

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

In the Matter of:)	
Seoul Spice, LLC)	
t/a Seoul Spice)	
Applicant for a New)	License No.: ABRA-101493
Retailer's Class CR License)	Order No.: 2016-140
at premises)	
145 N Street, N.E.)	
Washington, D.C. 20002)	
)	

Seoul Spice, LLC, t/a Seoul Spice (Applicant)

Tony Goodman, Commissioner, Advisory Neighborhood Commission (ANC) 6C

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ORDER ON SETTLEMENT AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Seoul Spice, LLC, t/a Seoul Spice (Applicant), Applicant for a new Retailer's Class CR License, located at 145 N Street, N.E., Washington, D.C. and ANC 6C have entered into a Settlement Agreement (Agreement), dated March 23, 2016, that governs the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Commissioner Tony Goodman, on behalf of ANC 6C, are signatories to the Agreement.

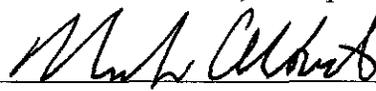
Accordingly, it is this 6th day of April, 2016, **ORDERED** that:

1. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
2. Copies of this Order shall be sent to the Applicant and ANC 6C.

District of Columbia
Alcoholic Beverage Control Board



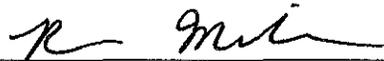
Donovan Anderson, Chairperson



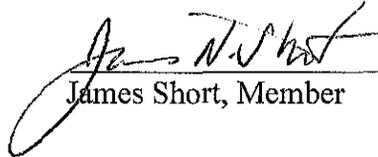
Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, Member



James Short, 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 as of this 23rd day of March 2016 by and between Seoul Spice LLC (hereinafter the "Applicant") and Advisory Neighborhood Commission 6C (hereinafter the "Protestants").

WHEREAS, Applicant having filed an application with the District of Columbia Alcoholic Beverage Control Board (hereinafter "ABC Board") for issuance of a Retailer's Class CR license for premises of 145 N Street, N.E., Washington, D.C.

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 Protestants will agree to the issuance of the ABC License and withdraw their Protests.

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

- 1. Nature of Business:** Applicant will operate at all times as a bona-fide Class C (as such term is defined in ABC statutes and regulations). Food service will be available until closing. Applicant will not make its premises available to non-employee promoters for presentation of advertised "parties" or "events" intended to generate profit for such promoters. Applicant will not charge a cover to enter the establishment or any portion of the establishment. Applicant will not participate in any "Pub Crawl" promotions. Applicant will not permit dancing, amplified performance of live music, or karaoke.
- 2. Hours of Operation:** Applicant's operating hours shall not exceed 11 a.m. to 10 p.m. daily. Sale of alcoholic beverages shall not exceed 11 a.m. to 10 p.m. daily. It is understood that after cessation of said "operating hours," no patrons shall remain on the premises.
- 3. Noise Suppression:** The establishment operation shall at all times be in compliance with the D.C. Noise Control Act and D.C. Code 25-725. Licensee acknowledges that noise is a critical issue for the neighborhood. Applicant will encourage employees and patrons to be considerate of residents in the neighborhood by keeping voices and other noises at a level that will not disturb the peace, order, quiet, and tranquility of residents in the enjoyment of their homes.
- 4. Withdrawal of Protest:** Protestants agree to the issuance of the license and the withdrawal of their protests upon execution of this Agreement, if this Voluntary Agreement is incorporated into the Board's order issuing, amending, or renewing the license, which order is thereby conditioned upon compliance with such Voluntary Agreement.
- 5. Maintenance of Property:** Applicant will be responsible for clearing snow from the sidewalk within four (4) daylight hours after snowfall ends.

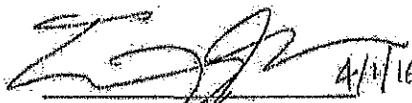
IN WITNESS WHEREOF, the Parties place their signatures to this agreement, this 23rd day of March, 2016.

Applicant (Seoul Spice)



By: Eric Shin

Advisory Neighborhood Commission 6C:



By: Tony Goodman
Commissioner
ANC 6C