

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

In the Matter of:)	
)	
Luam Mit, LLC)	
t/a Hunumanh)	
)	
Applicant for a New)	License No.: ABRA-110084
Retailer's Class CR License)	Order No.: 2019-008
)	
at premises)	
1604 7th Street, NW)	
Washington, D.C. 20001)	

Luam Mit, LLC, t/a Hunumanh (Applicant)

Alexander M. Padro, Commissioner, Advisory Neighborhood Commission (ANC) 6E

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

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Luam Mit, LLC, t/a Hunumanh, Applicant for a new Retailer's Class CR License, located at 1604 7th Street, NW, Washington, D.C., and ANC 6E have entered into a Settlement Agreement (Agreement), dated December 4, 2018, that governs the operation 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 Alexander M. Padro, on behalf of ANC 6E, are signatories to the Agreement.

Accordingly, it is this 9th day of January, 2019, **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, except for the following modification:

Section 2 (Nature of the Business) – The language “sidewalk café” shall be replaced with the language “summer garden.”

The parties have agreed to this modification.

2. Copies of this Order shall be sent to the Licensee and ANC 6E.

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).

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT ("AGREEMENT") is made on this 4th day of December, 2018 by and between Luam Mit, LLC t/a Hanumanh, ABRA License #110084 ("Applicant") and Advisory Neighborhood Commission 6E ("ANC 6E"), collectively "the Parties."

WITNESSETH

WHEREAS, Applicant has applied for a Retailers Class C Restaurant license for a premises located at 1604 7th Street, N.W., Washington, D.C. ("the Establishment");

WHEREAS, the Parties are desirous of entering into a Settlement Agreement pursuant to D.C. Official Code § 25-446 governing certain aspects of the operation and maintenance of the Establishment in such a manner as to minimize the potential for negative effects of the Establishment on the surrounding neighborhood; and

WHEREAS, in lieu of contested proceedings before the Alcoholic Beverage Control Board ("ABC Board"), the Parties agree to enter into this Agreement and request that the ABC Board incorporate the terms of this Agreement into the ABC License to be issued.

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 *Nature of the Business.* The Applicant will operate and manage a Class C restaurant with an interior occupancy of 40 seats and a Summer Garden with exterior occupancy of 10 seats. There will be no standing patrons allowed in the Summer Garden.
- 3 *Hours of Operation/Entertainment.*
 - a. The Applicant's hours of operation and hours of sale and service of alcohol in the interior of the Establishment shall be: Sunday to Thursday, 12:00 p.m. to 12:00 a.m., and Friday and Saturday, 12:00 p.m. to 1:00 a.m.

Provided, however: (1) On days designated by the ABC Board as "extended hours for ABC Establishments," Applicant may serve alcoholic beverages for one additional hour; (2) In the event the Council of the District of Columbia or the ABC Board grants licensees generally extended operating hours for particular dates, holidays or events, Applicant may avail itself of such extended hours; and, (3) On January 1 of each year, Applicant may operate and serve alcoholic beverages until 4 a.m.

- b. Applicant's hours of operation and hours of sale and service of alcohol in the Summer

Garden of the Establishment shall be: Sunday through Thursday, 12:00 p.m. to 11:00 p.m., and Friday and Saturday, 12:00 p.m. to 12:00 a.m.

1 *Noise.* Applicant agrees to comply with all noise-control provisions of the District of Columbia's law and regulations, including preventing the emission of sound, capable of being heard outside of the Premises, in accordance with D.C. Code 25-725. Applicant will undertake such measures as are reasonable to preclude unreasonable disturbances to occupants of the adjacent properties, such as the emanation of excessive noise or vibrations from the Establishment. In the event the Establishment receives any noise complaints from the adjacent neighbors or the ANC, the Applicant will promptly take all reasonable measures to abate any noise disturbances affecting the neighborhood. Applicant shall provide the contact information for the Establishment's general manager to ANC 6E once the Establishment opens for business.

2 *Exterior of Establishment.* The exterior of the Premises, including the sidewalk cafe, shall be maintained in a neat, clean and orderly manner.


3 *Trash and Recycling.* Applicant will contract with a trash and recycling contractor to provide sealable containers for trash, food waste and recycling designed to prevent rodent intrusion, and further agrees to keep the container closed and sealed at all times when waste is not being disposed. Applicant agrees to refrain from disposing all recyclable materials (especially glass bottles and cans) and trash in areas behind the Establishment between the hours of 9:00 p.m. to 9:00 a.m., and trash collection shall likewise not be conducted during said hours.

4 *Incorporation of Agreement into License.* The Parties request that the ABC Board enter an order approving Applicant's license application subject to the terms of this Agreement.


ADVISORY NEIGHBORHOOD COMMISSION 6E:

LUAM MIT, LLC t/a HANUMANH:

By:


Alexander M. Padro, Commissioner, ANC 6E01
Chair, ANC 6E ABC Licensing Committee

By:


Bobby O. Pradachith
Owner



ADVISORY NEIGHBORHOOD COMMISSION 6E
PO Box 93020 Brentwood Station, Washington, DC 20090

December 5, 2018

DONOVAN ANDERSON
CHAIRPERSON
ALCOHOLIC BEVERAGE CONTROL BOARD
GOVERNMENT OF THE DISTRICT OF COLUMBIA
2000 14TH ST NW STE 400S
WASHINGTON DC 20009

Dear Chairperson Anderson:

Regarding Luam Mit, LLC t/a Hanumanh, 1604 7th Street, NW, Retailer's Class C Restaurant License #ABRA-110084:

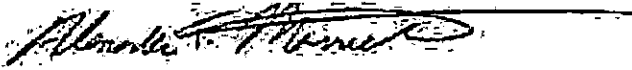
Advisory Neighborhood Commission 6E conducted a public meeting on Tuesday, December 4, 2018 at the Watha T. Daniel/Shaw Library, 1630 7th Street, NW, to consider the above Establishment's application for a new ABRA license. At the Commission's meeting, duly noticed and with this case listed in the notice, with a quorum present (four out of seven Commissioners required to be in attendance to achieve a quorum), ANC 6E voted (5 in favor, 0 opposed, and 0 abstentions) to support both stipulated and permanent ABRA Retailer's Class C Restaurant licenses for Luam Mit, LLC, t/a Hanumanh, 1604 7th Street, NW based on the terms of a signed Settlement Agreement between the Applicant and the Commission, and that said support be communicated in writing to the Alcoholic Beverage Regulation Administration and the Alcoholic Beverage Control Board.

In deliberating on this case, the Commission considered and determined the following:

- 1) This Establishment is located in SMD 6E01.
- 2) The Commission has entered into a Settlement Agreement with the Applicant, which modifies the Summer Garden capacity and hours listed on the placard and Protest Notice.
- 3) The Commission finds that based on the terms of the Settlement Agreement executed between the Establishment and the Commission, the Establishment will not present negative impacts to peace, order and quiet.
- 4) The Commission notes that the Establishment has passed its health inspection and is ready to begin operations upon issuance of a stipulated license by the ABC Board, which the Commission supports.

For the reasons listed above, Advisory Neighborhood Commission 6E recommends that the Alcoholic Beverage Control Board approve this application and issue both permanent and stipulated licenses, thereby granting ANC 6E's recommendation the Great Weight provided for in the ANC statute.

Sincerely,

A handwritten signature in black ink, appearing to read "Alexander Marriott", with a long horizontal flourish extending to the right.

Alexander Marriott
Chair
ANC 6E

Encl.