THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of: Credence, LLC t/a Cashions Eat Place Holder of a Retailer's Class CR License at premises 1819 Columbia Road, N.W. Washington, D.C. 20009	License No. Order No.	ABRA-077276 2013-053

Credence, LLC, t/a Cashions Eat Place (Applicant)

Denis James, on behalf of Kalorama Citizens Association (KCA)

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member

ORDER ON AMENDMENT TO COOPERATIVE AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Credence, LLC, t/a Cashions Eat Place, (Licensee), and KCA entered into a Cooperative Agreement (Agreement), dated December 14, 2007, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Cooperative Agreement (Amendment), dated February 4, 2013, in accordance with D.C. Official Code § 25-446 (2001).

All terms and conditions of the original Agreement, not amended by the Amendment, shall remain in full force and effect.

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Denis James, on behalf of KCA, are signatories to the Amendment.

Accordingly, it is this 28th day of February, 2013, **ORDERED** that:

1. The above-referenced Amendment to Cooperative Agreement, dated February 4, 2013, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;

2. Copies of this Order shall be sent to the Licensee and KCA.

District of Columbia
Alcoholic Beverage Control Board

Ruthanne Miller, Chairperson

Nick Alberti, Member

Donald Brooks, Member

Herman Jones, Member

Pursuant to D.C. Official Code § 25-433, any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

COOPERATIVE AGREEMENT CONCERNING LICENSE TO SELL ALCOHOLIC BEVERAGES

This agreement, **first made and entered into the 14th day of December, 2007, upon approval by the DC ABC Board, is, this 4th day of February, 2013 amended as shown herein in bold type**, by and between parties Credence, LLC, t/a Cashion's Eat Place (Cashion's), 1819 Columbia Road, NW, CR-01 license number 77276, and the Kalorama Citizens Association (KCA), witnesseth:

Whereas, Cashion's **is applying, in February, 2013**, to the District of Columbia Alcoholic Beverage Control Board for certain changes in its operation, and the KCA wishes to address concerns raised by that application,

Whereas, KCA agrees to not protest these changes (February, 2013) provided, that Cashion's request (application) does not exceed the conditions described below.

Now, therefore, the parties agree as follows:

1. Operation:

Cashion's shall maintain a restaurant license at 1819 Columbia Road, NW, and shall not apply for another class or type of license for that location. Cashion's shall continue to hold itself out to the community as a dining establishment with the primary purpose being service of food. It is understood that Cashion's **may** feature a limited menu after 11:00 pm, Sunday through Thursday and after 12:00 midnight on Friday & Saturday.

2. The Hours of Operation shall be as follows:
Inside:
Sunday through Thursday: 10:00 am – 1:00 am
Friday and Saturday: **10:00 am** – 3:00 am. On Fridays and Saturdays, no alcoholic beverages will be sold or served after 2:30 am.

Sidewalk Café/Summer Garden:
Upon application to, and approval by, the ABC Board, the following hours shall govern the sidewalk café/summer garden in front of 1819 Columbia Road, NW:
7 days a week: Stop seating patrons: **10:30 pm**. Close: **12:30 am.**

3. Occupancy/Capacity:

Inside: There shall be no more than 96 patrons allowed inside at any time.
Sidewalk Café/Summer Garden: There shall be no more than 28 patrons seated in the Sidewalk Café/Summer Garden.

4. Live Music:

Upon Application to, and approval by the Board, Cashion's may feature a live band **24 times per year.**

Cashion's guarantees that the performance of said musicians shall not disturb the peace, order and quiet of the community or be heard in any residential living unit nearby, and that the purpose of the musical performance is to provide enjoyment to the dining patrons of the restaurant. Accordingly, Cashion's agrees not to seek or permit any DJ or Karaoke performances or dancing, and shall not institute a cover charge for any live music performance. All doors and windows shall be closed at all times that there is a live music performance at Cashion's with the exception of normal ingress and egress.

Cashion's shall maintain a **continuous** written log, **in notebook form,** of each live music performance, **showing at a minimum, the date and the name of the musical act,** and agrees to make the log available to any ABRA investigator, or MPD officer upon request.

Any live music performance shall end one hour prior to closing, in accordance with the closing times recited in Provision 2 of this agreement.

5. Cashion's and the KCA agree to work together cooperatively to resolve any issues arising out of future applications by Cashion's to the ABC Board.

For Credence, LLC, t/a Cashion's:

2/12/13

John Manolatos, Managing Member Date

For Kalorama Citizens Association:

2-12-2013

Denis James, President Date

KALORAMA CITIZENS ASSOCIATION

February 12, 2013

Ruthanne Miller, Chairperson
DC Alcoholic Beverage Control Board
2000 14th Street, NW, Suite 400 S
Washington, DC 20009

By e-mail transmission

Dear Chair Miller,

With this letter, by separate pdf file, the Kalorama Citizens Association (KCA) and Creedence, LLC, t/a Cashions, 1819 Columbia Road, NW, file with the Board an amended Cooperative Agreement for the Board's approval.

The changes to the agreement involve earlier hours of operation, and a very limited number of additional nights (12) when live music may be presented.

