

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

In the Matter of:

Michigan Liquors, LLC
t/a Michigan Liquors

Holder of a
Retailer's Class A License

at premises
3934 12th Street, NE
Washington, D.C. 20017

License No.: ABRA-104222
Order No.: 2021-187

Michigan Liquors, LLC, t/a Michigan Liquors, Licensee

Ursula Higgins and Prita Piekara, Commissioners, Advisory Neighborhood Commission (ANC)
5B

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Michigan Liquors, LLC, t/a Michigan Liquors (Licensee), and ANC 5B entered into a Settlement Agreement (Agreement), dated March 24, 2021, in accordance with D.C. Official Code § 25-446 (2001).

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Commissioners Ursula Higgins and Prita Piekara, on behalf of ANC 5B, are signatories to the Agreement.

Accordingly, it is this 21st day of April 2021, **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;
2. This Settlement Agreement replaces and supersedes previous Settlement Agreements between previous parties; and
3. Copies of this Order shall be sent to the Licensee and ANC 5B.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac432b98e89d5f9e4b730093d1dccc98

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ac373f620d06ac8d1b332dd2049ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d3fcaadfba146d7f4b75bd7017d20d

Bobby Cato, Member

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560a91845e1f9e4016155e5e12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172931f6509447491b569c2a418f9

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f9f0040ec14adeb52541ce5

Edward S. Grandis, 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 II 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).



GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 5B
1920 Irving Street NE, Washington, DC 20018
Website: www.ANC5B.com

Resolution in support of Revised Settlement Agreement between Michigan Liquors, LLC, and Advisory Neighborhood Commission 5B:

OFFICERS

Chairperson
Ursula Higgins

Vice Chairperson
Treasurer
Ra Amin

Secretary
Prita Piekara

Parliamentarian
Colleen Costello

COMMISSIONERS

5B01 Gayle Carley
5B02 Ursula Higgins
5B03 Prita Piekara
5B04 Ra Amin
5B05 Colleen Costello

Whereas, Michigan Liquors, LLC, located at 3934 12th Street, N.E., signed a Voluntary Settlement Agreement with ANC 5A in 1997 ("1997 Agreement") that imposes certain requirements on the business as to its operating hours, property maintenance, and advertisements, among other provisions;

Whereas, ANC 5B became the successor party to the 1997 Agreement after ANC boundaries were redrawn and part of what used to be ANC 5A subsequently became part of what is now ANC 5B;

Whereas, Michigan Liquors recently requested to renegotiate portions of the 1997 Agreement with ANC 5B, and a representative from Michigan Liquors met with the Commissioner and residents from SMD 5B05 to discuss these changes;

And whereas residents rejected some of those proposed changes and expressed support for others, as reflected in the Revised Voluntary Agreement incorporated by reference below, which Michigan Liquors agreed to sign;

Revised Voluntary Agreement

WHEREAS, this matter came before the Board on the application of Michigan Liquors, LLC, for the renewal of a Retailer's License Class A at the premises cited above.

WHEREAS, the current Voluntary Agreement ("1997 Agreement") was executed in 1997 between Michigan Liquors and ANC 5A. ANC boundaries were redrawn after the original Voluntary Agreement was executed. Accordingly, Michigan Liquors, LLC, is located within the boundaries of what is now ANC 5B. Therefore, ANC 5B is the appropriate ANC with the right to amend or renegotiate the 1997 Agreement or protest any license application of the Licensee.

WHEREAS, prior to filing its license renewal application with the Board, Michigan Liquors sought to negotiate with ANC 5B to amend certain provisions of the 1997 Agreement. After receiving feedback from the community on these proposed changes, Michigan Liquors and ANC 5B have entered into this Revised Voluntary Agreement ("Revised Agreement") to resolve their differences.

WHEREAS, This Revised Agreement amends and supersedes the 1997 Agreement between the Licensee and ANC 5B.

