

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

)
In the Matter of:)
)
Danny Boy, LLC)
t/a Little Pearl)
)
Holder of a)
Retailer’s Class CR License)
)
at premises)
921 Pennsylvania Avenue, SE)
Washington, D.C. 20003)
)

License No.: ABRA-107792
Order No.: 2018-070

Danny Boy, LLC, t/a Little Pearl (Licensee)

Chander Jayaraman, Chairperson, Advisory Neighborhood Commission (ANC) 6B

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 AMENDMENT TO SETTLEMENT AGREEMENT

On November 12, 2014, ANC 6B and a previous holder of a Retailer’s Class CR license for the premises located at 921 Pennsylvania Avenue, SE, entered into a Settlement Agreement (Agreement). Danny Boy, LLC, t/a Little Pearl (Licensee), as the subsequent and current holder of that license is required to comply with the terms of the Agreement, because it governs the operations of the Licensee’s establishment.

This matter comes now before the Board to consider the Parties’ Amendment to Settlement Agreement (Amendment), dated January 9, 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 Chander Jayaraman, on behalf of ANC 6B, are signatories to the Amendment.

Accordingly, it is this 22nd day of February, 2018, **ORDERED** that:

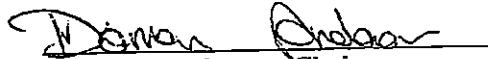
1. The above-referenced Amendment to Settlement Agreement submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

Section 3 (Hours of Operation, Sale, Service and Consumption) – Last paragraph, numeral (3) shall be modified to read as follows: "...on January 1 of each year Applicant may serve alcoholic beverages until 3 a.m. In addition, the Licensee may apply for a one-day substantial change, without objection from the ANC, to be allowed to offer entertainment inside of the establishment on January 1."

The parties have agreed to this modification.

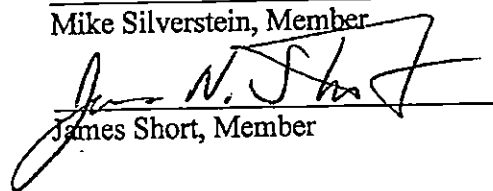
2. All terms and conditions of the original Settlement Agreement not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6B.

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).

AMENDED SETTLEMENT AGREEMENT BY AND BETWEEN
ADVISORY NEIGHBORHOOD COMMISSION 6B and
Danny Boy, LLC d/b/a Little Pearl

Pursuant to this Settlement Agreement, ("Agreement"), by and between Danny Boy, LLC d/b/a Little Pearl ("Applicant") and Advisory Neighborhood Commission 6B ("ANC6B"), effective as of the date of its adoption by ANC6B, the parties hereto hereby agree to be legally bound by the terms and conditions of this Settlement Agreement (SA) as it relates to the operation of Applicant's business located in the "Carriage House" of the property at 921 Pennsylvania Avenue, SE Washington, DC 20003 ("Premises").

WHEREAS, Applicant has entered into a lease for the Carriage House on the Premises for use as a restaurant, and has assumed the District of Columbia Alcoholic Beverage Regulatory Administration ("ABRA") License from the previous license holder (Bayou Bakery);

WHEREAS, Applicant is applying before ABRA to effect, and is seeking approval for a change to the existing Retailers' Class "CR" Restaurant License with a Summer Garden Endorsement (ABRA-096910) ("License") to extend the hours of operation, sale and service of alcohol for both the interior and summer garden areas of the Establishment;

WHEREAS, this Amendment to the existing Settlement Agreement (SA) is the entirety of the modifications and in no way replaces or supersedes any other section of the previously existing SA between the Parties; and,

WHEREAS, Applicant and ANC6B are desirous of voluntarily entering into and to mutually memorialize in this Amendment to the existing SA the terms and conditions upon which ANC6B has agreed to support modification to Applicant's SA, pursuant to the provisions of D.C. Code § 25-446, for the operation and maintenance of Applicant's business, as amended by the change of hours of operation, sale, service and consumption of alcohol at the Premises.

