

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

In the Matter of:)	
)	
Jungbyun, Incorporated)	
t/a 7th & L Street Market)	
)	
Application for Renewal of a)	Case No. 11-PRO-00058
Retailer's Class B License)	License No. ABRA-060537
)	Order No. 2012-092
at premises)	
700 L Street, S.E.)	
Washington, D.C. 20003)	
)	

Jungbyun, Incorporated, t/a 7th & L Street Market (Applicant)

Andrew Jared Critchfield, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 6B (Protestant)

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Calvin Nophlin, Member
Mike Silverstein, Member
Jeannette Mobley, Member

**ORDER ON VOLUNTARY AGREEMENT AND
WITHDRAWAL OF ANC 6B'S PROTEST**

The Application filed by Jungbyun, Incorporated, t/a 7th & L Street 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 28, 2011 and a Protest Status Hearing on January 18, 2012, in accordance with D.C. Official Code § 25-601 (2001).

The Applicant and ANC 6B have entered into a Voluntary Agreement (Agreement), dated February 14, 2012, setting forth the terms and conditions that govern the operation of the Applicant's establishment. The Agreement includes a ban on two (2) packs of beer, which begins thirty (30) days following approval by the Board.

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The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Chairperson Andrew Jared Critchfield, on behalf of ANC 6B, are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protest filed by ANC 6B of this Application.

Accordingly, it is this 7th day of March, 2012, **ORDERED** that:

1. The Application filed by Jungbyun, Incorporated, t/a 7th & L Street Market, for renewal of its Retailer's Class B License, located at 700 L Street, S.E., Washington, D.C., is **GRANTED**;
2. The Protest of ANC 6B in this matter is hereby **WITHDRAWN**;
3. The ban on two (2) packs of beer will begin thirty (30) days from date of this Order;
4. The above-referenced Voluntary Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED**, except for the following modification:

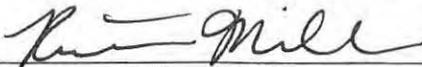
Section 3 (Signage, Noise, and Privacy) – The following sentence shall be modified to read as follows: “Applicant will make reasonable efforts to prevent loitering, rowdiness, criminal activity, and panhandling within 100 feet of the establishment...”

The parties have agreed to this modification.

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

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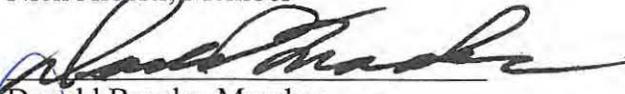
District of Columbia
Alcoholic Beverage Control Board



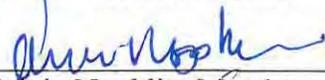
Ruthanne Miller, Chairperson



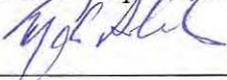
Nick Alberti, Member



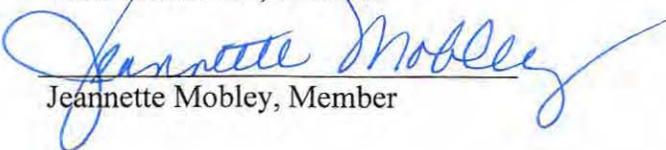
Donald Brooks, Member



Calvin Nophlin, Member



Mike Silverstein, Member



Jeannette Mobley, 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

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

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

Ruthanne Miller, Chairperson, Ward 3
ABC Board
c/o Martha Jenkins
1250 U Street, NW, 3rd Floor
Washington, DC 20009

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION

2012 FEB 22 P 1:07

February 16, 2012

REC'D BY _____

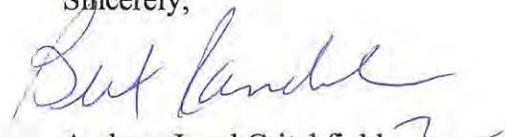
**RE: 7th & L Street Market
Application # ABRA-60537
700 L Street, SE
Rescinding Opposition to Renewal**

Dear Ms. Miller:

At a regularly called and properly noticed meeting on February 14, 2012, with a quorum present, ANC 6B voted (8-0) to resolve the protest of the 7th & L Street Market License renewal by signature on the Voluntary Agreement. To this end, enclosed is the Voluntary Agreement that has been executed by 7th & L Street Market and ANC 6B for your review and approval. Because the Voluntary Agreement includes a ban on 2 packs of beer, please include in the order that the 2 pack ban begins 30 days following approval by the Board so the applicant has time to deplete her stock.

