THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:	)	
	)	
Just Around the Corner, LLC	)	
t/a Marvelous Market	)	
	)	
Applicant for a New	)	License No. ABRA-088503
Retailer's Class DR License	)	Order No. 2012-303
	)	
at premises	)	
301 7th Street, S.E.	)	
Washington, D.C. 20003	)	
	)	

Just Around the Corner, LLC, t/a Marvelous Market (Applicant)

Jared Critchfield, Chairperson, Advisory Neighborhood Commission (ANC) 6B

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

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Beverage Control Board (Board) reflect that Just Around the Corner, LLC, t/a Marvelous Market, Applicant for a new Retailer's Class DR license, located at 301 7th Street, S.E., Washington, D.C., and ANC 6B have entered into a Voluntary Agreement (Agreement), dated February 14, 2012, 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 Chairperson Jared Critchfield, on behalf of ANC 6B, are signatories to the Agreement.

Accordingly, it is this 11th day of July, 2012, **ORDERED** that:

1. 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; except for the following modification:

   Section 4 (Sidewalk Café) – This section shall be modified to read as follows: "Applicant will provide a sidewalk café with seating for no more than 38 patrons. The sidewalk café must maintain proper spacing (10 from the curb and 6 feet from the treebox) to allow for adequate pedestrian passage on the sidewalk. The sidewalk café will close at 8:00 p.m. weekdays and 7:00 p.m. on weekends."

   The parties have agreed to this modification.

2. Copies of this Order shall be sent to the Applicant and ANC 6B.

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

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 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

ANC 6B
Capitol Hill / Southeast

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION

2012 FEB 22 P 1:07

REC'D BY _____

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

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Andrew *Jared Critchfield*

Vice Chairperson
Ivan Frishberg

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SMD 9 *Brian Flahaven*
SMD 10 *Francis Campbell*
SMD 11 *Vacant*

February 16, 2012

Ruthanne Miller, Chair
Alcoholic Beverage Control Board
C/o Martha Jenkins
2000 14th Street, NW, Suite 400S
Washington, DC 20009

RE: Marvelous Market
License # ABRA-75434
New License

Dear Ms. Miller:

At a regularly called and properly noticed (via postings at Southeast Library, Eastern Market, ANC 6B website, and ANC 6B's constituents emailing list) meeting on February 14, 2012, with a quorum present (6 being a quorum), ANC 6B voted (9-0) to support the above referenced application for Marvelous Market, located at 301-303 7th Street, SE, new Retailer Class D liquor license (ABRA-088503).

Please find enclosed the Voluntary Agreement that has been executed by Marvelous Market and ANC 6B for your review and approval.

If you need further information, please do not hesitate to contact me.

Sincerely,

Andrew Jared Critchfield
Chair, ANC 6B

Enclosure: Executed Voluntary Agreement

VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT is made on this 14th day of February, 2012 by and between Just Around the Corner, LLC t/a Marvelous Market, Applicant, and Advisory Neighborhood Commission 6B.

W I T N E S S E T H

WHEREAS, Applicant holds a class B Liquor License ABRA-75434 for off premises sales at the location 301-307 7th Street SE, and has applied for a new class D restaurant license, ABRA-088503, for on premises sales, which 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 an agreement governing certain understandings regarding the issuance of a Retailers' Class B full service grocer Liquor License and a Class D Restaurant license at the subject premises; and,

WHEREAS, the Parties are desirous of entering into a Voluntary 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. Both parties recognize the importance of business neighborhoods that are safe, clean, and "pedestrian friendly".

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 and a class D restaurant license at the listed address. There will be no single container of beer under 20 ounces for off premises consumption, however, single containers of beer under 20 ounces can be sold for consumption at the location (on premises sales).

3. ***Hours of Operation and Sales.*** The Applicant's hours of operation shall be as follows:

   Sunday – Saturday 7:00 a.m. – 10:00 p.m.

   Sales, Service and Consumption:
   Sunday – Saturday 9:00 a.m. – 10:00 p.m.

Sidewalk Café:

Sunday	9:00 a.m. – 7:00 p.m.
Monday - Saturday	9:00 a.m. – 8:00 p.m.

4. ***Sidewalk Café.*** Applicant will provide a sidewalk café with seating for no more than ~~12~~ 38 patrons. Applicant agrees that it shall not seek to expand the capacity of the sidewalk café without amendment of this Agreement. The sidewalk café must maintain proper spacing (10 from the curb and 6 feet from the treebox) to allow for adequate pedestrian passage on the sidewalk. The sidewalk café will close at 8:00 p.m. weekdays and 7:00 p.m. on weekends.

5. ***Noise and Privacy.*** Applicant will strictly comply with D.C. Official Code § 25-725 and to that end shall make architectural improvements to the property and take all necessary actions to ensure that noise and vibration from the Establishment are not audible outside the establishment at any time. Applicant will not operate the premises as a nightclub, dance venue, or similar venue.

6. ***Public Space and Trash.*** Applicant shall keep the sidewalk (up to and including the curb), tree box(es), curb, and alley clean and free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall police these areas sufficiently to assure that refuse and other materials are promptly removed. Applicant shall ensure that the area around the dumpster is kept clean at all times and the dumpster is placed such that it does not encroach on the abutting property owners and that no garbage is placed on the abutting property. Commercial trash pick up in residential areas will only take place between 7 a.m.-9 p.m.

7. ***Rats and Vermin Control.*** The Applicant shall provide rat and vermin control for its property. Applicant shall provide proof of its rat and vermin control contract upon the request of the Board. Applicant shall have the Establishment and the area around the Premises properly cleaned at the end of each night to ensure no garbage and odors are present the following morning.

8. ***Security Cooperation in Stemming Illegal Drugs and Public Drinking.*** Applicant agrees that it shall take all necessary steps to minimize such problems, including, without limitation, designating a sufficient number of employees to assure adequate security and to control unruly patrons, whether inside or in the immediate outside area; monitoring for and prohibiting sales or use of illegal drugs within or about the Premises, maintaining contact and cooperating with MPD and other enforcement officials when known or suspected drug activities occur.

Applicant shall, to the full extent permissible by law, discourage loitering in the vicinity of the Premises. This will include providing an appropriate number of security officers, at all times when the Establishment is open to the public, who shall be responsible for ensuring that any individuals who are simply loitering are asked to move along.

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

Applicant: Just Around the Corner, LLC
Marvelous Market
301-307 7th Street SE
Washington, DC 20003
Seth Shapiro, Managing Partner
240-418-2947

_____(Signature)

ANC: Advisory Neighborhood Commission
921 Pennsylvania Ave SE
Washington, DC 20003
Andrew Jared Critchfield, Chairperson
202-543-3344
Fax 202-543-3507

_____(Signature)