

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

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In the Matter of:	)	
	)	
Aberash, LLC	)	Case No.: 21-PRO-00017
t/a Signature Lounge	)	License No.: ABRA-117485
	)	Order No.: 2021-482
Application for a New	)	
Retailer's Class CT License	)	
	)	
at premises	)	
1727 Connecticut Avenue, N.W.	)	
Washington, D.C. 20009	)	

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**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Rafi Aliya Crockett, Member  
Jeni Hansen, Member  
Edward S. Grandis, Member

**ALSO PRESENT:** Aberash, LLC, t/a Signature Lounge, Applicant  
  
Richard Bianco, Counsel, on behalf of the Applicant  
  
Meg Roggensack and Mike Silverstein, Commissioners, on behalf of  
Advisory Neighborhood Commission (ANC) 2B  
  
Glenn Engelmann, Dupont Circle Citizens Association, Protestants  
  
Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**FINDINGS OF FACT, CONCLUSIONS OF LAW,  
AND ORDER**

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**INTRODUCTION**

The Alcoholic Beverage Control Board (Board) approves the Application for a New Retailer's Class CT License filed by Aberash, LLC, t/a Signature Lounge, (hereinafter "Applicant" or "Signature Lounge") subject to conditions. Specifically, based on compelling evidence that the ownership has created safety concerns in the past by permitting the door of its

other establishment to be locked when in operation, that prior nightclub activities at the proposed location caused noise issues, and that the premises lack commercially reasonable soundproofing, the Board is not persuaded that Signature Lounge should be granted full privileges to operate a nightclub and provide other nightlife-related activities. Therefore, the Board conditions licensure on (1) limiting the hours to 1:00 a.m. during the week, and 2:00 a.m. on Friday and Saturday; (2) hiring at least 2 officers with the Metropolitan Police Department (MPD) on Friday and Saturday during the evening and early morning; (3) not charging a cover charge; (4) not permitting promoters to maintain control over the establishment; and (5) not allowing live bands to perform. The Board's reasoning and order are provided below.

### ***Procedural Background***

The Notice of Public Hearing advertising Signature Lounge's Application was posted on January 29, 2021, and informed the public that objections to the Application could be filed on or before April 5, 2021. *ABRA Protest File No. 21-PRO-00017*, Notice of Public Hearing [*Notice of Public Hearing*]. The records of the Alcoholic Beverage Regulation Administration (ABRA) indicate that Advisory Neighborhood Commission (ANC) 2B and the Dupont Circle Citizens Association (DCCA) have filed a protest against the Application. *ABRA Protest File No. 21-PRO-00017*, Roll Call Hearing Results.

The parties came before the Board's Agent for a Roll Call Hearing on April 26, 2021, where the above-mentioned objector was granted standing to protest the Application. On May 12, 2021, the parties came before the Board for a Protest Status Hearing. Finally, the Protest Hearing in this matter occurred on June 30, 2021.

The Board recognizes that an ANC's properly adopted written recommendations are entitled to great weight from the Board. D.C. Code §§ 1-309.10(d), 25-609; *Foggy Bottom Ass'n v. District of Columbia Alcoholic Beverage Control Bd.*, 445 A.2d 643, 646 (D.C. 1982). Accordingly, the Board "must elaborate, with precision, its response to the ANC[']s issues and concerns." *Foggy Bottom Ass'n*, 445 A.2d at 646. The Board notes that it received a properly adopted written recommendation from ANC 2B, which indicated that its protest is based on concerns regarding the Applicant's impact on peace, order, and quiet of the neighborhood. *ANC 2B Protest Letter*, at 1 (Apr. 2, 2021). The ANC's issues and concerns shall be addressed by the Board in its Conclusions of Law below.

Before the hearing, the Board also considered Signature Lounge's motion to deny hearing testimony and evidence related to the ownership's operation of Secret Lounge and the subpoena of Metropolitan Police Department Officer Brian O'Shea. *Applicant's Mot. to Quash*, at 1. The Board denied the motion because the Applicant's operation of a separate establishment may be relevant. *Tr.*, June 30, 2021 at 22.

