

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

In the Matter of:)
)
1701 Rhode Island Avenue NW Tenant, LLC)
t/a WeWork)
)
Applicant for a)
Stipulated License)
Retailer's Class CT License)
)
at premises)
1701 Rhode Island Avenue, NW)
Washington, D.C. 20036)
)

License No.: ABRA-115540
Order No.: 2019-914

1701 Rhode Island Avenue NW Tenant, LLC, t/a WeWork, Applicant

Kari Cunningham, Vice-Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 2B

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member

ORDER APPROVING REQUEST FOR A STIPULATED LICENSE

1701 Rhode Island Avenue NW Tenant, LLC, t/a WeWork (Applicant), Applicant for a New Retailer's Class CT License, now comes before the Board for a Stipulated License in accordance with 23 D.C. Municipal Regulations (DCMR) § 200.

Pursuant to 23 DCMR § 200, an applicant for a Manufacturer's license, Wholesaler's license or Retailer's license may request a stipulated license if the request is accompanied by written correspondence from an ANC Officer where the establishment is located, stating that the ANC has voted with a quorum present to either support or not to object to the issuance of a stipulated license pending completion of the 45-day protest period.

On November 13, 2019, the ANC 2B voted at a properly noticed meeting to support the Applicant's request for a Stipulated License.

Thus, the Board, in its discretion, finds that the Applicant has met the requirements and does approve the request for a Stipulated License under the following conditions:

- (1) The applicant must stop serving or selling alcoholic beverages under the stipulated license if a valid protest is filed against the applicant during the 45-day protest period.
- (2) The applicant must pay the fee for a stipulated license in the amount of \$100.

ORDER

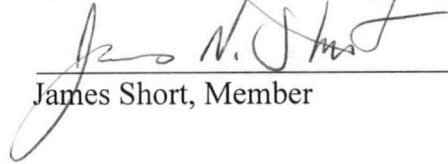
The Board does hereby, this 11th day of December, 2019, **APPROVES** the Request for a Stipulated License.

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

District of Columbia
Alcoholic Beverage Control Board

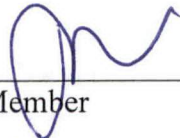


Donovan Anderson, Chairperson



James Short, Member

Bobby Cato, Member



Rema Wahabzadah, Member



Raff Crockett, 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).

★ ★ ★ **Advisory Neighborhood**
Commission 6D

PO Box 71156 • Washington, DC 20024-9998
ANC Office: 202 554-1795 ■ office@anc6d.org

AMENDMENT #3 TO COOPERATIVE AGREEMENT

THIS AMENDMENT #3 TO COOPERATIVE AGREEMENT ("Agreement") is made on this 18th day of November 2019 by and between Roy Boys 2 LLC t/a Roy Boys ABRA #114131, formerly Justin's Café, LLC t/a Justin's Café, ABRA 083690, 1025 1st Street, SE, ("Licensee"), and Advisory Neighborhood Commission 6D ("Protestant"), (collectively, the "Parties"). This amendment updates (1) the Agreement dated January 11, 2010 finalized by Board Order 2010-340 dated May 12, 2010; (2) Supplement 1 dated June 14, 2010, finalized by Board Order 2011-095 dated January 26, 2011; and (3) Supplement 2 dated May 31, 2013 and finalized by Board Order 2013-314 dated June 26, 2013.

W I T N E S S E T H

WHEREAS, Licensee has ABRA License #114131 Class CR for a business establishment serving spirits, wine, and beer in indoor space with Entertainment endorsement inside, and a sidewalk café ("Establishment"), located at 1025 1st Street, SE, Washington, DC 20003 ("Premises"); and

WHEREAS, the Original Agreement dated June 14, 2010 to the original Cooperative Agreement dated January 11, 2010 indicates the **hours of operation and sales as follows:**

Sunday 11:30 a.m. to 10:00 p.m.,
Monday through Thursday 11:30 a.m. to 1:00 a.m.,
Friday and Saturday 11:30 a.m. to 2:00 a.m.

And the Restaurant hours of:

Sunday: 11:30 a.m. to 10:00 p.m.,
Monday through Thursday, 11:30 a.m. to 11:00 a.m.,
Friday and Saturday, 11:30 a.m. to 12 midnight

And the hours for selling and serving alcohol indoors shall be:

Sunday 11:30 a.m. to 10:00 p.m.,
Monday through Thursday 11:30 a.m. to 1:00 a.m.,
Friday and Saturday 11:30 a.m. to 2:00 a.m.

