

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

In the Matter of:)

Expresso, Inc.)
t/a Park Cafe)

Applicant for Renewal of a)
Retailer's Class CR License)
at premises)
106 13th Street, S.E.)
Washington, D.C. 20003)

Case No. 10-PRO-00101
License No. ABRA-029448
Order No. 2010-513

Expresso, Inc., t/a Park Cafe ("Applicant")

Michael McCamman, on behalf of A Group of Five or More Individuals ("Protestants")

Edward Nottage and Leslie Nottage, abutting property owners ("Protestants")

BEFORE: Charles Brodsky, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Donald Brooks, 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 Expresso, Inc., t/a Park Cafe ("Applicant"), filed an Application for Renewal of a Retailer's Class CR License located at 106 13th Street, S.E., Washington D.C. The Applicant; Michael McCamman, on behalf of A Group of Five or More Individuals; and Edward Nottage and Leslie Nottage, abutting property owners, have entered into a Voluntary Agreement, dated October 13, 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; Michael McCamman, on behalf of A Group of Five or More Individuals; and Edward Nottage and Leslie Nottage, abutting property owners, are signatories to the Agreement. This Agreement also constitutes a withdrawal of the Protests.

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Accordingly, it is this 27th day of October 2010, **ORDERED** that:

1. The Application filed by Expresso, Inc., t/a Park Cafe (Applicant), for Renewal of its Retailer's Class CR license located at 106 13th Street, S.E., Washington, D.C., is **GRANTED**;
2. The Protests in this matter are hereby **WITHDRAWN**;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, except for the following modification:

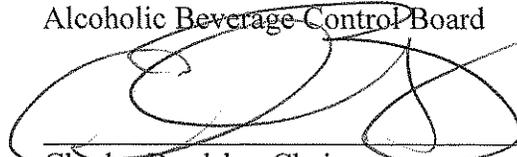
The second sentence in Section 6 shall be modified as follows: "Applicant shall provide proof of its rat and vermin control contract upon the request of the Board when there is evidence of a problem."

The parties agree to this modification.

4. Copies of this Order shall be sent to the Applicant; Michael McCamman, on behalf of A Group of Five or More Individuals; and Edward Nottage and Leslie Nottage.

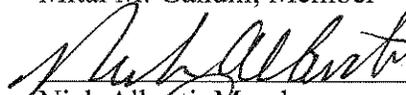
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District of Columbia
Alcoholic Beverage Control Board



Charles Brodsky, Chairperson

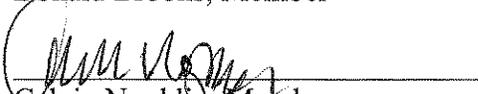
Mital M. Gandhi, Member



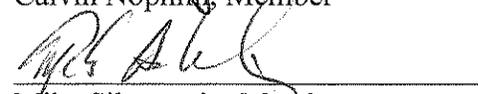
Nick Alberti, Member



Donald Brooks, Member



Calvin Nophlin, Member



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

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATIONS ADMINISTRATION

2010 OCT 18 P 1:17

AGREEMENT

REC'D BY



Made this 13 day of OCT. 2010, by Espresso, Inc., ("Applicant") and Leslie and Edward Nottage and A Group of Five Individuals represented by Michael McCamman (collectively, the "Parties").

WITNESSETH

WHEREAS, Applicant's renewal of ABC liquor license for a Retailers Class "CR" license for Premises, 106 13th Street, SE, Washington, DC 20003 (The "Premises"), ABC Liquor License No. ABRA-029448 is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and

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

WHEREAS, the Parties are desirous of entering into a Voluntary Agreement pursuant to D.C. Code 25-446 for the operation and maintenance of the Establishment in such a manner as to promote the peace, order and quiet of the neighborhood. All parties recognize the importance of neighborhoods that are safe, clean, and "pedestrian friendly"

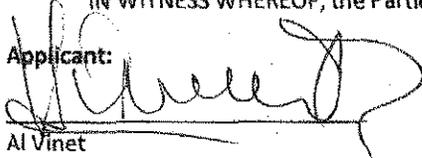
NOW, THEREFORE, the Parties agree as follows:

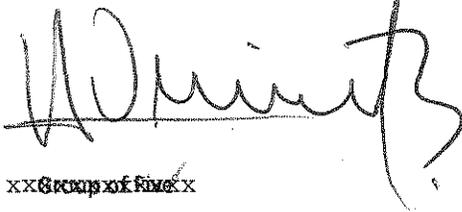
1. Construction work will be performed only during legal hours from Monday through Saturday.
2. Applicant will remove the tree box closest to the establishment to the North.
3. Applicant will place sign in vestibule stating, "Patrons, please be considerate of our neighbors."
4. Applicant will ask loiterers to move on if the loiterers are creating nuisance.
5. Applicant will require and monitor trash removal contractor to only operate during legal hours, e.g. 7 a.m. to 7 p.m. Applicant shall keep the sidewalk (up to and including the curb), tree box, curb and alley clean and free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall police these areas sufficiently to assure that refuse and other materials are promptly removed. Applicant shall ensure that the area around the dumpster is kept clean at all times and the dumpster is placed such that it does not encroach on the abutting property owners and that no garbage is placed on the abutting property.
6. Applicant shall provide rat and vermin control for its property. Applicant shall provide proof of its rat and vermin control contract upon the reasonable request of the Protestants when there is evidence of a problem. Applicant shall have the Establishment and the area around the Premises properly cleaned at the end of each night to ensure that there are not garbage and odors present the following morning.
7. Applicant will strictly comply with D.C. Official Code 25-725
8. Applicant promises that it shall abide by all Alcoholic Beverage Regulations Administration (ABRA) regulations regarding the ownership of the license and all other provisions applicable to liquor licenses.

The Parties further agree that any failure of the Applicant to comply with the terms of this agreement will constitute grounds for the Parties to petition the ABC Board for an order to show cause pursuant to 23 D.C.M.R. 1604 et sec.

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

Applicant:

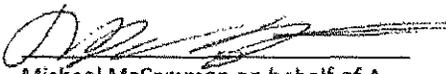

Al Vinet


xx Group of Five x

Parties:


Leslie Nottage


Edward Nottage


Michael McCamman on behalf of A
Group of Five

- Kristina Emminger
- Bill Mitchell
- Michael McCamman
- Abel Russ
- Thurston Bow

-  Patti Shea

