

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

In the Matter of:)	
)	
SKCG 50 M, LLC)	
t/a Homewood Suites by Hilton Washington DC)	
)	
Holder of a)	License No.: ABRA-105178
Retailer's Class CT License)	Order No.: 2019-196
)	
at premises)	
50 M Street, SE)	
Washington, D.C. 20003)	
)	

SKCG 50 M, LLC, t/a Homewood Suites by Hilton Washington DC (Licensee)

Commissioner Gail Fast and Dr. Coralie Farlee, on behalf of Advisory Neighborhood Commission (ANC) 6D

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER ON FIRST AMENDMENT TO COOPERATIVE AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that SKCG 50 M, LLC, t/a Homewood Suites by Hilton Washington DC (Licensee), and ANC 6D entered into a Cooperative Agreement (Agreement), dated September 11, 2017, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' First Amendment to Cooperative Agreement (First Amendment), dated April 8, 2019, in accordance with D.C. Official Code § 25-446 (2001).

The First Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Commissioner Gail Fast and Dr. Coralie Farlee, on behalf of ANC 6D, are signatories to the First Amendment.

Accordingly, it is this 10th day of April, 2019, **ORDERED** that:

1. The above-referenced First Amendment to Cooperative Agreement submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Agreement, not amended by the First Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6D.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



James Short, Member



Bobby Cato, Member

Rema Wahabzadah, 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 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 6D**

PO Box 71158 • Washington, DC 20024-0998
ANC Office: 202-554-1795 ■ office@anc6d.org

AMENDMENT #1 TO COOPERATIVE AGREEMENT

THIS AMENDMENT #1 TO COOPERATIVE AGREEMENT ("Agreement") is made on this 8th day of April 2019 by and between SKCG 50 M LLC v/a Homewood Suites by Hilton Washington, DC ABRA #10578 ("Licensee"), and Advisory Neighborhood Commission 6D ("Protestant"), (collectively, the "Parties"). This amendment updates the Agreement dated September 11, 2017 and finalized by ABC Board Order 2017-474 dated September 20, 2017.

WITNESSETH

WHEREAS, Licensee has a License ABRA #10578 Class CT for a 195 room extended stay hotel establishment ("Establishment") serving spirits, wine, and beer, with a business center, fitness center, meeting rooms, common dining area, a market, and one rooftop summer garden located at 50 M Street, SE, Washington, DC 20003 ("Premises").

WHEREAS, original Cooperative Agreement dated September 11, 2017 for the Establishment limited the rooftop summer garden to 35 patrons and restricted its use to patrons staying at establishment and their guests; and

WHEREAS, the Parties request that the Alcoholic Beverage Control Board approve this Amendment to Cooperative Agreement conditioned upon the Licensee's compliance with the terms of this written Amendment and the previously executed Cooperative Agreement and Board Order and ABRA License; and

NOW, THEREFORE, in consideration of the recitals set forth above, it is mutually understood and agreed by and between the undersigned Parties to amend the previously executed Agreement as follows:

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. **Section 2 ("Nature of the Business"),** the second sentence is stricken and replaced by the following: "There will be a rooftop summer garden accessible to hotel patrons, their guests, and the public."
3. **Section 4 ("Floors Utilized and Occupancy"),** replace "rooftop summer garden with 35 seats" with "rooftop summer garden with 170 capacity"

- 4. Section 6 ("Summer Garden"), the first sentence is stricken and replaced with the following: "Licensee plans to provide one rooftop Summer Garden with 170 capacity."
- 5. Agreement Otherwise Unamended. Except as otherwise provided herein, the terms and conditions of the previously executed Cooperative Agreement, Board Order, and License are expressly reaffirmed and remain in full force and effect.

The ANC:		LICENSEE:	
Chair, ANC6D <i>[Signature]</i>	Date: 4/8/19	SKCG 50 M LLC t/a Homewood Suites by Hilton Washington, DC	
Gail Vast, SMD01	Date:	By: <i>[Signature]</i>	Date: 4/9/19
Chair, ABC Committee, ANC6D <i>[Signature]</i>	Date: 4/18/19	Walter Isenberg, President	Date:
Coralie Farlee	Date:		