WHEREAS, the First Supplement dated June 14, 2010 to the original Cooperative Agreement, paragraph #3, section 3, indicates that the **hours for selling and serving alcohol both indoors and at the sidewalk café shall be as follows:**

Sunday 11:30 a.m. to 10:00 p.m.,
Monday through Thursday 11:30 a.m. to 1:00 a.m.,
Friday and Saturday 11:30 a.m. to 2:00 a.m.

WHEREAS, the Second Supplement dated May 31, 2013, provides for an Entertainment endorsement indoors consisting of one-man acoustic guitar or vocalist as follows:

Thursdays, 5:00 – 8:00 pm

["Live Entertainment" indicates that such entertainment shall occur only on "one day a week, inside the restaurant on Thursdays between 5:00 p.m.-8p.m. and Such entertainment may consist of one-man guitar or a vocalist act. The music shall sereve primarily as background music and not a show."]

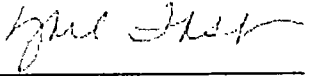
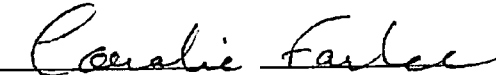

WHEREAS, the Parties request that the Alcoholic Beverage Control Board approve this Amendment to Cooperative Agreement conditioned upon the Licensee's compliance with the terms of this written Amendment and the previously executed Cooperative Agreement and Board Order and ABRA License; and

NOW, THEREFORE, in consideration of the recitals set forth above, it is mutually understood and agreed by and between the undersigned Parties to amend the previously executed Agreement as follows:

1. **Recitals Incorporated.** The recitals set forth above are incorporated herein by reference.
2. "Hours of Operation and Sales", shall be amended to read:
Hours of selling, serving, and consuming alcohol indoors shall not exceed:
 Sunday – Thursday: 8:00 a.m. to 2:00 a.m.,
 Friday and Saturday: 8:00 a.m. to 3:00 a.m.
3. "Hours of Sidewalk Café" and "Hours of Entertainment" shall remain as in the First and Second Amendment respectively.
4. **Agreement Otherwise Unamended.** Except as otherwise provided herein, the terms and conditions of the previously executed Cooperative Agreement, Board Order, and License and amendments are expressly reaffirmed and remain in full force and effect.

The ANC:

LICENSEE:

<p>Chair, ANC6D  _____ 11/18/19 Gail Fast, SMD01 Date Chair, ABC Committee, ANC6D  _____ Coralie Farlee Date</p>	<p>Roy Boys 2 LLC, t/a Roy Boys By:  _____ 11/18/2019 Lee Smith Date Member</p>
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Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: office@anc6d.org
Website: www.anc6d.org

November 18, 2019

Donovan Anderson, Chair
c/o Martha Jenkins, General Counsel
Alcohol Beverage Control Board
2000 14th Street, NW, Suite 400S
Washington, DC 2000

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Gail Fast

Vice Chairperson
Andy Litsky

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SMD 3 Ronald R. Collins
SMD 4 Andy Litsky
SMD 5 Vacant
SMD 6 Rhonda Hamilton
SMD 7 Edward Daniels

Re: ANC support for Stipulated license for Roy Boys, ABRA #114131

Dear Mr. Anderson:

At its properly noticed Regular Meeting on November 18, 2019, with a quorum present and voting, the Advisory Neighborhood Commission 6D voted 5 to 0 to 0 to support the licensee's request for a stipulated license relating to the attached Amendment 3 to the Cooperative Agreement (originally developed for Justin's Café) for Roy Boys, ABRA 114131.

Please contact Commissioner Fast (6D01@anc.dc.gov) or Dr. Coralie Farlee, Chair, ABC Committee, ANC 6D at 202-554-4407, cfarlee@mindspring.com if you have any questions or concerns. Dr. Farlee is authorized to represent ANC6D in alcohol-related matters.

Sincerely,

Gail Fast, Chair
ANC6D

Coralie Farlee, Chair
ABC Committee, ANC6D

Attachment: Amd 3 to Coop Agreement