

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

In the Matter of:	)	
	)	
Midagra, LLC	)	
t/a DCanter	)	
	)	
Applicant for a New	)	
Retailer's Class B License	)	License No. ABRA-090639
	)	Order No. 2012-524
at premises	)	
545 8 <sup>th</sup> Street, S.E.	)	
Washington, D.C. 20003	)	

Midagra, LLC, t/a DCanter (Applicant)

Andrew Jared Critchfield, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 6B

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

**ORDER ON VOLUNTARY AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Midagra, LLC, t/a DCanter, Applicant for a new Retailer's Class B license, located at 545 8<sup>th</sup> Street, S.E., Washington, D.C., and ANC 6B have entered into a Voluntary Agreement (Agreement), dated November 13, 2012, 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 and Chairperson Andrew Jared Critchfield, on behalf of ANC 6B, are signatories to the Agreement.

**Midagra, LLC**  
**t/a DCanter**  
**License No. ABRA-090639**  
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Accordingly, it is this 12th day of December, 2012, **ORDERED** that:

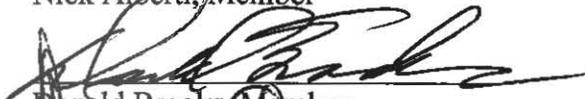
1. The above-referenced Voluntary Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Applicant and ANC 6B.

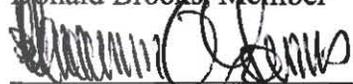
Midagra, LLC  
t/a DCanter  
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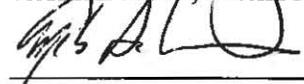
District of Columbia  
Alcoholic Beverage Control Board

  
\_\_\_\_\_  
Ruthanne Miller, Chairperson

  
\_\_\_\_\_  
Nick Alberti, Member

  
\_\_\_\_\_  
Donald Brooks, Member

  
\_\_\_\_\_  
Herman Jones, Member

  
\_\_\_\_\_  
Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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 14<sup>th</sup> Street, N.W., Suite 400S, Washington, D.C. 20009.

  
*Capitol Hill / Southeast*

921 Pennsylvania Avenue SE  
Suite 305  
Washington, DC 20003  
202.543.3344  
fax 202.543.3507  
office@anc6b.org

Executive Director  
*Susan Eads Role*

**OFFICERS**

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*Andrew Jared Critchfield*

Vice-Chair  
*Ivan Frishberg*

Secretary  
*Brian Pate*

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SMD 5 *Brian Pate*  
SMD 6 *Andrew Jared Critchfield*  
SMD 7 *Carol Green*  
SMD 8 *Neil Glick*  
SMD 9 *Brian Flahaven*  
SMD 10 *Francis Campbell*

November 15, 2012

Ruthanne Miller, Chair  
Alcoholic Beverage Control Board  
2000 14<sup>th</sup> Street NW, Suite 400S  
Washington, DC 20009

Re: DCanter, 545 8<sup>th</sup> Street SE, ABRA—090634, New Application for Class B License

Dear Ms. Miller:

At its regularly scheduled, properly noticed meeting on November 13, 2012, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 10-0 to support the above-referenced license request.

Please find enclosed a Voluntary Agreement executed by both parties for your review and approval.

If there are questions, please contact ANC 6B's Alcohol Beverage Control Committee Chair Carol Green at 202-546-2051 or [carol6b07@anc6b.org](mailto:carol6b07@anc6b.org). Thank you.

Sincerely,

  
Andrew Jared Critchfield, Ph.D.  
Chair

Enclosure

## VOLUNTARY AGREEMENT

This Agreement made November 13, 2012 by and between Midagra, LLC, t/a DCanter and Advisory Neighborhood Commission 6B.

### WITNESSETH

WHEREAS, Applicant's Retailers Class "B" license, ABRA-090634, for premises at 545 8<sup>th</sup> Street SE, Washington, DC 20003 is now pending before the District of Columbia Alcoholic Beverage Control Board; and

WHEREAS, the premises is within the boundaries of the ANC; and

WHEREAS, DCanter, a boutique retailer, will focus on selling small production wines and craft beers. DCanter will provide expert wine and beer education for the community and cater to the discriminating palate of wine and craft beer connoisseurs, as well as to customer interested in learning more about wines.

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the Retailers' Class "B" license with a tasting endorsement, at the subject premises;

NOW, THEREFORE, the Parties agree as follows:

1. ***Recitals Incorporated.*** The recitals set forth above are incorporated herein by reference.

2. ***Nature of the Business.*** The Applicant will manage and operate a Retailer's Class B license under the following provisions:

- A. The Applicant will comply with all laws and regulations governing the operations of the establishment at 545 8<sup>th</sup> Street SE, however, it is not the intent of the ANC that the Applicant have multiple citations for any specific violations of the laws and regulations governing the operations of the establishment and violating this VA.
- B. The Applicant will not divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the container is less than 70 ounces. The Applicant may break up manufacturer's packages for purposes of "tastings"
- C. The Applicant will not sell, give, offer, expose for sale, or deliver an individual container or two pack or three pack of beer, malt liquor, or ale if the containers are less than 70 ounces each. Nothing contained herein shall preclude the applicant from applying for the exemption as provided in DC Code 25-346 (c)1.
- D. The Applicant will not sell or provide go cups or single servings of ice.

E. The Applicant's hours of operation and sales are 9:00 a.m. – 10:00 p.m. and Applicant will not sell alcohol before or after these hours.

F. The Applicant agrees to post this agreement alongside the ABC license.

**3. Signage, Noise and Privacy.**

Applicant will, to the best of his ability, prohibit and prevent loitering, rowdiness, criminal activity, panhandling and all illegal activity adjacent to the establishment.

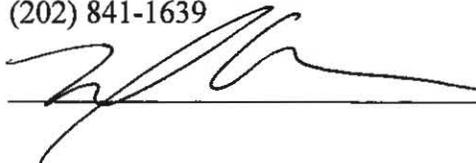
**4. Public Space Cleanliness and Maintenance.**

Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition.

By signature below, the Parties agree to the terms of this agreement.

IN WITNESS WHEREOF, the Parties have affixed hereunto their signatures.

Applicant: Midagra, LLC  
t/a DCanter  
545 8<sup>th</sup> Street SE  
Attn: Michael Warner  
(202) 841-1639

 (Signature)

ANC: Advisory Neighborhood Commission  
921 Pennsylvania Avenue SE  
Ste 305  
Washington, DC 20003  
Andrew Jared Critchfield, Chairperson  
(202) 543-3344

 (Signature)