KCA doesn't consider these changes to be substantial, but we understand fully that this is the Board's decision to make.

Thank you for your assistance in this matter.

Sincerely,

Denis James
(202) 232-8829 H
(202) 705-7411 C
denisjames@verizon.net

Denis James □ President
Bob Ellsworth □ Vice President
Christine Saum □ Treasurer

Founded 1919

P.O. Box 21311
Kalorama Station
Washington, DC 20009

THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:	)	
	)	
Credence, LLC	)	
t/a Cashion's Eat Place	)	
	)	
Holder of a	)	
Retailer's Class CR License	)	License No. 77276
At premises	)	Order No. 2009-086
	)	
1819 Columbia Road N.W.	)	
Washington, D.C. 20009	)	
	)	

Credence, LLC t/a Cashion's Eat Place, Licensee

Denis James, President, Kalorama Citizens Association

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 Credence, LLC t/a Cashion's Eat Place, holder of a Retailer's Class CR License, located at 1819 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 December 14, 2007 setting forth the terms and conditions that govern the operation of the Applicant's establishment.

The Agreement addresses the hours of operation and the sale and service of alcoholic beverages both inside the establishment and on the sidewalk café and in the summer garden. The Agreement also permits the establishment to offer a live jazz band of up to four musicians, playing acoustic, unamplified instruments no more than one night per month. All live music shall end one hour prior to closing time.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. Both the Licensee and Denis James are signatories to the Agreement.

Accordingly, it is this 22nd day of April 2009, **ORDERED** that 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. Copies of this Order shall be sent to the Applicant and to Denis James.

District of Columbia
Alcoholic Beverage Control Board

P.B. Feather

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.

COOPERATIVE AGREEMENT CONCERNING LICENSE TO SELL ALCOHOLIC BEVERAGES

DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL BOARD
2007 DEC 21 A 12: 35

This agreement, made and entered into this 14th day of December, 2007, by and between parties Credence, LLC, t/a Cashion's Eat Place (Cashion's), 1819 Columbia Road, NW, CR-01 license number 77276, and the Kalorama Citizens Association (KCA), witnesseth:

Whereas, Cashion's has applied to the District of Columbia Alcoholic Beverage Control Board for certain changes in its operation, and the KCA wishes to address concerns raised by that application,

Now, therefore, the parties agree as follows:

1. Operation:

Cashion's shall maintain a restaurant license at 1819 Columbia Road, NW, and shall not apply for another class or type of license for that location. Cashion's shall continue to hold itself out to the community as a fine dining establishment with the primary purpose being service of food. It is understood that Cashion's will feature a limited "After Dark" menu after 11:00 pm, Sunday through Thursday (except Monday when closed) and after 12:00 midnight on Friday & Saturday.

2. The Hours of Operation shall be as follows:
Inside:
Sunday: 11:30 am – 1:00 am Monday: Closed
Tuesday through Thursday: 5:30 pm – 1:00 am
Friday and Saturday: 5:30 pm – 3:00 am. On Fridays and Saturdays, no alcoholic beverages will be sold or served after 2:30 am.

Sidewalk Café/Summer Garden:
Upon application to, and approval by, the Public Space Committee and the ABC Board, the following hours shall govern the sidewalk café/summer garden in front of 1819 Columbia Road, NW:
Sunday & Tuesday: Stop seating patrons: 9:30 pm. Close: 11:30 pm.
Monday: Closed
Wednesday-Saturday: Stop seating patrons: 10:30 pm. Close: 12:30 am.

3. Occupancy/Capacity:

Inside: There shall be no more than 96 patrons allowed inside at any time.

Sidewalk Café/Summer Garden: There shall be no more than 28 patrons seated in the Sidewalk Café/Summer Garden.

GOVT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION
2007 DEC 21 A 12:35
SECRETARY

4. Live Music:

Upon Application to, and approval by the Board, Cashion's may feature a live jazz band of up to 4 musicians, playing acoustic, un-amplified instruments no more than one night per month.

Cashion's guarantees that the performance of said musicians shall not disturb the peace, order and quiet of the community or be heard in any residential living unit nearby, and that the purpose of the musical performance is to provide enjoyment to the dining patrons of the restaurant. Accordingly, Cashion's agrees not to seek or permit any DJ or Karaoke performances or dancing, and shall not institute a cover charge for any live music performance. All doors and windows shall be closed at all times that there is a live music performance at Cashion's with the exception of normal ingress and egress.

Cashion's shall maintain a written log of each live music performance, and agrees to make the log available to any ABRA investigator, or MPD officer upon request.

Any live music performance shall end one hour prior to closing, in accordance with the closing times recited in Provision 2 of this agreement.

Cashion's agrees to file no further Entertainment Endorsement requests beyond what is contained in this provision.

5. Cashion's and the KCA agree to work together cooperatively to resolve any issues arising out of future applications by Cashion's to the ABC Board.

For Credence, LLC, t/a Cashion's:

JUSTIN B. ABAD, owner
Printed name and title

12/14/07
Signature Date

For Kalorama Citizens Association:

12-14-2007
Denis James, President Date