

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

In the Matter of :)

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

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

Case no. 645-98022P

234 15th Street, S.E.)
Washington, D.C.)

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ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT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.

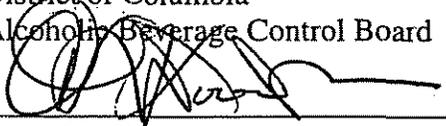
The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated July 31, 1998, the protestant has agreed to withdraw the opposition, provided however, the 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 28th 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opposition of Thomas Wells, Chair, on behalf of the Advisory Neighborhood Commission 6B, be, and the same hereby, is **WITHDRAWN**;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 – 15th 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.

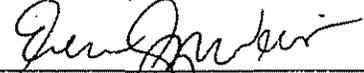
District of Columbia
Alcoholic Beverage Control Board



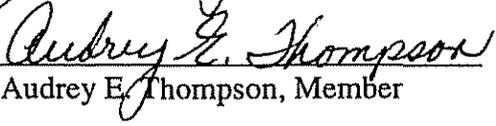
Roderic L. Woodson, Esquire, Chair



Vera Abbott, Member



Ellen Opper-Weiner, Esquire, Member



Audrey E. Thompson, Member

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AGREEMENT

RECEIVED
ALCOHOLIC BEVERAGE
CONTROL BOARD
MADRID
Made this 31st 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