

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

In the Matter of:

Serengeti Entertainment Group, Inc.
t/a Serengeti

Application for Renewal of a
Retailer's Class CR License

at premises
6210 Georgia Avenue, N.W.
Washington, D.C. 20011

Case No.: 16-PRO-00040
License No.: ABRA-022889
Order No.: 2016-475

Serengeti Entertainment Group, Inc., t/a Serengeti (Applicant)

Gale Black, Chairperson, Advisory Neighborhood Commission (ANC) 4A

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

**ORDER ON SETTLEMENT AGREEMENT AND
WITHDRAWAL OF ANC 4A'S PROTEST**

The Application filed by Serengeti Entertainment Group, Inc., t/a Serengeti (Applicant), for renewal of its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 6, 2016, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant and ANC 4A entered into a Settlement Agreement (Agreement), dated July 18, 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 Chairperson Gale Black, on behalf of ANC 4A, are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protest filed by ANC 4A of this Application.

Accordingly, it is this 3rd day of August, 2016, **ORDERED** that:


1. The Application filed by Serengeti Entertainment Group, Inc., t/a Serengeti, for renewal of its Retailer's Class CR License, located at 6210 Georgia Avenue, N.W., Washington, D.C., is **GRANTED**;
2. The Protest of ANC 4A in this matter is hereby **WITHDRAWN**;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, except for the following modification:

Section 10 – The following language shall be removed: “This Agreement shall be a permanent attachment to the Applicant's Class C license, and shall convey to any subsequent license holder with all covenants and conditions contained therein.”

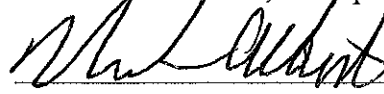
The parties have agreed to this modification.

4. Copies of this Order shall be sent to the Applicant and ANC 4A.

District of Columbia
Alcoholic Beverage Control Board



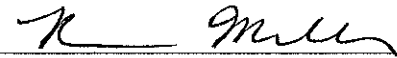
Donovan Anderson, Chairperson



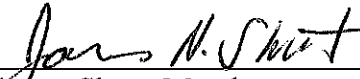
Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, Member



James Short, 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

AGREEMENT made this ~~10th~~ day of July, 2016, by and between Serengeti Entertainment Group, Inc. (the Applicant) and ADVISORY NEIGHBORHOOD COMMISSION 4A (ANC4A).

WITNESSETH:

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control Board (ABC) is Applicant's request for renewal of a Class C Restaurant license for premises located at 6210 Georgia Avenue, N.W., ABRA Application # 022889; and

WHEREAS, the Serengeti is located in close proximity to residences on upper Georgia Avenue NW; and

WHEREAS, the parties desire to enter into a Settlement Agreement setting forth certain understanding regarding Applicant's operations;

NOW, THEREFORE, the Applicant and ANC 4A agree that the Settlement Agreement include the following requirements:

1. The hours of operation and sale of alcohol for the restaurant: Sunday through Thursday 12 pm – 2 am and Friday through Saturday 12 pm – 3 am. Notwithstanding the foregoing, Applicant shall be allowed to stay open the maximum allowable hours on those days when the laws governing Alcoholic Beverage Regulation Administration (ABRA) licensed establishments allow for such (e.g., New Year's Eve, Inauguration). Applicant will insure last call at 2:30 am on Friday and Saturdays.
2. Last Call for alcohol service will be 30 minutes before closing.
3. Alcoholic beverages may not be carried out of the establishment. Food service shall be available until at least one (1) hour before closing.
4. Amplification will not be heard inside nearby homes located behind the establishment.
5. Applicant shall place "No Loitering" signs on the inside and outside of the establishment. "No Trespassing" signs will also be placed on the sides and back of the establishment. The signs will be clearly visible to patrons and pedestrians.
6. The Applicant will comply with its Occupancy Permit.
7. Applicant shall take all reasonable measures to ensure that the immediate environs, as defined in 23 DCMR 720.2, of Applicant's establishment are kept free of litter and debris. Applicant shall clean its immediate environs within a reasonable time of opening, periodically as needed during the hours of operation, and within one (1) hour after closing.
8. Applicant agrees to work in good faith with any Protestants to resolve any problems arising from the operation of the business.

9. If Applicant or the licensee fails to cure within the 30-day period (or, with respect to a breach which reasonably requires more than 30-days to cure, fails to commence cure of such breach and diligently pursues such cure) failure shall constitute a cause for filing a complaint with the ABC Board pursuant to D.C. Official Code § 25-446(3)).

10. Applicant agrees to provide notice to ANC 4A by certified mail, return receipt requested or by hand delivery, of any proposed transfer of its Class C License or a change in its operation/management before any transfer or change is implemented. This Agreement shall be a permanent attachment to the Applicant's Class C license, and shall convey to any subsequent license holder with all covenants and conditions contained therein.

In consideration of the above, ANC 4A will advise the ABC Board that it will not object to Application #022889 and will support the Applicant's request for renewal of the Class C Restaurant license.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the day and year first above written.

Serengeti Entertainment Group, Inc.

Print Name Samuel Muriithi

Sign Name Samuel Muriithi

Title Director

Date 7/18/2016

Print Name _____

Sign Name _____

Title _____

Date _____

ADVISORY NEIGHBORHOOD COMMISSION 4A

Print Name Gale Black

Sign Name Gale Black

Title Chair ANC 4A

Date July 19, 2016