

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

In the Matter of:)	
)	
Brasil, Inc.)	License Number: 17199
t/a The Grill From Ipanema)	ORDER NUMBER: 2010-044
)	
Application for a New Retailer's)	
Class CR License)	
at premises)	
1858 Columbia Road, N.W.)	
Washington, D.C. 20009)	

Brasil, Inc., t/a The Grill From Ipanema, Applicant

Denis James, President, Kalorama Citizens Association

BEFORE: Charles Brodsky, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Control Board (Board) reflect that Brasil, Inc., t/a The Grill From Ipanema, Applicant for a new Retailer's Class CR License located at 1858 Columbia Road, N.W., Washington D.C., and Denis James, President, Kalorama Citizens Association (collectively, the "Parties"), have entered into a Voluntary Agreement (Agreement), dated February 7, 2010, 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 Denis James are signatories to the Agreement.

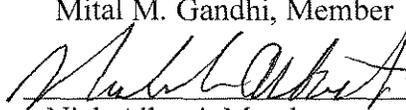
Brasil, Inc.
t/a The Grill From Ipanema
License No: 17199
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Accordingly, it is this 10th day of March 2010, **ORDERED** that:

1. The Application filed by Brasil, Inc., t/a The Grill From Ipanema, for a new Retailer's Class CR License located at 1858 Columbia Road, N.W., Washington D.C., is **GRANTED**;
2. This above-referenced Voluntary Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
3. Copies of this Order shall be sent to the Applicant and Kalorama Citizens Association.

District of Columbia
Alcoholic Beverage Control Board

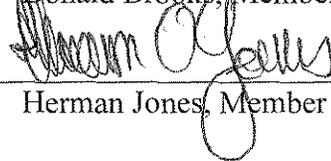
Mital M. Gandhi, Member



Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member

I dissent from the position taken by the majority of the Board.

Charles Brodsky, 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, 1250 U Street, N.W., 3rd Floor, Washington, D.C. 20009.

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**VOLUNTARY AGREEMENT ON SUBSTANTIAL
CHANGE OF LICENSE TO SELL ALCOHOLIC BEVERAGES**

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Agreement, made this 7th day of February, 2010, between Brasil, Inc., T/A The Grill From Ipanema, 1858-62 Columbia Road, NW, CR-02 ABC license number 17199, (the Applicant) and the Kalorama Citizens Association (KCA). The Applicant and the KCA are the parties.

Whereas, Applicant has requested an Entertainment Endorsement to add Live Music to the establishment's offerings, and also seeks the ability to sell and serve alcoholic beverages until a later time on certain days of the week,

Whereas, KCA seeks to enter into a Voluntary Agreement with the Applicant to ensure that neighboring residents' quality of life is not negatively affected by the changes to the Applicant's license,

Now, Therefore, the Parties agree to the following measures:

1. Hours of Operation and hours for sale and consumption of alcoholic beverages.

Inside:

Mon-Tues-Wed	11:30 am - 12:00 midnight
Thursday:	11:30 am - 1:00 am
Friday & Saturday:	11:30 am - 2:00 am**
Sunday:	11:30 am - 11:00 pm

Sidewalk Café:

Monday-Friday:	5:00 pm - 11:00 pm*
Saturday & Sunday:	11:30 am - 11:00 pm

* The KCA has no objection to the Applicant applying to the Public Space Committee and ABRA for additional earlier hours Monday-Friday, as early as 11:30 am to provide for the service of lunch.

AMS
RJ

Entertainment Endorsement:

Applicant may feature groups of up to 4 musicians without drum kit on the following days and times:

Wednesdays & Thursdays:	between 6:00 pm and 11:00 pm.
Sundays:	between 6:00 pm and 9:00 pm.

**Additionally, Applicant may feature groups of up to 4 musicians or a DJ on one Saturday each year in the month of February or March, for traditional Brazilian Carnivale, the date for which varies each year. On that Saturday, Applicant may operate, sell and serve alcoholic beverages until 3:00 am, and feature Live Music until 2:00 am.

There shall be no designated dance area or cover charge at the establishment.

As provided in ABC Code, Applicant may operate, sell and serve alcoholic beverages, and also may feature live music with no restriction, or a DJ until 4:00 am each New Year's Eve, regardless which day of the week it may fall upon.

Whenever Applicant operates later than 11:30 pm, a late night menu shall be featured, which may have a reduced number of items from the regular dinner menu, but will feature salads, soups, appetizers, entrées and desserts.

2. Sound Control/Valet Parking.

Applicant acknowledges familiarity with and will comply with all applicable noise-control provisions of District of Columbia law and regulations, including, but not limited to:

a) Preventing emissions of sound, capable of being heard outside the premises, by any musical instrument or amplification device or other device or source of sound or noise, in accordance with D.C. Official Code § 25-725 (2001). Further, the Applicant agrees to abide by all relevant provisions of the D.C. Noise Control Act of 1977 (D.C. Law 2-53), including 20DCMR, Chapters 27 and 28, as amended.

b) The doors and windows of the premises will be kept closed at all times during business hours when music is being played or a sound amplification device is being employed in the premises, except when persons are in the act of using the door for ingress to or egress from the premises.

c) Music from inside will not be audible at surrounding residential housing areas.

d) Applicant agrees not to place outside in the public space any loudspeaker, tape player, CD player or other similar device, or to place any inside speaker in such a way that it projects sound into the public space.

e) Applicant will ensure that no lines for entry form outside the establishment.

f) Applicant will make every effort to ensure that the operation of valet parking at the establishment does not impede the free and safe movement of pedestrians on the nearby sidewalks, or block the street, nearby crosswalk or nearby alley with vehicles using the establishment's valet service.

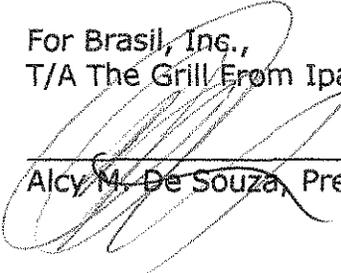
3. Agreement Available at Establishment.

Applicant agrees to keep a copy of this agreement at the establishment and inform employees of its conditions as needed to comply with the agreement.

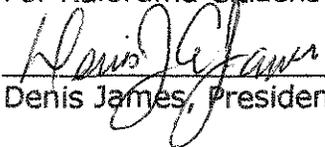
4. Modification.

This agreement may be modified only by the ABC Board, or by the Parties with the approval of the ABC Board.

For Brasil, Inc.,
T/A The Grill From Ipanema


Alcy M. De Souza, President 2/07/10 Date

For Kalorama Citizens Association


Denis James, President 2-7-2010 Date