

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

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In the Matter of:)	
)	
PQ Blaine Mansion, Inc.)	
t/a Le Pain Quotidien)	
)	
Application for a New)	License No. 77337
Retailer's Class CR License)	Order No. 2009-004
at premises)	
)	
2000 Massachusetts Ave., N.W.)	
Washington, D.C.)	
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PQ Blaine Mansion, Inc. t/a Le Pain Quotidien, Applicant

Ramon Estrada, Chairperson, Advisory Neighborhood Commission 2B

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

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Control Board (Board) reflect that PQ Blaine Mansion, Inc. t/a Le Pain Quotidien, Applicant for a new Retailer's Class CR license located at 2000 Massachusetts Ave., N.W., Washington D.C., and Ramon Estrada, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 2B, (collectively, the Parties) have entered into a Voluntary Agreement (Agreement) dated November 12, 2008 setting forth the terms and conditions that govern the operation of the Applicant's establishment.

The Agreement, among other things, authorizes hours of operation from 7:00 a.m. to 10:00 pm, Sunday through Saturday. The hours for sale and service of alcoholic beverages are from 10:00 a.m. to 10:00 p.m. on Sunday and from 8:00 a.m. to 10:00 p.m. Monday through Saturday. The Agreement has been reduced to writing and has been properly executed and filed with the Board. Both the Applicant and Commissioner Estrada are signatories to the Agreement.

PQ Blaine Mansion, Inc.
t/a Le Pain Quotidien
License No. 7737
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Accordingly, it is this 14th day of January 2009, **ORDERED** that:

1. The above-referenced Voluntary Agreement between PQ Blaine Mansion, Inc. t/a Le Pain Quotidien located at 2000 Massachusetts Avenue, N.W., Washington, D.C., and ANC 2B to govern the operations of the Applicant's establishment is **APPROVED**;
2. This Agreement is **INCORPORATED** as part of this Order; and
3. Copies of this Order shall be sent to the Applicant and to ANC 2B.

District of Columbia
Alcoholic Beverage Control Board



Peter B. Feather, Chairperson



Mital M. Gandhi, Member



Nick Alberti, Member

Charles Brodsky, Member



Donald Brooks, Member

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

VOLUNTARY AGREEMENT

This Agreement, made and entered into this 12th day of November, 2008, by and between PQ Blaine Mansion, Inc. t/a Le Pain Quotidien, 2000 Massachusetts Avenue, N.W., Washington, D.C. (hereinafter the "Applicant") and Advisory Neighborhood Commission 2B (hereinafter "ANC 2B").

RECITALS

WHEREAS, the Applicant has filed for a Class CR license to be issued by the Alcoholic Beverage Control Board of the District of Columbia for premises known as 2000 Massachusetts Avenue, N.W.; and

WHEREAS, ANC 2B desires to withhold a protest of the Application; and

WHEREAS, the parties desire to enter into this Voluntary Agreement in lieu of ANC 2B's protest of the application; and

NOW, therefore, in consideration of the Recitals set forth above, and the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

1. Hours of Operation. The hours of operation of the Applicant shall be 7:00 a.m. to 10:00 p.m., Sunday through Saturday (7 days). The hours of alcoholic beverage service shall be Sunday 10:00 a.m. to 10:00 p.m., and Monday through Saturday, 8:00 a.m. to 10:00 p.m.
2. Sidewalk Cafe. The hours of operation and hours of alcoholic beverage service for the sidewalk café are as set forth in the hours of operation contained in paragraph numbered 1. Music shall not be provided to the sidewalk café.
3. Music. Applicant shall provide background music only. Applicant shall not provide live music, shall have no disc jockey, no dancing, and no cover charge.
4. Noise. Applicant acknowledges that, historically, noise concerns have been more acute in warmer months. Applicant agrees to provide greater vigilance to address this concern during the warmer months.
5. Intoxication. Applicant shall not serve alcohol to anyone who is intoxicated, in accordance with applicable law.
6. Trash Pick-up, Extermination, and Debris Clean Up. For trash and recycling collection, Applicant shall employ a licensed company(ies) that shall agree, in writing, that collection shall not occur before 7:00 a.m. on weekdays, before 10:00 a.m. on weekends, or after 5:00 p.m. on any day. Applicant agrees to regularly schedule exterminator service for its premises.

Applicant shall keep the exterior of the Premises free of trash and weeds, and shall remove any graffiti appearing on or around the establishment. After closing each night, Applicant shall remove litter in the vicinity of the Premises, defined as the sidewalk areas adjacent to the storefront to the curb.

7. Public Payphones. Applicant shall not install any public payphones outside the Premises.
8. License Approval. ANC 2B hereby joins in with the Applicant in requesting the Alcoholic Beverage Control Board of the District of Columbia approve the Application submitted by Applicant conditioned upon Applicant's compliance with the terms of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Voluntary Agreement as of the day and year first above written.

APPLICANT:

PQ BLAINE MANSION, INC.

ADVISORY NEIGHBORHOOD
COMMISSION 2B

By: _____

Vincent Herbert, President

By: _____

Ramon Estada
Chairperson