

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

<b>In the Matter of:</b>	)	
Gevani, Inc.	)	
t/a Zeba Bar & Grill	)	
Holder of a	)	License No. ABRA-079449
Retailer's Class CT License	)	Order No. 2011-353
at premises	)	
3423 14 <sup>th</sup> Street, N.W.	)	
Washington, D.C. 20010	)	
	)	

Gevani, Inc., t/a Zeba Bar & Grill (Licensee)

Laina M. Aquiline, Commissioner, Advisory Neighborhood Commission (ANC) 1A

**BEFORE:** Nick Alberti, Interim Chairperson  
Donald Brooks, Member  
Herman Jones, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member

**ORDER ON VOLUNTARY AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Gevani, Inc., t/a Zeba Bar & Grill (Licensee) and ANC 1A entered into a Voluntary Agreement (Agreement), dated June 16, 2011, that govern the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Commissioner Laina M. Aquiline, on behalf of ANC 1A, are signatories to the Agreement.

**Gevani, Inc.**  
**t/a Zeba Bar & Grill**  
**License No. ABRA-079449**  
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Accordingly, it is this 3rd day of August 2011, **ORDERED** that:

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

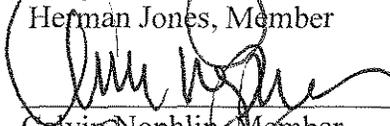
**Gevani, Inc.**  
**t/a Zeba Bar & Grill**  
**License No. ABRA-079449**  
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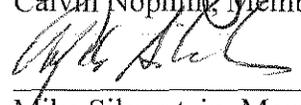
District of Columbia  
Alcoholic Beverage Control Board

  
\_\_\_\_\_  
Nick Alberti, Interim Chairperson

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

  
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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, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, D.C. 20009.



## ADVISORY NEIGHBORHOOD COMMISSION 1A

SMD 1A01 – Lisa Kralovic  
SMD 1A04 – Betty Paie  
SMD 1A07 – Thomas Bolsvert  
SMD 1A10 – Lenwood O. Johnson

SMD 1A02 – Vickey Wright-Smith  
SMD 1A05 – Laina Aquiline  
SMD 1A08 – Kent Boese

SMD 1A03 – Sheldon Scott  
SMD 1A06 – William Brown  
SMD 1A09 – Bobby Holmes  
SMD 1A11 – Dotti Love Wade

### Voluntary Agreement

**THIS AGREEMENT** made and entered into this 16<sup>th</sup> day of June, 2011, by and between **Gevani, Inc.** t/a **Zeha Bar & Grill** (hereinafter the "Applicant") and Advisory Neighborhood Commission 1A ("ANC 1A").

**WHEREAS**, Applicant has filed application # ABRA-079449 with the District of Columbia Alcohol Beverage Control Board (hereinafter "ABC Board") for a Substantial Change of a Retailer's Class CT License for the tavern premises located at **3423 14th Street, NW** (the "Restaurant").

**WHEREAS**, in recognition of the ABC Board's policy of encouraging parties to address neighborhood concerns by negotiating agreements, the parties hereto being desirous of entering into an agreement whereby Applicant will agree to adopt certain measures to address the ANC 1A's concerns and ANC 1A will agree to support the issuance of the ABC License.

**NOW, THEREFORE**, in consideration of the mutual covenants and undertakings memorialized herein, the parties agree as follows:

