

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

In the Matter of:)
)
Bronze DC, LLC)
t/a Bronze DC)
)
Applicant for a New)
Retailer’s Class CT License)
)
at premises)
1245 H Street, NE)
Washington, D.C. 20002)
_____)

Case No.: 22-PRO-00092
License No.: ABRA-121843
Order No.: 2022-700

Bronze DC, LLC, t/a Bronze DC, Applicant

Sidon Yohannes, Counsel, on behalf of the Applicant

Michael Velasquez, on behalf of Advisory Neighborhood Commission (ANC) 6A

Cherie Mitchell and Carly Rush, Designated Representatives, on behalf of a Group of Five or More Individuals, Protestant

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

ORDER DENYING MOTION FOR RECONSIDERATION

The Application filed by Bronze DC, LLC, t/a Bronze DC (Applicant), for a new Retailer’s Class CT License, having been protested, came before the Alcoholic Beverage Control Board for a Roll Call Hearing on September 19, 2022, in accordance with D.C. Official Code § 25-601. The official records of the Board reflect that the Applicant and ANC 6A entered into a Settlement Agreement, dated September 8, 2022, and the Board approved the agreement in Board Order No. 2022-671 on September 21, 2022.

In addition, as part of its Order, the Board dismissed the protest of the Group of Five or More Individuals pursuant to D.C. Official Code § 25-609(b), which states that “In the event that an affected ANC submits a settlement agreement to the Board on a protested license application, the Board, upon its approval of the settlement agreement, shall dismiss any protest of a group of no fewer than 5 residents or property owners meeting the requirements of § 25-601(2) . . .”

Subsequently, the dismissed group filed a motion for reconsideration arguing that the ANC did not consult with the group and that the group did not have an opportunity to discuss the proposal with the Applicant. The motion is opposed by the Applicant. In reply, the group further notes that the Board has an independent duty to determine appropriateness but provides no specific grounds or reasons that support such a conclusion.

Consequently, the Board denies the motion because it fails to provide a compelling legal reason to override the Board’s prior Order or D.C. Official Code § 25-609(b). Furthermore, the group provides no compelling reason for the Board to independently challenge the Applicant’s appropriateness where the sole remaining protestant and elected representative of the community—the ANC—is satisfied that the present settlement agreement addresses its concerns, and where the application should be presumed appropriate under D.C. Official Code § 25-311(a).

ORDER

Therefore, the Board on this 19th day of October 2022, hereby **DENIES** the motion for reconsideration filed by the Group. A copy of this Order shall be provided to the parties.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac43cb86b9d5f09e4b730093d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae373f920de6ac8d1b3325d2949ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 286d3cadf0e146d7f4b75bd7917d2bd

Bobby Cato, Member

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Rafi Aliya Crockett, Member
Key: b560e91845e1f0e4016155e5c12f81cc

Rafi Crockett, Member

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Jeni Hansen, Member
Key: 82172031f050447491b56f9c2a4189b

Jeni Hansen, Member

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Edward Grandis, Member
Key: 5027bda7f09f0040ec14adeb52541ce5

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 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).