

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

In the Matter of:

ICHPROP, LLC
t/a The Public Option

Applicant for a New
Retailer's Class CT License

at premises
1601 Rhode Island Avenue, NE
Washington, D.C. 20018

License No.: ABRA-118096
Order No.: 2021-372

ICHPROP, LLC, t/a The Public Option, Applicant

Jeremiah Montague, Jr., Vice-Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 5C

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that ICHPROP, LLC, t/a The Public Option (Applicant), Applicant for a new Retailer's Class CT License, and ANC 5C have entered into a Settlement Agreement (Agreement), dated June 15, 2021, that governs the operations of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Vice-Chairperson Jeremiah Montague, Jr., on behalf of ANC 5C, are signatories to the Agreement.

Accordingly, it is this 30th day of June 2021, **ORDERED** that:

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

Section 5 – The language “shall may” shall be replaced with the term “may.”

The parties have agreed to this modification.

2. Copies of this Order shall be sent to the Applicant and ANC 5C.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeallessDocs.com
Donovan Anderson
Key: ac43c050045809e407000011eccc8

Donovan Anderson, Chairperson

eSigned via SeallessDocs.com
James Short
Key: 547e373500d6a0c1b302ad248ec

James Short, Member

Bobby Cato, Member

Rema Wahabzadah, Member

eSigned via SeallessDocs.com
Rafi Aliya Crockett, Member
Key: b550a01845e15e401615e5e12f81cc

Rafi Crockett, Member

eSigned via SeallessDocs.com
Jeni Hansen, Member
Key: 8217291c500447401b50592a480f

Jeni Hansen, Member

eSigned via SeallessDocs.com
Edward Grandis, Member
Key: 5027bda7f020040c14adeb52541ce5

Edward S. Grandis, 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 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 (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).

**Draft ANC & Community Agreement Proposal
May 19, 2020, (as Revised 6/14/2021)**

In the matter of:

ICHPROP, LLC, t/a The Public Option, as before the DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL BOARD,
Case No. ABRA-118096, License No: ABRA-118096
Application for a New Retailer's Class "C" Tavern License, at premises 1601 Rhode Island Avenue, N.E., Washington, D.C. 20018

Conditioned upon conclusion of public hearings before the Community, and ANC 5C, the parties agree to have the ABRA Board issue a consent order imposing conditions on the license authorizing the issuance of a Retailer's Class "C" Tavern License to the Applicant and imposing conditions on the license.

Agreement

Board **APPROVE** the Application for a New Retailer's Class CT License at premises 1601 Rhode Island Avenue, N.E. filed by ICHPROP, LLC, t/a The Public Option subject to the following **CONDITIONS** agreed to by the parties:

1. The license holder's hours of operation and hours of sale, service, and the consumption of alcoholic beverages for the interior shall not begin before 8:00 a.m. or exceed 2:00 a.m. on any day of the week.
2. The license holder's hours of operation and hours of sale, service, and consumption of alcoholic beverages for the sidewalk cafe shall not begin before 8:00 a.m. on any day of the week or exceed 1:00 a.m. on any day of the week. Additionally, all live entertainment on the sidewalk cafe may not exceed 10:00 p.m. on any day of the week.
3. The conditions contained in this agreement shall not prevent or prohibit the license holder from applying for, receiving, or operating under any extended hours or additional hours granted under the law.
4. The license holder shall not operate the establishment as a nightclub.
5. The license holder shall may have cover charges, related to live entertainment.
6. The license holder shall have a dance floor limited to the interior only.
7. The license holder shall not have VIP table service.
8. The license holder shall not have VIP bottle service.
9. The license holder shall exercise limits on amplified music or sound to end at 1am on the interior, and end at 10pm on the sidewalk café.

The Applicant agrees that the failure to adhere to these conditions imposed by this agreement may be enforced under D.C. Official Code § 25-823(a)(6) (requiring compliance with ABRA Board orders) and 25-823(a)(7)(requiring compliance with "the terms of ... [the] license approved by the Board.").

ANC 5C Chair

ANC 5C Vice-Chair

Applicant (or authorized agent)
(Print name and sign)

date

06/15/2021

date

6/15/2021

date

June 15, 2021

Verified by PDFFiller

William D. Perry, Jr.

06/15/2021



Advisory Neighborhood Commission 5C

Government of the District of Columbia
P.O. Box 92352
Washington, DC 20090

June 22, 2021

ANC 5C Community Agreement

To: District of Columbia Alcohol Beverage Regulation Administration
2000 14th St NW, S400
Washington, DC 20009

Re: ANC 5C Community Agreement, ABRA License Application – 118096, ICHPROP, LLC, t/a The Public Option
ICHPROP, LLC
Via William D. Perry Jr, Owner/Agent
1601 Rhode Island Ave NE
Washington, DC 20018

Dear ABRA Board,

Pursuant to the following;

An action taken by ANC 5C, on May 19, 2021, at a public, properly noticed, meeting of ANC 5C, having a quorum, considered the application. The commission agreed to support favorably the application if the applicant agreed to abide by a community agreement attaching to the license application, and subsequent license once issued.

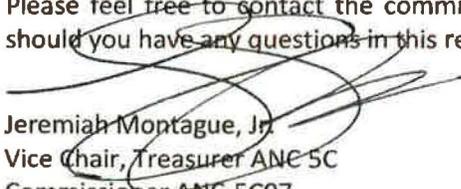
There the applicant agreed to and has now entered into a community agreement now attaching to its license application.

ANC 5C, agreed voting without objection, supporting the application and requests ABRA, in the interest of the community, attach said community agreement attach to the license application under consideration.

The final agreement herein, drawn for the ANC 5C by the Chair Jacqueline Manning (5C04) and the Vice-Chair/Treasurer Jeremiah Montague Jr (5C07) for the commission, stands properly signed by the commission and the applicant, with this transmittal.

This proposed agreement will in no way override any conditions set by other D.C. agencies outside of ABRA, such as DDOT public space, DPW (trash), DCRA, or DC Office of Planning having authority in any form.

Please feel free to contact the commissioner, at (202) 670-8543, or through email 5C07@anc.dc.gov should you have any questions in this regard.


Jeremiah Montague, Jr.
Vice Chair, Treasurer ANC 5C
Commissioner ANC-5C07
202-670-8543, 5C07@anc.dc.gov

Enclosure/ Community Agreement 6/15/2021