Please contact our ABC Chair, Commissioner Carol Green, should you have any questions regarding this matter.

Sincerely,



Andrew Jared Critchfield
Chair

Enclosure: Voluntary Agreement

VOLUNTARY AGREEMENT

This Agreement made February 14, 2012, by and between L Street Market, Inc. and Eun Sun Choe as its sole stockholder, jointly and severally, t/a 7th & L Street Market (collectively as "Applicant") and Advisory Neighborhood Commission 6B.

WITNESSETH

WHEREAS, renewal of Applicant's Retailers Class "B" license, ABRA-060537, for premises at 700 L Street SE, Washington, DC 20003 is now pending before the District of Columbia Alcoholic Beverage Control 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 Retailers' Class "B" license, at the subject premises;

WHEREAS, ANC 6B is protesting the renewal of the license;

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 under the following provisions:
 - A. The Applicant will comply with all laws and regulations governing the operations of the establishment at 700 L Street SE,.
 - B. The Applicant will not divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the container is less than 70 ounces.
 - C. The Applicant will not sell, give, offer, expose for sale, or deliver an individual container or two pack of beer, malt liquor, or ale if the containers are less than 70 ounces.
 - D. The Applicant will not allow the illegal public consumption of alcohol in or around the immediate area.
 - E. The Applicant will not sell or provide cups or single servings of ice.
 - F. The Applicant will not sell alcohol before or after the following hours:

Sunday 9:00 am – 7:00 pm
Monday through Saturday 9:00 am – 8:00 pm

Hours of operation are:
Sunday 8:00 am – 7:00 pm
Monday – Saturday 7:30 am – 8:00 pm

G. The Applicant agrees to post this agreement alongside the ABC license.

3. *Signage, Noise and Privacy.*

Applicant will prohibit and prevent loitering, rowdiness, criminal activity and panhandling within 100 feet of the establishment by:

- A. Maintaining a “No Loitering/Panhandling” sign on the outside of the establishment, and
- B. Posting a notice, kept in good repair and visible from point of entry, a sign which states:
 - a. The minimum age requirement for purchase of alcohol,
 - b. The obligation of the patron to produce a valid identification document in order to purchase alcohol.
- C. Requesting loiterers to move on when they are observed outside the establishment.
- D. Calling the Metropolitan Police Department (MPD) to remove loiterers if they refuse Applicant’s request to move on or if illegal activity is observed.
- E. Keeping a written record of dates and times when MPD is called for assistance.
- F. Applicant will ensure timely disposal of trash that is the least disruptive to the neighbors and ensure that commercial trash pick up will only take place between 7:00 am and 7:00 pm.

4. *Public Space Cleanliness and Maintenance.*

Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:

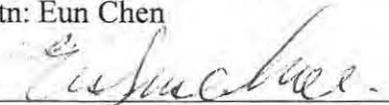
- A. Exercising due diligence to prevent and or/rid vermin infestation in and around the establishment,
- B. Picking up trash, including beverage bottle and cans, and all trash as needed, but once a day at a minimum,
- C. Removing snow and ice from sidewalks fronting the premises, within the time limits set by the District of Columbia for removal, and
- D. Planting, watering, and generally tending to tree boxes directly in front of the subject premises.

By signature below, the Parties agree to the terms of this agreement and settlement of the Protest.

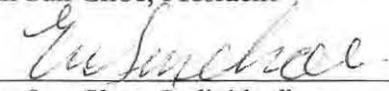
IN WITNESS WHEREOF, the Parties have affixed hereunto their signatures.

Applicant:

L Street Market, Inc.
Eun Sun Choe
t/a 7th and L Street Market
700 L Street SE
Washington, DC 20003
Attn: Eun Chen



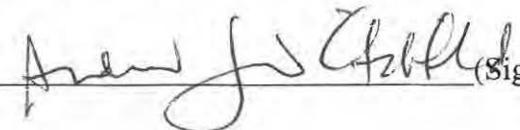
Eun Sun Choe, President



Eun Sun Choe, Individually

ANC:

Advisory Neighborhood Commission
703 D Street, SE
Washington, DC 20003
Andrew Jared Critchfield, Chairperson
(202) 543-3344



(Signature)