

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

In the Matter of:)
)
The Great American Bistro of Washington DC, LLC)
t/a The Great American Bistro/Oasis DC)
)
Applicant for Renewal of a)
Retailer’s Class CR License)
)
at premises)
1545 New Jersey Avenue, NW)
Washington, D.C. 20001)
)

Case No.: 25-PRO-00064
License No.: ABRA-116742
Order No.: 2025-919

The Great American Bistro of Washington DC, LLC, t/a The Great American Bistro/Oasis DC, Applicant

Kyle Gardiner, Commissioner, Advisory Neighborhood Commission (ANC) 5E, Protestant

BEFORE: Donovan Anderson, Chairperson
Silas Grant, Jr., Member
Teri Janine Quinn, Member
Ryan Jones, Member
David Meadows, Member

**ORDER ON SETTLEMENT AGREEMENT AND
WITHDRAWAL OF ANC 5E’S PROTEST**

The Application filed by The Great American Bistro of Washington DC, LLC, t/a The Great American Bistro/Oasis DC (Applicant), for Renewal of its Retailer’s Class CR License, was protested by ANC 5E.

The official records of the Board reflect that the Applicant and ANC 5E have entered into a Settlement Agreement (Agreement), dated September 16, 2025, that governs the operations of the Applicant’s establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Commissioner Kyle Gardiner, on behalf of ANC 5E, are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protest filed by ANC 5E of this Application.

Accordingly, it is this 1st day of October 2025, **ORDERED** that:

1. The Application filed by The Great American Bistro of Washington DC, LLC, t/a The Great American Bistro/Oasis DC, for renewal of its Retailer's Class CR License, located at 1545 New Jersey Avenue, NW, Washington, D.C., is **GRANTED**;
2. The Protest of ANC 5E in this matter is hereby **WITHDRAWN**;
3. 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
4. Copies of this Order shall be sent to the Parties.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac430b06c09d5f0e4b790003d1dccc8

Donovan Anderson, Chairperson



Silas Grant, Jr., Member

Teri Janine Quinn

Teri Janine Quinn, Member



Ryan Jones, Member



David Meadows, Member

Pursuant to D.C. Official Code § 25-433(d)(1) (applicable to alcohol matters) or 22-C DCMR § 9720 (applicable to medical cannabis matters), 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 and Cannabis Administration, 899 North Capitol Street NE, Suite 4200 B (Alcohol Division), Suite 4200 A (Medical Cannabis Division), Washington, DC 20002.

Any party adversely affected may file a Motion for Reconsideration of this decision within ten days of service of this Order with the Alcoholic Beverage and Cannabis Administration, 899 North Capitol Street, N.E., Suite 4200-A, Washington, D.C. 20002. Also, pursuant to § 11 of the *District of Columbia Administrative Procedure Act*, Pub. L. 90-614, 82 Stat. 1209, D.C. Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, a party that is adversely affected may have the right to appeal this Order by filing a petition for review, within 30 days of the date of service of this Order, with the District of Columbia Court of Appeals, located at 430 E Street, N.W., Washington, D.C. 20001. Parties are advised that the timely filing of a Motion for Reconsideration 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). Parties are further advised that the failure to present all matters of record that have allegedly been erroneously decided in a motion for reconsideration may result in the waiver of those matters being considered by the Board. The Board also reserves the right to summarily deny or not consider multiple and repetitive motions.

Parties are also advised that the Superior Court of the District of Columbia may have jurisdiction to hear appeals in non-contested cases or in matters where that court is specifically provided jurisdiction by law. Finally, advisory neighborhood commissions (ANCs) are advised that their right to appeal or challenge a decision of the Board may be limited by the laws governing ANCs. *See e.g.*, D.C. Code § 1-309.10(g).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 19607 of Great American Bistro LLC, as amended¹, pursuant to 11 DCMR Subtitle X, Chapter 10, for a use variance under Subtitle U § 301, to operate a new full-service restaurant in the RF-1 zone at premises 1545 New Jersey Avenue N.W. (Square 510E, Lot 800).

HEARING DATE: November 29, 2017²
DECISION DATE: November 29, 2017

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum, dated July 14, 2017, from the Zoning Administrator, certifying the required relief. (Exhibit 8.)

