

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

**In the Matter of:**

Family's Corporation  
t/a My Canton Restaurant

Application for Renewal of a  
Retailer's Class CR License

at premises  
1772 Columbia Road, N.W.  
Washington, D.C. 20009

Case No.: 16-PRO-00057  
License No.: ABRA-075479  
Order No.: 2016-643

Family's Corporation, t/a My Canton Restaurant (Applicant)

Julie Seiwell, Commissioner, on behalf of Advisory Neighborhood Commission (ANC)  
1C

**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
James Short, Member  
Mafara Hobson, Member  
Jake Perry, Member

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**ORDER ON SETTLEMENT AGREEMENT AND  
WITHDRAWAL OF ANC 1C'S PROTEST**

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The Application filed by Family's Corporation, t/a My Canton Restaurant (Applicant), for renewal of its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Protest Status Hearing on October 19, 2016, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant and ANC 1C entered into a Settlement Agreement (Agreement), dated November 3, 2016, 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 Julie Seiwell, on behalf of ANC 1C, are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protest filed by ANC 1C of this Application.

Accordingly, it is this 9th day of November, 2016, **ORDERED** that:

1. The Application filed by Family's Corporation, t/a My Canton Restaurant, for renewal of its Retailer's Class CR License, located at 1772 Columbia Road, N.W., Washington, D.C., is **GRANTED**;
2. The Protest of ANC 1C in this matter is hereby **WITHDRAWN**;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 Applicant and ANC 1C.

District of Columbia  
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson

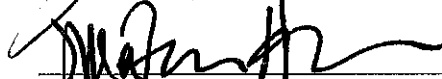
Nick Alberti, Member



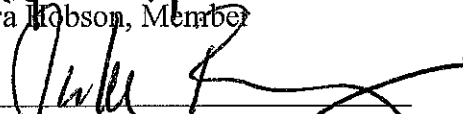
Mike Silverstein, Member



James Short, Member



Mafara Robson, Member



Jake Perry, 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 14<sup>th</sup> 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 CONCERNING ISSUANCE OF LICENSE  
FOR SALE OF ALCOHOLIC BEVERAGES**

THIS AGREEMENT, made and entered into this 3rd day of November, 2016, by and between My Canton Restaurant trading as Family's Corporation, (the "Applicant"), and the Advisory Neighborhood Commission 1C ("ANC1C");

Whereas Applicant has filed an application with the District of Columbia Alcoholic Beverage Control Board (the "Board") for the renewal of a class C license for the premises known as My Canton located at 1772 Columbia Road NW, Washington, DC, and for a sidewalk cafe endorsement, and

Whereas ANC1C, (the protestant), has filed before the Board protests opposing the renewal of this license and the sidewalk cafe change, and

Whereas in recognition of the Board's policy of encouraging parties to a protested proceeding to settle their differences by reaching settlement agreements, the parties hereto desire to enter into a settlement agreement whereby (1) Applicant will agree to adopt certain measures to address the Protestant's concerns and to include this agreement as a formal condition of its application, and (2) Protestant will agree to the renewal of the license and withdrawal of their protests *provided* that this agreement is incorporated into the Board's order issuing the license, which order is thereby conditioned upon compliance with this agreement, and

Now therefore, in consideration of the mutual covenants and undertakings memorialized herein, the Parties agree as follows:

1. Operation. At all times, Applicant shall operate as a bona-fide restaurant with the primary purpose of food preparation and consumption. The kitchen shall be open and operational with cooked food menu items available on both the first and second floor of the establishment up until at least 30 minutes before closing each night.

2. Hours of Operation.

(a) Inside:

Sunday:	10:00 am until 2:00 am.
Monday through Thursday:	10:00 am until 2:00 am.
Friday:	10:00 am until 3:00 am.
Saturday:	10:00 am until 3:00 am.

(b) Hours of live entertainment inside

Sunday:	8 pm until 1 am
Monday and Tuesday:	no entertainment
Wednesday through Saturday:	8 pm until 1 am

(c) Sidewalk Cafe:

Sunday: 10:00 am until 11:00 pm.  
Monday through Thursday: 11:00 am until 11:00 pm.  
Friday: 11:00 am until 12:00 am (midnight).  
Saturday: 10:00 am until 12:00 am (midnight).

(c) Last call will be announced 40 minutes before closing and all sales of alcohol will end 30 minutes before closing, each night of operation.