- 1. Loitering:** All due diligence shall be made by the Applicant to ensure that there is no loitering in front of or in the vicinity of the Tavern, especially loud cursing, public drunkenness, fighting or other acts of aggression
- 2. Smoking:** Applicant will encourage all patrons, by posted signs or other printed notation to smoke on the Summer Patio facing 14<sup>th</sup> Street
- 3. Hours of Alcohol Sale:** Applicant shall have the right to, but not be obligated to, sell alcoholic beverages in the Tavern and the Summer Patio between the hours of 10:00am and 2:00am Sunday through Thursday and between the hours of 10:00am and 3:00am on Friday and Saturday. Alcoholic beverages can be served on the Summer Rooftop Garden from 10:00am till 12:30am on Sunday through Thursday, and 10:00am till 1:30am on Friday and Saturday. If at any time, the ABC Board or Council for the District of Columbia extends hours of legal operation for alcohol sale on a temporary basis (e.g. New Year's Eve, Day Light Savings, etc.) the Applicant shall have the right to serve alcohol to the full extent of such law.
- 4. Trash Removal:** Applicant will maintain regular trash removal service at a minimum of three (3) times per week. The Applicant shall place all trash in sealed trash containers that are rodent proof and limit the release of odors.
- 5. Noise Suppression:** Sound emanating from any part of the establishment shall not be audible in residential structures in the vicinity. The Restaurant's operation shall at all times be in compliance with the D.C. Noise Control Act. Applicant will encourage employees and patrons, by posted signs or other printed notation, to be considerate of residents in the neighborhood after departing the building, by keeping conversations and other noises at a level that will not disturb

the peace, order, quiet and tranquility of residents in the enjoyment of their homes or generate a noise complaint. Applicant will not have amplified sound on the Summer Rooftop Garden.

Advisory Neighborhood Commission 1A  
1380 Monroe Street NW #103  
Washington, DC 20010

the peace, order, quiet and tranquility of residents in the enjoyment of their homes or generate a noise complaint. Applicant will not have amplified sound on the Summer Rooftop Garden.

6. **Removal of Grease and Oils:** Applicant will provide for the proper removal of grease and oils and will not deposit these substances in standard trash containers.
7. **Litter and Debris Removal:** Applicant will maintain all areas adjacent to the Restaurant, up to and including the curb, in a clean and orderly manner, free of trash and litter, in full compliance with applicable D.C. regulations in this respect, as often as needed.
8. **Parking:** Applicant will encourage transit use, and will direct patrons to use nearby public parking facilities rather than parking on residential streets.
9. **Notice and Opportunity to Cure.** In the event that any of the parties is in breach of this Agreement, it shall be entitled to reasonable notice and opportunity to cure, as a condition precedent to seeking enforcement of the Agreement. Unless the breach is of an emergency nature or is a repetition of a prior breach, reasonable notice and opportunity shall provide for a cure within sixty days of the date of such notice. If Applicant or the licensee fails to cure within the sixty day period (or, with respect to a breach which reasonably requires more than thirty days to cure, fails to commence cure of such breach and diligently pursues such cure) failure shall constitute a cause for seeking a Show Cause Order from the ABC Board pursuant to DC Official Code 25-447. Any notices required to be made under this Agreement shall be in writing and mailed via certified mail, return receipt requested, postage prepaid, or hand delivered, to the respective parties at their business addresses. Notice shall be deemed given as of the time of receipt or refusal of receipt.
10. **Binding Effect.** This Voluntary Agreement shall be binding upon and enforceable against the successors and assigns of the Applicant during the term of the license to which this Voluntary Agreement applies.

IN WITNESS WHEREOF, the Parties place their signatures to this agreement, this 15<sup>th</sup> day of June, 2011.

ANC 1A

By:   
Print Name: LINA M. AQUILINE

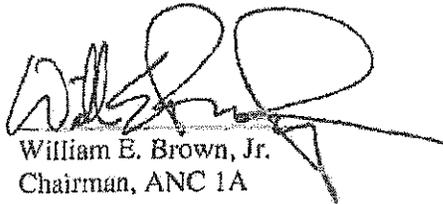
Gevani, Inc. t/a Zeba Bar

By:   
Print Name: DAVID JACARI

Certification:

At a regularly scheduled and publicly noticed meeting held on July 13, 2011, Advisory Neighborhood Commission 1A considered the above voluntary agreement. With a quorum of 8 Commissioners present, the Commission voted with 8 yeas, 0 nos, and 0 abstentions to adopt the above voluntary agreement.

With the adoption of this Voluntary Agreement, ANC 1A formally withdraws its May 11, 2011 Protest of Application # ABRA-079449.



William E. Brown, Jr.  
Chairman, ANC 1A



Kent Boese  
Secretary, ANC 1A