

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

In the Matter of:)	
)	
District Hardware, Inc.)	
t/a District Hardware and Bike)	
)	
Applicant for a New)	License No.: ABRA-104936
Retailer's Class CT License)	Order No.: 2018-345
)	
at premises)	
730 Maine Avenue, SW)	
Washington, D.C. 20024)	

District Hardware, Inc., t/a District Hardware and Bike (Applicant)

Meredith Fascett 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
Donald Isaac, Sr., 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 District Hardware, Inc., t/a District Hardware and Bike (Licensee), and ANC 6D entered into a Cooperative Agreement (Agreement), dated December 12, 2016, 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 May 14, 2018, 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 Chairperson Meredith Fascett and Dr. Coralie Farlee, on behalf of ANC 6D, are signatories to the First Amendment.

Accordingly, it is this 16th day of May, 2018, **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



Donald Isaac, Sr., 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**

11014th Street SW, Suite W130, Washington, DC 20024
ANC Office: 202 554-1795 ■ FAX: 202 554-1774
office@anc6d.org

AMENDMENT #1 TO COOPERATIVE AGREEMENT

THIS AMENDMENT TO COOPERATIVE AGREEMENT is made on this 14th day of May, 2018, by and between District Hardware Inc, t/a District Hardware and Bike, 730 Maine Avenue, SW, CT License #104936 (licensee) and Advisory Neighborhood Commission 6D (ANC6D) the ANC ("The ANC"), collectively, the Parties. This amendment modifies the Cooperative Agreement dated December 12, 2016, between District Hardware and Bike and ANC6D finalized by ABC Board Order 2017-098, dated February 15, 2017.

RECITALS

WHEREAS, Licensee and ANC6D entered into new Cooperative Agreement dated December 12, 2016, for an establishment located at 730 Maine Avenue, SW, Washington, D.C. 20024, and

WHEREAS, the Cooperative Agreement dated December 12, 2016, provided for the following:

- hours of operation of the business in the indoor space:
 Sunday: 10:00 a.m.- 7:00 p.m.,
 Monday to Saturday: 8:00 a.m. – 8:00 p.m., and
- hours of selling, serving, and consuming alcohol in the indoor space and summer garden area: shall be as follows:
 Sunday: 11:00 a.m.- 7:00 p.m.,
 Monday to Friday: 12:00 p.m. – 8:00 p.m.
 Saturday: 11:00 a.m. – 8:00 p.m.

WHEREAS, the Parties request that the Alcoholic Beverage Control Board approve this Amendment #1 to Cooperative Agreement conditioned upon the Licensee's compliance with the terms of this written Amendment and the previously executed Cooperative Agreement and referenced 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. The Cooperative Agreement is modified to reflect new hours, as follows:
Hours of operation in the indoor area shall not exceed:
 Sunday: 10:00 a.m. to 7:00 p.m., [no change]
 Monday, Tuesday, Wednesday: 8:00 a.m. to 9:00 p.m.,
 Thursday, Friday, and Saturday: 8:00 a.m. to 10:00 p.m.

Hours of selling, serving, and consuming alcohol in the indoor space and summer garden shall not exceed:

Sunday: 11:00 a.m. to 7:00 p.m., [no change]
 Monday, Tuesday, Wednesday: 11:00 a.m. to 9:00 p.m.,
 Thursday, Friday: 11:00 a.m. to 10:00 p.m.
 Saturday: 11:00 a.m. to 8:00 p.m.

3. **Compliance with ABRA Regulations.** Licensee promises that it shall abide by all Alcoholic Beverage Regulations Administration (ABRA) regulations and all other provisions applicable to liquor licenses.
4. **Agreement Otherwise Unamended.** Except as otherwise provided herein, the terms and conditions of the previously executed Cooperative Agreement, Amendment #1 to the Cooperative Agreement, Board Order, and License are expressly reaffirmed and remain in full force and effect.

FOR ANC6D

FOR LICENSEE

Chair, ANC6D:		District Hardware Inc. t/a District Hardware and Bike	
<u>Meredith Fascett</u>	<u>14 May 18</u>	<u>Jarrett Conway</u>	<u>5/14/18</u>
Meredith Fascett, ANC6D07	DATE	Jarrett Conway, Co-owner	DATE
<u>Coralie Farlee</u>	<u>5/14/18</u>		
Coralie Farlee, Chair, ABC Committee	DATE		