

#31607

A G R E E M E N T

This Agreement is made this 7<sup>th</sup> day of May, 1997, by and between Gramercy Group, Inc., t/a Cafe Deluxe ("Licensee"), a District of Columbia corporation and Advisory Neighborhood Commission 3C ("ANC"),

RECEIVED  
COMMUNITY SERVICES  
MAY 9 10 50 AM '97

WHEREAS, the Licensee presently operates a restaurant at premises 3228-3230 Wisconsin Avenue, N.W., and is the holder of District of Columbia Retail Class CR Alcoholic Beverage License Number 22011 for said premises, and

WHEREAS, Licensee is presently limited to providing music by CD player and is not permitted to provide live music, and

WHEREAS, Licensee intends to file with the District of Columbia Alcoholic Beverage Control Board ("Board") for approval of a change in the nature of its operation to permit a small group of musicians to perform three evenings a week in the back of the restaurant, and

WHEREAS, the ANC agrees to support Licensee's request to provide said live music subject to certain conditions.

NOW, THEREFORE, in consideration of the premises recited above and the covenants and promises set forth below, the parties agree as follows, subject to approval by the Board:

1. Live music will be permitted at the premises a maximum of three evenings a week.

2. There will be no more than five musicians, who will play unamplified instruments, at the rear of the restaurant.
3. The Licensee will turn off the loud-speakers for the sidewalk cafe by 11 PM.
4. The live music will cease by midnight each evening unless the doors to the sidewalk cafe are closed at that time.
5. If there is a formal complaint related to the live music, the ANC and the Licensee will consider modifying these conditions or taking such other steps as may be deemed appropriate to resolve such complaint.
6. The ANC authorizes the Licensee to request the Board, on behalf of the ANC and the Licensee, to approve the aforesaid change in the nature of the operation of the premises and to condition said approval upon the Licensee's compliance with the terms of this written agreement. Nothing herein contained shall preclude the ANC from making its own submission in support of the change.

**HEREBY AGREED TO BY:**

**Gramercy Group, Inc.  
t/a Cafe Deluxe**

By: 

SAM B MARCUS JR.

Its: PRESIDENT

Dated: 5/7/97

**Advisory Neighborhood Commission 3C**

By: 

Dated: June 20, 1997

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**ADVISORY NEIGHBORHOOD COMMISSION 3-C  
GOVERNMENT OF THE DISTRICT OF COLUMBIA**

CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS • MCLEAN GARDENS • WOODLEY PARK

2737 DEVONSHIRE PLACE, N.W.  
WASHINGTON, D.C. 20008  
(202) 232-2232 FAX: 232-0667

Single Member District Commissioners:

July 9, 1997

- 01-Cheryl A. Opacinch
- 02-Alan Blevins
- 03-Maureen Blum
- 04-Jeanne Ingram
- 05-Gloria D. Redman
- 06-Phil Mendelson
- 07-Gail Daubert
- 08-Rosalyn P. Doggett
- 09-Jeremy Bates

RECEIVED  
 ALCOHOLIC BEVERAGE  
 CONTROL DIVISION  
 JUL 9 10 49 AM '97

Ms. Barbara Smith, Chairman  
 Alcoholic Beverage Control Board  
 614 H Street, N.W., Room 807  
 Washington, D.C. 20001

RE: "CR" Renewal Application No. 31607 for  
 Gramercy Group, Inc. (t/a Cafe Deluxe) at 3228  
 Wisconsin Avenue, N.W.

Dear Chairman Smith and Members of the Board:

I am writing to transmit this ANC's support for the renewal of the above-captioned license for Cafe Deluxe at 3228 Wisconsin Avenue. ANC 3-C has reached an agreement with Cafe Deluxe concerning several proposed aspects of its operation (a copy is enclosed), and we look forward to its continuing presence in the neighborhood. The following is our resolution.

WHEREAS: ANC 3-C has signed an agreement with Cafe Deluxe governing the restaurant's hours of live music, use of speakers for its sidewalk cafe, and hours of open doors while live music is playing; and

WHEREAS: Cafe Deluxe has applied for renewal of its liquor license (ABC application no. 31607);

THEREFORE, BE IT RESOLVED BY ANC 3-C: That the Commission urges renewal of Cafe Deluxe's liquor license, subject to the conditions previously agreed to by Cafe Deluxe and this Commission.

This resolution was adopted by unanimous vote of the Commission (eight members present) at its regular monthly meeting held June 23, 1997. Thank you for consideration of our views.

FOR THE COMMISSION:

  
 Phil Mendelson, Chairman

enc.  
 cc: Ms. Julie Marcus (Gramercy Group)