

**BEFORE THE  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE ACCUSATION AGAINST:

Kum Man Jhae  
Kun Chin Jhae  
Super Liquor  
125 E Orange Grove Blvd.  
Pasadena, CA 91103

OFF-SALE GENERAL LICENSE

FILE : 21 - 393118

REG. : 09070704

**DECISION**

Page 2 of 2

Respondent(s)/Licensee(s)  
under the Alcoholic Beverage Control Act.

3. Beer, malt beverages, and wine coolers in containers of 12 oz or less cannot be sold by single containers, but must be sold in manufacturers pre-packaged multi-unit quantities.
4. The licensee is prohibited from packing merchandise in anything other than clear plastic bags.
5. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on ABC-257 and ABC-253 dated (Pursuant to Condition a)
6. Loitering is prohibited on or around these premises or this area under the control of the licensee(s) as depicted on ABC-257 dated (Pursuant to Condition a).

**CERTIFICATE OF DECISION**

It is hereby certified that on March 13, 2009 the Department of Alcoholic Beverage Control adopted the foregoing as its decision in the proceeding therein described effective immediately.

Sacramento, California

Dated: March 13, 2009

By Helen McConville  
Supervisor, Hearing & Legal

**Attachment "B"**

ABC-131 (9-04)

**Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "1"**

<b>Owner Name</b>	<b>Parcel Number / Property Tax ID</b>	<b>Site Address</b>	<b>Mail Address</b>
JHAE,KUN C & KUM M	5725-010-041	125 E ORANGE GROVE BLVD PASADENA, CA 91103-3422	125 E ORANGE GROVE BLVD PASADENA, CA 91103-3422

**Property Profile  
Ownership Information**

<b>Primary Owner</b>	JHAE,KUN C & KUM M
<b>Secondary Owner</b>	
<b>Ownership Description</b>	
<b>Site Address</b>	125 E ORANGE GROVE BLVD
<b>Site City, St Zip</b>	PASADENA, CA 91103-3422
<b>Mail Address</b>	125 E ORANGE GROVE BLVD
<b>Mail City, St Zip</b>	PASADENA, CA 91103-3422
<b>Telephone</b>	
<b>Census Tract</b>	4620.00
<b>Legal Description</b>	L H MICHENER'S SUB OF THE N 38.86 ACS OF BLK U PAINTER AND BALL'S ADD TO PASADENA LOT COM AT NE COR OF LOT 64 TH W ON N LINE OF SD LOT 165.95 FT TH S 16.33 FT TH E 31 FT TH S 56.67 FT TH
<b>Lot/Block</b>	64/U
<b>Housing Tract / Subdivision Name</b>	MICHENERS L H

**Property Details**

<b>Use Description</b>	STORES, RETAIL OUTLET	
<b>State</b>	CALIFORNIA	<b>County/Municipality</b> LOS ANGELES
<b>RTSQ</b>		<b>Total Rooms</b>
<b>Zoning</b>	PSC*	<b>Bedrooms</b>
<b>Number Of Units</b>		<b>Bathrooms</b>
<b>Year Built/Effect Yr Built</b>	1954 / 1956	<b>Basement Square Feet</b>
<b># Of Stories</b>		<b>Basement Description(s)</b>
<b>Lot Size</b>	1,692,741 SQFT / 38.8600 Acres	<b>View</b>
<b>Usable Lot Size</b>	10,337 SQFT / 0.2373 Acres	<b>Pool</b>
<b>Lot Depth</b>		<b>FirePlace</b>
<b>Lot Width</b>		<b>HT/AC</b>
<b>Square Feet</b>	2,634	<b>Cooling Detail</b>
<b>Square Ft 1st Flr</b>		<b>Heating Detail</b>
<b>Square Ft 2nd Flr</b>		<b>Roof Type</b>
<b>Square Ft 3rd Flr</b>		<b>Construction Quality</b>
<b>Additions - Square Feet</b>		<b>Construction Type</b>
<b>Parking</b>		<b>Exterior</b>
<b>Parking Square Feet</b>		<b>Foundation</b>
<b>New Page Grid</b>	565 -H3	<b>Building Shape</b>
<b>Map Page Grid</b>		

**Tax Information**

<b>Assessor's Parcel Number / Tax ID</b>	5725-010-041	<b>Assessor's Market Value</b>	\$0
<b>Alt Assessor's Parcel Number</b>		<b>Exemption</b>	
<b>Assessed Total</b>	\$529,263	<b>Tax Amount</b>	\$6,457.34
<b>Land Total</b>	\$385,939	<b>Tax Status</b>	Current
<b>Improvement</b>	\$143,324	<b>Year Delinquent</b>	
<b>Percent Improvement</b>	27%	<b>Tax Rate Area</b>	7695

**Sale Information**

<b>Last Sales Date</b>	January 3, 2003	<b>1st Loan Amount</b>	\$670,000
<b>Document Number</b>	0000014630	<b>First Loan Type</b>	Conventional
<b>Sale Value</b>	\$480,000 (Full)	<b>2nd Loan Amount</b>	
<b>Last Transaction W/O \$</b>		<b>Cost / Square feet</b>	\$182
<b>Last Transaction W/O \$ Doc</b>			
<b>Title Company</b>	CHICAGO TITLE		

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This information is compiled from public documents and is not guaranteed.

**Attachment "C"**

**SEE EXHIBIT A**

Page 1  
Order No. 26062868

**DESCRIPTION**

3

**PARCEL 1:**

THE EAST 100 FEET OF THE SOUTH 65 FEET OF LOT 64 OF L. H. MICHENER'S SUBDIVISION OF THE NORTH 38.86 ACRES OF BLOCK "U" OF PAINTERS AND BALL'S ADDITION TO PASADENA, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14 PAGE 77, MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**PARCEL 2:**

THE NORTH 20 FEET OF THE EAST 166 FEET OF LOT 64 OF L. H. MICHENER'S SUBDIVISION OF THE NORTH 38.86 ACRES OF BLOCK "U" OF PAINTER AND BALL'S ADDITION TO PASADENA, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14 PAGE 77, MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE PORTION THEREOF LYING WITHIN THE NORTH 3.67 FEET OF THE SOUTH 68.67 FEET OF THE WEST 31 FEET OF THE EAST 166 FEET OF SAID LOT 64.

