

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

**In the Matter of:**

Cause Operations, LLC  
t/a Cause DC

Application for Substantial Change  
(Summer Garden)  
to a Retailer's Class CR License

at premises  
1926 9th Street, N.W.  
Washington, D.C. 20011

Case No. 13-PRO-00115  
License No. ABRA-090192  
Order No. 2013-601

Cause Operations, LLC, t/a Cause DC (Applicant)

E. Gail Anderson-Holness, Vice Chairperson, Advisory Neighborhood Commission  
(ANC) 1B

Lynn H. Johnson, Esq., on behalf of A Group of Five or More Individuals  
(Approximately Nine Individuals)

Lynn H. Johnson, Esq., President, Westminster Neighborhood Association

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

**ORDER ON SETTLEMENT AGREEMENT AND WITHDRAWAL OF  
PROTESTS OF ANC 1B AND A GROUP OF FIVE OR MORE INDIVIDUALS**

The Application filed by Cause Operations, LLC, t/a Cause DC, for a Substantial Change to include a new summer garden, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 9, 2013, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant, ANC 1B, and

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Westminster Neighborhood Association entered into a Settlement Agreement (Agreement), dated October, 2013, that governs 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; Vice Chairperson E. Gail Anderson-Holness and Commissioner Jeremy Leffler, on behalf of ANC 1B; and Lynn H. Johnson, Esq., on behalf of Westminster Neighborhood Association, are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protests filed by ANC 1B and the Group of Five or More Individuals of this Application.

Accordingly, it is this 11<sup>th</sup> day of December, 2013, **ORDERED** that:


1. The Application filed by Cause Operations, LLC, t/a Cause DC, for a Substantial Change to include a new summer garden, to its Retailer's Class CR License, located at 1926 9th Street, N.W., Washington, D.C., is **GRANTED**;
2. The Protests of ANC 1B and the Group of Five or More Individuals in this matter are hereby **DISMISSED**;
3. The above-referenced Settlement Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

Section 3 (Participation in the Community) – This Section shall be modified to read as follows: "Applicant agrees to work in good faith with the Protestants to attend meetings and to resolve any problems arising from the operation of the business."

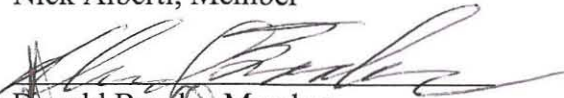
4. Copies of this Order shall be sent to the Applicant, ANC 1B, and Lynn H. Johnson, Esq., on behalf of the Group of Five or More Individuals and Westminster Neighborhood Association.

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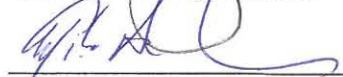
District of Columbia  
Alcoholic Beverage Control Board

  
Ruthanne Miller, Chairperson

  
Nick Alberti, Member

  
Donald Brooks, Member

  
Herman Jones, Member

  
Mike Silverstein, Member

Pursuant to D.C. Official Code § 25-433, 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, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to D.C. Official Code § 25-433, stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b).

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Voluntary Agreement

THIS VOLUNTARY AGREEMENT ("Agreement") is made on this \_\_\_\_ day of October 2013 by and between Cause Operation, LLC (trade name of Cause DC), Advisory Neighborhood Commission 1B01, and the West Group (Community), all parties to an Application, License No. 090192, currently before the Alcohol Beverage Control Board.

WITNESSETH:

WHEREAS, Applicant has applied for a substantial change to their existing Alcoholic Beverage Control (ABC) Retailer's Class C license for the premises at 1926 9th Street NW, Washington, DC 20001.

WHEREAS, the parties have agreed to enter into this Agreement and to request the Alcoholic Beverage Control ("ABC Board") to approve the Applicant's license application conditioned upon Applicant's compliance with the terms of this written Agreement.

NOW THEREFORE, in consideration of the recitals set forth above and the mutual covenants and conditions set forth below, the parties agree as follows:

1) Rooftop Sound Barrier- This barrier shall include a sound-proofing material on all sides such that that is intended to control the decibel level of normal conversation and other normal and recurring sounds not to generally exceed 65 decibels at a location at the west end of the Applicant's building.

A) The sound barrier shall be located not closer than 25 feet from Applicant's west wall.

B) The sound barrier shall be no higher than 10 feet from the floor of the deck.

C) The sound barrier shall have side walls on both sides of the barrier extending east for a minimum of 6 feet.

D) The sound barrier shall have a roof no less than 8 feet in length.

2) Efforts to Control Noise -

A) Applicant will post signage at or near the stairwell entrance to the roof deck asking patrons to respect the neighbors and to be quiet while using the roof deck.

B) Applicant will keep the stairwell door to the roof deck closed at all times it is not in use.

C) Applicant will take all reasonable efforts to control the noise from patrons and staff using the roof deck.

3) Participation in the Community - Applicant, upon notice from the ANC 1B, the West Group, or the Westminster Neighborhood Association, shall send a representative of the

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establishment to a meeting of the respective organizations to discuss and find reasonable ways to resolve any problems associated with its operations.

4) Binding Effect. This Voluntary Agreement shall be binding upon and enforceable against the successors and assigns of Applicant.

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

WITNESS:

APPLICANT:  
Cause Operation, LLC

By: Raj Raturi  
~~Nick Velle, President~~  
Raj Raturi

THE COMMUNITY:  
Advisory Neighborhood Commission 1B

By: E. Can  
Tony Norman, Chairperson  
E. Can Anderson Holness Co-Chairperson  
Advisory Neighborhood Commissioner 1B01

By: Jeremy Leffler  
Jeremy Leffler  
The West Group

By: Lynn H. Johnson  
Lynn H. Johnson

ALCOHOLIC BEVERAGE  
REGULATION ADMIN  
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