

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

In the Matter of:)	
)	
Kinner and McGowan, LLC)	
t/a DC Xtracts)	
)	
Applicant for a New)	License No.: ABRA-126065
Medical Cannabis Manufacturer-Type 2 License)	Order No.: 2023-690
)	
at premises)	
2419 Evarts Street, NE, Unit C)	
Washington, D.C. 20018)	
)	

Kinner and McGowan, LLC, t/a DC Xtracts, Applicant

Vijay “VJ” Kapur, Commissioner, Advisory Neighborhood Commission (ANC) 5C

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Silas Grant, Jr., Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage and Cannabis Board (Board) reflect that Kinner and McGowan, LLC, t/a DC Xtracts, (Applicant), Applicant for a New Medical Cannabis Manufacturer-Type 2 License and ANC 5C have entered into a Settlement Agreement (Agreement), dated October 8, 2023, 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 Commissioner Vijay “VJ” Kapur, on behalf of ANC 5C, are signatories to the Agreement.

Accordingly, it is this 6th day of December 2023, **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, except for the following modifications:

Section 2 (Nature of the Business) – The first sentence shall be modified to read as follows: “The license holder has applied for a manufacturing facility license (contingent on DOB/DLCP permitting) creating medical cannabis products for bulk sale and has not applied for retail or public-facing operations at this time.”

Section 6 (Adherence to the Applicant's Security Plan) – This Section shall be modified to reads as follows: “The Applicant shall comply with the terms of its security plan filed with the Board.”

The parties have agreed to these modifications.

2. Copies of this Order shall be sent to the Parties.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocx.com
Donovan Anderson
Key: ac432b99b56d5f0e4b730693d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocx.com
James Short
Key: 54f7a9373f620de6ac8e1b332d22948e

James Short, Member



Silas Grant, Jr., 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 and Cannabis 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).



Advisory Neighborhood Commission 5C
Arboretum | Brentwood | Fort Lincoln | Gateway | Langdon | Woodridge

Settlement Agreement
DC Xtracts, LLC

This **Voluntary Agreement** "Agreement" is made on this **18th** day of **October 2023** by and between DC Xtracts, LLC ("Applicant") and the Advisory Neighborhood Commission 5C ("Protestant") collectively, ("the Parties").

Whereas:

- Applicant has applied for a Medical Cannabis Manufacturer (Type 2) License (ABRA-126065) for a facility ("Establishment") located at 2419 Evarts Street, NE, Unit C, Washington, DC ("Premises")
- The Parties have agreed to enter into this Agreement and request that the Alcoholic Beverage Control Board ("ABC Board") approve the Applicant's license application conditioned upon the Applicant's compliance with the terms of this written Agreement
- the Parties are desirous of entering into a Settlement Agreement pursuant to DC Official Code § 25-446 for the operation and maintenance of the Establishment in such manner as to minimize the effect on (i) the peace, order and quiet of the neighborhood and (ii) pedestrian safety and vehicular traffic, and to eliminate the need for a Protest Hearing regarding the license application

Resolved:

In consideration of the provisions set forth above and the mutual covenants and conditions set forth below, the Parties agree as follows:

1. **Recitals Incorporated.** The provisions set forth above are incorporated herein by reference.
2. **Nature of the Business.** The Establishment will be a manufacturing facility (contingent on DOB/DLCP permitting) creating medical cannabis products for bulk sale; there are no planned retail or public-facing operations.
3. **Public Space and Trash.** Applicant shall keep, and/or advocate keeping to the landlord and other tenants of the structure, the sidewalk (up to and including the curb), tree box(es), curb, and abutting public spaces and alley clean and free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations, and in maintenance and good stewardship of any building dumpsters and other trash receptacles.

4. **Rats and Vermin Control.** The Applicant shall provide, and/or advocate providing to the landlord and other tenants of the structure, rat and vermin control for its property. Applicant shall proof of its rat and vermin control contract upon the request of the Board.
5. **Traffic, Safety and Multimodal Transportation Encouragement.** The Applicant shall encourage good stewardship of the community by delivery drivers and visitors, to include cautious driving and legal parking and loading in designated spaces. If providing directions, the Applicant shall include comprehensive options such as rail, bus, and bike, and note limitations in nearby street parking. To the extent practicable, the Applicant will note on delivery instructions the commercial vehicle restriction map maintained by DDOT¹.
6. **Adherence to the Applicant's Security Plan.** ABCA has reviewed and accepted the Applicant's Security Plan as in full compliance with ABCA regulations and DC Code. The Applicant shall make every effort to follow this Security Plan as amended.
7. **License, Ownership and Compliance with ABCA Regulations.** Applicant promises to Protestants that it shall abide by all ABCA regulations regarding the ownership of the license and all other provisions applicable to cannabis licensees, and agrees that the Protestants shall have standing to ask the ABC Board to enforce any violations of the Agreement.
8. **Notice and Opportunity to Cure.** 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 precedent to seeking enforcement of the Agreement. Unless the breach is of an emergency nature or repetition of a prior breach, reasonable notice and opportunity shall provide for a cure within 30 days of the date of such notice. If Applicant or 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) then such failure shall constitute a cause for the ANC to file a complaint with the ABCA Board pursuant to D.C. Official Code § 25-447 and 25-446(e).

Unless otherwise noted above, any notices required to be made under this Agreement shall be in writing and mailed via certified mail, returned receipt requested, postage prepaid, or hand delivered, to the other parties pursuant to this Agreement at the following addresses. Notice shall be deemed given at the time of the receipt or refusal of the receipt:

¹ As of this writing, located at <https://godcgo.com/dc-truck-and-bus-map/>

If to Applicant:

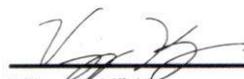
DC Xtracts, LLC
2419 Evarts Street, NE, Unit C
Washington, DC 20018


Rob Vasquez 2023-10-26 EST

Rob Vasquez
Managing Member
DC Xtracts, LLC

If to Protestant:

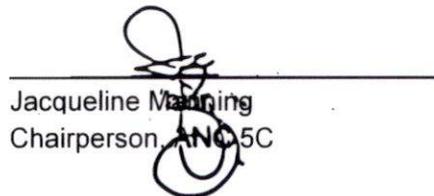
Advisory Neighborhood Commission 5C
PO Box 92352
Washington, DC 20090



Vijay "VJ" Kapur
Commissioner, SMD 5C07
Advisory Neighborhood Commission 5C
District of Columbia Government

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

Certification: Adopted on **10/18/2023** by a vote of **5-0**, with four commissioners required for quorum, at a regularly scheduled and duly noticed public meeting with a quorum present.



Jacqueline Manning
Chairperson, ANC 5C

/s/ Tequia M Hicks Delgado

Tequia Hicks Delgado
Secretary, ANC 5C