

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

In the Matter of:)

Ima Pizza Store 12, LLC)
t/a Broccoli Bar)

Holder of a)
Retailer's Class CR License)

License No.: ABRA-098584
Order No.: 2018-670

at premises)
1817 7th Street, NW)
Washington, D.C. 20001)

Ima Pizza Store 12, LLC, t/a Broccoli Bar (Licensee)

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

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

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Ima Pizza Store 12, LLC, t/a Broccoli Bar (Licensee), and ANC 6E have entered into a Settlement Agreement (Agreement), dated October 26, 2018, that governs the operation of the Licensee's establishment.

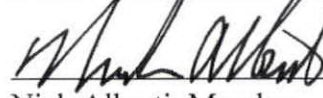
The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Commissioner Alexander M. Padro, on behalf of ANC 6E, are signatories to the Agreement.

Accordingly, it is this 7th day of November, 2018, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
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

Donald Isaac, Sr., 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

**ADVISORY NEIGHBORHOOD COMMISSION 6E AND IMA PIZZA STORE 12, LLC T/A
BROCCOLI BAR**

THIS SETTLEMENT AGREEMENT ("AGREEMENT") is made on this 26th day of October, 2018 by and between IMA Pizza Store 12, LLC t/a Broccoli Bar, ABRA License #098584 ("Licensee") and Advisory Neighborhood Commission 6E ("ANC 6E"), collectively "the Parties."

WITNESETH

WHEREAS, Licensee has applied to transfer its Retailers Class C Tavern license with substantial changes to a new location at premises 1817 7th Street, NW, Washington, DC ("the Establishment");

WHEREAS, the Parties are desirous of entering into a Settlement Agreement pursuant to D.C. Official Code § 25-446 governing the operation and maintenance of the Establishment's summer garden 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 transferred.

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 Licensee will operate and manage a Class C tavern with an exterior summer garden with a maximum capacity of 30 table seats and 10 bar seats. All patrons in the summer garden shall be seated while consuming food and drinks.
- 3 *Hours of Operation of the Summer Garden.*
 - a. Licensee's hours of operation and hours of sale and service of alcohol in the summer garden of the Establishment shall be Sunday through Saturday, 11:00 a.m. to 11:00 p.m.
- 4 *Incorporation of Agreement into License.* The Parties request that the ABC Board enter an order approving Licensee's license transfer application subject to the terms of this Agreement.
- 5 *Survival of Agreement.* This Agreement shall be binding upon and enforceable against the successors of the Licensee and will continue in force for any and all subsequent license holders at the subject location.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year indicated above.

LICENSEE:

By: MF
Michael Lastoria
CEO, IMA Pizza Store 12, LLC

ADVISORY NEIGHBORHOOD COMMISSION 6E:

By: [Signature]
Alexander M. Pardo, Commissioner, ANC 6E01
Chair, Alcoholic Beverage Licensing Committee
Advisory Neighborhood Commission 6E