



**Young Hwa Corporation**  
**t/a Pennsylvania Avenue Market**  
**License No. ABRA-079255**  
**Page 2**

filed with the Board. The Licensee and Chairperson Brian Flahaven, on behalf of ANC 6B, are signatories to the Amendment.

Accordingly, it is this 15th day of January, 2014, **ORDERED** that:

1. The above-referenced Amendment to Settlement Agreement, dated December 16, 2013, submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the previous Agreement, not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6B.

Young Hwa Corporation  
t/a Pennsylvania Avenue Market  
License No. ABRA-079255  
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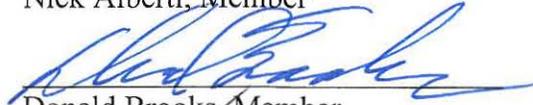
District of Columbia  
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



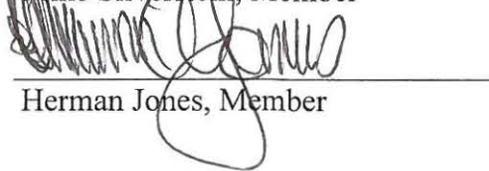
Nick Alberti, Member



Donald Brooks, Member



Mike Silverstein, Member



Herman Jones, Member

Pursuant to D.C. Official Code § 25-433, any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, D.C. 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to D.C. Official Code § 25-433, 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).

AMENDMENT

**Young Hwa Corporation**  
1501 Pennsylvania Avenue, SE  
Washington, DC 20003

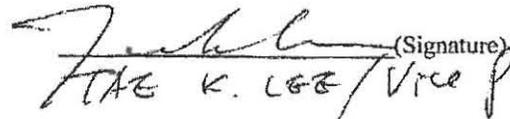
**Advisory Neighborhood Commissioner, 6B**  
921 Pennsylvania Avenue, SE  
Washington, DC 20003

This document reflects the intent to amend the Voluntary Agreement (VA) entered into on March 13, 2012, between Young Hwa Corporation t/a Pennsylvania Avenue Market, and Advisory Neighborhood Commission 6B.

Therefore, the parties agree to strike Section 2, part C of the VA which states:

"The Applicant will not sell, give, offer, expose for sale, or deliver an individual container or two pack or three pack of beer, malt liquor, or ale if the containers are less than 70 ounces."

Applicant:  
Young Hwa Corporation Pennsylvania Avenue Market  
1501 Pennsylvania Ave, SE  
Washington, DC 20003  
Attn: J u Boon Lee

 (Signature)  
K. Lee / Vice President

ANC:  
Advisory Neighborhood Commission 6b  
921 Pennsylvania Avenue SE Ste 305  
Washington, DC 20003  
Brian Flahaven, Chairperson

 (Signature) 12/16/13

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

In the Matter of:	)	
	)	
Young Hwa Corporation	)	
t/a Pennsylvania Avenue Market	)	
	)	
Application for Renewal of a	)	Case No. 11-PRO-00083
Retailer's Class B License	)	License No. ABRA-079255
	)	Order No. 2012-116
at premises	)	
1501 Pennsylvania Avenue, S.E.	)	
Washington, D.C. 20003	)	

Young Hwa Corporation, t/a Pennsylvania Avenue Market (Applicant)

Andrew Jared Critchfield, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 6B

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member  
Jeannette Mobley, Member

**ORDER ON VOLUNTARY AGREEMENT AND  
WITHDRAWAL OF ANC 6B'S PROTEST**

The Application filed by Young Hwa Corporation, t/a Pennsylvania Avenue Market, for renewal of its Retailer's Class B License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on December 5, 2011 and a Protest Status Hearing on January 25, 2012, in accordance with D.C. Official Code § 25-601 (2001).

The Applicant and ANC 6B have entered into a Voluntary Agreement (Agreement), dated March 13, 2012, setting forth the terms and conditions that govern the operation of the Applicant's establishment. The Agreement includes a ban on two (2) or three (3) packs of beer, which begins thirty (30) days following approval by the Board.

**Young Hwa Corporation**  
**t/a Pennsylvania Avenue Market**  
**Case No. 11-PRO-00083**  
**License No. ABRA-079255**  
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The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Chairperson Andrew Jared Critchfield, on behalf of ANC 6B, are signatories to the Agreement.

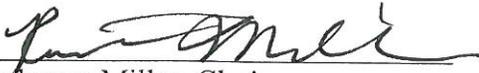
This Agreement constitutes a withdrawal of the Protest filed by ANC 6B of this Application.