**PARCEL 3:**

THE WEST 35 FEET OF THE EAST 135 FEET OF THE SOUTH 65 FEET OF LOT 64 OF L. H. MICHENER'S SUBDIVISION OF THE NORTH 38.86 ACRES OF BLOCK "U" OF PAINTER AND BALL'S ADDITION TO PASADENA, IN THE CITY OF PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 14 PAGE 77, MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

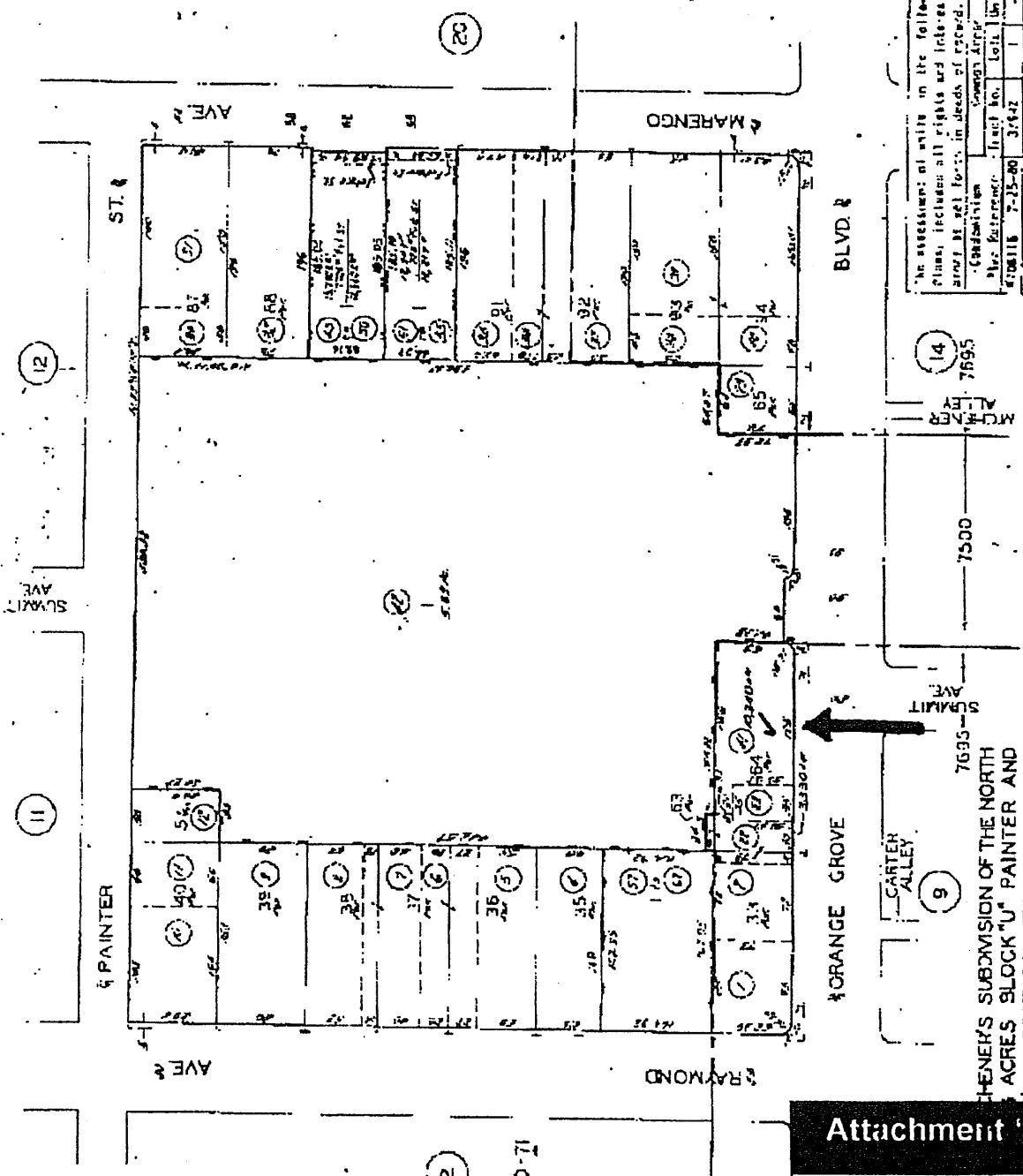
EXCEPT THE NORTHERLY 8 FEET OF THE SOUTHERLY 12 FEET OF SAID LAND AS CONVEYED TO THE CITY OF PASADENA FOR STREET PURPOSES.

03 0014630

Attachment "D"

Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "1"

20050002  
 20050004  
 20050006  
 20050008  
 20050010  
 20050012  
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 20050100



No assessment of value in the following Condemnible Plans, including all rights and interests in the common area, shall be set in books of record.

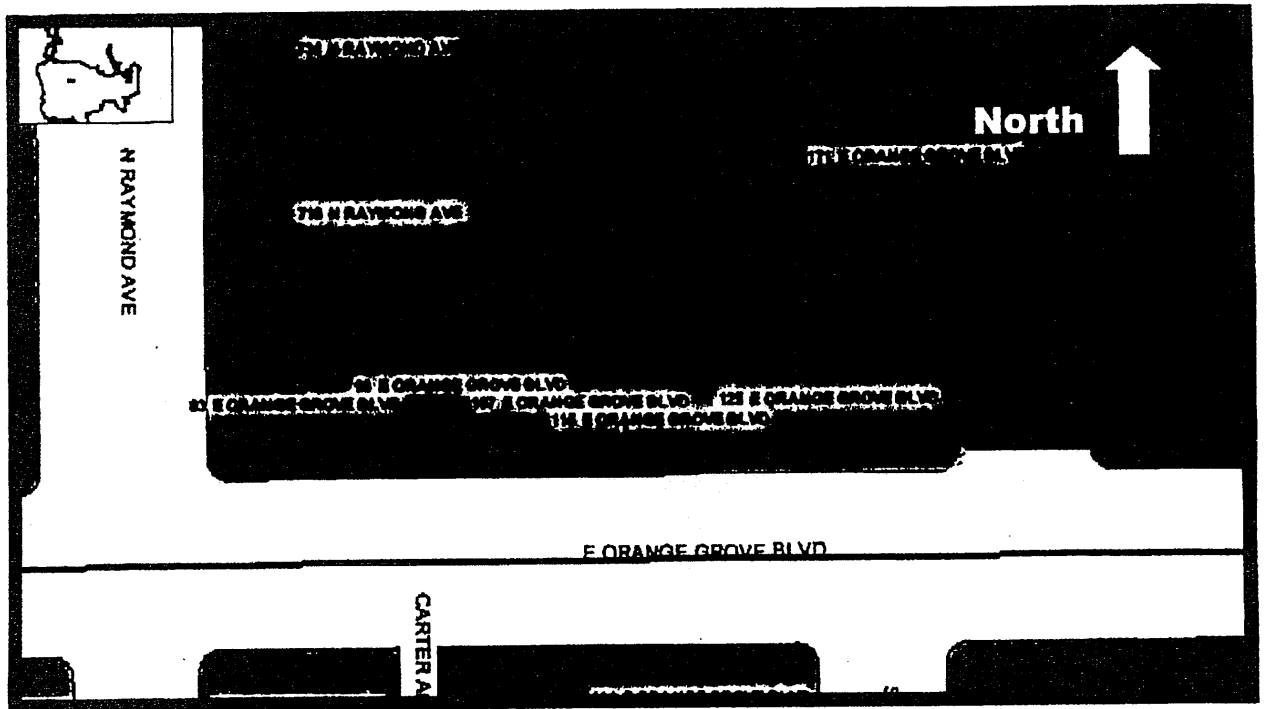
Condemnible Plan No.	Lot	Units	Division of Assessors
4708118	7-25-00	3742	Sheet 2
41135528	11-15-05	3323	Sheet 2
41022876	19-16-01	1000	Sheet 3