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 5E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5E, which is automatically a party to this application. The ANC submitted a report recommending approval of the application. The ANC’s report indicated that at a regularly scheduled, properly noticed public meeting on September 19, 2017, at which a quorum was present, the ANC voted 9-0-0 to support the application. (Exhibit 17.)

¹ The Zoning Administrator memo that accompanied the application listed the relief as a variance from the expansion of a nonconforming use (Subtitle C § 204.3). (Exhibit 8.) However, the Office of Planning (“OP”), after consultation with DCRA, determined that the relief cited in the ZA memo is not applicable to the situation and recommended that the request be evaluated as a use variance under Subtitle U § 301 with conditions. (Exhibit 40.) The Applicant testified that it agreed with OP’s interpretation. The Board accepted the amendment to the application and the caption has been amended accordingly.

² This case was administratively postponed from the public hearing of November 1, 2017 to that of November 29, 2017. (Exhibits 32 and 33.)

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The Office of Planning (“OP”) submitted a timely report recommending approval of the application with amended relief and with three conditions. (Exhibit 44.)

The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application.³ (Exhibit 41.)

Petitions in support of the application as well as letters of support from the Bates Area Civic Association and a neighbor were submitted to the record. (Exhibits 10-12, 38 and 43.)

As directed by 11 DCMR Subtitle X § 1002.2, the Board required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to Subtitle X § 1002.1 for a use variance under Subtitle U § 301, to operate a new full-service restaurant in the RF-1 zone. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board, and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a use variance from 11 DCMR Subtitle U § 301, the Applicant has met the burden of proof under 11 DCMR Subtitle X § 1002.1, that there exists an exceptional or extraordinary situation or condition related to the property that creates an undue hardship for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR Subtitle Y § 101.9, the Board has determined to waive the requirement of 11 DCMR Subtitle Y § 604.3, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 6 AND THE FOLLOWING CONDITIONS:**

1. Hours of operation shall not exceed 6:00 AM to 10:00 PM Sundays through Thursdays, and 6:00 AM to 11:00 PM Fridays and Saturdays.
2. Trash shall be collected in dumpsters on the 4th Street side of the building; Dumpsters shall be visually screened, subject to Public Space approval, and shall be emptied a minimum of three times per week.

³ DDOT raised various public space issues and asked that the Applicant meet with DDOT to bring the property into compliance. (Exhibit 41.)

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3. No music shall be permitted outside of the building. Any music on the interior of the building, either recorded or live, shall not be louder than 55 dBA when measured at the exterior building face.

VOTE: **4-0-1** (Frederick L. Hill, Carlton E. Hart, Lesylleé M. White, and Peter A. Shapiro to APPROVE; one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

ATTESTED BY:



SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: December 6, 2017

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART

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THERE TO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.



Advisory Neighborhood Commission 5E

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Settlement Agreement

This Settlement Agreement ("Agreement") is made this September 16th, 2025 by and between Advisory Neighborhood Commission 5E ("ANC 5E") and The Great American Bistro of Washington DC, LLC trading as The Great American Bistro/Oasis DC ("Applicant"), also collectively referred to as the "Parties."

****WHEREAS****, Applicant has applied for a renewal of a Retailer's Class "C" Restaurant with a Cover Charge endorsement, located at 1545 New Jersey Avenue, NW ("Establishment" or "Premises") (ABRA-116742);

****WHEREAS****, ANC 5E has filed a protest against the application; and

****WHEREAS****, Parties wish to enter into this Settlement Agreement ("Agreement") pursuant to DC Official Code § 25-446 to address concerns related to peace, order, and quiet and to eliminate the need for a Protest Hearing regarding the License application;

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

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Nature of Business.**
 - a. Applicant has applied to operate a restaurant serving beer, wine, and spirits. The establishment has also applied for an entertainment endorsement with cover charge.
 - b. Applicant will not facilitate the consumption of tobacco on-premises unless and until the Applicant receives appropriate certification from the Department of Health and complies with any other relevant DC regulations.
3. **Hours of Operation.**
 - a. Applicant agrees to comply with the operating hours established in the Board of Zoning Adjustment (BZA) Case No. 19607 or any successor order. As of the date of this agreement,

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these hours are:

