd day of September 1997, **ORDERED** that:

1. The protest of Westy Byrd, Single Member District Commissioner, Advisory Neighborhood Commission 2E, be, and the same hereby, is **WITHDRAWN**;
2. The above-referenced Agreement between the parties be, and the same hereby, is **INCORPORATED** as part of this Order;
3. The application of Georgetown Wine Cellar, Inc. t/a Georgetown Wine Cellar for a retailer's license class A - new at premises 1635 Wisconsin Avenue, N.W., be, and the same hereby, is **GRANTED**; and,
4. Copies of this Order shall be sent to the Protestant and the Applicant.

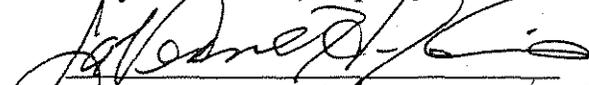
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

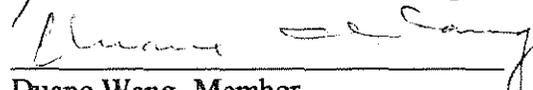

Barbara L. Smith, Esquire, Chair


Dennis Bass, Member


Allen Beach, Member

Mary Eva Candon, Esquire, Member


Laverne King, Member


Duane Wang, Member

Eydie Whittington, Member

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RECEIVED
ALCOHOLIC BEVERAGE
CONTROL DIVISION

SETTLEMENT AGREEMENT REGARDING

GEORGETOWN WINE CELLAR, INC.

ADVISORY NEIGHBORHOOD COMMISSION 2-F04, single member District and individually, the party of the first part, for itself and as the representative of its neighborhood, (it and all of whom are referred to herein collectively as "ANC"), hereto supports the pending application by GEORGETOWN WINE CELLAR, INC., the party of the second part, trading as GEORGETOWN WINE CELLAR, at the store located at 1635 Wisconsin Avenue, N.W., Washington, D.C., 20007, hereinafter referred to as "Applicant", for issuance of a Class "A" Alcoholic Beverage Control License for that store, and in connection therewith, ANC and Applicant agree this 14th day of July, 1997, as follows:

1. ANC is a single member District comprised of a representative of the District of Columbia residing in the immediate vicinity of 1635 Wisconsin Avenue, N.W., who seeks to enhance the characteristics of the neighborhood that promote the health, welfare and other mutual interests of both its residents and the owners of commercial establishments in the neighborhood, and seeks to accomplish these objectives by, inter alia, cooperative efforts with the owners of such businesses;

2. ANC and "Applicant" acknowledge that because of the diverse economic and social conditions within the neighborhood, that a coordinated effort by each, as well as the residents and owners of businesses in the neighborhood also, is necessary to achieve the

efficient and effective allocation of public and social services that are necessary for improving the quality of residential life and economic opportunity within the neighborhood;

3. For the purpose of serving these mutual objectives:

A. Applicant will not offer for single sale containers of beer for consumption off the store's premises of 20 ounces or less (i.e. "singles"), except for imported containers and those produced by microbreweries which are not covered by this Agreement.

B. Applicant shall maintain the exterior areas immediately adjacent to its store, keeping it clean and free from litter, shall regularly inspect the adjacent public area for the purpose of removing alcoholic beverage related litter, such as beer cans and bottles, without regard for the fact that the same may not have been purchased at "Georgetown Wine Cellar".

C. Applicant will make its best efforts to refuse to sell alcoholic beverages to persons who congregate or engage in boisterous conduct in or around its store.

D. Applicant shall post a sign in a conspicuous location stating its policy of not selling alcoholic beverages to minors and it will post the age requirements.

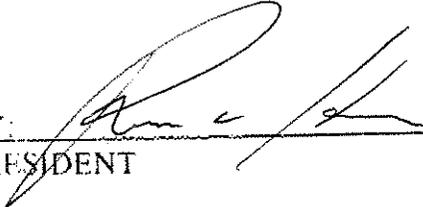
E. If ANC believes in good faith that the Applicant has failed to comply with this Agreement, it shall notify the Applicant in writing of the basis for such belief, and

the Applicant shall address and cure such alleged non-compliance within thirty (30) days of notice.

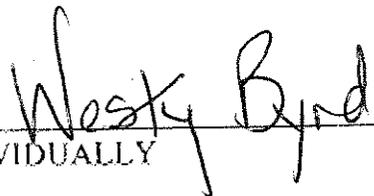
In consideration of the foregoing, the ANC does hereby withdraw its protest.

DATED: July 14, 1997.

GEORGETOWN WINE CELLAR, INC.

BY: 
PRESIDENT

ADVISORY NEIGHBORHOOD COMMISSION 2-E04

BY: 
INDIVIDUALLY