CONDOMINIUM  
 TRACT NO. 37042  
 CONDOMINIUM

M.B. 950-87-98

THE NETHER SUBDIVISION OF THE NORTH  
 3 ACRES BLOCK "U" PAINTER AND  
 S ADDITION TO PASADENA  
 M.R. 14-77  
 MAP  
 F.M. 43-18

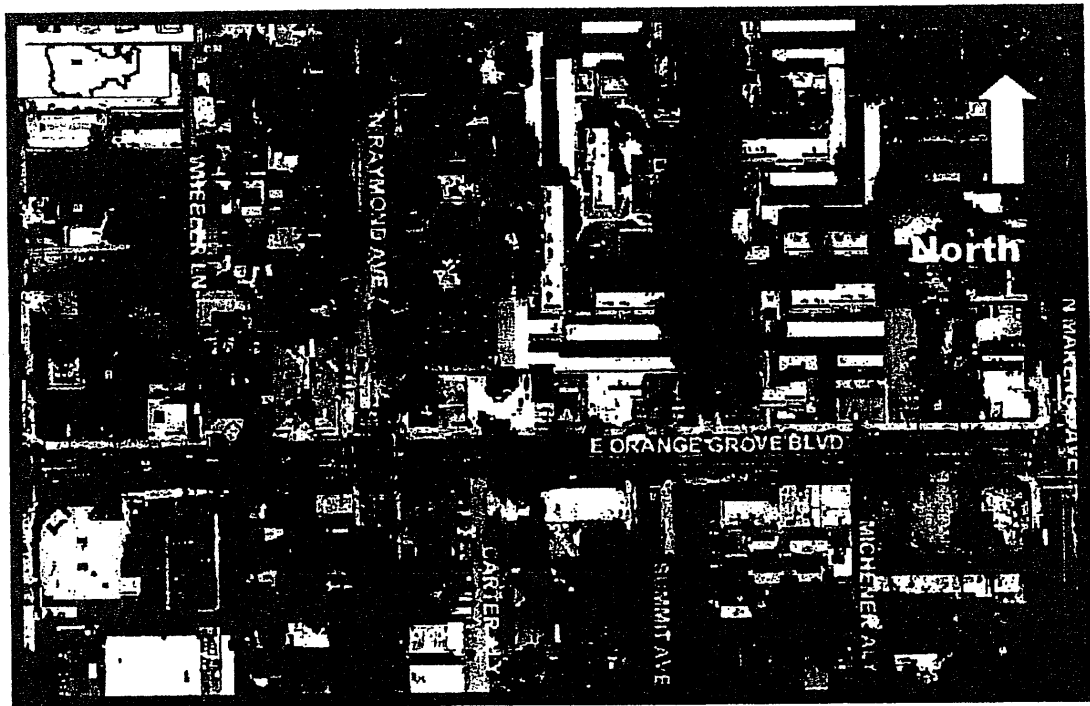
Attachment "1"



Area Map  
Super Liquor  
125 E. Orange Grove Boulevard

Attachment "F"

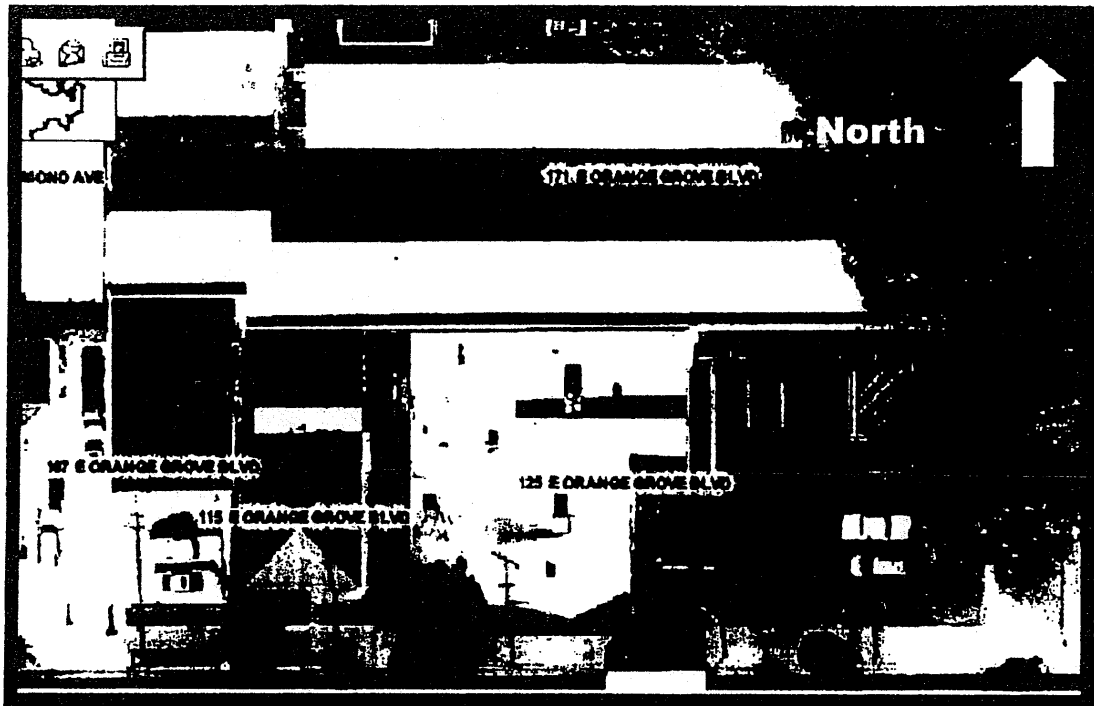
Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "1"



