

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

In the Matter of:)	
)	
Sommpicks, LLC)	
t/a Sommpicks)	
)	
Holder of a)	
Internet Retailer's Class IA License)	License No.: ABRA-098591
)	Order No.: 2018-364
at premises)	
4221 Connecticut Avenue, NW)	
Washington, D.C. 20008)	

Sommpicks, LLC, t/a A - Sommpicks (Licensee)

David Dickinson, Commissioner, Advisory Neighborhood Commission (ANC) 3F

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 SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Sommpicks, LLC, t/a A - Sommpicks (Licensee), and ANC 3F have entered into a Settlement Agreement (Agreement), dated May 15, 2018, that governs the operation of the Licensee's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Commissioner David Dickinson, on behalf of ANC 3F, are signatories to the Agreement.

Accordingly, it is this 6th day of June, 2018, **ORDERED** that:

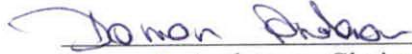
2. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modification:

Section 4 (Public Spaces) – This Section shall be modified to read as follows: “The Applicant shall ensure that its employees park in legally authorized locations.”

The parties have agreed to this modification.

3. Copies of this Order shall be sent to the Licensee and ANC 3F.

District of Columbia
Alcoholic Beverage Control Board



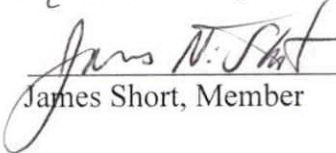
Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member

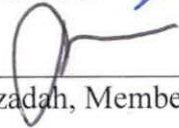


James Short, Member

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).

SETTLEMENT AGREEMENT

Made this day of May 2018, by and between Sommpicks LLC (the "Applicant") and ADVISORY NEIGHBORHOOD COMMISSION 3F (the "ANC" or "ANC 3F"),

WITNESSETH:

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control ("ABC") Board is Applicant's application for the renewal of a Retailer's Class "A" (Internet Only) liquor license for the premises known as 4221 Connecticut Avenue, NW (the "Establishment"), License Number ABRA-098591; and

WHEREAS, both Applicant and the ANC (the "parties") desire to enter into a Settlement Agreement commemorating certain understandings regarding Applicant's operating plans.

THEREFORE, in consideration of the premises recited, and the mutual covenants and promises set forth below, the parties agree as follows:

General

1. Applicant shall manage and operate an online-only retail establishment at the licensed premises and not as a physical location open to the public to sell or consume spirits, beer, or wine.

Hours

2. Applicant's hours of operation at the above mentioned licensed premises for all purposes – including deliveries and pick-ups – will be within the hours of 10:00 a.m. to 7:00 p.m. Monday through Sunday.

Public Spaces

3. Applicant will make every effort to use off-street parking for dropping off and retrieving wine and to ensure its employees and guests maintain the establishment in such a manner as to have minimal impact on vehicular and pedestrian traffic in the neighborhood;
4. All vehicle parking – including employees, deliveries, and pick-ups – will be limited to legal parking locations.
5. If garbage scheduling is necessary, Applicant shall schedule garbage collection and any other activity that causes a noise disturbance in the alley behind the Establishment only from 9:00 a.m. to 9:00 p.m.

Advertising

6. Applicant shall be prohibited from displaying any advertising banners, neon signs, or outside signage other than any sign permitted by zoning and/or those required by law.

Breach of Agreement / Notifications

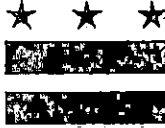
7. Applicant shall comply with District of Columbia Official Code Title 25 and District of Columbia Municipal Regulations Title 23 as they apply to the Establishment and applicable laws and regulations of the District of Columbia in the operation of this establishment.
8. Applicant agrees to maintain open communication with the ANC and the community for which the ANC acts; Applicant, upon notice from the ANC, shall confer and deal in good faith with issues raised under this Agreement or new issues that might arise with regard to the operation of the Establishment and the ANC shall similarly deal in good faith with respect to Applicant. In the event that any of the parties is in breach of this Agreement, it shall be entitled to reasonable notice and opportunity to cure, as a condition precedent to seeking enforcement of the Agreement. Unless the breach is of an emergency nature or is a repetition of a prior breach for which notice has been given, reasonable notice and opportunity shall provide for a cure within 30 days of the date of such notice. If the Applicant fails to cure within the 30-day period (or, with respect to a breach which reasonably requires more than 30-days to cure, fails to commence cure of such breach and diligently pursues such cure), failure shall constitute grounds for the ANC to file a complaint with the ABC Board in accordance with D.C. Official Code §25-447. Unless otherwise noted above, any notices required to be made under this Agreement shall be in writing and mailed via certified mail, return receipt requested, or hand-delivered, to the other parties to this Agreement at the below mailing addresses, and in the case of notice to Applicant only, to the below email address:

- a. Sommpicks LLC
4221 Connecticut Avenue, NW
Washington, DC 20008
Via email: azziza@sommpicks.com
- b. Advisory Neighborhood Commission 3F
4401-A Connecticut Avenue, N.W., PMB 244
Washington, D.C. 20008-2322

Notice shall be deemed given as of the time of receipt or refusal of receipt.

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3F
Van Ness • North Cleveland Park • Wakefield • Forest Hills

3F01 – David Dickinson, Vice Chair
3F02 – Shirley Adelstein, Treasurer
3F03 – Naomi Rutenberg
3F04 – Deirdre Brown
3F05 – Andrea Molod, Secretary
3F06 – William Sittig
3F07 – Patrick Jakopchek, Chair



4401-A Connecticut Ave, N.W.
Box 244, Washington, D.C. 20008
commissioners@anc3f.com
www.anc3f.com

May 16, 2018

Sent Via Email

Mr. Donovan Anderson, Chair
Alcoholic Beverage Control Board
2000 14th Street, NW, S2400
Washington, DC 20009

RE: Sommpicks LLC
License No. ABRA-098591
4221 Connecticut Avenue, NW

Dear Mr. Anderson,

At a duly noticed public meeting on Tuesday, May 15, 2018, and with a quorum present, Advisory Neighborhood Commission 3F (ANC 3F) adopted by a vote of 5 in favor, 0 opposed, and 0 abstaining, the attached Settlement Agreement and not to object to the granting of a renewed Class "A" (Internet Only) liquor license.

If you have any questions or concerns about the resolution, please contact me at 3F07@anc.dc.gov or Commissioner Shirley Adelstein, the designated ANC Commissioner for this application, at 3F02@anc.dc.gov.

Sincerely,


Patrick Jakopchek, Chair