



Advisory Neighborhood Commission 1C

PO Box 21009, NW, Washington, DC 20009

www.anc1c.org

Representing Adams Morgan

Commissioners:

September 5, 2013

Brian Hart (1C01)

Marty Davis (1C02)

Ted Guthrie (1C03)

Gabriela Mossi (1C04)

Elham Dehbozorgi (1C05)

Billy Simpson (1C06)

Wilson Reynolds (1C07)

Jimmy Rock (1C08)

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

Re: Substantial Change to ABRA-089877

Dear Chairperson Miller,

At a duly noticed public meeting held on September 4, 2013, with a quorum present, ANC1C resolved by a vote of 6-0 to approve the attached amendment to the settlement agreement that applies to ABRA license 089877. This resolves the concerns that led us to protest the substantial change application last month.

Sincerely,

Billy Simpson
Chair, Advisory Neighborhood Commission 1C

AMENDMENT TO SETTLEMENT AGREEMENT

Whereas, DB Adams Morgan, LLC (the "Applicant"), trading as Doner Bistro at 1654 Columbia Road NW under retailer's class "D" restaurant license ABRA-089877 (the "License") has applied to the DC Alcoholic Beverage Control Board (the "Board") to obtain an entertainment endorsement;

And whereas the License is subject to a settlement agreement with Advisory Neighborhood Commission 1C ("ANC1C") entered into on May 5, 2010 and approved by the Board with Order number 2010-356 (the "Settlement Agreement");

Now therefore, ANC1C and the Applicant agree to amend the Settlement Agreement to add a new Section 7 as follows:

"7. Entertainment. Entertainment will be allowed, but will consist only of either (i) a DJ, or (ii) live music with no more than two musicians playing at the same time. If DJ entertainment is provided, the music will be amplified only on the same speaker system used by the Applicant to provide pre-recorded background music in the establishment. If live music entertainment is provided, the music will not be amplified, and the musicians will be located at the front of the establishment facing toward the back of the establishment.

Except as provided in the next sentence, entertainment will be limited to four times per calendar month. In addition to the entertainment allowed by the previous sentence, the Applicant will be allowed twelve additional nights of entertainment each calendar year to be scheduled in the Applicant's discretion. Applicant will keep a log book of any entertainment that is provided. The log book will include the date of the entertainment and the name and contact information of the performers. The Applicant will make the log book available to the Alcoholic Beverage Regulation Administration and to the Board upon request.

Applicant will not charge a cover charge for entertainment.

Hours for Entertainment:

Sunday – Thursday: Ending by 11:00 pm

Friday – Saturday: Ending by 12:00 midnight

Applicant will ensure that the door of the establishment remains closed while entertainment is being provided, except when patrons are actually entering or exiting the establishment. If opening windows are subsequently installed at the establishment, Applicant will ensure that the windows remain closed while entertainment is being provided. Applicant will ensure that noise from the establishment can not be heard inside nearby residences. Applicant will use reasonable efforts to ensure that patrons who come to the establishment while entertainment is being provided do not loiter in front of the establishment prior to, during, or following the entertainment."

[Remainder of page intentionally left blank]

DB Adams Morgan, LLC



Timo Winkel, President

9/4/13

Date

Advisory Neighborhood Commission 1C



William Simpson, Chair

9/4/13

Date