

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

In the Matter of:)
)
Carr Wharf 3B Hotel Lessee, LLC)
t/a InterContinental Washington D.C.– The Wharf/)
Dockside Restaurant & Bar / The Watering Hole / Waves)
)
Holder of a)
Retailer’s Class CH License) License No.: ABRA-114491
) Order No.: 2025-186
at premises)
801 Wharf Street, SW)
Washington, D.C. 20024)
)

Carr Wharf 3B Hotel Lessee, LLC, t/a InterContinental Washington D.C. – The Wharf /
Dockside Restaurant & Bar/The Watering Hole/Waves, Applicant

Gottlieb Simon, Chairperson, Advisory Neighborhood Commission (ANC) 6D

BEFORE: Donovan Anderson, Chairperson
Silas Grant, Jr., Member
Teri Janine Quinn, Member
Ryan Jones, Member
David Meadows, Member

ORDER ON SECOND AMENDMENT TO SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage and Cannabis Board (Board) reflect that Carr Wharf 3B Hotel Lessee, LLC, t/a InterContinental Washington D.C. – The Wharf / Dockside Restaurant & Bar/The Watering Hole/Waves (Licensee), and ANC 6D entered into a Settlement Agreement (Agreement), dated July 10, 2017, and First Amendment to Settlement Agreement, dated July 7, 2021, that governs the operations of the Licensee’s establishment. This matter comes now before the Board to consider the Parties’ Second Amendment to Settlement Agreement (Second Amendment), dated March 18, 2025, in accordance with D.C. Official Code § 25-446 (2001).

The Second Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Gottlieb Simon, on behalf of ANC 6D, are signatories to the Second Amendment.

Accordingly, it is this 2nd day of April 2025, **ORDERED** that:

1. The above-referenced Second Amendment to Settlement 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 Settlement Agreement and First Amendment not amended by the Second Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Parties.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac430b06c09d5f094b790003d1dccc8

Donovan Anderson, Chairperson



Silas Grant, Jr., Member

Teri Janine Quinn

Teri Janine Quinn, Member



Ryan Jones, Member



David Meadows, Member

Pursuant to D.C. Official Code § 25-433(d)(1) (applicable to alcohol matters) or 22-C DCMR § 9720 (applicable to medical cannabis matters), 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, 899 North Capitol Street NE, Suite 4200 B (Alcohol Division), Suite 4200 A (Medical Cannabis Division), Washington, DC 20002.

Also, pursuant to section II 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 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 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

1101 4th Street S.W., Suite W130, Washington, DC
20024 ANC Office: 202 554-1795
6D@anc.dc.gov

SECOND AMENDMENT TO SETTLEMENT AGREEMENT

THIS AMENDMENT #2 to the SETTLEMENT AGREEMENT (“Agreement”) is made on this 18th day of March 2025 by and between Carr-Wharf 3B Hotel Lessee LLC t/a Intercontinental Washington D.C. - The Wharf / Willowsong / The Watering Hole / Waves (“Licensee”), at 801 Wharf Street, SW, Washington, DC 20024, ABRA License #114491, and Advisory Neighborhood Commission 6D (“the ANC”), (collectively, the “Parties”). This amendment updates the Agreement dated July 10, 2017 and finalized by ABC Board Order 2017-398 dated July 19, 2017 and first amended by the Parties on July 12, 2021 and finalized by ABC Board Order 2021-423 dated July 28, 2021.

R E C I T A L S

WHEREAS, the original licensee, Carr Waterfront Hotel LLC, and ANC 6D entered into a new Cooperative Agreement dated July 10, 2017 for an establishment (“Establishment”) at 801 Wharf Street, SW, Washington, DC 20024 for ABRA License #106688;

WHEREAS, the ABC Board approved a transfer of Carr Waterfront Hotel LLC’s Retailer’s Class C Hotel ABC License (ABRA-106688) to Licensee on a no substantial change basis in July 2019, and ABC Board Order 2017-398 remains in effect for the ABC License at the Establishment;

WHEREAS, the Retailer’s Class C Hotel ABC License (ABRA-114491) was issued to Licensee for the Establishment in September 2019; and

WHEREAS, the ABC Board approved the First Amendment to the Agreement allowing for an additional Summer Garden on July 28, 2021;

WHEREAS, the Agreement as First Amended provided for the hours of selling, serving, and consuming alcohol for both the indoor space and summer gardens:

“The hours of operation of the establishment are:

Sunday to Saturday: 24 hours, 7 days a week; and

The hours of selling, serving, and consuming alcohol in the indoor space shall be:

Sunday through Saturday: 11 :00 a.m. to 3 :00 a.m.,

The hours for Entertainment and dancing in the indoor space shall be:

Sunday through Thursday: 6:00 p.m. to 2:00 a.m.,

Friday and Saturday: 6:00 p.m. to 3:00 a.m.

The hours of selling, serving, and consuming alcohol in the three Summer Gardens shall be:

Sunday through Saturday: 11 :00 a.m. to 12:00 a.m.”

WHEREAS, Licensee would like to commence alcohol sales, service, and consumption of alcoholic beverages on the interior and Summer Garden premises at 9:00 a.m.;

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

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Agreement as first Amended, Board Orders, and ABC 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. **Paragraph 4, “Hours of Operation, Sales, Service, Consumption, and Entertainment,”** the reference to “11:00 a.m.” as the start time for hours of selling, serving, and consuming alcohol in the second sentence is stricken and replaced with “9:00 a.m.”
3. **Paragraph 4, “Hours of Operation, Sales, Service, Consumption, and Entertainment,”** the sentence is stricken entirely and replaced with, “The hours of operation, and the hours of selling, service, and consuming alcohol in the three summer gardens shall be: Sunday through Saturday: 9:00 a.m. to 12:00 a.m.”
4. **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.

[signatures on the following page]

op 3/28/25

The ANC:

LICENSEE:

Chair, ANC6D

Carr-Wharf 3B Hotel Lessee LLC

Gottlieb Simon, 6D02 3/28/25
Date

By: [Signature]
Oliver T Carr, Jr., Managing Member Date