

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

_____)	
In the Matter of:)	
)	
El Sol, LLC)	
t/a El Sol Restaurant & Tequileria)	
)	
Holder of a)	License No.: ABRA-099065
Retailer's Class CR License)	Order No.: 2018-725
)	
at premises)	
1227 11th Street, NW)	
Washington, D.C. 20001)	
_____)	

El Sol, LLC, t/a El Sol Restaurant & Tequileria (Licensee)

John Fanning, Chairperson, Advisory Neighborhood Commission (ANC) 2F

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER ON AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that El Sol, LLC, t/a El Sol Restaurant & Tequileria (Licensee), located at 1227 11th Street, NW, Washington, D.C., and ANC 2F entered into a Settlement Agreement (Agreement), dated October 7, 2015, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreement (Amendment), dated October 15, 2018, in accordance with D.C. Official Code § 25-446 (2001).

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson John Fanning, on behalf of ANC 2F, are signatories to the Amendment.

Accordingly, it is this 5th day of December, 2018, **ORDERED** that:

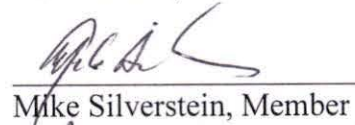
1. The above-referenced First Amendment to Settlement Agreement submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Settlement Agreement not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 2F.

District of Columbia
Alcoholic Beverage Control Board

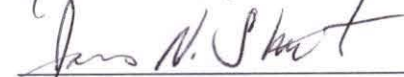


Donovan Anderson, Chairperson

Nick Alberti, Member



Mike Silverstein, Member



James Short, Member



Bobby Cato, Member

Rema Wahabzadah, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

AMENDMENT TO SETTLEMENT AGREEMENT

This Amendment to Settlement Agreement ("Amendment") is made this 15th day of October 2018 by and between Fil Sol, LLC ("Applicant") and Advisory Neighborhood Commission 2F ("ANC 2F"), and the Logan Circle Community Association ("LCCA") (jointly "the Community").

RECITALS

(a) Applicant has applied for a Retailer Class "C" License (the "License") for a business establishment ("Establishment") located at 1227 11th Street, NW, Washington, DC (the "Premises"); and,

(b) Applicant desires to cooperate with the ANC in order to mitigate concerns related to the potential impact of operation of the Establishment on the surrounding community; and,

(c) Applicant entered into this Amendment agreement with the Community and to request further that the ABC Board approve Applicant's request be conditioned upon Applicant's compliance with the terms of those certain written Settlement Agreement dated October 7th, 2015, as approved by the ABC Board;

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants and conditions set forth below, the Parties agree as follows:

1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.

2. Section 4 Sidewalk Café. Section 4 of that certain Settlement Agreement dated October 7th, 2015 is amended hereby by replacing Section 4 to read:

"4. Sidewalk Café. The Applicant may have outside seating in accordance with a sidewalk café endorsement to its ABC license and a duly-issued public space permit and may serve alcoholic beverages to seated patrons in such area, provided, the total capacity for such sidewalk café shall not exceed 12 seats. Any increase in such seating shall require approval of the District of Columbia Public Space Committee and approval by the ABC Board. Applicant shall not serve alcoholic beverages on its sidewalk café later than

a. Sunday – Thursday: 8am to 11:00pm

b. Friday – Saturday: 8am to 12:00am

Applicant will inspect the sidewalk cafe regularly for compliance.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date and year first written above.

WITNESS:

APPLICANT:

THE COMMUNITY:

El Sol, LLC

Advisory Neighborhood Commission 2F

By: John Fanning
John Fanning, Chairman

By: Jose Alfredo Solis
Jose Alfredo Solis