Accordingly, it is this 4<sup>th</sup> day of April, 2012, **ORDERED** that:

1. The Application filed by Young Hwa Corporation, t/a Pennsylvania Avenue Market, for renewal of its Retailer's Class B License, located at 1501 Pennsylvania Avenue, S.E., Washington, D.C., is **GRANTED**;
2. The Protest of ANC 6B in this matter is hereby **WITHDRAWN**;
3. The ban on two (2) or three (3) packs of beer will begin thirty (30) days from date of this Order;
4. The above-referenced Voluntary Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
5. Copies of this Order shall be sent to the Applicant and ANC 6B.

Young Hwa Corporation  
t/a Pennsylvania Avenue Market  
Case No. 11-PRO-00083  
License No. ABRA-079255  
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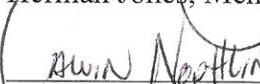
District of Columbia  
Alcoholic Beverage Control Board

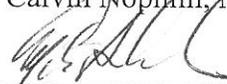
  
Ruthanne Miller, Chairperson

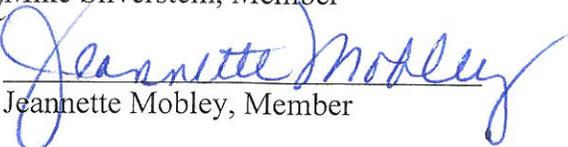
  
Nick Alberti, Member

  
Donald Brooks, Member

  
Herman Jones, Member

  
Calvin Nophlin, Member

  
Mike Silverstein, Member

  
Jeannette Mobley, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, D.C. 20009.

**ANC 6B**  
*Capitol Hill / Southeast*

DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE  
REGULATION ADMINISTRATION

2012 MAR 22 P 4:45

REC'D BY \_\_\_\_\_

921 Pennsylvania Ave., SE  
Suite 305  
Washington, DC 20003  
202.543.3344  
FAX 202.543.3507

March 14, 2012

**OFFICERS**

Chairperson  
*Andrew Jared Critchfield*

Vice Chairperson  
*Ivan Frishberg*

Secretary  
*Brian Pate*

Treasurer  
*Carol Green*

Parliamentarian  
*Brian Flahaven*

Ruthanne Miller, Chairperson  
ABC Board  
2000 14<sup>th</sup> Street, NW  
Suite 400S  
Washington, DC 20009

**RE: Pennsylvania Avenue Market  
Application # ABRA-079255  
1501 Pennsylvania Avenue, SE  
Rescinding Opposition to Renewal**

**COMMISSIONERS**

SMD 1 *David Garrison*  
SMD 2 *Ivan Frishberg*  
SMD 3 *Norman Metzger*  
SMD 4 *Kirsten Oldenburg*  
SMD 5 *Brian Pate*  
SMD 6 *Andrew Jared Critchfield*  
SMD 7 *Carol Green*  
SMD 8 *Neil Glick*  
SMD 9 *Brian Flahaven*  
SMD 10 *Francis Campbell*

Dear Ms. Miller:

At a regularly called and properly noticed meeting on March 13, 2012, ANC 6B voted 9-0 to support rescinding its opposition to the application to renew the Pennsylvania Avenue Market license. To this end, enclosed is the Voluntary Agreement that has been executed by Pennsylvania Avenue Market and ANC 6B for your review and approval. Therefore, ANC 6B rescinds its opposition to the license renewal of Pennsylvania Avenue Market.

Additionally, ANC 6B voted 9 -0 to request ABRA make the effective date for no sales of 2 packs or 3 packs 30 days after the date of the Board order so Pennsylvania Avenue Market can sell off its existing stock.

Please contact me should you have any questions regarding this matter.

Sincerely,

  
Andrew Jared Critchfield, Ph.D.  
Chair

Enclosure: Voluntary Agreement

## VOLUNTARY AGREEMENT

This Agreement made March 13, 2012, by and between Young Hwa Corporation, t/a Pennsylvania Avenue Market and Advisory Neighborhood Commission 6B.

WITNESSETH

WHEREAS, renewal of Applicant's Retailers Class "B" license, ABRA-079255, for premises at 1501 Pennsylvania Avenue SE, Washington, DC 20003 is now pending before the District of Columbia Alcoholic Beverage Control Board; and

WHEREAS, the premises is within the boundaries of the ANC; and

WHEREAS, ANC 6B is protesting the renewal of the license; and

WHEREAS the parties desire to enter into an agreement governing certain understandings regarding the Retailers' Class "B" license, at the subject premises

NOW, THEREFORE, the Parties agree as follows:

1. ***Recitals Incorporated.*** The recitals set forth above are incorporated herein by reference.
2. ***Nature of the Business.*** The Applicant will manage and operate a Retailer's Class B license under the following provisions:
  - A. The Applicant will comply with all laws and regulations governing the operations of the establishment at 1501 Pennsylvania Ave, SE.
  - B. The Applicant will not divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the container is less than 70 ounces.
  - C. The Applicant will not sell, give, offer, expose for sale, or deliver an individual container or two pack or three pack of beer, malt liquor, or ale if the containers are less than 70 ounces.
  - D. The Applicant will not sell or provide cups or single servings of ice.
  - E. The Applicant's hours of operation and sales are 9:00 a.m. – 10:00 p.m. and Applicant will not sell alcohol before or after these hours.
  - F. The Applicant agrees to post this agreement alongside the ABC license.