Aerial Photograph - Neighborhood  
Super Liquor  
125 E. Orange Grove Boulevard

Attachment "G"

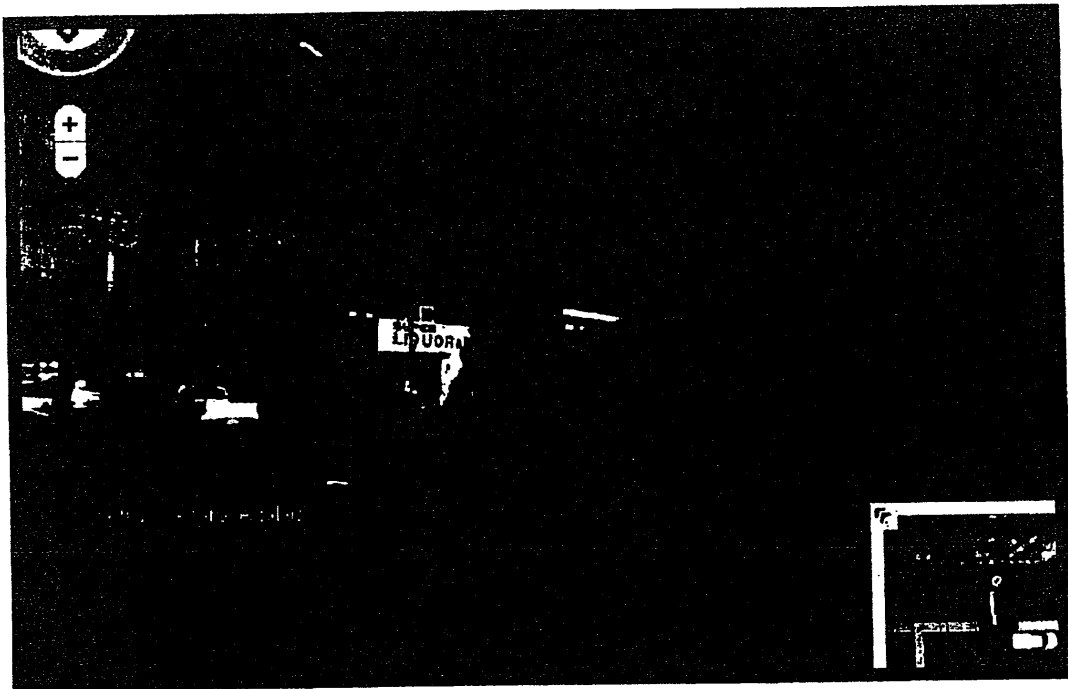
Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "1"



Aerial Photograph  
Super Liquor  
125 E. Orange Grove Boulevard

Attachment "H"

Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "1"

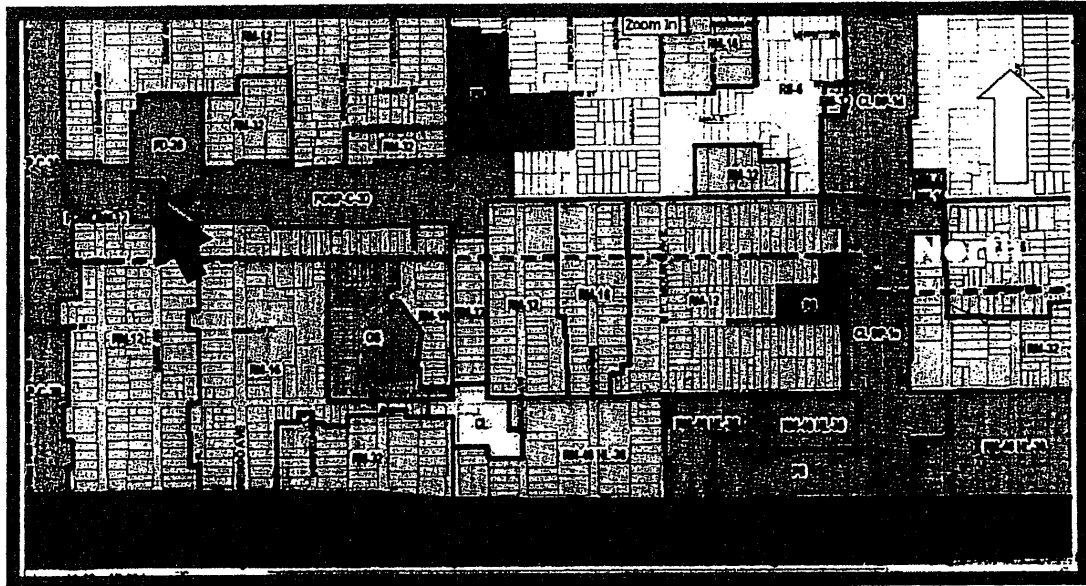


Street View Photograph  
Super Liquor  
125 E. Orange Grove Boulevard

Attachment "1"

Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "1"





Zoning Map - Neighborhood  
Super Liquor  
125 E. Orange Grove Boulevard

Attachment "J"

Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "1"



