

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

In the Matter of:)	
)	
Success, LLC)	
t/a Silo)	
)	
Application for Renewal of a)	Case No.: 16-PRO-00062
Retailer's Class CR License)	License No.: ABRA-090985
)	Order No.: 2016-511
at premises)	
917 5 th Street, N.W.)	
Washington, D.C. 20001)	

Success, LLC, t/a Silo (Applicant)

Tyler Chin, on behalf of Abutting Property Owners

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

**ORDER ON SETTLEMENT AGREEMENT AND
WITHDRAWAL OF PROTEST**

The Application filed by Success, LLC, t/a Silo (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 13, 2016, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant and the Abutting Property Owners entered into a Settlement Agreement (Agreement), dated September 8, 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 Tyler Chin, on behalf of the Abutting Property Owners, are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protest filed by the Abutting Property Owners of this Application.

Accordingly, it is this 14th day of September, 2016, **ORDERED** that:

1. The Application filed by Success, LLC, t/a Silo, for renewal of its Retailer's Class CR License, located at 917 5th Street, N.W., Washington, D.C., is **GRANTED**;
2. The Protest of the Abutting Property Owners in this matter is hereby **WITHDRAWN**;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 Tyler Chin, on behalf of Abutting Property Owners.


District of Columbia
Alcoholic Beverage Control Board




Donovan Anderson, Chairperson



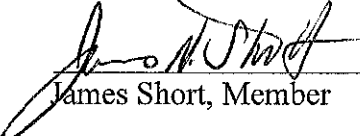
Nick Alberti, Member



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

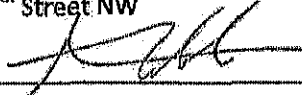
Settlement Agreement between **Applicant** Success LLC t/a Silo, 917-919 5th Street NW, License #ABRA-090985, Retailer Class CR License Renewal **and Protestants** Tam Tsui Sheung Chin, Tyler Chin, Madison Chin, and Paulo Chin, 921 5th Street NW (abutting property owners):

Whereas in recognition of ABC Board's policy of encouraging parties to settle any differences by reaching a Settlement Agreement, the parties agree to enter into a Settlement Agreement whereby:

1. **Noise:** Applicant will continue to lock volume controls on speakers and amplification so as to not produce any sound, noise, or music of such intensity that it may be heard in any premises other than the licensed establishment (DC Official Code 25-725). Applicant will cease the use of microphones to make announcements. Applicant agrees that speakers will continue to not be placed against the wall that abuts the protestant's property. Applicant will encourage employees and patrons by posted signs to be respectful of the residents in the neighborhood after departing by keeping conversations and noise down in order to maintain peace, order, and quiet in the neighborhood.
2. **Loitering:** Applicant agrees to post an employee at the door at closing to encourage patrons to move along and to discourage loitering
3. **Litter:** Applicant will place a receptacle outside of the premises for cigarette butts.
4. **Compliance:** Applicant will inform present and new employees of the necessity to comply with the provisions of this agreement.

Applicant: Success LLC t/a Silo, ABRA #090985, 917- 919 5th Street NW

Printed Name: Mohammad Reza Akhavan Signature: _____



Date: 9/8/16

Protestant's Designated Representative:

Printed Name: Mr. Tyler Chin Signature: _____



Date: 9-8-16