

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

In the Matter of:	)	
	)	
Mezza Luna, Inc.	)	
t/a Mezza Luna	)	
	)	
Application for Substantial Change	)	Case No. 10-PRO-00140
to Retailer's Class CR License	)	License No. ABRA-074393
	)	Order No. 2011-022
at premises	)	
1140 19 <sup>th</sup> Street, N.W.	)	
Washington, D.C. 20036	)	

Mezza Luna, Inc., t/a Mezza Luna ("Applicant")

Will Stephens, Chairperson, Advisory Neighborhood Commission (ANC) 2B

**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 AND  
WITHDRAWAL OF PROTEST**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Mezza Luna, Inc., t/a Mezza Luna (Applicant), filed an Application for a Class Change from a Retailer's Class CR License to a Retailer's Class CT License located at 1140 19<sup>th</sup> Street, N.W., Washington D.C., and Chairperson Will Stephens, on behalf of ANC 2B, have entered into a Voluntary Agreement, dated December 20, 2010, setting forth the terms and conditions 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 and Chairperson Will Stephens, on behalf of ANC 2B, are signatories to the Agreement. This Agreement constitutes a withdrawal of the Protest filed by ANC 2B of this Application.

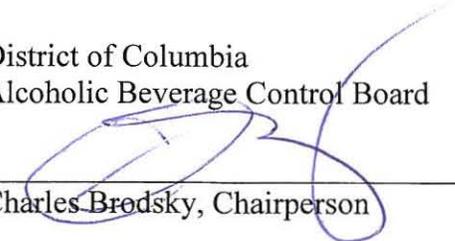
**Mezza Luna, Inc.**  
**t/a Mezza Luna**  
**Case No. 10-PRO-00140**  
**License No. ABRA-074393**  
**Page 2**

Accordingly, it is this 12<sup>th</sup> day of January 2011, **ORDERED** that:

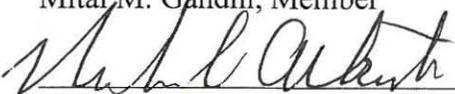
1. The Application filed by Mezza Luna, Inc., t/a Mezza Luna (“Applicant”), for a Class Change from a Retailer’s Class CR License to a Retailer’s Class CT License located at 1140 19<sup>th</sup> Street, N.W., Washington, D.C., is **GRANTED**;
2. The Protest of ANC 2B in this matter is hereby **WITHDRAWN**;
3. The above-referenced Voluntary Agreement submitted by the Parties to govern the operations of the Applicant’s establishment are **APPROVED** and **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Applicant and ANC 2B.

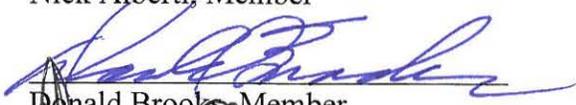
**Mezza Luna, Inc.**  
**t/a Mezza Luna**  
**Case No. 10-PRO-00140**  
**License No. ABRA-074393**  
**Page 3**

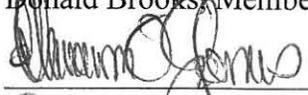
District of Columbia  
Alcoholic Beverage Control Board

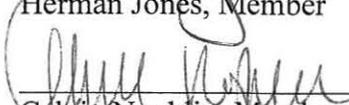
  
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Charles Brodsky, Chairperson

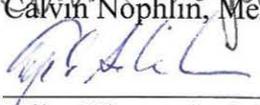
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Mital M. Gandhi, Member

  
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Nick Alberti, Member

  
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Donald Brooks, Member

  
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Herman Jones, Member

  
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Calvin Nophlin, Member

  
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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.

**VOLUNTARY AGREEMENT CONCERNING CHANGE OF  
LICENSE CLASS, MEZZA LUNA, INC.**

VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT, made on this 20 day of December, 2010 by and between Mezza Luna, Inc., t/a Mezza Luna, ("Licensee"), and Advisory Neighborhood Commission 2B ("ANC 2B")

**RECITALS**

WHEREAS, Applicant is the holder of a Retailer's License Class CR for premises known as Mezza Luna located at 1140 19<sup>th</sup> Street N.W., Washington, D.C. 20036; and

WHEREAS, Applicant has filed an application with the District of Columbia Alcoholic Beverage Control Board ("ABC Board") for conversion of its license to a Class CT;

WHEREAS, Protestants have filed a protest opposing the conversion of the license class;

WHEREAS, the parties desire to enter into this Voluntary Agreement whereby Applicant will adopt certain measures to address Protestants' concerns, such measures to be formal conditions to the approval of the license conversion, in exchange for Protestants' agreement to the license conversion and withdrawal of their protest.

NOW, THEREFORE, in considerations of the Recitals set forth above, and the mutual covenants in agreements hereinafter set forth, the parties agree as follows:

1. The Recitals set forth above are incorporated herein by reference.
2. Licensee will not participate in any pub-crawls or other bar and club events.
3. Licensee agrees to operate in full compliance with all applicable laws and regulations.
4. Sidewalk Café: The Applicant agrees that it will not permit customers to occupy its Sidewalk Café in excess of the number listed on its Public Space permit.
5. Minimum Food Service. Applicant agrees to have a menu that will serve more than snacks. The Applicant agrees to have kitchen service at least up to two (2) hours before the listed closing hours on its permit. Applicant agrees that the establishment will be shut down and completely vacated, except for routine maintenance and cleanup, by closing time each night. Applicant agrees that there shall be no activity after the

closing time listed on the ABC Board license it has been issued.

6. The Agreement shall be posted alongside the liquor license and other licenses on the premises.

7. In the event of a violation of this Agreement, the ANC shall notify the Licensee. If the Licensee does not correct any violation of the Agreement within five days, then ANC 2B shall have the right to petition the ABC Board for show cause hearing.

8. The parties agree this Voluntary Agreement will replace the existing, executed Board-approved Voluntary Agreement signed by Mezza Luna and Advisory Neighborhood Commission 2B on April 29, 2010.

9. Withdrawal Of Protest. In consideration of Applicant's agreement to the provisions of this Voluntary Agreement, the Protestants support the conversion and issuance of a Class CT license to Applicant, and hereby withdraw their protests to the conversion of the License, and join with the Applicant in requesting that a Retailer's Class CT license be issued in accordance with the Board's normal procedures.

APPLICANT:  
MEZZA LUNA, INC.



BY SANDRA NAING

PROTESTANT:  
ADVISORY NEIGHBORHOOD COMMISSION 2B



BY WILL STEPHENS