- i. Hours of Operation
 - 1. Sunday to Thursday:
 - a. 6:00 AM to 10:00 PM
 - 2. Friday and Saturday:
 - a. 6:00 AM to 11:00 PM
- ii. Hours of Sale/Service
 - 1. Sunday to Thursday:
 - a. 8:00 AM to 10:00 PM
 - 2. Friday and Saturday:
 - a. 8:00 AM to 11:00 PM
- iii. Hours of Entertainment
 - 1. Sunday to Thursday:
 - a. 10:00 AM to 10:00 PM
 - 2. Friday and Saturday:
 - a. 10:00 AM to 11:00 PM
- b. Absent any controlling BZA order regarding hours of operations, hours of operation will be:
 - i. Hours of Operation
 - 1. Sunday to Wednesday:
 - a. 5:30 am – 12:00 am
 - 2. Thursday to Saturday:
 - a. 5:30 am – 3:00 am
 - ii. Hours of Sale/Service
 - 1. Sunday to Wednesday
 - a. 8:00 am – 12:00 am
 - 2. Thursday to Saturday
 - a. 8:00 am – 2:00 am
 - iii. Hours of Entertainment
 - 1. Sunday to Wednesday
 - a. 6:00 pm – 11:00 pm
 - 2. Thursday to Saturday
 - a. 6:00 pm – 1:00 am
 - iv. Exceptions to the stated hours shall be granted for:
 - 1. Days designated by the ABC Board as "Extended Hours for ABC Establishments" or "Daylight Savings Time Extension of Hours" Applicant

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- may operate for one additional hour (that is, one hour later); In the event the Council of the District of Columbia or the ABC Board grants licensees in general extended operating hours for specific occasions (such as Inauguration or major sporting events), Applicant may avail itself of such extended hours;
- 2. On January 1 of each year Applicant may operate, sell, serve, and permit the consumption of alcoholic beverages until 4:00am; and
- 3. The Applicant may apply for a one-day substantial change in accordance with 23 DCMR § 100, without objection from ANC 5E, to provide Entertainment on the interior premises until 2:00 am on days when the ABC Board or Council permits extended hours for licensees as described in 3(c)(ii) and on January 1 of each year.

4. Public Space and Exterior Appearance

- a. The light from any illuminated sign shall be diminished, shaded, shielded, or directed in a way that the light intensity or brightness shall not be objectionable to surrounding residents
- b. No flashing lights, color changing lights, or lights for entertainment or advertising purposes (lasers, spotlights, lights responsive to music, etc.) shall be used along the exterior side facing 4th St NW.

5. Noise, Entertainment, and Privacy.

- a. Applicant shall strictly comply with D.C. Official Code § 25-725. Applicant shall take reasonable steps to mitigate noise from: (1) the interior of the establishment, (2) noise emanating from the opening of the entry and exit doors, and (3) from any sidewalk cafe/summer garden, which negatively impacts nearby residential properties, houses of worship, before/after care facilities, or other businesses.
- b. Applicant shall keep all exterior doors and windows closed while Entertainment is being provided except for normal ingress and egress. The ingress and egress should not be placed in a permanently open position during Entertainment.
- c. Applicant agrees to implement additional measures to aid in the mitigation of noise from the Premises, including, but not limited to monitoring patrons, providing crowd control, and monitoring music and noise levels. Applicant shall take reasonable measures to ensure that patrons are not behaving in a loud or disorderly manner inside or outside of the Premises.

6. Public Space and Trash

- a. Applicant will keep trash and oil barrels off public space and shall not store any items outside the trash room except in preparation for immediate trash and recycling pickup.
- b. All trash, recyclable materials, and grease stored outdoors at the Establishment shall be in

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containers that are impervious to vermin, leaks, and odors.

- c. Applicant will provide for the proper removal of grease and fatty oils from the establishment and shall not deposit grease or fatty oils in the dumpster nor dispose of them down the sink or any drain.
- d. Applicant shall use its best commercial efforts to eliminate accessible food sources and attractions for rodents, vermin, and other pests, located inside and outside the Establishment, to include any outdoor seating areas.
- e. Applicant shall ensure that the areas from where garbage is stored and picked up is clean and free of garbage and other debris on the ground once the receptacles have been placed back inside the trash storage area.
- f. 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 or odors from the Establishment's operations present the following morning.
- g. Applicant shall take reasonable measures to ensure that that the immediate environs of the premises are kept free of litter and debris, including the sidewalks or other public property immediately adjacent to the premises or adjacent to the property used by Applicant to conduct its business.
- h. Applicant shall arrange for garbage and recycling pickup only between 7 AM and 7 PM.

