

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

In the Matter of:)
)
VFAZ, LLC)
t/a Spirits & Spice)
)
Application for a New)
Retailer’s Class A License)
)
at premises)
3237 M Street, NW)
Washington, D.C. 20007)

License No.: ABRA-120009
Order No.: 2022-053

VFAZ, LLC, t/a Spirits & Spice, Applicant

Lisa Palmer, Commissioner, Advisory Neighborhood Commission (ANC) 2E

Tara Sakraida Parker, President, The Citizens Association of Georgetown (CAG)

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, 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 VFAZ, LLC, t/a Spirits & Spice (Applicant), Applicant for a new Retailer’s Class A License, ANC 2E, and CAG have entered into a Settlement Agreement (Agreement), dated January 26, 2022, that governs the operations of the Applicant’s establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant; Commissioner Lisa Palmer, on behalf of ANC 2E; and Tara Sakraida Parker, on behalf of CAG; are signatories to the Agreement.

Accordingly, it is this 9th day of February 2022, **ORDERED** that:

1. 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
2. Copies of this Order shall be sent to the Applicant, ANC 2E, and CAG.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac430c58b8645f0594d730093d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547a373f9500a2a91180094929a1e2

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 25643e0a4f6e14667f4b758d7517d205

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560e91845a15e4016125e5c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172931f57944749155f812e418f5

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 50271cda7f950040ec14a86e52541ce5

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).

SETTLEMENT AGREEMENT
VFAZ, LLC, ADVISORY NEIGHBORHOOD COMMISSION 2E, AND
THE CITIZENS ASSOCIATION OF GEORGETOWN

THIS SETTLEMENT AGREEMENT ("Agreement") is made on this ___ day of January 2022, by and between VFAZ, LLC t/a Spirits & Spice ("Applicant"), Advisory Neighborhood Commission 2E ("ANC2E") and The Citizens Association of Georgetown ("CAG"), also referred to collectively as the "Parties."

RECITALS

Whereas, the Applicant has applied to the Alcoholic Beverage Regulation Administration ("ABRA") for a new Retailer's Class A ABC License, ABRA-120009 ("License") with Tasting Endorsement for the premises located at 3237 M Street, NW ("Premises");

Whereas, the Parties wish to enter into a Settlement Agreement pursuant to D.C. Official Code § 25-446 to address concerns related to peace, order and quiet;

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants and conditions set forth below, the Parties agree as follows:

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Hours:** Applicant agrees that its hours of operation and hours of sales of alcoholic beverages shall not exceed: 10:00am to 10:00pm daily.
3. **Business Operations:**
 - a. No music played inside the Premises or other noise coming from the Premises shall be audible outside of the Premises at any time;
 - b. While the establishment may offer tastings and classes pertaining to alcoholic beverages and may charge a fee for such educational programming, cover charges for such classes will never be collected to enter the Premises or partake in Applicant's offerings;
 - c. Applicant shall use reasonable efforts to discourage loitering in the vicinity of the Premises; Applicant's staff shall report all incidences of public consumption of alcoholic beverages sold on the Premises which are witnessed by a staff member to the Metropolitan Police Department;
 - d. Applicant shall maintain the storefront in a clean and tidy manner. Furthermore, Applicant shall ensure that all litter related to Applicant's business in the public space adjacent to and in front of the premises shall be picked up by Applicant's staff at least once a day and shall be kept, generally, in a clean and tidy manner at all times.
 - e. Applicant shall not engage in check cashing services or lottery sales as part of its operations.
 - f. Protestants do not object to Applicant seeking approval of a one-day substantial change permit from the Alcoholic Beverage Control Board seeking permission to allow for on-premises consumption as part of a specific event up to twelve times per calendar year;

g. This ABRA license shall only provide for use of interior space. Should the Applicant desire to expand its service outdoors, including but not limited to use of a parklet, streatory, or summer garden, Applicant will work with ANC2E and CAG to update this Agreement to include specific provisions governing the use of such outdoor space.

4. **Binding Effect.** This Agreement shall be binding upon and enforceable against the Applicant and its successors or transferees.

In consideration of the agreements set forth above, ANC2E and CAG shall, upon approval of this agreement by the Alcoholic Beverage Control Board, agree to refrain from filing Protests of the application for the License at the Premises.

IN WITNESS WHEREOF, The Parties have executed this Agreement as of the date first above written.


ADVISORY NEIGHBORHOOD COMMISSION 2E

By:  Date: 1/10/22
Lisa Palmer, Commissioner, ANC2E05

THE CITIZENS ASSOCIATION OF GEORGETOWN

By: Tara Sakraida Date: 1/26/2022
Tara Sakraida Parker, President

VFAZ, LLC

By:  Date: 1/10/22
Lois K. Weiss, Managing Member