

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

In the Matter of:

Politics & Prose, Inc.
t/a Politics & Prose

Applicant for a New
Retailer's Class DX Multipurpose Facility

at premises
5015 Connecticut Avenue, N.W.
Washington, D.C. 20008

License No. ABRA-089388
Order No. 2012-338

Politics & Prose, Inc., t/a Politics & Prose (Applicant)

Roman Jankowski, Chairperson, Advisory Neighborhood Commission (ANC) 3F

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Politics & Prose, Inc., t/a Politics & Prose, Applicant for a new Retailer's Class DX Multipurpose Facility license, located at 5015 Connecticut Avenue, N.W., Washington, D.C., and ANC 3F have entered into a Voluntary Agreement (Agreement), dated June 11, 2012, 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 Roman Jankowski, on behalf of ANC 3F, are signatories to the Agreement.

Accordingly, it is this 12th day of September, 2012, **ORDERED** that:

1. The above-referenced Voluntary 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 13 – The following sentence shall be modified to read as follows:
“Any change from this model shall be of concern to residents and requires prior approval by the ABC Board.”

The parties have agreed to this modification.


2. Copies of this Order shall be sent to the Applicant and ANC 3F.

Politics & Prose, Inc.
t/a Politics & Prose
License No. ABRA-089388
Page 3

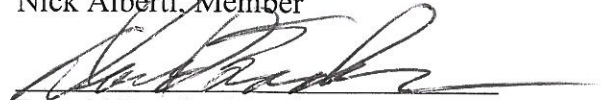
District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson

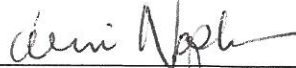


Nick Alberti, Member

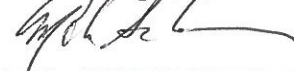


Donald Brooks, Member

Herman Jones, Member



Calvin Nophlin, Member



Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3F
North Cleveland Park - Forest Hills - Tenleytown

3F01 - Adam Tope, Secretary
3F02 - Karen Perry, Vice Chair
3F03 - Karen Beiley
3F04 - Thomas Whitley
3F05 - Roman Jankowski, Chair
3F06 - Cathy Wiss
3F07 - Bob Summers gill, Treasurer



Box 244
4401- A Connecticut Avenue, N.W.
Washington, D.C. 20008-2322

Web site: www.anc3f.us

E-mail: commissioners@anc3f.us
Phone: 202.362.6120

June 17, 2012

Ruthanne Miller, Chair
Alcoholic Beverage Control Board
1250 U Street, N.W., Suite 400 South
Washington, D.C. 20009

RE: Politics & Prose, Inc.
ABRA - 089388

Dear Chair Miller:

At a duly noticed public meeting on Monday, June 11, 2012, Advisory Neighborhood Commission 3F (ANC 3F) voted 6-0-0, with a quorum present (a quorum being 4) to adopt the attached Voluntary Agreement and to not object to the granting of a Class "D" Multi-Purpose beer and wine license for Politics & Prose contingent on the approval of the Voluntary Agreement. The agreement is signed by Bradley Graham and ANC Chair Roman Jankowski.

If you have any questions or concerns about the Voluntary Agreement, please contact me as I am the designated ANC Commissioner. I can be reached at 202-363-6748 or karenperry2@juno.com.

Thank you.

Sincerely,

Karen Perry, Vice Chair

Attachment: Voluntary Agreement

AGREEMENT

Made this 11th day of June 2012, by and between POLITICS & PROSE, INC., T/A POLITICS & PROSE (the "applicant") and ADVISORY NEIGHBORHOOD COMMISSION 3F, North Cleveland Park, Forest Hills, and Tenleytown (the "ANC" or "ANC 3F").

WITNESSETH:

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control ("ABC") Board is Applicant's application for a Retailer's Class "D" Multi-Purpose beer and wine license for the premises known as Politics & Prose, 5015 Connecticut Avenue, N.W., ABRA-089388; and

WHEREAS, both the Applicant and the ANC (the "parties") are desirous of entering into a Voluntary Agreement commemorating certain understandings regarding Applicant's operating plans;

NOW, THEREFORE, in consideration of the premises recited, and the mutual covenants and promises set forth below, the parties agree as follows:

1. Applicant shall manage and operate a bookstore on the premises with entertainment consisting of poetry readings and/or author presentations.
2. According to the Certificate of Occupancy, the bookstore occupies the first floor and part of the basement and occupies 8212 square feet. The C of O does not show an Occupancy Load.
3. The bookstore's hours of operation are Monday through Saturday 9:00 a.m. – 10:00 p.m. and Sunday 10:00 a.m. – 8:00 p.m.
4. Beer and wine will only be sold and/or served complimentary in conjunction with poetry readings and/or author presentations.
5. Beer and wine service may begin one-half hour before the scheduled time of the poetry readings and/or author presentations and end one-half hour after the completion of the event.
6. Applicant will ensure that no beer or wine is taken downstairs into the Café as the Café is in different ownership, with a different Certificate of Occupancy, and does not have an ABRA license.
7. At all times when beer and wine is either sold or provided on a complimentary basis, Applicant will offer light food or snacks on a complimentary basis or have pre-packaged ready to eat items available for sale.
8. Applicant will designate areas of the store from which the beer and wine will either be sold and/or served complimentary.
9. Entertainment will consist of author presentations and poetry readings. Applicant shall not provide facilities for dancing or musical performances.
10. Applicant shall be prohibited from displaying any advertising banners, neon signs, or outside signage other than the sign permitted by zoning above its establishment. Applicant shall post no signs in public space or outside the bookstore advertising beer and/or wine sales.
11. Applicant shall care for the 35 feet of public space that borders the bookstore on Connecticut Avenue, including provision of suitable plantings, if applicable.
12. Applicant shall comply with District of Columbia Official Code Title 25 and District of Columbia Municipal Regulations Title 23 as they apply to the establishment and the laws and regulations of the District of Columbia in the operation of his establishment.
13. Any change from this model shall be considered by both Parties to be a substantial change in operation of concern to residents and requires prior approval by the ABC Board.
14. Applicant agrees to maintain open communication with the ANC and the community for which the ANC acts. In the event that any of the parties is in breach of this Agreement, it shall be

entitled to reasonable notice and opportunity to cure, as a condition precedent to seeking enforcement of the Agreement. Unless the breach is of an emergency nature or is a repetition of a prior breach, reasonable notice and opportunity shall provide for a cure within 30 days of the date of such notice. If 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 seeking a Show Cause Order from the ABC Board pursuant to D.C. Official Code § 25-447. Unless otherwise noted above, any notices required to be made under this Agreement shall be in writing and mailed via certified mail, return receipt requested, or hand-delivered, to the other parties to this Agreement at the following addresses. Notice shall be deemed given as of the time of receipt or refusal of receipt:

If to Applicant: Politics & Prose, Inc. t/a Politics & Prose
5015 Connecticut Avenue, N.W.
Washington, D.C.

If to ANC: Advisory Neighborhood Commission 3F
4401-A Connecticut Avenue, N.W., PMB 244
Washington, D.C. 20008-2322

- 15. Failure to give notice shall not constitute waiver or acquiescence to the violation, but notice shall be a prerequisite to the filing of a complaint with the ABC Board or any other enforcement action.

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

Politics & Prose, Inc. t/a Politics & Prose

By: Bradley Graham
Bradley Graham

Title: President

ADVISORY NEIGHBORHOOD COMMISSION 3F

By: Roman Jankowski
Roman Jankowski