

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

In the Matter of:)
)
Mission Group Dos, LLC)
t/a Mission Navy Yard)
)
Holder of a)
Retailer's Class CT License)
)
at premises)
1221 Van Street, SE, #130/230)
Washington, D.C. 20003)
_____)

License No.: ABRA-108928

Order No.: 2019-917

Mission Group Dos, LLC, t/a Mission Navy Yard (Licensee)

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

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member

ORDER ON FIRST AMENDMENT TO COOPERATIVE AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Mission Group Dos, LLC, t/a Mission Navy Yard (Licensee), and ANC 6D entered into a Cooperative Agreement (Agreement), dated March 19, 2018, 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 November 18, 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 11th day of December, 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

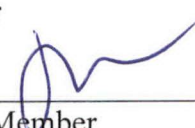


Donovan Anderson, Chairperson



James Short, Member

Bobby Cato, Member



Rema Wahabzadah, Member

Rafi Crockett, 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).

AMENDMENT #1 TO COOPERATIVE AGREEMENT

THIS AMENDMENT #1 TO COOPERATIVE AGREEMENT ("Agreement") is made on this 18th day of November 2019 by and between Mission Group DOS, LLC t/a Mission Navy Yard, ABRA #108928, 1221 Van Street, SE ("Licensee"), and Advisory Neighborhood Commission 6D ("Protestant"), (collectively, the "Parties"). This amendment updates the Agreement dated March 19, 2018 and finalized by ABC Board Order 2018-131 dated March 28, 2019.

WITNESSETH

WHEREAS, Licensee has a License ABRA #108928 Class CT for a business establishment serving spirits, wine, and beer in indoor space with Entertainment and dancing endorsements inside, and a sidewalk café and second floor summer garden ("Establishment"), located at 1221 Van Street, SE #15, Washington, DC 20003 ("Premises"); and

WHEREAS, original Cooperative Agreement dated January 25, 2019 for the Establishment, paragraph #3. "Hours of Operation and Sales" indicates "Recorded music in the sidewalk café and second floor summer garden shall end no later than 10:30 p.m. on Sunday through Thursday, and 12:00 a.m. on Friday and Saturday" 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. **Paragraph #3, "Hours of Operation and Sales"**, the sixth sentence shall be amended to read: "Recorded music shall end in the sidewalk café and summer garden no later than 9:30 p.m. on Sunday through Thursday, and 11:00 p.m. Friday and Saturday.
3. **Paragraph #3 "Hours of Operation and Sales"**, is also amended to add the following:
The "garage doors" between the main indoor space and the second floor summer garden shall be closed no later than:
Sunday to Thursday: 12:00 a.m., and

Friday and Saturday: 1:00 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.
5. The ANC6D supports the current renewal of the license in conjunction with the licensee's signature herein and the approval of the ABC Board of this Amendment.

The ANC:

Chair, ANC6D

Gail Fast 10/29/19

Gail Fast, SMD01 Date

Chair, ABC Committee, ANC6D

Coralie Farlee 12/9/19

Coralie Farlee Date

LICENSEE:

Mission Group DOS, LLC t/a Mission Navy Yard

By: Francis B. Brogan III

Francis B. Brogan III

Date 11/26/19

Co-Managing Member