

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

In the Matter of:

Watergate Hotel Lessee, LLC
t/a Watergate Hotel

Application for Renewal of a
Retailer's Class CH License

at premises
2650 Virginia Avenue, NW
Washington, D.C. 20037

Case No.: 22-PRO-00030
License No.: ABRA-091162
Order No.: 2022-260

Watergate Hotel Lessee, LLC, t/a Watergate Hotel, Applicant

Stephen O'Brien, Counsel, on behalf of the Applicant

Joel Causey, Chairperson, Advisory Neighborhood Commission (ANC) 2A, Protestant

Dr. Cheryl Benard, on behalf of a Group of Five or More Individuals, Protestant

Richard Grafmeyer, on behalf of Watergate West Cooperative, Protestant

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

ORDER ON DISMISSAL OF WATERGATE WEST COOPERATIVE'S PROTEST

The Application filed by Watergate Hotel Lessee, LLC, t/a Watergate Hotel (Applicant), for renewal of its Retailer's Class CH License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on May 31, 2022.

On May 31, 2022, the Board dismissed the Protest of Watergate West Cooperative because Watergate West Cooperative did not meet the standing requirements needed to file a protest. 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.

Watergate West Cooperative may file a Motion for Reconsideration within ten (10) days from the date of this Order if it disagrees with the findings of the Board.

Additionally, the Board's agent advised the Group of Five or More Individuals at the Roll Call Hearing that four (4) more individuals must appear at the Protest Status Hearing to be granted standing as a Group of Five or More Individuals. The Group of Five or More Individuals was originally granted conditional standing at the Roll Call Hearing.

ORDER

The Board does hereby, this 8th day of June 2022, **DISMISS** the Protest of Watergate West Cooperative. Copies of this Order shall be sent to the Parties.

The Board advises the parties that the protests of ANC 2A and the Group of Five or More Individuals remain, and the Protest Status Hearing is set for June 29, 2022 at 10:30 a.m. and the Protest Hearing for July 27, 2022 at 1:30 p.m.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson
Key: a:42826c85605700e487330933102288

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ac771920c66cc81b332942549ec

James Short, Member

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Bobby Cato
Key: 25A53cadf8e146d1f4b75bd7917d20d

Bobby Cato, Member

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Rafi Aliya Crockett, Member
Key: b550a91845e1f9e4016155e5c1201cc

Rafi Crockett, Member

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Jeni Hansen, Member
Key: 82172001f050644747b505c2a41805

Jeni Hansen, Member

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Edward Grandis, Member
Key: 5027bda7f9f0040ec14adeb52541ce5

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).