

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

_____)	
In the Matter of:)	
)	
Sunnyside Group, LLC)	
t/a Good Stuff Eatery)	
)	
Holder of a)	License No. ABRA-078027
Retailer's Class DR License)	Order No. 2013-237
)	
at premises)	
303 Pennsylvania Avenue, S.E.)	
Washington, D.C. 20003)	
_____)	

Sunnyside Group, LLC, t/a Good Stuff Eatery (Licensee)

Brian Flahaven, Chairperson, on behalf of Advisory Neighborhood Commission (ANC)
6B

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

ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Sunnyside Group, LLC, t/a Good Stuff Eatery, (Licensee), and ANC 6B entered into a Settlement Agreement (Agreement), dated December 11, 2007, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated April 9, 2013, in accordance with D.C. Official Code § 25-446 (2001).

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Brian Flahaven, on behalf of ANC 6B, are signatories to the Amendment.

Sunnyside Group, LLC
t/a Good Stuff Eatery
License No. ABRA-078027
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Accordingly, it is this 29th day of May, 2013, **ORDERED** that:

1. The above-referenced Amendment to Settlement Agreement, dated April 9, 2013, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Agreement, not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6B.

Sunnyside Group, LLC
t/a Good Stuff Eatery
License No. ABRA-078027
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District of Columbia
Alcoholic Beverage Control Board



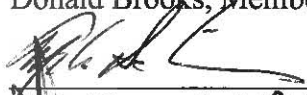
Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member



Mike Silverstein, 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.

AMENDMENT TO VOLUNTARY (COOPERATIVE) AGREEMENT

This Amendment to Voluntary (Cooperative) Agreement ("Amendment") is made this 9 day of April 2013 by and between Sunnyside Group LLC t/a Good Stuff Eatery ("Applicant") and Advisory Neighborhood Commission 6B ("ANC 6B").

WITNESSETH

WHEREAS, Applicant is the current owner and operator of an ABC-licensed establishment located at 303 Pennsylvania Ave SE, Washington, DC 20003;

WHEREAS, ANC 6B and the Applicant entered into a Voluntary (Cooperative) Agreement dated December 11, 2007 which Agreement was approved by the Alcoholic Beverage Control Board ("ABC Board") by Order dated January 9, 2008;

WHEREAS, Applicant as the current holder of the License, is bound by the terms of the Agreement;

WHEREAS, ANC 6B seeks to modify the Agreement to reflect the new official designation of this document as a Settlement Agreement; and

WHEREAS, to accommodate ANC 6B's request, the parties agree to an amendment to the Agreement as hereinafter set forth.

NOW, THEREFORE, the parties agree as follows:

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Change of name from Voluntary Agreement to Settlement Agreement** The Agreement is hereby amended to reflect the name of the Agreement document as Settlement Agreement.
4. **Agreement Otherwise in Full Force and Effect.** Except as otherwise explicitly provided herein, the terms of the Voluntary Agreement shall remain in full force effect and the Agreement and this Amendment shall constitute the agreement between the parties. This Amendment may only be modified by written agreement of all the parties or their successors, or otherwise in accordance with law.

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

APPLICANT:

By:

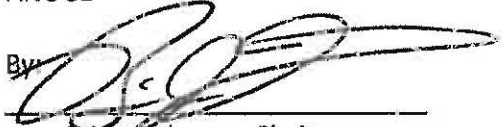


Harvey Mendelsohn

Date:

ANC 6B

By:



Brian Mahaven, Chair

Date:

4/22/13

ANC 6B

Capitol Hill / Southeast

921 Pennsylvania Avenue SE
Suite 305
Washington, DC 20003-2141
202-543-3344 (office)
202-543-3507 (fax)
office@anc6b.org

Executive Director
Susan Eads Role

OFFICERS

Chair
Brian Flahaven

Vice-Chair
Ivan Frishberg

Secretary
Philip Peisch

Treasurer
Brian Pate

Parliamentarian
Nichole Opkins

COMMISSIONERS

SMD 1 *David Garrison*
SMD 2 *Ivan Frishberg*
SMD 3 *Philip Peisch*
SMD 4 *Kirsten Oldenburg*
SMD 5 *Brian Pate*
SMD 6 *Nichole Opkins*
SMD 7 *Sara Lovelend*
SMD 8 *Chander Jayaramen*
SMD 9 *Brian Flahaven*
SMD 10 *Francis Campbell*

April 26, 2013

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

VIA E-MAIL: sarah.fashbaugh@dc.gov

RE: ABRA-078027, Good Stuff Eatery, 303 Pennsylvania Avenue SE, License
Renewal

Dear Ms. Miller:

At its regularly called, properly noticed meeting on April 9, 2013, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 8-1 in support of the above-referenced request.