**California Department of Alcoholic  
Beverage Control  
License Query System Summary  
as of 4/14/2009**

<b>License Information</b>	
<b>License Number:</b> 393118	<b>Status:</b> ACTIVE
<b>Primary Owner:</b> JHAE KUM MAN	
<b>ABC Office of Application:</b> MONROVIA	
<b>Business Name</b>	
<b>Doing Business As:</b> SUPER LIQUOR	
<b>Business Address</b>	
<b>Address:</b> 125 E ORANGE GROVE BLVD <b>Census Tract:</b> 4620.	
<b>City:</b> PASADENA <b>County:</b> LOS ANGELES	
<b>State:</b> CA <b>Zip Code:</b> 91103	
<b>Licensee Information</b>	
<b>Licensee:</b> JHAE KUM MAN	
<b>Licensee:</b> JHAE KUN CHIN	
<b>License Types</b>	
<b>1) License Type:</b> 21 - OFF-SALE GENERAL	
<b>License Type Status:</b> ACTIVE	
<b>Status Date:</b> 12-DEC-2002	<b>Term:</b> Month(s)
<b>Original Issue Date:</b> 12-DEC-2002	<b>Expiration Date:</b> 30-NOV-2009
<b>Master:</b> Y	<b>Duplicate:</b> 0 <b>Fee Code:</b> NA
<b>Condition:</b> OPERATING RESTRICTIONS	
<b>License Type was Transferred On:</b>	<b>From:</b> 278655
<b>Current Disciplinary Action</b>	
... No Active Disciplinary Action found ...	
<b>Disciplinary History</b>	
<b>Reg. Number:</b> 09070704	
<b>1) Section Violated:</b> 24200(a&b)	
<b>2) Section Violated:</b> 25601	
<b>3) Section Violated:</b> 24200(e)	
<b>4) Section Violated:</b> 24200.5(a)	
<b>Proceeding Status:</b> COMPLETE <b>Decision:</b> REV. STAYED	
<b>Suspension Days:</b> 15 <b>Stayed Days:</b> 730 <b>POIC/Fine:</b>	
<b>Suspension Start Date:</b> 17-MAR-2009 <b>Suspension End Date:</b> 01-APR-2009	
<b>Hold Information</b>	
... No Active Holds found ...	
<b>Escrow</b>	
... No Escrow found ...	

**Attachment "K"**

RECORDED AT THE REQUEST OF  
CHICAGO TITLE COMPANY

RECORDING REQUESTED BY:

03 0014630

2

AND WHEN RECORDED MAIL TO:

KUN CHIN JHAE and KUM MAN JHAE  
125 E. ORANGE GROVE  
PASADENA, CA 91103

THIS SPACE FOR RECORDER'S USE ONLY:

ESCROW NO. 30214-EK

TITLE ORDER NO. 25062868

**INDIVIDUAL GRANT DEED**

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

**DOCUMENTARY TRANSFER TAX is \$ 628.00 L.A. County**

computed on full value of property conveyed, or

computed on full value less value of liens or encumbrances remaining at time of sale.

Unincorporated area  City of PASADENA, AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**HEE CHEOL EUN and SONG YE EUN, Husband and Wife**

hereby GRANT(s) to:

**KUN CHIN JHAE and KUM MAN JHAE, Husband and Wife as Joint Tenants**

the real property in the city of PASADENA, County of Los Angeles, State of California, described as:  
Exhibit "A" attached hereto and made a part hereof.

ALSO KNOWN AS: 125 E. ORANGE GROVE, PASADENA, CA 91103  
A.P. # 5725-010-041

DATED December 27, 2002

STATE OF CALIFORNIA

COUNTY OF Los Angeles

On January 4, 2002  
before me, Eunice H. Ko  
a Notary Public in and for said State, personally appeared  
Hee Cheol Eun and  
Song Ye Eun

Hee Cheol Eun  
HEE CHEOL EUN

Song Ye Eun  
SONG YE EUN

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.

Signature [Signature]



(This area for official notarial seal)

Mail tax statements to: KUN CHIN JHAE and KUM MAN JHAE, 125 E. ORANGE GROVE, PASADENA, CA 91103

Attachment "L"

Code Enforcement Commission  
125 E. Orange Grove Boulevard - Super Liquor  
Attachment "1"

**ATTACHMENT "3"**  
**CITY OF PASADENA MUNICIPAL CODE**  
**CHAPTER 8.18**  
**"DEEMED APPROVED ORDINANCE"**

Chapter 8.18 DEEMED APPROVED ALCOHOLIC BEVERAGE RETAIL SALE  
ORDINANCE

Sections:

8.18.010 Title.

8.18.020 Purposes of this ordinance.

8.18.030 Definitions.

8.18.040 Applicability.

8.18.050 Automatic deemed approved status.

8.18.060 Performance standards.

8.18.070 Notification to owners.

8.18.080 Performance standards compliance.

8.18.090 Procedures for referral to the code enforcement commission.

8.18.100 Hearing procedures.

8.18.110 Fee schedule.

8.18.120 Recovery of cost.

8.18.130 Authority to enter and inspect deemed approved activity.

8.18.010 Title.

The provisions of this chapter shall be known as the "Deemed Approved Alcoholic Beverage Retail Sale Ordinance."

(Ord. 7001 § 2 (part), 2005)

8.18.020 Purposes of this ordinance.

The city recognizes that the health, safety, comfort, convenience, prosperity, and general welfare of persons visiting, residing, working or conducting business in the city may be adversely impacted by alcoholic beverage retail sale establishments which are non conforming because they do not have a conditional use permit for alcohol sales. The purpose of the ordinance codified in this chapter is to set forth regulations and enforcement procedures that:

- A. Address community problems associated with the sale and/or consumption of alcoholic beverages, such as litter, loitering, graffiti, unruly behavior, and escalated noise levels;
- B. Provide opportunities for alcoholic beverage retail sales to be conducted in a mutually beneficial relationship to each other and to other commercial and civic services;
- C. Ensure that there is no degradation of the deemed approved activities;
- D. Prevent such prohibited activities and activities contrary to deemed approved activities from becoming public nuisances; and
- E. Ensure such adverse impacts are monitored, mitigated and/or controlled such that they do not negatively contribute to the change in character of the areas in which they are located.

(Ord. 7001 § 2 (part), 2005)

8.18.030 Definitions.

- A. Alcoholic Beverage. Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, which contains one-half of one

percent or more of alcohol by volume and which is prepared for consumption either alone or when diluted, mixed, or combined with other substances, and sales of which require a State Department of Alcoholic Beverage Control license.

B. Alcoholic Beverage Retail Sales. The retail sale of alcoholic beverages for off-premise consumption.

C. Condition of Approval. A requirement that must be met in order for a deemed approved activity to retain its deemed approved status.

D. Deemed Approved Activity. Any alcohol sales--beer and wine, alcohol sales--full alcohol sales; convenience store; drive-through business; food sales; and liquor stores that sell alcoholic beverages and are not subject to an alcohol conditional use permit per Title 17 of this code.

E. Deemed Approved Status. A deemed approved activity in full compliance with the performance standards as set forth in Section 8.18.060 and any imposed conditions of approval.

F. Illegal Activity. Activity that has finally been determined to be in noncompliance with the deemed approved performance standards set forth in Section 8.18.060. Such activity shall lose its deemed approved status and shall no longer be considered a deemed approved activity.

G. Performance Standards. Requirements prescribed herein to ensure the operation of a deemed approved activity is in accordance with the purposes of this chapter.