### **3. *Signage, Noise and Privacy.***

Applicant will prohibit and prevent loitering, rowdiness, criminal activity, panhandling and all illegal activity within 100 feet of the establishment by:

- A. Maintaining a “No Loitering/Panhandling” sign on the outside of the establishment, and
- B. Posting a notice, kept in good repair and visible from point of entry, which states:
  - a. The minimum age requirement for purchase of alcohol,
  - b. The obligation of the patron to produce a valid identification document in order to purchase alcohol.
- C. Requesting loiterers to move on when they are observed outside the establishment.
- D. Calling the Metropolitan Police Department (MPD) when illegal activity is observed inside or outside the premises.
- E. Keeping a written record of dates and times when MPD is called for assistance.
- F. Applicant will ensure timely disposal of trash that is the least disruptive to the neighbors and ensure that commercial trash pick up will only take place between 7:00 am and 7:00 pm.
- G. Applicant will install flood lights and cameras on the exterior of the building, and ensure they are in good working order at all times.

### **4. *Public Space Cleanliness and Maintenance.***

Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:

- A. Exercising due diligence to prevent and or/rid vermin infestation in and around the establishment,
- B. Picking up trash, including beverage bottle and cans, and all trash, both before the store opens and near closing time, and as needed between those hours,
- C. Adding trash receptacles outside the building, as needed,
- D. Removing snow and ice from sidewalks fronting the premises, within the time limits set by the District of Columbia for removal, and
- E. Tending to tree boxes in the area surrounding the subject premises.

### **5. Final Agreement and Modification**

This agreement supersedes all other agreements between the Parties, and shall constitute the only agreement between the Parties. For purposes of DC Official Code Section 25-446(d)(2)(B), the date of the ABC Board’s approval of this agreement shall be considered its initial approval of this Agreement and shall commence the applicable period.

### **6. Withdrawal of Protest**

ANC 6B withdraws its protest, provided that this Agreement is incorporated into the Board’s

Order approving the Agreement.

By signature below, the Parties agree to the terms of this agreement and settlement of the Protest.

IN WITNESS WHEREOF, the Parties have affixed hereunto their signatures.

Applicant: Young Hwa Corporation  
Pennsylvania Avenue Market  
1501 Pennsylvania Ave, SE  
Washington, DC 20003  
Attn: Ju Boon Lee

  
\_\_\_\_\_  
(Signature)  
(TAE K. LEE)

ANC: Advisory Neighborhood Commission  
921 Pennsylvania Avenue SE  
Ste 305  
Washington, DC 20003  
Andrew Jared Critchfield, Chairperson  
(202) 543-3344

  
\_\_\_\_\_  
(Signature)

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VOLUNTARY AGREEMENT REGARDING  
C & C BUSINESS ENTERPRISES, INC.

COME NOW C & C BUSINESS ENTERPRISES, INC. (a District of Columbia corporation) and T. CARLTON RICHARDSON, ESQUIRE, who make the following Voluntary Agreement:

WHEREAS, the aforesaid C & C Business Enterprises, Inc. (hereinafter referred to as "Licensee") owns and operates the business known as CAPITOL HILL MARKET at 1501 Pennsylvania Avenue, S. E., Washington, D. C., 20003, and is the holder of a Retailer Class "B" ABC License; and

WHEREAS, the aforesaid T. Carlton Richardson, Esquire (hereinafter referred to as "Protestant") is a resident of the immediate neighborhood in which the aforesaid business operates and he has protested the renewal of the Retailer Class "B" License to the Licensee; and

WHEREAS, the parties have agreed to certain matters and in consideration for which the Protestant hereby withdraws his protest;

NOW, THEREFORE, the Parties agree as follows:

1.) The Licensee shall pick up the trash accumulated on the sidewalks and adjacent areas from the corner of Pennsylvania Avenue, S. E., and 15th Street, S. E., to the tree

situated at 1507 Pennsylvania Avenue, S. E., and to the end of its property line on the 15th Street side. The trash shall be picked up at the start of business each day and on at least two (2) other occasions at intermittent intervals each day.

2.) The Licensee shall maintain the "planting areas" in front of and to the side of its building. The areas shall be mulched and planted to conform to the practices of the neighboring property owners.

3.) The Licensee shall discourage its customers from congregating in front of and to the side of its business premises.

DATED: SEPTEMBER 30<sup>TH</sup>, 1994.

C & C BUSINESS ASSOCIATES, INC.

BY: *Steven M. Cho*  
PRESIDENT

*T. Carlton Richardson*  
T. CARLTON RICHARDSON