

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

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In the Matter of:)	
)	
S-K Market, Inc.)	
t/a Patron Convenience Store)	
)	
Application for a Retailer's Class)	Case no. 26602-02/042P
B (renewal))	2002-67
at premises)	
3235 Pennsylvania Avenue, S.E.)	
Washington, D.C. 20020)	
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Kathy Chamberlain, Secretary, on behalf of the Advisory Neighborhood Commission 7B,
Protestant

Byung Chuk Chang, President, on behalf of the Applicant

BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Charles Burger, Member
Laurie Collins, Member
Judy A. Moy, Member
Ellen Opper-Weiner, Esquire, Member
Audrey E. Thompson, Member

ORDER ON VOLUNTARY AGREEMENT AND WITHDRAWN PROTEST

The application, having been protested, came before the Board on February 20, 2002, in accordance with D.C. Official Code Section 25-601 (2000 Edition). Kathy Chamberlain, Secretary, on behalf of the Advisory Neighborhood Commission 7B, filed opposition in a timely manner.

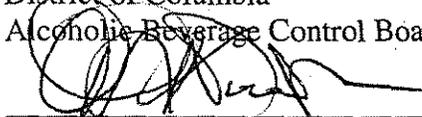
The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing and has been properly executed and filed with the Board. Pursuant to the agreement, dated February 5, 2002, the protestant has agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

S-K Patron Market, Inc.
t/a Patron Convenience Store
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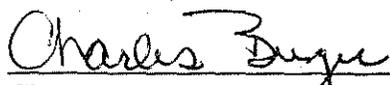
Accordingly, it is this 13th day of March 2002, **ORDERED** that:

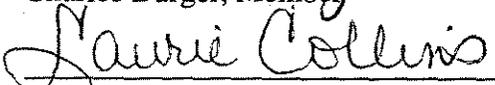
1. The opposition of Kathy Chamberlain, Secretary, on behalf of the Advisory Neighborhood Commission 7B, is **WITHDRAWN**;
2. The application of S-K Patron Market, Inc. t/a Patron Convenience Store, for a retailer's class B license (renewal) located at 3235 Pennsylvania Avenue, S.E., Washington, D.C., is **GRANTED**;
3. The above-referenced agreement between the parties, is **INCORPORATED** as part of this Order; and
4. Copies of this Order shall be sent to the Protestant and the Applicant.

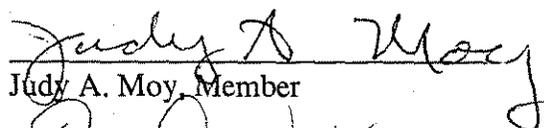
District of Columbia
Alcoholic Beverage Control Board

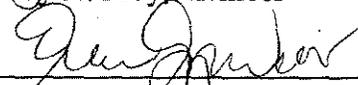

Roderic L. Woodson, Esquire, Chair


Vera Abbott, Member


Charles Burger, Member


Laurie Collins, Member


Judy A. Moy, Member


Ellen Opper-Weiner, Esquire, Member


Audrey E. Thompson, Member

NAYLOR DUPONT

Advisory Neighborhood Commission 7B



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February 6, 2002

Attn: Laura Byrd
Alcohol Beverage Regulation Administration (fax: 442-9563)
Department of Consumer and Regulatory Affairs
941 North Capitol Street, N.W., Suite 7200
Washington, D.C. 20002

Subject: **Voluntary Agreements – Renewal of Class B Licenses:**
App. 26602: Patron's Convenience Store, 3235 Penn. Ave, S.E.
App. 32231: Lee's Mini Market, 3853 Alabama. Ave, S.E.
App. 25050: People's Market, 2518 Penn. Ave., S.E.

On Tuesday, February 5th, 2002, ANC 7B Commissioners Grant, Smith, Davis, and Chamberlain met with owners of the above three businesses, and all three businesses signed the enclosed voluntary agreements which address most of the concerns voiced by residents.

For the record, the agreements do not address one of the biggest concerns, the sale of single beers by these establishments. The establishments would not agree to ban these sales, given that many of their competitors could continue to sell singles, and they would lose business. Therefore ANC 7B continues to strongly support a city-wide ban on single beers.

Assuming these agreements become part of the official ABRA record and are legally binding, ANC 7B withdraws its opposition to the renewal of Class B licenses for these establishments.

Therefore, pursuant to a phone conversation between you and ANC 7B office manager Marjorie Ashby, ANC 7B will not be represented at hearings scheduled for February 20, 2002.

Sincerely,

Kathy Chamberlain, Secretary, ANC 7B
Commissioner, 7B05
Home: 202-581-8272
Work: 301-457-1590

Attachments: 3 voluntary agreements

AGREEMENT

Made this __5th day of February, 2002, by and between S-K Patron Market, Inc., t/a Patron Convenience Store (the applicant), and Advisory Neighborhood Commission 7B, (the ANC).

WITNESSETH

WHEREAS, Applicant's application for a Retailers' Class "B" license for premises, 3235 Pennsylvania Avenue, S.E., Washington, DC 20020, ABC Application #26602, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

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

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

NOW, THEREFORE, the parties agree as follows:

1. Applicant will prohibit and prevent loitering, and panhandling within 100 feet of the establishment by:
 - A. Maintaining a "No Loitering, No Loud Music, No Pandhandling" sign on the outside of the establishment; and,
 - B. Posting a sign inside the establishment requesting customers not to contribute to panhandlers; and,
 - C. Asking loiterers to move on whenever they are observed outside the establishment; and,
 - D. Calling the MPD to remove the loiterers whenever they are observed outside the establishment; and
 - E. Applicant will not sell alcohol products prior to 9:30am and after 10pm; and
 - F. Applicant will have no pricing signage for alcohol products in the front windows; and,
2. Applicant agrees to participate in an ABC Board-approved course in alcoholic beverage sales management.

3. Applicant will keep windows free of papers so that the Metropolitan Police Department can see clearly into the establishment for security purposes.

4. 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, on a daily basis, or more often if needed.

B. Sweeping the outside of the establishment on a daily basis, or more often if needed.

5. Applicant will keep isles in the establishment opened at all times.

6. Applicant will not sell single "blunts," tobacco rolling papers, and bags used for drugs.

7. In consideration of, and reliance upon the voluntary commitments reflected in the above paragraphs, the ANC 7B will not oppose the applicant's pending license application.

8. The parties further agree that any failure of Applicant to adhere to the foregoing voluntary commitment would constitute grounds for the ANC 7B to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5.

9. The parties further agree, that in the event of a sale of establishment during this license period, that the owner will convey this agreement to the new owner.

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

APPLICANT:

By: [Signature]
Owner
S-K Patron Market
Application #26602
Patron Convenience Store

ANC 7B:

By: [Signature]
Roscoe Grant, Jr.
Chairperson, ANC 7B

By: [Signature]
Kathy Chamberlain
Secretary, ANC 7B