H. Premises. The actual space within a building or any area on site, either directly or indirectly supporting alcoholic beverage sales.

(Ord. 7001 § 2 (part), 2005)

#### 8.18.040 Applicability.

A. The provisions of this chapter shall apply to all deemed approved activities defined herein and which meet such definition as of the effective date of the ordinance in this chapter.

B. Whenever any provision of this chapter and any other provision of law, whether set forth in this code, or in any other law, ordinance, or regulation of any kind, imposes overlapping or contradictory regulations, or contains restrictions covering any of the same subject matter, that provision which is more restrictive or imposes higher standards shall control, except as otherwise expressly provided in this chapter.

(Ord. 7001 § 2 (part), 2005)

#### 8.18.050 Automatic deemed approved status.

All deemed approved activities as defined herein shall automatically become deemed approved activities as of the effective date of the deemed approved alcoholic beverage retail sales regulations. Each such deemed approved activity shall retain its deemed approved status, as long as it complies with each of the performance standards set forth in Section 8.18.060.

(Ord. 7001 § 2 (part), 2005)

8.18.060 Performance standards.

A. Deemed approved activities must comply with the following performance standards:

1. It shall not result in adverse effects to the health, welfare, peace, or safety of persons visiting, residing, working, or conducting business in the surrounding area;
  2. It shall not jeopardize or endanger the public health, welfare, or safety of persons visiting, residing, working, or conducting business in the surrounding area;
  3. It shall not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood as a result of inadequate maintenance, prohibited activities, and/or operating characteristics;
  4. It shall not result in nuisance activities, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, public consumption of alcoholic beverages, harassment of passers-by, gambling, prostitution, sale of stolen goods, public urination, theft, assault, battery, vandalism, littering, loitering, graffiti, illegal parking, loud noises (especially in the late night or early morning hours,) traffic violations, curfew violations, lewd conduct, or police detentions and arrests;
  5. It shall not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute.
- (Ord. 7001 § 2 (part), 2005)

8.18.070 Notification to owners.

A. Within thirty (30) days after the effective date of the ordinance codified in this chapter, the building and neighborhood services manager (administrator) shall send each deemed approved activity business owner and the property owner if not the same, notice of the activity's deemed approved status and the requirements of this chapter. The notice shall be sent by first-class mail, return receipt requested, and shall include the requirements set forth in this chapter specifically:

1. A copy of the performance standards of Section 8.18.060;
  2. A statement requiring compliance with the performance standards;
  3. A statement informing the business owner that cost recovery fees associated with enforcement may be levied and;
  4. A statement informing the business owner that the performance standards must be posted for public review in a conspicuous and unobstructed place visible from the entrance of the establishment.
- (Ord. 7001 § 2 (part), 2005)

8.18.080 Performance standards compliance.

This section is not intended to restrict the powers and duties otherwise pertaining to other city officers or bodies, in the field of monitoring and ensuring the harmony of alcoholic beverage retail sales in the city.

A. Owners or operators of deemed approved activities are encouraged to contact the police to handle violations of the law. In order to encourage such calls,

noncompliance with the performance standards may not be based solely upon the number of service calls to the city made by the owner or operator of a deemed approved activity.

B. The administrator has the authority to work with the owner or operator of the deemed approved activity (respondent) to resolve minor violations.

C. If the administrator determines that prohibited activities of other than a minor nature exist or were allowed to occur, then the administrator shall refer the deemed approved activity to a panel of the code enforcement appeals commission in accordance with Section 14.50.060.

(Ord. 7001 § 2 (part), 2005)

8.18.090 Procedures for referral to the code enforcement commission.

A. Referral. The administrator's referral shall be scheduled for a public hearing before a panel of the code enforcement commission within thirty (30) days of the referral, unless both the administrator and the respondent consent to a later date.

B. Purpose. The purpose of the public hearing is to hear testimony and receive evidence concerning the operating methods of the deemed approved activity.

C. Notification. Notification of the public hearing shall be pursuant to Section 14.50.060(C). The operator, if different from the property owner of the deemed approved activity shall be notified of the public hearing via first class mail, return receipt requested.

8.18.100 Hearing procedures.

A. Hearing Procedures. The public hearing shall be conducted pursuant Section 14.50.060(D).

B. The panel shall hear all relevant testimony and consider all relevant evidence, and shall find whether the deemed approved activity is in compliance with the deemed approved performance standards set forth in Section 8.18.060 and any other applicable criteria.

1. Subsequent to the presentation of relevant testimony and evidence, the panel may:

(a) Uphold the deemed approved status;

(b) Impose, add or modify such reasonable conditions of approval as are in the judgment of the panel necessary to ensure conformity to said criteria;

(c) Determine that the deemed approved activity is an illegal activity as defined herein. Such finding shall result in the deemed approved activity losing its deemed approved status. Revocation of the deemed approved status shall cause the code enforcement appeals commission to order immediate and permanent discontinuance of alcoholic beverage sales as of the effective date of the decision. Such continuation shall remain in effect absent future issuance of an alcohol sales conditional use permit per Title 17.

2. Any new or modified conditions of approval required by the panel shall be made a part of the deemed approved status, and the deemed approved activity shall be required to comply with these conditions.

3. Conditions of approval and performance standards must be conspicuously displayed in the premises in an area viewed by the public.



C. The owner or operator may appeal the decision of the panel of the code enforcement commission to the city council by filing an appeal within 10 days of the date of the decision. The city council may call up for review the decision of the panel of the code enforcement commission by filing a written request within 10 days of the date of the decision with the clerk who shall place the request on the agenda for the next available meeting.

D. Effective Date. The decision of the panel of the code enforcement appeals commission shall become final ten (10) calendar days after the date of decision unless appealed to the city council or the decision is called up for review by the city council.

(Ord. 7001 § 2 (part), 2005)

8.18.110 Fee schedule.

A. Fees for review, notification, appeal, and re-inspection of deemed approved activities shall be in accordance with the city general fee schedule.

(Ord. 7001 § 2 (part), 2005)

8.18.120 Recovery of cost.

A. In addition to the abatement proceedings set forth in Section 14.50.060, violation of this chapter may be subject to administrative cost pursuant to Section 1.30.030 of this code.

(Ord. 7001 § 2 (part), 2005)

8.18.130 Authority to enter and inspect deemed approved activity.

A. Any city official or authorized representative charged with enforcement responsibilities under this municipal code, state laws or other authority, may enter and inspect any deemed approved activity in the city whenever necessary to secure compliance with, or prevent violation of any provisions of this chapter.

