

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

In the Matter of:

Whole Foods Market Group, Inc.
t/a Whole Foods Market

Applicant for Renewal of a
Retailer's Class DR License

at premises
1440 P Street, NW
Washington, D.C. 20005

Case No.: 19-PRO-00052
License No.: ABRA-086071
Order No.: 2019-478

Whole Foods Market Group, Inc., t/a Whole Foods Market (Applicant)

Andrew Kline, Counsel, on behalf of the Applicant

John Fanning, Chairperson, Advisory Neighborhood Commission (ANC) 2F

Julie Earne, Lawrence Watson, Tricia Cavell, and Robert Guidos, on behalf of a Group of
106 Abutting Property Owners

BEFORE: Donovan Anderson, Chairperson
Mike Silverstein, Member
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member

**ORDER ON DISMISSAL OF A GROUP OF 106 ABUTTING PROPERTY
OWNERS' PROTEST**

The Application filed by Whole Foods Market Group, Inc., t/a Whole Foods Market (Applicant), for renewal of its Retailer's Class DR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 10, 2019, in accordance with D.C. Official Code § 25-601 (2001).

On June 10, 2019, the Board dismissed the Protest of the Group of 106 Abutting Property Owners, because the individuals in the Group of 106 are not residents sharing common ground, in accordance with D.C. Official Code § 25-601(1). Their properties do

not about the Applicant's licensed establishment according to the DC Geographic Information System (GIS).

The Group of 106 Abutting Property Owners may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.

ORDER

The Board does hereby this 12th day of June, 2019, **DISMISS** the Protest of the Group of 106 Abutting Property Owners. Copies of this Order shall be sent to the Applicant, ANC 2F, and Julie Earne, Lawrence Watson, Tricia Cavell, and Robert Guidos, on behalf of the Group of 106 Abutting Property Owners

The Board advises the parties that the protest of ANC 2F remains, and the Protest Status Hearing is set for September 11, 2019 at 9:30 a.m. and the Protest Hearing for October 9, 2019 at 4:30 p.m.

District of Columbia
Alcoholic Beverage Control Board




Donovan Anderson, Chairperson




Mike Silverstein, Member



James Short, 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).