The parties have negotiated their differences and agree as follows:

1. The licensee will refrain from selling alcoholic beverages to intoxicated

- individuals.
2. The licensee shall refrain from the sale of alcoholic beverages after 10:00 p.m. on Saturdays and after 10:00pm on weekdays before public holidays.
 3. The licensee shall not maintain a public telephone inside or outside the licensed premises.
 4. The licensee shall take reasonable steps to discourage loitering in the immediate vicinity of the establishment, including its parking lot. Such steps may include asking such persons to move on or calling the Metropolitan Police Department for assistance. Zero tolerance to any alcoholic consumption on same parking lot.
 5. The licensee shall close its parking lot after business hours and will equip said lot with high sodium type or diffused lights to remain on until dawn.
 6. The licensee will not install any billboards on top of its premises.
 7. Management will pick up litter on the premises and abutting sidewalk at least daily and as needed and will keep exterior areas of premises in clean and well-maintained condition.
 8. That a good strong stationery trash can be placed in front of the building to be maintained daily by business owner.
 9. No vending on the parking lot or around the premises at any time.
 10. That the business establishment's windows are maintained to accommodate visuals that consider the residential community atmosphere, children and the nearby school environment, and to encourage ultimate business success.

Be it therefore resolved that ANC 5B:

1. Approves the adoption of this Revised Settlement Agreement;
2. Deems the 1997 Agreement to be amended and superseded by this Revised Voluntary Agreement; and
3. Names Commissioner Colleen Costello (5B05) as the designated representative before ABRA and the ABC Board in this matter as may be required, or, in her absence, any other ANC 5B Officer.

Adopted on 03/24/2021 by a vote of 5 to 0, with three commissioners required for quorum, at a regularly scheduled and duly noticed public meeting with a quorum present.

Ursula Higgins,
Chairperson, 5B
Ursula Higgins

Date

Prita Piekara
Secretary, 5B
Prita Piekara

Date

TITLE Michigan Liquors Resolution
FILE NAME 210324_Michigan Liquors Resolution.pdf
DOCUMENT ID 0be30f2d643d2fd7d8eb6b21306bd76b34b26817
AUDIT TRAIL DATE FORMAT MM / DD / YYYY
STATUS ● Completed

Document History

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|--|---------------------------------------|--|
|  SENT | 03 / 25 / 2021 15:39:58 UTC | Sent for signature to Ursula Higgins (5b02@anc.dc.gov) and Prita Piekara (5b03@anc.dc.gov) from 5b02@anc.dc.gov IP: 141.156.193.218 |
|  VIEWED | 03 / 25 / 2021 15:40:57 UTC | Viewed by Ursula Higgins (5b02@anc.dc.gov) IP: 141.156.193.218 |
|  SIGNED | 03 / 25 / 2021 15:41:12 UTC | Signed by Ursula Higgins (5b02@anc.dc.gov) IP: 141.156.193.218 |
|  VIEWED | 03 / 25 / 2021 19:01:05 UTC | Viewed by Prita Piekara (5b03@anc.dc.gov) IP: 69.250.213.112 |
|  SIGNED | 03 / 25 / 2021 19:01:55 UTC | Signed by Prita Piekara (5b03@anc.dc.gov) IP: 69.250.213.112 |
|  COMPLETED | 03 / 25 / 2021 19:01:55 UTC | The document has been completed. |



GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 5B
1920 Irving Street NE, Washington, DC 20018
Website: www.ANC5B.com

BEFORE THE ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION FOR
THE DISTRICT OF COLUMBIA

IN RE:

The application of Michigan Liquors, LLC
t/a Michigan Liquors
3934 12th Street, N.E.
Retailer's License Class A

Revised Voluntary Agreement

WHEREAS, this matter came before the Board on the application of Michigan Liquors, LLC, for the renewal of a Retailer's License Class A at the premises cited above.

WHEREAS, the current Voluntary Agreement ("1997 Agreement") was executed in 1997 between Michigan Liquors and ANC 5A. ANC boundaries were redrawn after the original Voluntary Agreement was executed. Accordingly, Michigan Liquors, LLC, is located within the boundaries of what is now ANC 5B. Therefore, ANC 5B is the appropriate ANC with the right to amend or renegotiate the 1997 Agreement or protest any license application of the Licensee.

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10. That the business establishment's windows are maintained to accommodate visuals that consider the residential community atmosphere, children and the nearby school environment, and to encourage ultimate business success.



Owner
MICHIGAN LIQUORS, LLC



Colleen Costello
Advisory Neighborhood Commissioner
Single Member District 5B05
3/25/2021



Ursula Higgins
Chairperson
Advisory Neighborhood Commission 5B