B. A person authorized by this chapter to enter any deemed approved activity may enter the activity to inspect the same or perform any duty imposed by the municipal code or by state law, provided the owner or the lawful occupant has consented to the inspection.

C. An owner, occupant or agent thereof who refuses to permit such entry and investigations shall be guilty of infringing upon the violations and penalties as outlined in Section 8.18.110 and subject to related penalties thereof.

(Ord. 7001 § 2 (part), 2005)



# KAGRO FOUNDATION

KOREAN AMERICAN GROCERS ASSOCIATION OF CALIFORNIA

Mr. Rod Olguin, Revitalization Manager  
Office of Code Enforcement Commission  
City of Pasadena  
175 N. Garfield Avenue  
Pasadena, CA 91101

Jul-20-2009

Attention: Mr. Jon Pollard

Re: APN – 5725-010-041  
Super Liquor & Market (125 E. Orange Grove Boulevard)

Dear Mr. Olguin:

The Korean American Grocers Association of Los Angeles (KAGRO), established in 2001, represents more than 1,000 large and small grocery store retailers in the Southern California area. Kum Man Jhae and Kun Chin Jhae are one of our most active members and have proven to be responsible and caring operators of Super Liquor & Market. This letter is put forth in support of their appeal to the Pasadena City Council with respect to unreasonable Conditions imposed by the Code Enforcement Commission.

The Jhae's are hands on owners/operators of this long established neighborhood market that provides convenient one stop shopping for food (can, dry and perishables), household items (pots, pans, cleaning items, etc.), paper goods (diapers, tissue, towels, etc.) and restaurant, in a transit dependent neighborhood. It is important that the Jhae's be allowed to continue operating their store within the guidelines/restrictions imposed by the Alcoholic Beverage Control (ABC) Board. As you well know, the Jhae's operate in a very challenging environment, yet have a very loyal customer base. Many in the neighborhood consider the Jhae's friends and treat them like a member of the family. .

Hence, in addition to the over all support of the appeal, let it be known that KAGRO also supports the removal of all of the Conditions imposed by your department, in particular, Conditions 3, 7, 9, 10, 18 & 19.

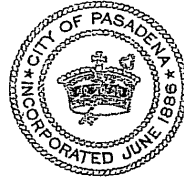
Best regards,

Dalsub Yoon, President  
KAGRO of LA

Jinwon Park, Chairman  
KAGRO of LA

CC: Members of the Pasadena City Council

**Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "1"**



**MAILED**  
6-11-09

PLANNING & DEVELOPMENT DEPARTMENT  
CODE ENFORCEMENT COMMISSION

**THIS ORDER MUST BE POSTED AT ALL TIMES FOR PUBLIC VIEW IN A  
CONSPICUOUS AND UNOBSTRUCTED PLACE VISIBLE FROM THE ENTRANCE  
OF THE ESTABLISHMENT.**

**HAND DELIVERED BY**  
**CODE COMPLIANCE OFFICER**

Kum Man Jhae and Kun Chin Jhae )  
Super Liquor )  
125 E. Orange Grove Boulevard )  
Pasadena, California 91103 )  
-----) )

**ORDER OF THE  
CODE ENFORCEMENT  
COMMISSION**

On June 4, 2009, a public hearing was held by Panel #3 of the Code Enforcement Commission concerning violations of the Pasadena Municipal Code at the property located at:

Super Liquor  
125 E. Orange Grove Avenue  
Pasadena, California 91103

As a result of that hearing and based on the testimony and evidence introduced, the Commission made the following factual findings:

1. That Kum Man Jhae and Kun Chin Jhae are the current owners of the business known as "Super Liquor" and were the owners of "Super Liquor" at the time of the ABC enforcement action described herein;
2. That Kum Man Jhae and Kun Chin Jhae were duly notified of the alleged violations of the Pasadena Municipal Code and properly informed of the hearing date;
3. That on March 13, 2009, the Department of Alcoholic Beverage Control issued a decision that Kum Man Jhae and Kun Chin Jhae were operating Super Liquor in violation of Business and Profession Code Sections 25601, 24200(e) and 24200.5(a);
4. That on March 17, 2009, the Department of Alcoholic Beverage Control addressed correspondence by official business letter to Pasadena Chief of

**Code Enforcement Commission**  
**125 E. Orange Grove Boulevard – Super Liquor**  
**Attachment "2"**

Police Bernard Melekian advising that Super Liquor has been determined to be “a disorderly house, or to which people resort, to the disturbance of the neighborhood or in which people abide or resort which is injurious to the public moral, health, convenience or safety”;

5. That Kum Man Jhae and Kun Chin Jhae were made aware of the fact that the Department of Alcoholic Beverage Control had accused respondents Jhae of operating “a disorderly house, or to which people resort, to the disturbance of the neighborhood or in which people abide or resort which is injurious to the public moral, health, convenience or safety” in violation of Business and Professions Code Sections 25601, 24200(e) and 24200.5(a);
6. That the Commission accepted into the administrative record the following documents at the hearing of June 4, 2009:
  - a) Exhibit 1 – Staff Report
  - b) Exhibit 2 – Letter from Darren Bailey of Englemann Real Estate Services, Inc.
7. That Kum Man Jhae and Jane Jhae appeared and testified on their own behalf at the hearing of June 4, 2009, regarding the findings of the March 13, 2009, Alcoholic Beverage Commission decision;
8. That based upon the finding by the California Department of Alcoholic Beverage Control, the operation of Super Liquor constituted a nuisance under P.M.C. Section 8.18.060(A)(4)(5);
9. That the imposition of the conditions set forth below are necessary to ensure conformity with the performance standards under P.M.C. Section 8.18.060 and will allow Super Liquor to maintain its Deemed Approved status, with the proviso that any future violations may result in the revocation of the deemed approved status;
10. That these conditions shall apply to all future owners / operators of the business, currently known as Super Liquor located at 125 E. Orange Grove Boulevard, Pasadena, CA 91103.

