

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

\_\_\_\_\_)  
**In the Matter of:** )  
 )  
IVZ, LLC )  
t/a J & K Market )  
 )  
Application for Renewal of a )  
Retailer's Class B License )  
 )  
at premises )  
234 15<sup>th</sup> Street, N.E. )  
Washington, D.C. 20002 )  
\_\_\_\_\_)

Case No. 14-PRO-00081  
License No. ABRA-090684  
Order No. 2015-044

IVZ, LLC, t/a J & K Market (Applicant)

Reuben Baris, on behalf of A Group of Five or More Individuals

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Mike Silverstein, Member  
Hector Rodriguez, Member  
James Short, Member

**ORDER ON SETTLEMENT AGREEMENT AND WITHDRAWAL  
OF PROTEST OF A GROUP OF FIVE OR MORE INDIVIDUALS**

The Application filed by IVZ, LLC, t/a J & K 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 November 10, 2014, and a Protest Status Hearing on December 10, 2014, in accordance with D.C. Official Code § 25-601 (2001).

The Applicant and the Group of Five or More Individuals have entered into a Settlement Agreement (Agreement), dated December 2, 2014, setting forth the terms and conditions that govern 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 Reuben Baris, on behalf of the Group of Five or More Individuals, are signatories to the Agreement.

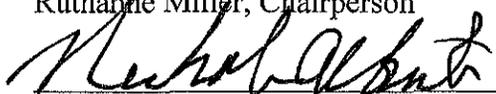
This Agreement constitutes a withdrawal of the Protest filed by the Group of Five or More Individuals of this Application.

Accordingly, it is this 4th day of February, 2015, **ORDERED** that:

1. The Application filed by IVZ, LLC, t/a J & K Market, for renewal of its Retailer's Class B License, located at 234 15<sup>th</sup> Street, N.E., Washington, D.C., is **GRANTED**;
2. The Protest of the Group of Five or More Individuals in this matter is hereby **WITHDRAWN**;
3. 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
4. Copies of this Order shall be sent to the Applicant and Reuben Baris, on behalf of the Group of Five or More Individuals.

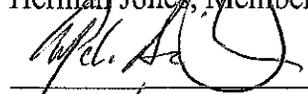
District of Columbia  
Alcoholic Beverage Control Board

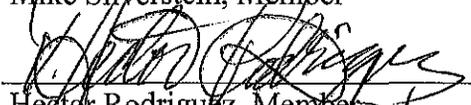
  
Ruthanne Miller, Chairperson

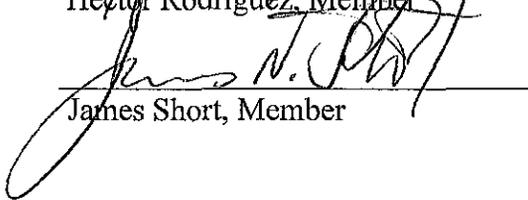
  
Nick Alberti, Member

  
Donald Brooks, Member

  
Herman Jones, Member

  
Mike Silverstein, Member

  
Hector Rodriguez, Member

  
James Short, Member

Pursuant to D.C. Official Code § 25-433, 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 14<sup>th</sup> 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).

## SETTLEMENT AGREEMENT

This agreement is made on this 2<sup>nd</sup> day of December 2014, by and between IVZ, LLC t/a J & K Market (Licensee), 234 15<sup>th</sup> Street NE, ABRA- 090684 (Case #14-PRO-00081), and Reuben Baris, Aaron Morrison, Kathleen Morrison, Sharyn Danch, Denali Boon, and Andrea Lee (Protestants), collectively the "parties".

Whereas, Licensee's license renewal application is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and

Whereas, the parties are desirous of entering into a Settlement Agreement pursuant to D.C. Official Code §25-446 for the operation and maintenance of the establishment in such a manner as to promote the peace, order and quiet of the neighborhood.

The parties, therefore, agree as follows:

a) The Licensee shall take reasonable measures to ensure that the immediate environs of the establishment, including adjacent alleys, sidewalks, or other public property immediately adjacent to the establishment, or other property used by the Licensee to conduct its business, are kept free of litter. Licensee further agrees to check these areas for trash at least three (3) times per day;

b) Licensee agrees to maintain footage from its inside and outside surveillance cameras for a period of at least 30 days and to work with the protestants to maintain peace, order, and quiet and to discourage criminal activity in or around the licensed premises;

c) Licensee agrees to report loitering to the DC Metropolitan Police Department (MPD) and to maintain a log of calls to MPD;

d) Licensee agrees to discourage loitering around the establishment by posting a sign indicating "No Loitering. These premises are under surveillance";

e) Licensee agrees to sell 12 oz. cans of alcoholic beverages in six-packs only;

f) Licensee agrees to ensure compliance with this agreement by requiring its employees to be familiar with its provisions;

g) Licensee agrees to install spotlights on the front of the building to discourage reckless behavior, consumption of alcohol on the premises of the licensee, and promote the safety, peace, order and quiet of the neighborhood; and

h) Protestants agree to the issuance of the renewal of the liquor license and the withdrawal of their protests upon execution of this agreement, provided that this agreement is incorporated into the Board's order renewing the license, which order is thereby conditioned upon compliance with this agreement.