3. Seating. Inside capacity will not exceed 15. Sidewalk cafe capacity will not exceed 8.
4. Entertainment. Applicant agrees that entertainment will be limited to the following: DJ and karaoke.
5. Noise. Applicant acknowledges familiarity with and will comply with noise-control provisions of District of Columbia law and regulations, including, but not limited to, the DC Noise Control Act of 1977 (DC Law 2-53) and 20 DCMR Chapters 27 and 28, as amended. Applicant agrees to prevent emissions of sound, capable of being heard outside the premises, by any amplification device or other device or source of sound or noise. There shall be no music played in the sidewalk cafe. Applicant agrees not to place in the sidewalk cafe any loudspeaker, tape player, CD player, or other similar device, or to place any inside speaker in such a way that it projects sound into the sidewalk cafe. The exterior doors and windows of the establishment (front and rear) shall be kept closed at all times, except that the exterior doors are permitted to be open when people are in the act of entering or exiting the establishment. The exterior doors will never be propped or tied open except while deliveries are being made to the restaurant.
6. Trash/Recycling/Rodents. Applicant shall maintain regular trash garbage removal service, regularly remove trash from the trash and dumpster areas, and see that the trash and dumpster area remain clean. Applicant shall deposit trash and garbage only in rodent-proof dumpsters, and shall see that dumpster covers fit properly and remain fully closed except when trash or garbage is being added or removed. Applicant will provide for the proper removal of grease and fatty oils from the establishment and will not deposit grease or fatty oils in the dumpster. Applicant will make every reasonable effort to eliminate food sources for rodents and eliminate the rat population. Applicant agrees to segregate bottles, cans, and cardboard from trash, and recycle them in accordance with DC law, and agrees not to dispose of recycling and trash in outside dumpsters or recycling containers between the hours of 11:00 pm and 8:00 am.
7. Exterior, Including Public Space. Applicant shall assist in the maintenance of the alleyway and the space in front of the establishment to at least 18 inches outward from the curb as needed to keep them free of trash and to remove snow and ice from the sidewalk and comply with all applicable D.C. laws and regulations in these respects. Applicant agrees not to place or cause to be placed any fliers, handbills, or other similar advertisements in the public space, specifically on lampposts, street signs, or any vehicle parked in the public space. Applicant shall make every reasonable effort to prevent or disperse

loitering or any other source of noise or disturbance in the areas in front or to the rear of the premises during business hours and at closing, and to cause patrons to leave those areas at closing.

8. Bar/Pub Crawls. Applicant agrees not to promote or participate in bar or pub "crawls", "tours", or similar events.
9. Consideration. Applicant will encourage employees and patrons to be considerate of neighboring residents at all times. Applicant will encourage employees leaving the establishment to keep conversation and noise down from 11:00 pm to 8:00 am.
10. Regulations. In addition to the foregoing, Applicant will operate in compliance with all applicable laws and regulations.
11. Modification. This agreement can be modified only by the ABC Board, or by mutual agreement of all of the parties with the approval of the ABC Board.
12. Availability of Settlement Agreement. Applicant agrees to keep a copy of this Agreement available at the establishment at all times and to familiarize all employees with its conditions

**Family's Corporation**

  
\_\_\_\_\_  
Name: Jose Panto  
Title: Owner

10/31/16  
Date

**Advisory Neighborhood Commission 1C**

  
\_\_\_\_\_  
Name: Ted Guthrie  
Title: Chair ANC 1C

11/3/16  
Date



## Advisory Neighborhood Commission 1C

PO Box 21009, NW, Washington, DC 20009

[www.anc1c.org](http://www.anc1c.org)

Representing Adams Morgan

**Commissioners:**

Julle Selwell (1C01)

November 3, 2016

Hector Huezco (1C02)

Ted Guthrie (1C03)

Gabriela Mossi (1C04)

Alan Gambrell (1C05)

Billy Simpson (1C06)

Wilson Reynolds (1C07)

JonMarc Buffa (1C08)

Donovan Anderson

Chairperson, Alcoholic Beverage Control Board

2000 14th Street NW, Suite 400S

Washington, DC 20009

**sent by attachment to email to [abra.legal@dc.gov](mailto:abra.legal@dc.gov)**

Re: ABRA 075479

Family's Corporation, t/a My Canton Restaurant

Dear Chairperson Anderson:

At a duly noticed public meeting held on November 2, 2016, with a quorum of Commissioners present, ANC 1C passed a resolution approving the attached Settlement Agreement to resolve both the protest of renewal and the protest of substantial change (sidewalk cafe) by a vote of 6-0-0. We would ask that the Board approve the Settlement Agreement.

Please let me know if there's anything further you need in this matter.

Sincerely,

Ted Guthrie

Chair, ANC 1C