Based on the issues raised by the Protestants, the Board may only grant the Application if the request will not have an adverse impact on the peace, order, and quiet of the area located within 1,200 feet of the establishment. D.C. Code § 25-313(b); 23 DCMR §§ 1607.2; 1607.7(b) (West Supp. 2021).

## FINDINGS OF FACT

The Board, having considered the evidence, the testimony of the witnesses, the arguments of the parties, and all documents comprising the Board's official file, makes the following findings:

### I. Background

1. Signature Lounge has submitted an Application for a New Retailer's Class CT License at 1727 Connecticut Avenue, N.W., Washington, D.C. *Notice of Public Hearing*.
2. ABRA Investigator Donnell Butler investigated the Application and prepared the Protest Report submitted to the Board. *ABRA Protest File No. 21-PRO-00017, Protest Report* (Jun. 2021) [*Protest Report*].
3. The proposed establishment is in a Mixed-Use (MU) 20 zone. *Protest Report*, at 3. Thirty-eight licensed establishments are located within 1,200 feet of the proposed location. *Id.* at 5. There are no schools within 400 feet of the establishment. *Id.* at 7. The proposed occupancy of the premises is 277 persons. *Notice of Public Hearing*, at 1. The Applicant has also applied for an entertainment endorsement requesting live entertainment, a dance floor, and permission to charge a cover charge. *Id.*
4. The establishment's proposed hours of operation will start at 7:00 a.m. and end at 2:00 a.m., Sunday through Thursday, and end at 3:00 a.m. on Friday and Saturday. *Protest Report*, at 8. The establishment's alcohol sale, service, and consumption hours will begin at 9:00 a.m. and end at 2:00 a.m., Sunday through Thursday, and end at 3:00 a.m. on Friday and Saturday. *Id.* The establishment has not applied for outdoor seating. *Id.* The establishment's proposed hours for entertainment will run from 9:00 a.m. to 2:00 a.m., Sunday through Thursday, and 7:00 a.m. to 3:00 a.m. on Friday and Saturday. *Notice of Public Hearing*, at 1.
5. The establishment sits in between two buildings. *Protest Report*, at *Exhibit No. 5*. On one side, the neighboring abutting building has an awning and signs advertising an "Adult Boutique" store called "bite the fruit" and another store called "Chocolate City Wellness." *Id.* at *Exhibit No. 9*. Behind the establishment is 20th Street, N.W., which also has "brownstone apartments" located diagonally from the establishment, on the other side of the street. *Tr.*, 6/30/21 at 73. The establishment has approximately five or six feet of sidewalk space in front of the establishment. *Id.* at 74.
6. The records of the Metropolitan Police Department (MPD) indicate that MPD received no calls for service related to the establishment's address between April 2021 and June 2021. *Protest Report*, at 9.
7. ABRA investigators visited the location on five separate occasions between June 4, 2021, and June 17, 2021. *Protest Report*, at 8-9. Investigators did not observe any peace, order, and quiet issues or other violations during their visits. *Id.* Nevertheless, the "establishment is not open for business" and was "under renovation" at the time of the visits. *Id.* at 8.

8. Investigator Butler is familiar with the establishment's proposed location. *Tr.*, 6/30/21 at 68. Based on his experience, the area experiences low foot traffic. *Id.*

## II. Dereje Daneale

9. Dereje Daneale is sole owner of Signature Lounge. *Id.* at 77-78. The establishment will open for business once it obtains the tavern license. *Id.* at 78. The current business plan is to offer breakfast, lunch, and dinner, live bands, and disc jockeys. *Id.* at 79.