NOW, THEREFORE, Applicant and ANC 6B agree as follows:

1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.
2. Delete Section 3: Hours of Operation and Sales in its entirety and replace that section with the following section:

3: Hours of Operation, Sale, Service and Consumption. Applicant's hours of operation and alcoholic beverage sales may be changed from time to time, in Applicant's discretion, as may be otherwise permitted by its License, but in no event shall exceed or extend beyond the following:

Applicant's hours of Operation shall be as follows:

Monday thru Saturday:	6:30 a.m. – 12:30 a.m.
Sunday:	7:00 a.m. – 9:00 p.m.

Applicant's sale/service of alcohol within the interior of the Premises and in the Summer Garden shall be as follows:

Monday thru Saturday:	6:30 a.m. – 12:30 a.m.
Sunday:	7:00 a.m. – 9:00 p.m.

Provided, however, that (1) on days designated by the DC ABC Board as "extended Hours for ABC Establishments," Applicant may serve alcoholic beverages for one additional

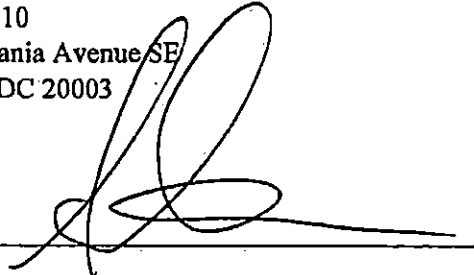
Danny Boy, LLC
~~Danny Boy, LLC~~ d/b/a Little Pearl
ABRA# 096910

hour; (2) in the event the Council of the District of Columbia or the ABC Board grant licensees in general extended operating hours for particular event(s), Applicant may avail itself of such extended hours; and, (3) on January 1 of each year Applicant may serve alcoholic beverages and provide entertainment until 3 a.m. Applicant must submit, as required by regulation, any forms or document to the authorizing agency for such extended hours. These extended hours are for inside the establishment.

IN WITNESS WHEREOF, the parties have affixed hereunto their signatures.

Applicant:

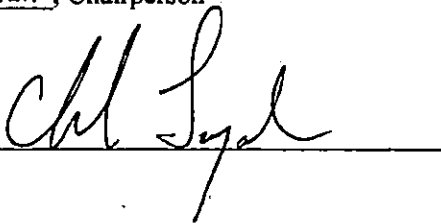
Aaron Silverman, Owner
Danny Boy, LLC d/b/a Little Pearl
ABRA# 096910
921 Pennsylvania Avenue, SE
Washington, DC 20003

Signature: 

Date: 1/9/18

ANC:

Advisory Neighborhood Commission 6B
921 Pennsylvania Avenue, SE
Washington, DC 20003
Chander Jayaraman, Chairperson

Signature: 

Date: 1-9-2018

ANC 6B

Capitol Hill / Southeast

January 10, 2018

921 Pennsylvania Avenue SE
Washington, DC 20003-2141
6B@anc.dc.gov

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SMD 08 Chander Jayaraman

SMD 09 Daniel Ridge

SMD 10 Denise Krepp

Donovan Anderson, Chair
Alcoholic Beverage Control Board
2000 14th Street, NW, Suite 400S
Washington, DC 20009

VIA E-MAIL: abra.legal@dc.gov

RE: *ABRA--#096910, Little Pearl, "Carriage House" 921 Pennsylvania Avenue SE; Amendment to modify existing SA to permit expanded hours of operation, sale, service and consumption of alcohol.*

Dear Chair Anderson:

At its regularly scheduled, properly noticed, meeting on January 9, 2018, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 7-0-0 to support the above-referenced request, and would support a request by the Applicant for a stipulated license, if necessary.

For your review and approval, please find attached an Amendment to the existing Settlement Agreement (SA), which was executed by both ANC 6B and the Applicant.

Please contact Commissioner Chander Jayaraman, ANC 6B's Alcohol Beverage Control Committee Chair, at 202-546-2609 or 6b08@anc.dc.gov if you have questions or need further information. Thank you.

Sincerely,



Daniel Ridge
Chair, ANC 6B

cc: via e-mail

Applicant:

ABC Committee Chair:

SMD Commissioner:

Aaron Silverman

Chander Jayaraman

Kirsten Oldenburg