

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

In the Matter of:)
)
Union Kitchen, LLC)
t/a Union Kitchen)
)
Applicant for Renewal of a)
Retailer's Class B License)
)
at premises)
538 3rd Street, NE)
Washington, D.C. 20002)
_____)

Case No.: 20-PRO-00050
License No.: ABRA-098204
Order No.: 2021-020

Union Kitchen, LLC, t/a Union Kitchen, Applicant

Mark Eckenwiler, Vice Chairperson, Advisory Neighborhood Commission (ANC) 6C

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 AMENDMENT TO SETTLEMENT AGREEMENT
AND WITHDRAWAL OF ANC 6C'S PROTEST**

The Application filed by Union Kitchen, LLC, t/a Union Kitchen (Applicant), for renewal of its Retailer's Class B License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on December 21, 2020.

The official records of the Alcoholic Beverage Control Board (Board) reflect that a previous holder of a license for the premises and ANC 6C entered into a Settlement Agreement (Agreement), dated June 16, 2015, that governs the operations of the Applicant's establishment.

This matter comes now before the Board to consider the Parties' Amendment to Settlement Agreements (Amendment), dated December 28, 2020, in accordance with D.C. Official Code § 25-446 (2001).

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Vice Chairperson Mark Eckenwiler, on behalf of ANC 6C, are signatories to the Amendment.

This Amendment constitutes a withdrawal of the Protest filed by ANC 6C of this Application.

Accordingly, it is this 6th day of January 2021, **ORDERED** that:

1. The Application filed by Union Kitchen, LLC, t/a Union Kitchen, for renewal of its Retailer's Class B License, located at 538 3rd Street, NE, Washington, D.C., is **GRANTED**;
2. The Protest of ANC 6C in this matter is hereby **WITHDRAWN**;
3. The above-referenced Amendment to Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
4. All terms and conditions of the previous Agreements not amended by the Amendment, shall remain in full force and effect; and
5. Copies of this Order shall be sent to the Applicant and ANC 6C.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlasDocs.com
Donovan Anderson
Key: ac43cb96f0cd5f9a4b73029d1ac0f6

Donovan Anderson, Chairperson

eSigned via SeamlasDocs.com
James Short
Key: 542c1358925264261f0329d2546ec

James Short, Member

eSigned via SeamlasDocs.com
Bobby Cato
Key: 256d3fadf8e146d78b75bd7917020d

Bobby Cato, Member

eSigned via SeamlasDocs.com
Rema Wahabzadah, Member
Key: b72ca40b508b740699b19635b728ff0c7

Rema Wahabzadah, Member

eSigned via SeamlasDocs.com
Rafi Aliya Crockett, Member
Key: b560e61f645e1f6e4016150e5c12811cc

Rafi Crockett, Member

eSigned via SeamlasDocs.com
Jeni Hansen, Member
Key: 8317201f066441611559c3e1199f

Jeni Hansen, Member

eSigned via SeamlasDocs.com
Edward S. Grandis, Member
Key: 5027b0a7f5f05040cc14adeb50541ce5

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 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).

This agreement is made and entered into this 28th day of December 2020 by and between Union Kitchen, LLC doing business as Union Kitchen (“Applicant”) and Advisory Neighborhood Commission 6C (“Protestant”).

WHEREAS Applicant has filed an application with the District of Columbia Alcoholic Beverage Control Board (“ABC Board”) to renew class B license ABRA-098204 (“License”) for premises 538 3rd St. NE, Washington, DC,

WHEREAS Applicant entered into a settlement agreement (“Agreement”) with Protestant on June 16, 2015,

WHEREAS on June 24, 2015 the ABC Board approved the Agreement, which binds Applicant and remains in full force and effect, and

WHEREAS, in recognition of the ABC Board’s policy of encouraging parties to a protested proceeding to settle their differences by negotiating agreements, the parties hereto being desirous of entering into an agreement whereby, subject to approval of the ABC Board, Applicant will agree to adopt certain measures to address the Protestant’s concerns and Protestant will agree to the renewal of the License and withdraw its protest,

NOW, THEREFORE, in consideration of the mutual covenants and undertakings memorialized herein, the parties agree as follows:

The Agreement is amended by inserting an additional paragraph in section 8 (“Deliveries”). The new paragraph states that

Vehicles making deliveries shall not idle their engines. At no time shall any vehicle making any delivery to (or pick-up from) the Applicant’s premises park or stand in or upon, or otherwise obstruct, any crosswalk, sidewalk, or bicycle lane.

IN WITNESS WHEREOF, the parties place their signatures to this agreement, this 28th day of December 2020.

Union Kitchen, LLC t/a Union Kitchen



By: Cullen Gilchrist

Advisory Neighborhood Commission 6C



Mark Eckenwiler

Vice-Chair, ANC 6C

(as designated ANC 6C representative)