

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

In the Matter of:)

Hi Il Lee & Jung Ae Lee)
t/a Seaton Market)

Application for a Retailer's Class)
B License (renewal))
at premises)
1822 North Capitol Street, N.W.)
Washington, D.C. 20002)

Case no. 9390-02/012P

2002-35

James D. Berry, Jr., Chairperson, on behalf of the Advisory Neighborhood Commission
5C, Protestant

Hi Il Lee and Jung Ae Lee, Applicant

BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Charles Burger, Member
Laurie Collins, Member
Judy 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ORDER ON VOLUNTARY AGREEMENT AND WITHDRAWN PROTEST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 January 30, 2002, in accordance with D.C. Official Code Section 25-601 (2000 Edition). James D. Berry, Jr., Chairperson on behalf of the Advisory Neighborhood Commission 5C, 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 January 25, 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.

Hi Il Lee & Jung Ae Lee
t/a Seaton Market
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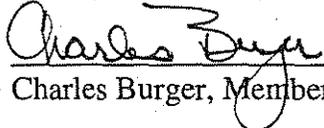
Accordingly, it is this 27th day of February 2002, **ORDERED** that:

1. The opposition of James D. Berry, Jr., Chairperson, on behalf of the Advisory Neighborhood Commission 5C, is **WITHDRAWN**;
2. The application of Hi Il Lee and Jung Ae Lee t/a Seaton Market for a retailer's class B license (new) located at 1822 North Capitol Street, N.W., 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

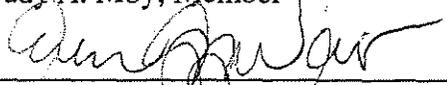

Roderic L. Woodson, Esquire, Chair

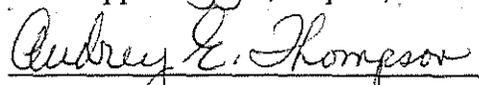

Vera Abbott, Member


Charles Burger, Member

Laurie Collins, Member

Judy A. Moy, Member


Ellen Opper-Weiner, Esquire, Member


Audrey E. Thompson, Member

COOPERATIVE AGREEMENT BETWEEN SEATON MARKET AND ANC 5C

ABRA
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WHEREAS Hill Lee and Jung Ae Lee ("Licensee") have applied to renew an Alcoholic Beverage Control (ABC) Retail Class B license for the business trading as the Seaton Market, located at 1822 N. Capitol Street, NW, Washington, DC 20001; and

WHEREAS licensee and ANC 5C have discussed the concerns of the neighborhood and have reached an understanding relating to the operation of the licensee and cooperation between the licensee and ANC 5C.

NOW, THEREFORE, in consideration of the agreements by licensee set forth herein, ANC 5C agrees to refrain from filing a protest to the renewal of the license and licensee agrees to comply fully with the terms of this cooperative agreement. Licensee agrees:

- A. To comply with all laws and regulations governing the operation of the establishment at 1822 N. Capitol Street, NW, in Washington, D.C., including the laws and regulations governing the Class B (retail) license to which this cooperative agreement applies, as applied for and approved by the District of Columbia in the name of the licensee.
- B. That the licensee and its officers and employees will cooperate with the Advisory Neighborhood Commission 5C ("ANC") to address any alleged violation of the laws and regulations referred to in Paragraph A above, and in any request that the appropriate enforcement agency investigate an alleged violation.
- C. That licensee will not sell or deliver alcohol after ABC regulated hours.
- D. That licensee will keep public space surrounding the business free of debris and trash.
- E. That licensee will take reasonable measures to ensure that the immediate environs of the location are kept free of litter and debris. The "immediate environs" is defined in Section 720.2 of the ABC regulations as including "all property on which the premises are located; all property used by the licensee to conduct business, whether part of the premises or not, including parking lots and the portions of alleys, sidewalks, or other public property immediately adjacent to the premises or adjacent to the property used by the licensee to conduct business."
- F. That licensee will prohibit loitering in front of the business and take whatever actions are necessary to enforce such prohibition.
- G. That licensee will not provide "go-cups" to customers. A "go-cup is defined in Section 709.7 of the ABC regulations as a "drinking utensil provided at no charge or a nominal charge to customers for the purpose of consuming [alcoholic] beverages."
- H. That licensee will not sell or provide miniature bags of ice to customers. 7165
- I. That licensee will not sell single cigarettes or drug paraphernalia to customers.

Initials: HI CJ
J.L

- J. That licensee will not advertise alcoholic beverages on the exterior walls of the property used by the licensee to conduct business.
- K. That licensee will promptly remove or paint over any graffiti written on the exterior walls of the property used by the licensee to conduct business.
- L. That licensee will post signs in English advising its customers that the licensee will not sell to intoxicated persons.
- M. That licensee will not sell or deliver alcohol in any form to any intoxicated person, any person who appears to be intoxicated, or any person the licensee knows abuses alcohol.
- N. That licensee will not sell or deliver alcohol in any form to any person under 21 years of age.
- O. That licensee will take all precautions to avoid the sale of alcohol in any form to anyone accompanying a person who has been denied service if it appears that an attempt is being made to buy alcohol for the person who has been denied service.
- P. That licensee will assure that all employees of licensee adhere to the provisions of this agreement, particularly with respect to the sale of alcohol in any form/.

The provisions of this Cooperative Agreement shall become part of the conditions of the ABC license and shall remain in force upon renewal or transfer of the liquor license. Violations of the Cooperative Agreement by the Licensee, or the Licensee's failure to implement the measures called for in this Cooperative Agreement, shall be just cause by the ABC Board to immediately suspend or revoke the ABC license of the establishment.

AGREED:

For the Licensee:

HI IL LEE / JUNG AE LEE Date: January 25, 02
Hi Il Lee
Jung ae Lee

For the Advisory Neighborhood Commission:

[Signature] 5029
 ELEANORA JONES, COMMISSAR
[Signature]
 ANC 5C chair James D. Berry Jr.

Date: January 25, 02