Licensee:

Cheng Li Zhang Pres. JVZ LLC (Printed Name)

Cheng Li Zhang (Signature)

1/15/2015 (Date)

Protestant's Designated Representative:

REUBEN BARIS (Printed Name)

Reuben Baris (Signature)

01/20/2015 (Date)

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

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**In the Matter of :** )

William & Grace Seo )  
t/a J & K Market )

Application for a Retailer's Class )  
B License – renewal )

234 15<sup>th</sup> Street, S.E. )  
Washington, D.C. )

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Case no. 645-98022P

**Thomas Wells, Chair, on behalf of Advisory Neighborhood Commission 6B, Protestant**

**William & Grace Seo, Applicant**

**BEFORE: Roderic L. Woodson, Esquire, Chair  
Vera Abbott, Member  
Ellen Opper-Weiner, Esquire, Member  
Audrey E. Thompson, Member**

**ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT**

The matter, having been protested, came before the Board for public hearing on April 15, 1998, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. Thomas Wells, Chair, on behalf of the Advisory Neighborhood Commission 6B, filed a protest letter dated March 30, 1998.

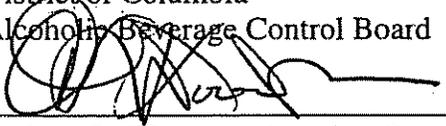
The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated July 31, 1998, the protestant has agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

William & Grace Seo  
t/a J & K Market  
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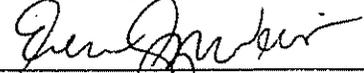
Accordingly, it is this 28<sup>th</sup> day of JUNE 2000, **ORDERED** that:

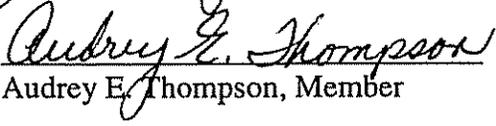
1. The opposition of Thomas Wells, Chair, on behalf of the Advisory Neighborhood Commission 6B, be, and the same hereby, is **WITHDRAWN**;
2. The application of William & Grace Seo t/a J & K Market for a retailer's class B license (renewal), located at 234 – 15<sup>th</sup> Street, S.E., Washington, D.C., be, and the same hereby, is **GRANTED**;
3. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**; and,
4. Copies of this Order shall be sent to the Protestant and the Applicant.

District of Columbia  
Alcoholic Beverage Control Board

  
Roderic L. Woodson, Esquire, Chair

  
Vera Abbott, Member

  
Ellen Opper-Weiner, Esquire, Member

  
Audrey E. Thompson, Member

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AGREEMENT

RECEIVED  
ALCOHOLIC BEVERAGE  
COMMISSION DIVISION  
Made this 3/7/98 day of July 1998, by and between William & Grace Seo, t/a J & K Market, (the Applicant), and Advisory Neighborhood Commission 6B, (the ANC).

WITNESSETH

WHEREAS, Applicant's application for a Retailers' Class "B" license for premises, 234 15th Street NE, ABC Application #645, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC Board); and,

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

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issuance of a Retailers' Class "B" Liquor License at the subject premises; and,

WHEREAS, the parties agree that the sale of single containers of beer, of 40 ounces or less, is associated with alcoholism, the illegal public consumption of alcohol, which, in turn, is associated with violence and other harmful and offensive behavior, including aggressive panhandling, and with the accumulation of destructive and publicly costly trash and litter; and,

WHEREAS, the ability of the District of Columbia government to provide essential public services is compromised by the failure of businesses and individuals to pay their financial obligations to the government in a full and timely manner; and,

WHEREAS, the strict enforcement of health, safety, and security regulations enhances compliance with such regulations, and, in turn, preserves and enhances the peace, order, and quiet of communities within the District of Columbia; and,

WHEREAS, the Applicant hereby certifies that it does not owe more than \$100 to the District of Columbia government as the result of any fine, fee, penalty interest or past due tax; or, if any amounts are owed, that arrangements satisfactory to the District of Columbia government have been made and are being performed by Applicant.

WHEREAS, Applicant declares that ending the sale of all single containers of beer of 40 or fewer ounces (which Applicant declares make up approximately \_\_\_% of the Applicant's sales of alcoholic beverages) will result in financial hardship and will negatively affect the successful operation of the Applicant's business unless other ABC establishments in the immediate vicinity similarly limit their sales of singles;

NOW, THEREFORE, the parties agree as follows:

1. Applicant will prohibit and prevent loitering and panhandling within 100 feet of the establishment by:
  - a. posting a "No Loitering/No Panhandling" sign on the outside of the establishment;
  - b. posting a sign inside requesting customers not to contribute to panhandlers;
  - c. asking loiterers to move on whenever they are observed outside the establishment;
  - d. calling the MPD to remove the loiterers if they refuse Applicant's request to move on;
  - e. keeping a written record of dates and times when the MPD is called for assistance; and
  - f. not installing an outdoor payphone outside the establishment, and by opposing the efforts of any other party to install an outdoor payphone on or adjacent to the establishment;
2. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
  - a. picking up trash, including beverage bottles and cans, daily, or more often if needed.
  - b. sweeping the outside of the establishment daily, or more often if needed.
3. Applicant will participate in an ABC Board-approved course in alcoholic beverage sales and file a certificate of successful completion with the ANC within 90 days of the date of this agreement.
4. Applicant agrees not to sell single containers of beer of 40 or fewer ounces (for consumption off the store's premises) when each and every ABC licensed establishment within 600 feet of the Applicant's establishment at 234 15th Street NE agrees to the same.
5. In consideration of, and reliance upon, the commitments reflected in paragraph 1-4, the ANC hereby withdraws its opposition to the applicant's pending license application.

6. The parties further agree that any failure of Applicant to adhere to the foregoing commitments would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5.

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

ANC 6B:

By: Williamson By: [Signature]  
Grace Sen