

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

In the Matter of:

Pure Impact Group, LLC
t/a Shared Pour

Applicant for a New
Retailer's Class IA License

at premises
4221 Connecticut Avenue, NW, #A09
Washington, D.C. 20008

License No.: ABRA-117074
Order No.: 2020-340

Pure Impact Group, LLC, t/a Shared Pour, Applicant

Monika Nemeth, Chairperson, Advisory Neighborhood Commission (ANC) 3F

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

The official records of the Alcoholic Beverage Control Board (Board) reflect that FD, LLC, t/a Rosemary (Applicant), Applicant for a new Retailer's Class CR License and ANC 3F have entered into a Settlement Agreement (Agreement), dated August 31, 2020, 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 Chairperson Monika Nemeth, on behalf of ANC 3F, are signatories to the Agreement.

Accordingly, it is this 28th day of October, 2020, **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 and ANC 3F.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac480b260994503e4973003d1a0c0d

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547a0373850de4c831b3023d29f0ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 35d3fca0fba146a7f4b75edf917a20d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member
Key: b2ca46b595b74099b19c355738f16cf

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: d550691845a1f0e401d165a5c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172931f006447491b569c2a41e99

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f0f0040ec143da052641ce5

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 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 St NW, 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).

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3F
Van Ness • North Cleveland Park • Wakefield • Forest Hills

3F01 – David Cristeal
3F02 – Carolinn Kuebler, Vice Chair
3F03 – Naomi Rutenberg, Treasurer
3F04 – Leah Frelinghuysen
3F05 – Andrea Molod, Secretary
3F06 – Monika Nemeth, Chair
3F07 – Vacant



4401-A Connecticut Ave, N.W.
Box 244, Washington, D.C. 20008
commissioners@anc3f.com
www.anc3f.com

SETTLEMENT AGREEMENT

Made this 31st day of August, 2020, by and between Shared Pour (the “Applicant”) and Advisory Neighborhood Commission 3F (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 “A” (Internet Only) liquor license for the premises known as Shared Pour at premises 4221 Connecticut Avenue, NW (the “Establishment”), License Number ABRA-117074; and

WHEREAS, both Applicant and the ANC (the “parties”) desire to enter into a Settlement Agreement commemorating certain understandings regarding Applicant’s operating plans; and

WHEREAS, in consideration of the premises recited, and the mutual covenants and promises set forth below:

Hours

1. Applicant’s hours of operation at the above-mentioned licensed premises for all purposes that cause a noise disturbance (as defined in D.C. Code 25-725) – including deliveries and pick-ups – will be within the hours of 9:00 a.m. to 10:00 p.m. Sunday through Saturday. This restriction does not include sale activity outside these hours that does not cause a noise disturbance.

Public Spaces

To the extent Applicant is able to control deliveries and pick-ups, Applicant will make a reasonable effort to:

2. Use off-street parking for dropping off and retrieving product;
3. Restrict vehicle parking, including staff, customers, and vendors to legal parking locations that the Applicant can control.

4. Ensure its employees and guests maintain the establishment in such a manner as to have minimal impact on vehicular and pedestrian traffic on public streets in the neighborhood (e.g., not stacking crates to block traffic, etc.); and
5. Schedule garbage collection pickups between the hours of 9:00 a.m. and 9:00 p.m. if able to do so.

Advertising

6. Applicants shall be prohibited from displaying any advertising banners, neon signs, or outside signage other than any sign permitted by D.C laws and regulations and those required by law.

Breach of Agreement / Notifications

7. Applicant shall manage and operate in a manner consistent with their ABRA license. As such, 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 applicable laws and regulations of the District of Columbia in the operation of this establishment.
8. The Parties agree to maintain open communications and agree to endeavor to confer and deal in good faith with issues raised under this Agreement or new issues that might arise that are within ABRA's jurisdiction with regard to the operation of the Establishment. 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 for which notice has been given, reasonable notice and opportunity shall provide for a cure within 30 days of the date of such notice. If the Applicant 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 grounds for the ANC to file a complaint with the ABC Board in accordance with D.C. Official Code 95-447. Unless otherwise noted above, any notices required to be made under this Agreement shall be delivered in writing and mailed via certified mail, return receipt requested, or hand-delivered, to the other parties to this Agreement at the following addresses:

Shared Pour
4221 Connecticut Avenue NW
Unit A09
Washington DC, 20008

With a copy to:

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

Notice shall be deemed given as of the time of receipt or refusal of receipt. Any party or their counsel may change its address for the purposes of receiving notice under this Agreement by giving notice in accordance with this section 8.

THEREFORE, in consideration of and in reliance upon the commitments reflected in sections 1 through 8 above, the ANC will advise the ABC Board that it does not oppose Applicant's pending application for a Retailer's Class "A" (Internet Only) license.

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

APPLICANT

Signature: Daniel Pride
Name: Daniel Pride
Title: Owner

ANC 3F

Signature: Monika Nemeth
Name: Monika Nemeth
Title: Chair, ANC 3F

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3F07 – Vacant



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www.anc3f.com

September 15, 2020

Mr. Donovan Anderson, Chair
Alcoholic Beverage Control Board
2000 14th Street, NW, S2400
Washington, DC 20009

RE: Shared Pour, 4421 Connecticut Ave NW
ABRA #: 117074

Dear Mr. Anderson:

At a duly noticed public meeting on Tuesday, September 15, 2020, and with a quorum present, Advisory Neighborhood Commission 3F (ANC 3F) voted unanimously (5-0-0) to adopt the attached Settlement Agreement and to support to the granting of a new Retailer's Class "A" (Internet Only) stipulated liquor license.

If you have any questions or concerns regarding this matter, please contact me at monika.nemeth@anc.dc.gov.

Regards,

A handwritten signature in black ink that reads "Monika Nemeth". The signature is written in a cursive, flowing style.

Monika Nemeth, Chair ANC 3F