

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

_____)	
In the Matter of:)	
)	
Brush N Blush, LLC)	
t/a Brush N Blush)	
)	
Applicant for a New)	
Retailer's Class DX License)	License No. ABRA-085836
at premises)	Order No. 2010-565
3210 Grace Street, N.W.)	
Washington, D.C. 20007)	
_____)	

Brush N Blush, LLC, t/a Brush N Blush ("Applicant")

Ron Lewis, Chairperson, Advisory Neighborhood Commission (ANC) 2E

Jennifer Altemus, President, Citizens Association of Georgetown (CAG)

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

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Brush N Blush, LLC, t/a Brush N Blush, Applicant for a new Retailer's Class DX License located at 3210 Grace Street, N.W., Washington, D.C.; Ron Lewis, on behalf of ANC 2E; and Jennifer Altemus, on behalf of CAG, have entered into a Voluntary Agreement (Agreement), dated October 4, 2010, 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; Ron Lewis, on behalf of ANC 2E; and Jennifer Altemus, on behalf of CAG, are signatories to the Agreement.

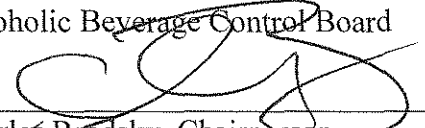
Brush N Blush, LLC
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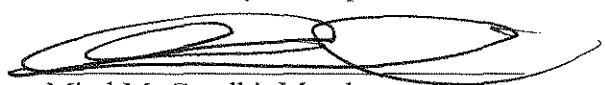
Accordingly, it is this 17th day of November 2010, **ORDERED** that:

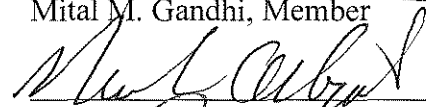
1. The Application filed by Brush N Blush, LLC, t/a Brush N Blush, for a new Retailer's Class DX License located at 3210 Grace Street, N.W., Washington, D.C., is **GRANTED**;
2. The above-referenced Voluntary Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
3. Copies of this Order shall be sent to the Applicant, ANC 2E, and CAG.

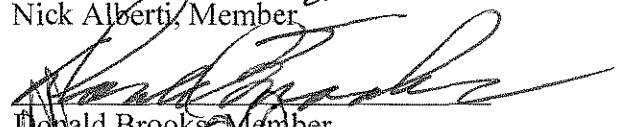
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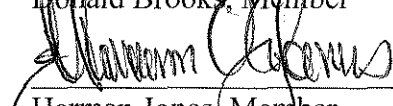
District of Columbia
Alcoholic Beverage Control Board


Charles Brodsky, Chairperson



Mital M. Gandhi, Member


Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Calvin Nophlin, Member


Mike Silverstein, 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., Third Floor, Washington, DC 20009.

AGREEMENT

THIS AGREEMENT ("Agreement") is made by and between Brush N Blush, LLC, a District of Columbia corporation, t/a Brush N Blush (the "Applicant") with Advisory Neighborhood Commission 2E ("the ANC") and the Citizens Association of Georgetown ("CAG").

WHEREAS, the Applicant intends to apply for a Retailer's License, Class DX for the property located at 3210 Grace St., N.W., Suite 101, to be issued by the District of Columbia Alcoholic Beverage Control Board (ABC Board); and

WHEREAS, the ANC represents the residents and taxpayers within its boundaries and wishes to insure that no establishment that sells alcoholic beverages will adversely affect the health, safety, and quality of life in the surrounding community; and

WHEREAS, CAG is a citizens association incorporated under the laws of the District of Columbia which represents the interests of the residents of Georgetown; and

WHEREAS, the Applicant is seeking written approval from the ANC and CAG of the Application; and

WHEREAS, in order to secure the aforementioned approval, Applicant has agreed to enter into this Agreement commemorating certain understandings regarding the Applicant's operational plans;

NOW THEREFORE, in consideration of the agreements set forth herein, the parties hereto mutually agree as follows:

1. Occupancy and Safety. The establishment shall have a maximum capacity of 65 persons within the premises. This limit shall be prominently posted and shall not be exceeded. The Applicant shall ensure that a clear passageway is maintained at all times for the safe egress of occupants in case of fire or other emergency.
2. Nature of Operation. The Applicant will operate a bona fide business as put forth in their license, consistent with the requirements of a club license for a multipurpose facility with cultural activities.
3. Hours of Operation. The hours of operation shall be Sunday through Thursday 10:00 a.m.–10:00 p.m., and Friday and Saturday 10:00 a.m.-11:00 p.m.
4. Entertainment. The Applicant's application states that there shall be no entertainment. It is further agreed between the Applicant and the ANC that there shall be no agreements with promoters, promotions or cover charges in violation of this representation. The ANC agrees that the Applicant may offer soft background recorded music inside the premises and not audible in public space.

The parties agree that the above provisions are conditions of the license and any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the ANC and/or CAG to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. §1513.5. Prior to so petitioning, however, ANC 2E and/or CAG shall notify the Applicant of any perceived violations and afford the Applicant at least seven (7) calendar days in which to address or rectify the perceived violation.

This Agreement shall become effective only upon the execution of all parties hereof and the delivery to the Applicant of the aforesaid written approval by ANC 2E and CAG .

This written agreement constitutes the only agreement between the parties, superceding any prior agreement that may affect the license, and may be modified only by the written agreement of both parties.

IN WITNESS THEREOF, the parties have affixed hereunto their signatures on the year and the day indicated below.

Executed this FOURTH day of OCTOBER, 2010.

APPLICANT
Brush N Blush

By: 

Owner JASON C. BATTLESON

ADVISORY NEIGHBORHOOD COMMISSION 2E

BY: 

Ron Lewis, Chairman

CITIZENS ASSOCIATION OF GEORGETOWN

BY: 

Jennifer Altemus, President