THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

In the Matter of:		
Philippe DC, LLC t/a Philippe by Philippe Chow/Merchants Marina		
Application for a Substantial Change (Increase Occupancy, Interior Expansion, and Add Two Summer Gardens) to Retailer's Class CR License	Case No.: License No.: Order No.:	26-PRO-00054 ABRA-121216 2026-650
at premises 635 Wharf Street, SW Washington, DC 20024		

Philippe DC, LLC, t/a Philippe by Philippe Chow/Merchants Marina, Applicant

Sean Morris, Counsel, on behalf of the Applicant

Bruce Levine and Wendy Wright, Commissioners, Advisory Neighborhood Commission (ANC) 6D, Protestant

Laurie McMahon, on behalf of Amaris Condominium Board, Protestant

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

ORDER ON DISMISSAL OF AMARIS CONDOMINIUM BOARD'S PROTEST

The Application filed by Philippe DC, LLC, t/a Philippe by Philippe Chow/Merchants Marina (Applicant), for a Substantial Change to increase its occupancy, expand its interior, and add two (2) summer gardens to its Retailer's CR License, having been protested, came before the Alcoholic Beverage and Cannabis Board (Board) for a Roll Call Hearing on July 27, 2026.

On July 27, 2026, the Board dismissed the Protest of Amaris Condominium Board because condominium boards do not have standing. Specifically, D.C. Official Code § 25-601 sets forth those persons that may file a protest and Condo Associations are not listed among them. It has long been recognized that persons who have standing to file a protest are: (1) An abutting property owner; (2) A group of no fewer than 5 residents or property owners, (3) A citizens' association, (4) An affected ANC; (5) the Mayor; (6) the designated custodian of federal property; or (7) The Metropolitan Police Department District Commander.

Additionally, Amaris Condominium Board's Protest did not state a basis upon which a protest may be filed under the appropriateness standard. Specifically, 23 DCMR § 1602.2 requires the Protestant to state "why the matter being objected to is inappropriate under one (1) or more of the appropriateness standards set out in DC Official Code §§ 25-313 and 25-314 and § 400 of this title." As determined by statute, the appropriate grounds to file a protest are: (1) effect on peace, order, and quiet; (2) effect on real property values; (3) effect on residential parking needs and vehicular and pedestrian safety; (4) proximity and effect on schools, recreation centers, day care centers, and public libraries; (5) ability to attract school-age children before, during, and after school; or (6) creation of an overconcentration of licensed establishments.

Amaris Condominium Board may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.

ORDER

The Board does hereby, this 29th day of July 2026, **DISMISS** the Protest of Amaris Condominium Board. Copies of this Order shall be sent to the Parties.

The Board advises the Parties that the Protest of ANC 6D remains, and the Protest Status Hearing is set for September 16, 2026, at 10:30 a.m. and the Protest Hearing for October 28, 2026, at 1:30 p.m.

OFFICIAL VOTE OF THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE AND CANNABIS BOARD		
Board Members	**Decision**	**Signature**
Donovan Anderson (Chairperson)	Approve	Donovan Anderson
Silas Grant, Jr.	Approve	
Teri Janine Quinne	Approve	Teri Janine Quinn
Ryan Jones	Approve	
David Meadows	Approve	
James Turner	Approve	James Turner
Additional Comments: N/A		

NOTICE

Any party adversely affected may file a Motion for Reconsideration of this decision or other motion permitted by law within ten days of service of this Order. If a motion is filed, the opposing party may file a response within seven days. If a response is filed, the movant may file a reply within three days. All filings should be served on all parties to the matter and delivered to the Alcoholic Beverage and Cannabis Administration, 899 North Capitol Street NE, Suite 4200-B, Washington, DC 20002, or sent by email to abca.legal@dc.gov. Parties are further advised that the failure to properly serve the other parties or to present all matters of record that have allegedly been erroneously decided in a motion for reconsideration may result in the waiver of those matters being considered by the Board. The Board also reserves the right to summarily deny or not consider multiple and repetitive motions.

In addition to filing a Motion for Reconsideration, pursuant to § 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, a party that is adversely affected may have the right to appeal this Order by filing a petition for review, within 30 days of the date of service of this Order, with the District of Columbia Court of Appeals, located at 430 E Street, N.W., Washington, D.C. 20001. Parties are advised that 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).

Parties are also advised that the Superior Court of the District of Columbia may have jurisdiction to hear appeals in non-contested cases or in matters where that court is specifically provided jurisdiction by law. Finally, advisory neighborhood commissions (ANCs) are advised that their right to appeal or challenge a decision of the Board may be limited by the laws governing ANCs. *See e.g.*, D.C. Code § 1-309.10(g).