10. The establishment has one floor and one mezzanine. *Id.* at 79. The first floor will have tables, a bar, and a kitchen and will operate as a restaurant. *Id.* The bar has room for approximately twenty seats. *Id.* at 82. The first floor will have tables with room for approximately four to six people per table. *Id.* at 82, 121-22. The establishment will also likely use the first floor for its dance floor. *Id.* at 88. The mezzanine will operate as a lounge with food service. *Id.* at 83. The second floor will have approximately six tables that can sit up to ten people. *Id.* at 86. The rear of the establishment will not be used as a regular entrance or exit for customers. *Id.* at 97-98.

11. Mr. Daneale discussed his plans to provide music at the establishment. *Id.* at 83-84. The establishment will have six speakers installed in the ceiling. *Id.* at 84. The establishment will also have speakers in the middle of the restaurant. *Id.* Mr. Daneale indicates that he plans to keep his speakers far from the building's doors and windows. *Id.* at 85. Furthermore, the mezzanine will only have one speaker placed near the stairway and no speakers will be installed in the ceiling of the mezzanine. *Id.* at 87-88.

12. Mr. Daneale noted that the establishment has a railing for outdoor seating installed. *Id.* at 80. Nevertheless, the outdoor area was created by the prior owner and he did not apply for outdoor seating. *Id.* at 80-81.

13. Mr. Daneale also described his kitchen. *Id.* at 89. He indicated that the kitchen has a refrigerator, stoves, an oven, a fryer, and a grill. *Id.* The kitchen will have a refrigerator, and a second refrigerator will be in the basement. *Id.* The food plan is to offer American and Ethiopian cuisine. *Id.* at 89-91. He further plans to have the kitchen open until closing time. *Id.* at 91. The kitchen will have approximately six staff and additional positions for wait staff, bartenders, barbacks, and hosts. *Id.* at 92-93.

14. Mr. Daneale further described his security operations. *Id.* at 92. In particular, the establishment will always have two security staff in uniforms at the entrance to check identifications and perform searches. *Id.* at 93. He further indicated that this would occur during the day. *Id.* At night, the establishment will have up to six security staff. *Id.* at 96, 100-01, 118-19. Two will be located on the first floor, two will be located at the door, one will be located in the mezzanine, and one will patron the stairs and exterior of the building. *Id.* at 97. He noted that security will be provided by a private company. *Id.* at 100. The premise has 16 security cameras and has the ability to record footage for 30 days. *Id.* at 102. Mr. Daneale indicated that providing reimbursable detail officers is part of his plan to provide security. *Id.* at 116-17.

15. The ownership has contracted with a trash service to remove trash from the rear of the premises. *Id.* at 99. Mr. Daneale indicated that trash removal will occur from 7:00 a.m. until noon. *Id.*

16. Mr. Daneale indicated that the business does not require promoters. *Id.* at 114.

17. Mr. Daneale also currently owns Secret Lounge, which is located on 9th Street, N.W., and U Street, N.W. *Id.* at 105, 109. Secret Lounge has been in operation for approximately five years. *Id.* at 106. Secret Lounge is regularly open until 2:00 a.m. and 3:00 a.m. *Id.* at 109. He admitted that Secret Lounge previously received a warning for a violation related to rules enacted to prevent the spread of coronavirus disease 2019 (COVID-19). *Id.* at 106-07. He also admitted that the establishment received a \$1,000 fine for providing entertainment without an endorsement. *Id.* at 107.

### **III. Metropolitan Police Department (MPD) Officer Brian O'Shea**

18. Officer Brian O'Shea works for the Metropolitan Police Department. *Id.* at 155. While on duty on October 28, 2018, he and his partner responded to a call at Secret Lounge related to a melee. *Id.* Inside, he and his partner attempted to break up the fight. *Id.* While trying to break up the fight, he was assaulted by a person he was attempting to arrest. *Id.* at 156. Specifically, he was thrown into a table and hurt his head and back. *Id.*

19. As a police officer, Officer O'Shea has worked in the 9th Street, N.W., area. *Id.* at 156. In his experience, he was involved in a number of incidents involving disorderly conduct and simple assaults in and around Secret Lounge. *Id.* at 156-57. He further indicated that he has regularly seen people enter and exit the premises that appear to be intoxicated. *Id.* at 160.

