Bennett Hilley
Chairperson
4C06@anc.dc.gov
202-750-0481
SMD 4C06

Jonah Goodman
Vice-Chairperson
4C10@anc.dc.gov
732-456-6244
SMD 4C10

Leah Anderson
Secretary
4C08@anc.dc.gov
202-491-7077
SMD 4C08

Ulysses E. Campbell
Treasurer
4C03@anc.dc.gov
202-792-8258
SMD 4C03

Charlotte Nugent
4C01@anc.dc.gov
857-540-0456
SMD 4C01

Maria Barry
4C02@anc.dc.gov
202-258-5031
SMD 4C02

Nora Simon
4C04@anc.dc.gov
202-753-9717
SMD 4C04

Debbie Matties
4C05@anc.dc.gov
202-810-1838
SMD 4C05

Kim Varzi
4C07@anc.dc.gov
703-718-6318
SMC 4C07

Tearsa Coates
4C09@anc.dc.gov
240-492-6850
SMD 4C09

ADVISORY NEIGHBORHOOD COMMISSION 4C
www.anc4c.org Phone: **202-723-6670** Email: 4C@anc.dc.gov

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is made on this 13th day of May 2020 by and between DC Corazon, Inc. ("Applicant"), and Advisory Neighborhood Commission 4C ("ANC") (Collectively, the "Parties").

WITNESSETH:

WHEREAS, Applicant's application for a liquor license and live entertainment endorsement for the premises, 3903-3905 14th Street NW, Washington, DC 20011, 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 issue of a Retailers' Class "C" Restaurant Liquor License and entertainment endorsement at the subject premises; and

WHEREAS, the Parties are desirous of entering into a Settlement 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 CR license at the listed address. The license shall have indoor seating of not more than 42, with a Total Occupancy Load of 50. The license shall have outdoor seating of not more than 26.

3. Hours of Operation and Sales.

The Applicant's hours of operation shall be as follows:
Sunday through Thursday 6 am - 2 am, Friday and Saturday 6 am - 3 am

Alcohol sales shall be limited to:
Sunday through Thursday 10 am - 2 am, Friday and Saturday 10 am - 3 am

Outdoor entertainment will not be permitted.

Indoor entertainment hours will be limited to:
Sunday through Thursday 10 am - 11:59 pm, Friday and Saturday 10 am - 1 am, provided, however, that indoor entertainment will be limited to six (6) occasions per calendar year, for a duration of no more than two (2) hours per occasion.

Provided, however, (1) on days designated by the DC ABC Board as "Extended Hours for ABC Establishments" Applicant may operate and serve alcohol for such hour(s); (2) in the event the Council of the District of Columbia or the DC ABC Board grant licensees in general extended operating hours (such as Inauguration or World Cup) Applicant may avail itself of such extended hours; and (3) on January 1 of each year Applicant may serve alcoholic beverages until 4am.

4. Noise and Privacy. Applicant will strictly comply with D.C. Official Code § 25-725 and will make architectural improvements to the property and will take actions, as necessary, to ensure that music, noise and vibration from the Establishment (including patrons) are not audible outside the establishment at any time. Applicant agrees to keep its doors and windows closed when music is being played at the establishment, but the Applicant may open its window panels seasonally, provided that the music is not audible beyond the street curbside.

5. 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 will make ongoing efforts to make sure the tree box and sidewalk areas are attractive and enhance the neighborhood.

No entertainment will be provided outside the property. No entertainment will be provided on the sidewalk or on the roof.

The applicant will ensure that the inside of the facility is clearly visible from the street, that the windows are not tinted and that the windows aren't obstructed (by signs, curtains, blinds, or any other method).

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. Applicant will ensure timely disposal no less than three (3) times per week that is the least disruptive to the neighbors. Commercial trash pick up in residential areas takes place between 7 a.m - 7 p.m.

6. Rats and Vermin Control. The Applicant shall provide rat and vermin control for its property. Applicant shall have the Establishment and the area around the Premises properly cleaned at the end of each night to ensure that there are no garbage and odors present the following morning.

7. Security Cooperation in Stemming Illegal Drugs and Public Drinking. Applicant agrees that it shall take all necessary steps to minimize such problems, including, without limitation, designating a sufficient number of employees to assure adequate security and to control unruly patrons, whether inside or in the immediate outside area; monitoring for and prohibiting sales or use of illegal drugs within or about the Premises, maintaining contact and cooperating with MPD and other enforcement officials when known or suspected drug activities occur. Applicant shall to the full extent permissible by law discourage loitering in the vicinity of the Premises. This will include providing an appropriate number of security officers, at all times when the Establishment is open to the public, who shall be responsible for ensuring that any individuals who are simply loitering are asked to move along.

Applicant will maintain in working order at all times security cameras that entirely cover the interior of the restaurant and the sidewalk and front yard of the property. The footage from these cameras shall be kept for at least a month and be made available easily and quickly during business hours to MPD and ABRA.

8. Compliance with ABRA Regulations. 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 licensees.

In witness whereof, the parties have executed this Settlement Agreement as of the day and date first written above.

Applicant:

_____

Josefina Darui, Owner, DC Corazon

Advisory Neighborhood Commission 4C:

_____

Debbie Matties, Commissioner, ANC 4C-05