

AMENDMENT TO SETTLEMENT AGREEMENT

This Amendment to Settlement Agreement (“Amendment”) is made on this _ day of June 2023, by and between Whole Foods Market Group, Inc. t/a Whole Foods Market (“Licensee”) and Advisory Neighborhood Commission 3E (the “ANC”).

RECITALS

WHEREAS, the Licensee is a holder of a retailer’s Class B License for a business establishment (“Establishment”) located at 4530 40th St, NW, Washington, D.C. 20016 (the “Premises”).

WHEREAS, there is an existing Settlement Agreement, dated November 24, 2008, between the Licensee and the ANC 3E (to which the original signatory, Advisory Neighborhood Commission 3F, assigned its interests in the agreement after redistricting), which agreement was approved by the Alcoholic Beverage Control Board (the “Board”) by Order on Settlement Agreement and Withdrawal of ANC 3F’s Protest dated (the “Settlement Agreement”).

WHEREAS, Wegmans, a grocery store located at 41 Ridge Square NW, currently serves alcohol until midnight.

WHEREAS, the Licensee desires to amend the Settlement Agreement to extend the hours of operations on Sundays to reflect those of the rest of the week.

NOW, THEREFORE, in consideration of the recitals set forth above, the parties agree as follows:

1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.
2. Hours of Operations.
 - a. Inside: The Applicant’s doors will be open to the public between the hours of: 7:00 a.m. to 10:00 pm Monday through Sunday.
 - b. The Applicant’s licensed hours of operations will be: 7:00 a.m. to 10:30 pm Monday through Sunday.
3. Settlement Agreement Unaffected. Except as explicitly provided herein, the Settlement Agreement remains in full force and effect.
4. ANC Support. In consideration of the conditions listed above, and the conditions set forth in the Settlement Agreement, the ANC supports the Licensee’s substantial change application.

ADVISORY NEIGHBORHOOD COMMISSION 3E

By: _____

WHOLE FOODS MARKET GROUP, LLC

By: _____