### **IV. MPD Lieutenant Merzig**

20. MPD Lieutenant Merzig previously worked in the Third District for the past three years and now works in the Second District. *Id.* at 175. As part of his duties, he is familiar with the area around Secret Lounge based on his supervision of the "club zone." *Id.* at 175-76. He indicated that the area around Secret Lounge experienced numerous fights. *Id.* at 177. In particular, on one occasion, a dispute started inside the premises, the parties were pushed out, and the establishment locked the doors, which prevented the police from entering. *Id.* at 178-79.

21. Lieutenant Merzig noted that the area around Signature Lounge has recently experienced a number of violent incidents. *Id.* at 181.

### **V. ABRA Investigator Rhoda Glasgow**

22. ABRA Investigator Rhoda Glasgow described her experience with Secret Lounge on August 29, 2020. *Id.* at 200. On August 29, 2020, Investigator Glasgow was monitoring the area near Secret Lounge. *Id.* On that day, she saw people outside the business and attempted to enter but the door was locked. *Id.* at 200, 206-07. She then banged on the door and displayed

her badge by putting it on the door. *Id.* at 201. Nevertheless, the security person inside did not open the door. *Id.* at 201-02.

23. After calling for support, a uniformed member of the D.C. Fire Marshall's office arrived and banged on the door. *Id.* at 202. A member of Secret Lounge's security team appeared and then ran upstairs. *Id.* The owner then appeared at the door and opened it. *Id.* at 203. Inside, she observed various violations of rules meant to curb the spread of COVID-19, such as people without masks, too many people per table, people sitting at bars, and people violating social distance rules. *Id.* at 203-04. Inside the premises, the fire marshal explained to the owner that he cannot lock the door while people are present. *Id.* at 204-05.

## **VI. James McGlade**

24. James McGlade owns "bite the fruit," the store next to Signature Lounge's proposed location. *Id.* at 215. His business generally operates from 11:00 a.m. to 11:00 p.m. during the week and from 11:00 a.m. until midnight during the weekend. *Id.* The business has been in operation for approximately 30 years. *Id.* at 215, 225. Currently, the building where his business is located has a tenant living in the third-floor apartment. *Id.* at 219.

25. The prior business at Signature Lounge's location was called Bistro Bistro and operated a club. *Id.* at 215-16. When in operation, Bistro Bistro's line would cross in front of his door and block people seeking to enter his business. *Id.* at 216. He further found that when opening in the morning, there would be trash and litter "up and own the street." *Id.* at 216. Additionally, when in operation, music from the club was audible in his retail store and the apartment in the building. *Id.* at 217. He believes the noise was audible in the building because the insulation is insufficient. *Id.* at 218-19.

## **VII. Mike Silverstein**

26. ANC Commissioner Mike Silverstein discussed the ANC's concerns. *Id.* at 233. Specifically, there is concern about the use of promoters due to a prior incident in Dupont Circle where an establishment used promoters and the event led to violence both inside and outside the establishment. *Id.* at 236. Moreover, the ANC believes that the establishment should hire officers with the Metropolitan Police Department (MPD) reimbursable detail in order to ensure order based on the large crowds that may be attracted to the establishment. *Id.* at 238.

## **VIII. Catherine Butler**

27. Catherine Butler lives across the street from Signature Lounge's proposed location. *Id.* at 258. Her home and bedroom faces the establishment's back door. *Id.* at 258-60. She noted that there are also condominiums and apartments nearby. *Id.* at 264-65. She is concerned about the establishment generating crowds, crime, and noise that will disturb her in her home. *Id.* at 260, 262.

## **IX. Jeffrey Rueckgauer**

28. Jeffrey Rueckgauer lives in an apartment on P Street, N.W. *Id.* at 274. He has lived in the building since 1992 and serves as president of the tenant association. *Id.* Based on his experience as a resident, the area has experienced problems with taverns operating as nightclubs. *Id.* In 2005, he recalled on one occasion that Marrakesh Palace generated a long line with noisy patrons, promoters using bullhorns, and fights after the establishment closed. *Id.* at 275-76. Other establishments in the neighborhood had similar issues. *Id.* at 277-78.

