

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

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In the Matter of:)	
)	
TGR, Inc.)	
t/a Teatro Goldoni)	
)	
Application for Substantial Change)	Case No. 10-PRO-00108
to Retailer's Class CR License)	License No. 77812
at premises)	Order No. 2010-509
1909 K Street, N.W.)	
Washington, D.C. 20036)	
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TGR, Inc., t/a Teatro Goldoni ("Applicant")

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

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 Control Board (Board) reflect that TGR, Inc., t/a Teatro Goldoni (Applicant), has submitted an Application for a Substantial Change to a Retailer's Class CR License located at 1909 K Street, N.W., Washington D.C. The Applicant and Chairperson Will Stephens, on behalf of ANC 2B, have entered into a Voluntary Agreement, dated September 22, 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 also constitutes a withdrawal of the Protest of this Application.

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Accordingly, it is this 6th day of October 2010, **ORDERED** that:

1. The Application filed by TGR, Inc., t/a Teatro Goldoni, for a Substantial Change to a Retailer's Class CR License located at 1909 K Street, Washington, D.C., is **GRANTED**;
2. The Protest in this matter is hereby **WITHDRAWN**;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 is **APPROVED** and **INCORPORATED** as part of this Order, and;
4. Copies of this Order shall be sent to the Applicant and ANC 2B.

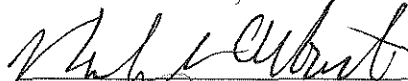
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District of Columbia
Alcoholic Beverage Control Board

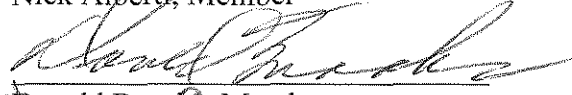
Charles Brodsky, Chairperson



Mital M. Gandhi, Member



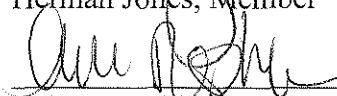
Nick Alberti, Member



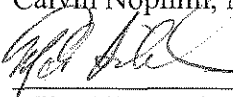
Donald Brooks, Member



Herman Jones, 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

THIS VOLUNTARY AGREEMENT, made on this 22nd day of September, 2010, by and between TGR, Inc., ("Licensee"), and Advisory Neighborhood Commission 2B ("ANC 2B")

RECITALS

WHEREAS, Licensee is the holder of a Class CR license issued by the ABC Board for premises known as 1909 K Street N.W., Washington, D.C. 20006; and

WHEREAS, Licensee has applied to the Board for approval to extend hours of operation and sales/service to Sunday through Thursday 11:30am to 2am, Friday and Saturday 11:30am to 3am, including a new entertainment endorsement to include DJ, Live Entertainment and Dancing, and a cover charge; and

WHEREAS, the Board has determined that the proposed change in the premises is a substantial change in accordance with the provisions of D.C. Code 15.405; and

WHEREAS, ANC 2B has protested the renewal on the basis of peace, order, and quiet;

NOW, THEREFORE, in consideration 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 is given permission to have a DJ or other live entertainment ("Entertainment") in connection with its business operations at any time before 2am (Sunday through Thursday) and 3am (Friday and Saturday). The Entertainment will take the necessary steps to ensure that sound levels do not disturb neighboring establishments.
3. Licensee will not participate in any pub-crawls or other bar and club events. However, Licensee is permitted to participate in Restaurant Week and Taste of D.C.
4. Licensee agrees to operate in full compliance with all applicable laws and regulations.
5. The Agreement shall be posted alongside the liquor license and other licenses on the premises. Licensee and the ANC hereby request that the board incorporate the text of this Agreement in the order to approve the substantial change.
6. The Licensee is host to a number of fund-raising and non-profit organization events ("Events"). In consideration of the above Agreement,

the Licensee agrees that the only time a cover charge may be collected is when it is host to Events, only for the benefit of such Events, and collected only from the attendees of such Events . The Licensee shall not collect a cover charge for its own business operations at any time. The Licensee will be allowed to hold ticketed events, provided tickets are sold ahead of time and not at the door at the time of the event.

7. ANC 2B hereby withdraws its protest to the renewal of the license and joins Licensee in requesting the ABC board to approve the substantial changes requested by Licensee as set forth above, conditioned upon Licensee's compliance with the terms of this Agreement.
8. 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 business days, then ANC shall have the right to petition the ABC Board for show cause hearing.

APPLICANT:
TGR, Inc. t/a Teatro Goldoni



BY Michael Kosmidis, President
TGR, INC.

ANC 2B



BY WILL STEPHENS, Chair