

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

In the Matter of:)	
)	
Rose's 1 LLC)	
t/a Rose's Luxury)	
)	
Applicant for a New)	
Retailer's Class CR License)	License No. ABRA-090884
)	Order No. 2013-023
at premises)	
717 8 th Street, S.E.)	
Washington, D.C. 20003)	
)	

Rose's 1 LLC, t/a Rose's Luxury (Applicant)

Andrew Jared Critchfield, Chairperson, Advisory Neighborhood Commission (ANC) 6B

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Rose's 1 LLC, t/a Rose's Luxury, Applicant for a new Retailer's Class CR license, located at 717 8th Street, S.E., Washington, D.C., and ANC 6B have entered into a Settlement Agreement (also known as Voluntary Agreement), dated December 11, 2012, that governs the operation of the Applicant's establishment.

The Settlement Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Chairperson Andrew Jared Critchfield, on behalf of ANC 6B, are signatories to the Settlement Agreement.

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t/a Rose's Luxury
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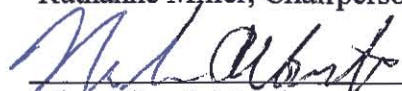
Accordingly, it is this 16th day of January, 2013, **ORDERED** that:

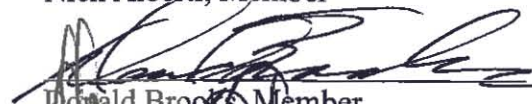
1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Applicant and ANC 6B.

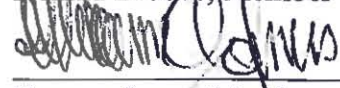
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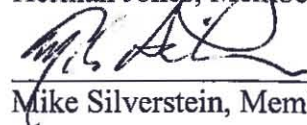
District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson


Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT is made on this 11th day of December, 2012 by and between Rose's 1, LLC, t/a Rose's Luxury, and Advisory Neighborhood Commission 6B.

W I T N E S S E T H

WHEREAS, Applicant has applied for a new Class C Restaurant License # ABRA-090884, for premises at 717 8th Street SE, Washington, DC, 20003, which is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC, and,

WHEREAS, the Parties desire to enter into an agreement governing certain understandings regarding the issuance of a Restaurant Class C License at the subject premises; and,

WHEREAS, the Parties are desirous of entering into a Voluntary Agreement pursuant to D.C. Official 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. Both parties recognize the importance of business neighborhoods that are safe, clean, and "pedestrian friendly".

NOW, THEREFORE, the parties agree as follows:

1. ***Recitals Incorporated.*** The recitals set forth above are incorporated herein by reference.
2. ***Nature of the Business.*** The Applicant will manage and operate a restaurant at the listed address. There will be no amplified live music or live entertainment on the premises.
3. ***Hours of Operation and Sales.***

The Applicant's hours of sales and service for inside the restaurant shall be as follows:

Sunday – Thursday 8:00 a.m. – 2:00 a.m.
Friday and Saturday 8:00 a.m. – 3:00 a.m.

Hours for sales and service at the sidewalk café shall be:

Sunday – Saturday 10:00 a.m. to 12:00 a.m.

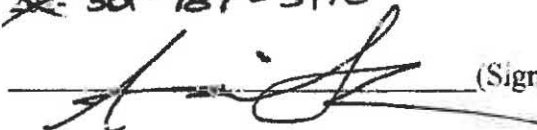
4. **Floors Utilized and Occupancy.** The Applicant will operate its establishment on the first floor and second floors, with a sidewalk cafe. Applicant will provide seating for 75 patrons inside the restaurant, and 12 patrons at the sidewalk café, but will not exceed the limits provided in the Certificate of Occupancy from DCRA, and the Certificate of Use provided by DDOT.
5. **Noise and Privacy.** Applicant will strictly comply with D.C. Official Code § 25-725. Applicant will not operate the premises as a nightclub, dance venue, or similar venue.
6. **Public Space and Trash.** Applicant shall keep the sidewalk (up to and including the curb), tree box(es), 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 agrees to minimize noise from end of the day clean-up. Commercial trash pick up in residential areas will only take place between 7 a.m.-9 p.m.
7. **Rats and Vermin Control.** The Applicant shall provide rat and vermin control for its property, as necessary. Applicant shall have the Establishment and the area around the Premises properly cleaned at the end of each night to ensure no garbage and odors are present the following morning.
9. **Security Cooperation in Stemming Illegal Drugs and Public Drinking.** Applicant agrees that it shall take all necessary steps to minimize such problems.

Applicant shall to the full extent permissible by law discourage loitering in the vicinity of the Premises.

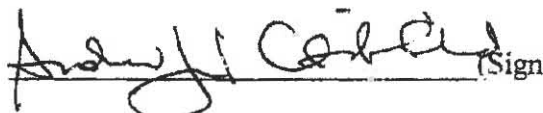
IN WITNESS WHEREOF, the parties have affixed hereunto their signatures.

Applicant: Rose's 1, LLC
t/a Rose's Luxury
717 8th Street SE
Washington, DC 20003
Attn: Aaron Silverman

~~202~~ 301-787-3178

 (Signature)

ANC: Advisory Neighborhood Commission
703 D Street, SE
Washington, DC 20003
Jared Critchfield, Chairperson
(202) 543-3344

 (Signature)