## **X. Glenn Engelmann**

29. Glenn Engelmann previously served as president of the Dupont Circle Citizens Association. *Id.* at 285. He indicated that his organization has consistently opposed the use of promoters. *Id.*

## **CONCLUSIONS OF LAW**

30. The Board may approve an Application for a New Retailer's Class CT License when the proposed establishment will not have an adverse impact on the neighborhood. D.C. Code §§ 25-104, 25-313(b); 23 DCMR §§ 1607.2; 1607.7(b) (West Supp. 2021). Specifically, the question in this matter is whether the Application will have a negative impact on the peace, order, and quiet of the area located within 1,200 feet of the establishment. D.C. Code § 25-313(b); 23 DCMR §§ 1607.2; 1607.7(b) (West Supp. 2021).

31. Furthermore, in the case of a new application for licensure or transfer to a new location, “the Board shall consider whether the proximity of [a tavern or nightclub] establishment to a residence district, as identified in the zoning regulations of the District and shown in the official atlases of the Zoning Commission for the District, would generate a substantial adverse impact on the residents of the District.” D.C. Code § 25-314(c).

### **I. The Establishment is Appropriate for the Neighborhood Subject to Conditions.**

32. Under the appropriateness test, “the applicant shall bear the burden of proving to the satisfaction of the Board that the establishment for which the license is sought is appropriate for the locality, section, or portion of the District where it is to be located . . . .” D.C. Code § 25-311(a). The Board shall only rely on “reliable” and “probative evidence” and base its decision on the “substantial evidence” contained in the record. 23 DCMR § 1718.3 (West Supp. 2021). The substantial evidence standard requires the Board to rely on “such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.” *Clark v. D.C. Dep't of Employment Servs.*, 772 A.2d 198, 201 (D.C. 2001) *citing Children's Defense Fund v. District of Columbia Dep't of Employment Servs.*, 726 A.2d 1242, 1247 (D.C.1999).

33. In determining appropriateness, the Board must consider whether the applicant’s future operations will satisfy the reasonable expectations of residents to be free from disturbances and other nuisances—not just whether the Application complies with the minimum requirements of the law. D.C. Council, Bill 6-504, the “District of Columbia Alcoholic Beverage Control Act

Reform Amendment Act of 1986,” Committee on Consumer and Regulatory Affairs, 38 (Nov. 12, 1986); see *Panutat, LLC v. D.C. Alcoholic Beverage Control Bd.*, 75 A.3d 269, 277 n. 12 (D.C. 2013) (“However, in mandating consideration of the effect on peace, order, and quiet, § 25-313(b)(2) does not limit the Board's consideration to the types of noises described in § 25-725.”). As part of its analysis, the Board should evaluate each “unique” location “according to the particular circumstances involved” and attempt to determine the “prospective” effect of the establishment on the neighborhood. *Le Jimmy, Inc. v. D.C. Alcoholic Beverage Control Bd.*, 433 A.2d 1090, 1093 (D.C. 1981). Furthermore, the analysis may also include the Applicant’s efforts to mitigate or alleviate operational concerns, the “character of the neighborhood,” the character of the establishment, and the license holder’s future plans. *Donnelly v. District of Columbia Alcoholic Beverage Control Board*, 452 A.2d 364, 369 (D.C. 1982) (saying that the Board could rely on testimony related to the licensee’s “past and future efforts” to control negative impacts of the operation); *Upper Georgia Ave. Planning Comm. v. Alcoholic Beverage Control Bd.*, 500 A.2d 987, 992 (D.C. 1985) (saying the Board may consider an applicant’s efforts to “alleviate” operational concerns); *Citizens Ass'n of Georgetown, Inc. v. D.C. Alcoholic Beverage Control Bd.*, 410 A.2d 197, 200 (D.C. 1979); *Gerber v. D.C. Alcoholic Beverage Control Bd.*, 499 A.2d 1193, 1196 (D.C. 1985); *Sophia's Inc. v. Alcoholic Beverage Control Bd.*, 268 A.2d 799, 800-801 (D.C. 1970).