7. Rats and Vermin Control

- a. The Applicant shall ensure that rat and vermin control for its property is provided via a professional, licensed pest control company. Applicant shall provide proof of its rat and vermin control contract upon the request of the Board. Applicant shall have the Establishment and area around the Premises properly cleaned at the end of each night to ensure that there is no garbage and odor present the following morning. Applicant shall utilize one or more sealable container(s) for trash, food waste, and recycling designed to prevent intrusion, and to keep said containers closed and sealed at all times when waste is not being disposed. Applicant shall arrange for trash and recycling collecting related to its operations.

8. Parking and Deliveries

- a. Applicant shall receive deliveries only between 7 AM and 7 PM.
- b. Applicant shall not accept any deliveries from nor provide any items for delivery to an illegally stopped, idling, or parked vehicle, or a vehicle that otherwise endangers pedestrian, bicycle, or vehicle traffic or impedes alleyway or roadway access.
- c. Applicant shall require its management and employees to park legally at all times and in

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compliance with the posted parking regulations of the District of Columbia.

9. Public Safety and Cooperation in Stemming Illegal Drugs and Public Drinking.

- a. The Establishment will have no more patrons than permissible by DC Code and Fire regulations.
- b. Applicant shall take reasonable, necessary steps to minimize problems of illegal drug use and public drinking, including, maintaining contact and cooperating with Metropolitan Police Department ("MPD") and other enforcement officials. Applicant shall cooperate with MPD in the investigation of criminal offenses within and immediately around the business.
- c. Applicant shall take all necessary steps to prevent patron rowdiness, including refusing admission and service to, or ejecting rowdy or unruly persons.
- d. Applicant shall make every effort to prohibit and prevent loitering or criminal activity on or adjacent to the Premises, including without limitation calling the Metropolitan Police Department if illegal activity is observed.

10. Community Engagement

- a. Applicant will:
 - i. Maintain a dedicated email address for community concerns;
 - ii. Make this email address known to ANC 5E and any other member of the public upon request;
 - iii. Document all complaints within 72 hours;
 - iv. Maintain incident log available for ABCA inspection.

11. **License Ownership and Compliance with ABCA Regulations.** Applicant agrees it shall abide by all ABCA regulations regarding the ownership of the license and all other provisions applicable to liquor licensees, and agrees that the ANC 5E shall have standing to ask the ABC Board to enforce any violations of the Agreement.

12. Compliance and Enforcement

- a. This Agreement is binding on Applicant and all successors or assigns. Applicant agrees that it shall abide by all ABCA regulations regarding the ownership of the license and all other provisions applicable to alcohol licensees and further agrees that ANC 5E shall have standing to ask the Board to immediately enforce any violations of this Agreement, subject to the notice provisions below.
- b. Notice and Cure Period:
 - i. In the event that the Applicant is in breach of this Agreement, the Applicant shall be entitled to reasonable notice and opportunity to cure, as a precedent to seeking enforcement of the Agreement. Unless the breach is of an emergency nature, a violation of District of Columbia regulations or statute, or repetition of a prior breach,

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any alleged breach of this agreement will be addressed through a 10-day written notice required before further action is taken;

- ii. Notice must specify alleged violation and the Applicant shall have opportunity to cure within notice period;
- iii. Notices shall be in writing and delivered via email or hand-delivery;
- iv. Notice shall be deemed given as of the time of receipt or refusal of receipt.

13. Entire Agreement


- a. This Agreement constitutes the entire understanding between the parties and supersedes all prior agreements. Modifications require written agreement of all parties and ABCA approval.

IN WITNESS WHEREOF, the parties have executed this Agreement as of September 16th, 2025.

For ANC 5E:

Name: Kyle Gardiner
Title: Secretary, ANC 5E

For The Great American Bistro of Washington DC, LLC:

DocuSigned by:

Name: Pablo Catalan
Title: Owner/General-Manager

Signed by:

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Victoria Manages
Owner

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