For your review and approval, please find enclosed an Amendment to the Voluntary Agreement, which was executed by both parties.

Please contact ANC 6B's Executive Director Susan Eads Role if you have questions or need further information. Thank you.

Sincerely,



Brian Flahaven
Chair

Enclosure

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

<hr/>)	
In the Matter of:)	
)	
Sunnyside Group, LLC)	
t/a Good Stuff Eatery)	
)	
Application to Renew the)	License No. 78027
Retailer's Class D License)	Order No. 2008-029
at premises)	
303 Pennsylvania Ave., S.E.)	
Washington, D.C. 20003)	
<hr/>)	

Sunnyside Group, LCC t/a Good Stuff Eatery, the Applicant

Julie Olson, Chairperson, Advisory Neighborhood Commission 6B

BEFORE: Peter B. Feather, Chairperson
Judy A. Moy, Member
Albert G. Lauber, Member
Mital M. Gandhi, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Control Board (Board) reflect that the Applicant, Sunnyside Group, LCC t/a Good Stuff Eatery and Julie Olson, Chairperson of Advisory Neighborhood Commission (ANC) 6B (collectively, the Parties) have entered into a Voluntary Agreement (Agreement) dated December 11, 2007 setting forth the terms and conditions by which the Applicant would operate its establishment. The Agreement has been reduced to writing and has been properly executed and filed with the Board. Both the Applicant and Julie Olson are signatories to the Agreement.

Sunnyside Group, LLC
t/a Good Stuff Eatery
License No. 78027
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Accordingly, it is this 9th day of January 2008, **ORDERED** that:

1. The above-referenced Voluntary Agreement is **INCORPORATED** as part of this Order; and
2. The Application of Sunnyside Group, LCC t/a Good Stuff Eatery, 303 Pennsylvania Ave., S.E., Washington, D.C. 20003, for renewal of its Retailer's Class D License is **APPROVED**;
3. Copies of this Order shall be sent to the Applicant and to ANC 6B.

District of Columbia
Alcoholic Beverage Control Board


Peter B. Feather, Chairperson


Judy A. Moy, Member


Albert G. Lauber, Member


Mital M. Gandhi, 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.

Voluntary (Cooperative) Agreement

Made this 11th day of December, 2007, by and between Sunnyside Group, LLC, t/a Good Stuff Eatery (the Applicant), and Advisory Neighborhood Commission 6B, (the ANC, Collectively, the "Parties").

WITNESSETH

WHEREAS, Applicant's application for a Retailers' Class "D" Restaurant license for premises, 303 Pennsylvania Avenue, S.E., Washington, DC, 20003, ABC License # 78027, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

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

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issue of a Retailers' Class "D" Liquor License at the subject premises;

WHEREAS, the parties wish to state their mutual desire to promote the peace, order and quiet of the neighbors in the immediate area. Both parties recognize the importance of business neighborhoods that are safe, clean and "pedestrian friendly".

NOW, THEREFORE, the parties agree as follows:

1. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
 - a. Picking up trash, including beverage bottles and cans, on a daily basis; and,
 - b. Sweeping the outside of the establishment on a daily basis; and,
 - c. Taking due diligence to prevent vermin infestation in and around the establishment, including following the recommendations and guidelines of the Vector Control Division of the Department of Public Works.
2. The Applicant will not provide, or permit, a disc jockey, amplified live music or amplified live entertainment at the premises.
3. The hours of operation are Sundays 11:00 a.m. – 10:00 p.m.; Mondays thru Thursdays 11:00 a.m. – 11:00 p.m.; and Friday and Saturdays 11:00 a.m. – 12:00 a.m.
4. Any music provided on the Premises will not be audible outside of the premises.

5. Applicant will not operate the Premises as a nightclub, dance venue or similar venue.

In consideration of, and reliance upon, the commitments reflected in paragraphs 1 thru 4 the ANC will not oppose the applicant's pending license application.

The parties further agree that any failure of Applicant to adhere to the foregoing commitment would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R.

1513.5

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

ANC 6B:

By:


Harvey Mendelsohn, Owner

By:


Julie Olson, Chair