**a. Signature Lounge will likely not have a negative impact on peace, order, and quiet so long as the establishment is not granted the full privileges of a nightclub.**

34. The Board approves the operation of a restaurant, tavern, and lounge by Signature Lounge but has concerns about the operation of a nightclub based on the facilities and the ownership’s record of management.

35. “In determining the appropriateness of an establishment, the Board shall consider . . . [t]he effect of the establishment on peace, order, and quiet, including the noise and litter provisions set forth in §§ 25-725 and 25-726.” D.C. Code § 25-313(b)(2); see also D.C. Code §§ 25-101(35A), 25-314(a)(4). Among other considerations, the Board is instructed to consider “noise, rowdiness, loitering, litter, and criminal activity.” 23 DCMR § 400.1(a) (West Supp. 2021).

36. In this case, in general, there is no indication that a restaurant, tavern, or nightclub is inappropriate for the proposed location. Nevertheless, the Board has specific concerns about the operation of a nightclub and other nightlife activity based on the facilities and the ownership’s operation of Secret Lounge.

37. First, the Protestants have raised valid concerns about the ability of Signature Lounge to control noise. The Board credits the testimony of Mr. McGlade that music from the prior tenant, operating a similar establishment cause noise in the neighboring building that has an apartment. *Supra*, at ¶¶ 24-25. Furthermore, there is no indication that the building is appropriately soundproofed or that Signature Lounge is undertaking commercially reasonable efforts to soundproof the premises, such as hiring a noise consultant and following their recommendations.



*Supra*, at ¶ 25. Therefore, the Board is persuaded that allowing uninhibited entertainment will create significant noise issues.

38. Second, the Board is also concerned about the owner’s ability to manage a nightclub based on the operation of Secret Lounge, which is owned by Mr. Daneale. *Supra*, at ¶ 17. As noted in *Panutat*, when establishments have “overlapping ownership” and shared management it may be relevant to whether the “new owner will operate the establishment without a detrimental impact on the neighborhood.” *Panutat, LLC v. Dist. of Columbia Alcoholic Beverage Control Bd.*, 75 A.3d 269, 275 (D.C. 2013) (quotation marks removed). In this case, the Board has serious concerns with Secret Lounge locking its door. *Supra*, at ¶¶ 20, 22-23. An establishment that locks its doors creates dangerous crowd control issues in the event of an emergency, impedes the ability of first responders to enter the premises and provide assistance, and is indicative of efforts to impede and interfere with law enforcement and hide illegal behavior. Therefore, the Board is persuaded that the full privileges to provide nightclub activities are not appropriate where the ownership has engaged in behavior that may endanger patrons at the establishment when the establishment hosts large crowds.

## **II. The Board Imposes Conditions on the License to Preserve the Neighborhood’s Peace, Order, and Quiet.**

39. In light of the Board’s findings regarding appropriateness, the Board finds it necessary to impose conditions on the Applicant’s license. *See In re Dos Ventures, LLC, t/a Riverfront at the Ball Park*, Case No. 092040, Board Order No. 2014-512. ¶ 49 (D.C.A.B.C.B. Nov. 13, 2013) (saying “[i]n practice, the Board has imposed conditions when it is shown that there are valid concerns regarding appropriateness that may be fixed through the imposition of specific operational limits and requirements on the license”). Under § 25-104(e), the Board is granted the authority to impose conditions on a license when “. . . the inclusion of conditions will be in the best interest of the [neighborhood] . . . .” D.C. Code § 25-104(e).

