

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

In the Matter of:

SLK 6, LLC
t/a Uncorked

Application for Substantial Change
(Transfer from Safekeeping to a New Location,
Change of Hours, and Tasting Permit)
to Retailer's Class A License

at premises
22 M Street, NE
Washington, D.C. 20002

Case No.: 21-PRO-00015
License No.: ABRA-108135
Order No.: 2021-281

SLK 6, LLC, t/a Uncorked (Applicant)

Stephen O'Neal, ANC 6C Alcoholic Beverage Licensing Member, on behalf of Advisory
Neighborhood Commission (ANC) 6C

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

**ORDER ON SETTLEMENT AGREEMENT AND
DISMISSAL OF ANC 6C'S PROTEST**

The Application filed by SLK 6, LLC, t/a Uncorked (Applicant), for a Substantial Change for a transfer from Safekeeping to a new location at 22 M Street, NE, change of hours, and add a Tasting Permit to its Retailer's Class A License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on April 26, 2021, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant and ANC 6C have entered into a Settlement Agreement (Agreement), dated May 10, 2021, 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 and Stephen O'Neal, on behalf of ANC 6C, are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protest filed by ANC 6C.

Accordingly, it is this 12th day of May 2021, **ORDERED** that:

1. The Application filed by SLK 6, LLC, t/a Uncorked, for a Substantial Change for a transfer from Safekeeping to a new location at 22 M Street, NE, change of hours, and add a Tasting Permit to its Retailer's Class A License, is **GRANTED**;
2. The Protest of ANC 6C in this matter is hereby **WITHDRAWN**;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 ANC 6C.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamanDocx.com
Donovan Anderson
Key: 4c430b91854d1f56e4b72009319cc8f

Donovan Anderson, Chairperson

eSigned via SeamanDocx.com
James Short
Key: f47aa373ff2b06fa081b002d12f404c

James Short, Member

eSigned via SeamanDocx.com
Bobby Cato
Key: 256d3fca0b140d1f6f93b47917d30d

Bobby Cato, Member

Rema Wahabzadah, Member

eSigned via SeamanDocx.com
Rafi Aliya Crockett, Member
Key: b560aB1645e1f5e4016155e5c1281c6

Rafi Crockett, Member

eSigned via SeamanDocx.com
Jeni Hansen, Member
Key: 8217323170004474912506c2a4180f

Jeni Hansen, Member

eSigned via SeamanDocx.com
Edward Grandis, Member
Key: 5027bda7ff0040ec14adeb52541ce5

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).

REVISED SETTLEMENT AGREEMENT

This agreement is made and entered into this 10th day of May, 2021 by and between SLK6, LLC doing business as **Retro Wine and Spirits** (“Applicant”) and Advisory Neighborhood Commission 6C (“Protestant”).

WHEREAS Applicant has filed an application with the District of Columbia Alcoholic Beverage Control Board (“ABC Board”) **Retailer’s Class “A” Liquor Store** license ABRA-108135 (“License”) for premises 22 M Street NE, Washington, DC, and

WHEREAS, in recognition of the ABC Board’s policy of encouraging parties to a protested proceeding to settle their differences by negotiating agreements, the parties hereto being desirous of entering into an agreement whereby, subject to approval of the ABC Board, Applicant will agree to adopt certain measures to address the Protestant’s concerns and Protestant will agree to the **transfer** of the License and withdraw its Protest,

NOW, THEREFORE, in consideration of the mutual covenants and undertakings memorialized herein, the parties agree as follows:

1. **Hours of Inside Operation and Service:** The hours of operation inside the premises shall be **10am – 10pm Monday through Sunday**.
2. **Single Sales:** Applicant will comply with D.C. Official Code § 25–346 Ward 6 restrictions for off-premises retailer’s license and will not:
 - a. Divide a manufacturer’s package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the capacity of the individual container is 70 ounces or less; or
 - b. Sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale with a capacity of 70 ounces or less, as well as spirits (liquor) sold in half-pints or smaller volumes.
3. **Deliveries:** To maintain the peace, order, and quiet of the surrounding neighborhood, Applicant shall receive all deliveries (whether of food, beverages, or other materials and supplies) between **9am and 3pm Monday-Friday**.
4. **Noise Suppression:** The Applicant’s operation shall at all times comply with the D.C. Noise Control Act and D.C. Official Code § 25-725. Applicant acknowledges that noise is a critical issue for the neighborhood.
 - a. Applicant shall encourage employees and patrons to be considerate of residents in the neighborhood by keeping voices and other noises at a level that will not

disturb the peace, order, quiet, and tranquility of residents in the enjoyment of their homes.

- b. Applicant will not dispose of glass bottles in outdoor trash or recycling receptacles after **10:00 p.m.**
5. **Waste Pick-Up and Removal:** Applicant will maintain regular trash, recycling, and grease removal service only during the hours **9am – 6pm Monday through Friday.**
6. **Sanitation and Pest Control:** The Applicant shall keep trash and recycling lids tightly closed and incapable of being entered by rodents, to limit odors and help control the pest (insect) and rodent population. Applicant will contract for regular rodent and pest abatement.
7. **Rear Entrance:** The alley gate to Applicant's rear entrance shall be fully closed and secured at all times other than during deliveries or trash, recycling, or grease collection. The Applicant shall prohibit and prevent employees and others from congregating outside at the rear of the property.
8. **Maintenance of Property:** Applicant or Applicant's Landlord will clear snow from the sidewalk adjacent to the premises within three (3) daylight hours after snowfall ends.
9. **Withdrawal of Protest:** Protestant agrees to the **Transfer** of the license and the withdrawal of its protest upon execution of this Agreement, if this settlement agreement is incorporated into all ABC Board orders issuing, amending, or renewing the license, which order is thereby conditioned upon compliance with this agreement.
10. **Right to Seek Redress:** The parties agree that any failure of the Applicant to adhere to the foregoing commitments will constitute a breach of this agreement and grounds for the Protestant to file a complaint with the ABC Board pursuant to D.C. Official Code § 25-446(e) to enforce the provisions of the agreement.

Signature block

IN WITNESS WHEREOF, the parties place their signatures to this agreement, this 10th day of May, 2021.

SLK6 LLC T/A Retro Wine and Spirits

A handwritten signature in black ink, appearing to read 'Arun Luthra', is written over a horizontal line. The signature is stylized and cursive.

By: Arun Luthra, Managing Member

Advisory Neighborhood Commission 6C

STEPHEN O'NEAL

Digitally signed by STEPHEN
O'NEAL

Date: 2021.05.10 14:07:31 -04'00'

/s/ Stephen O'Neal

Stephen O'Neal
ANC 6C ABL Committee Chair
(as designated ANC 6C representative)