40. In this case, the Board imposes conditions to prevent the provision of nightclub activities that may generate disturbing noise and security concerns. First, the Board limits the hours to 1:00 a.m., Sunday through Thursday, and 2:00 a.m., on Friday and Saturday to prevent the business from focusing on nightclub activity as the main part of its business model. Second, at a minimum, Signature Lounge shall hire at least two officers with the reimbursable detail to provide security on Friday and Saturday to assist with security when heavy crowds are expected. Third, Signature Lounge shall not be permitted to charge a cover charge or allow promoters to maintain control over the business in order to further discourage the business from focusing on nightclub activity as its main focus. Finally, based on the lack of soundproofing, Signature Lounge shall not be permitted to host live bands. Nevertheless, the Board will permit the establishment to provide recorded music and disc jockeys as entertainment because the volume of such entertainment may be subject to more controls, such as through the placement of speakers and other methods (e.g., sound limiter) if necessary. *Supra*, at ¶ 11.

### **III. The Application Satisfies All Remaining Requirements Imposed by Title 25.**

41. Finally, the Board is only required to produce findings of fact and conclusions of law related to those matters raised by the Protestants in their initial protest. *See Craig v. District of Columbia Alcoholic Beverage Control Bd.*, 721 A.2d 584, 590 (D.C. 1998) (“The Board’s regulations require findings only on contested issues of fact.”); 23 DCMR § 1718.2 (West Supp. 2021). Accordingly, based on the Board’s review of the Application and the record, the Applicant has satisfied all remaining requirements imposed by Title 25 of the D.C. Official Code and Title 23 of the D.C. Municipal Regulations.

### **ORDER**

Therefore, the Board, on this 26th day of August 2021, hereby **APPROVES** the Application for a New Retailer’s Class CT License at premises 1727 Connecticut Avenue, N.W., filed by Signature Lounge subject to the following **CONDITIONS**:

1. The hours of operation shall be limited to 1:00 a.m., Sunday through Thursday, and 2:00 a.m., on Friday and Saturday;
2. Signature Lounge, when in operation, shall hire at least two officers with the MPD reimbursable detail program to provide security on Friday and Saturday starting at 10:00 p.m. and ending at least one hour after the close of business;
3. Signature Lounge shall not be permitted to charge a cover charge;
4. Signature Lounge shall not be permitted to host live bands; and
5. Signature Lounge shall not hire or otherwise allow a promoter or other third party to operate at the establishment and permit that person to maintain control over the premises by allowing them to (1) collect admission fees or money from patrons at the premises or in the sidewalk area immediately outside the premises; (2) check identifications or perform body and item searches; (3) distribute wrist bands or stamps to patrons to determine their age; or (4) provide alcoholic beverages to customers. Nothing in this condition shall prevent a third party from engaging in the promotion of events at the establishment through social media, text message, and other media outlets (e.g., radio, television, newspaper, email, flyers, etc.).

**IT IS FURTHER ORDERED** that the Board’s findings of fact and conclusions of law contained in this Order shall be deemed severable. If any part of this determination is deemed invalid, the Board intends that its ruling remain in effect so long as sufficient facts and authority support the decision.

The ABRA shall deliver a copy of this order to the Parties.

District of Columbia  
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac43cb9b59d5f9e4b730063d1dccc8

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Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*Rafi Aliya Crockett, Member*  
Key: b560a91845e17be4016155e5c12f81cc

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Rafi Crockett, Member

eSigned via SeamlessDocs.com  
*Edward Grandis, Member*  
Key: 5027bda7ff9f0040ec14adeb52541ce5

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Edward S. Grandis, Member

I dissent from the position taken by the majority. I agree with the ANC, the DCCA, and members of the community that the business is inappropriate based on the ownership's recent poor record of operating Secret Lounge in compliance with the law.

eSigned via SeamlessDocs.com  
*James Short*  
Key: 547ae973f920de6ac8d1b332d42d49ec

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James Short, Member

eSigned via SeamlessDocs.com  
*Jeni Hansen, Member*  
Key: 82172091f5509447491b56f9c2a4189f

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Jeni Hansen, 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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. 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. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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).