**Recommended Commission Corrective Action:**

The Commission orders the addition and imposition of the following conditions to ensure conformity with the performance standards in Section 8.18.060 P.M.C. and hereby directs Kum Man Jhae and Kun Chin Jhae to take the following corrective actions **within thirty (30) calendar days** from the mailing date of the Order of the Code Enforcement Commission:

1. The sale or stocking of wine products with an alcohol content greater than 14.9%

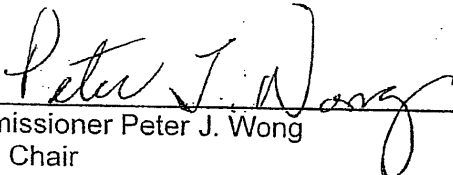
2. The sale or stocking of fortified beer and/or malt beverages with an alcohol content greater than 5.7% are prohibited.
3. The sale or stocking of single containers of distilled spirits, beer, malt beverages, and wine coolers in sizes of 12 oz. or less is prohibited, but may be sold in manufacturer pre-packaged multi-unit quantities.
4. The licensee is prohibited from packing merchandise in anything other than translucent plastic bags. It shall be at the City's discretion to modify this requirement as local ordinance dictates.
5. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 and ABC 253 dated (Pursuant to Condition a).
6. Loitering is prohibited on or around these premises or this area under the control of the licensee(s) as depicted on ABC-257 dated March 13, 2009 (Pursuant to Condition a).
7. Signs advertising types of alcoholic beverages for sale at the subject site shall not be visible from anywhere off the site.
8. Alcohol sales shall be for off-site consumption only.
9. Management shall employ a private security guard to patrol the business premises and the surrounding vicinity, including the north side of Orange Grove Boulevard adjacent to the property, during all hours of business operation for a distance of 50 feet in each direction from the subject site to ensure that no littering, loitering, or consumption of alcohol occurs.
10. It shall be the responsibility of the business owner / operators of the business to remove identifiable litter of the business from the public right-of-way within a 500 ft. radius of said business, and make prompt notification to the Pasadena Police Department of instances of loitering or the public consumption of alcohol.
11. The site and surrounding area shall be maintained free of graffiti. Any graffiti that occurs on the site shall be removed within 48 hours.
12. The parking area shall be sufficiently lit to discourage loitering, disturbances of the peace, illegal drug activity, public consumption of alcohol, public drunkenness, public urination, gambling and/or late night activity that is prohibited by law. Such lighting shall be at an amount of not less than two footcandle nor more than three footcandle.
13. Three signs shall be posted on the premises prohibiting loitering and the consumption of alcohol on site. Such signs shall be a minimum of 24 inches wide and 18 inches tall with letters not less than two inches high.
14. No pay telephone shall be maintained on the exterior of the premises.
15. There shall be no coin operated games or video machines maintained on the premises at any time.
16. The ownership or management shall comply with all decisions, orders, or directives of the Department of Alcoholic Beverage Control.

17. The ownership or management shall obtain all required planning approval and building permits for items, signs, lighting fixtures or other appurtenances required as a result of this recommended corrective action.
18. All alcoholic beverages containers shall be identified with a sticker that has the name of the business establishment. Translucent plastic bags shall be identified in the same manner.
19. Hours of operation shall be between 7:00 A.M. and 9:00 P.M. daily.
20. A sturdy lock and chain shall be placed across the parking lot entrance promptly at 9:00 P.M.

Appeal Procedures – Section 8.18.100(C)(D)

- (C) The owner or operator may appeal the decision of the panel of the Code Enforcement Commission to the City Council by filing an appeal within 10 days of the date of the decision. The City Council may call up for review the decision of the panel of the Code Enforcement Commission by filing a written request within 10 days of the date of the decision with the clerk who shall place the request on the agenda for the next available meeting.
- (D) Effective date: The decision of the panel of the Code Enforcement Commission shall become final ten (10) calendar days after the date of decision unless appealed to the City Council or the decision is called up for review by the City Council.

**DECISION DATE:** June 4, 2009  
**EFFECTIVE DECISION DATE:** June 5, 2009<sup>1</sup>  
**APPEAL DEADLINE:** June 15, 2009

  
\_\_\_\_\_  
Commissioner Peter J. Wong  
Panel Chair

cc: Denver Miller, Zoning Administrator  
Tom Pedersen, Police Lieutenant  
Frank Rhemrev, Assistant City Attorney

<sup>1</sup> Pursuant to Section 1.08(C) "Computation of Time" means the time with which an act is to be done. It shall be computed by excluding the first day and including the last day; and if the last

CORRECTED  
February 2, 2010

Code Enforcement Commission's  
Corrective Actions (Conditions of Operation)  
(modified by the City Council on July 27, 2009 and January 25, 2010)  
Super Liquor – 125 E. Orange Grove Blvd.

1. The sale or stocking of wine products with alcohol content greater than 14.9% are prohibited.
2. The sale or stocking of fortified beer and/or malt beverages with alcohol content greater than 5.7% are prohibited.
3. The sale or stocking of single containers of distilled spirits, beer, malt beverages, and wine coolers in sizes of 12 oz. or less is prohibited, but may be sold in manufacturer pre-packaged multi-unit quantities.
4. The licensee is prohibited from packing merchandise in anything other than translucent plastic bags. It shall be at the City's discretion to modify this requirement as local ordinance dictates.
5. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 and ABC 253 dated (Pursuant to Condition a).
6. Loitering is prohibited on or around these premises or this area under the control of the licensee(s) as depicted on ABC-257 dated March 13, 2009 (Pursuant to Condition a).
7. Signs advertising types of alcoholic beverages for sale at the subject site shall not be visible from anywhere off the site.
8. Alcohol sales shall be for off-site consumption only.
9. Management shall employ a private security guard to patrol the business premises and the adjacent sidewalks, including the north side of Orange Grove Boulevard adjacent to the property, during all hours of business operation to ensure that no littering, loitering, or consumption of alcohol occurs, and make prompt notification to the Pasadena Police Department of instances of loitering, the public consumption of alcohol, or other illegal activity.
10. It shall be the responsibility of the business owner/operators of the business to remove identifiable litter from the premises and the public right of way (limited to the north side of East Orange Grove up to 100 feet from the premises).
11. The site and surrounding area shall be maintained free of graffiti. Any graffiti that occurs on the site shall be removed within 48 hours.
12. The parking area shall be sufficiently lit to discourage loitering, disturbances of the peace, illegal drug activity, public consumption of alcohol, public drunkenness, public urination, gambling and/or late night activity that is prohibited by law. Such lighting shall be at an amount of not less than two footcandle nor more than three footcandle.
13. Three signs shall be posted on the premises prohibiting loitering and the consumption of alcohol on site. Such signs shall be a minimum of 24 inches wide and 18 inches tall with letters not less than two inches high.

14. No pay telephone shall be maintained on the exterior of the premises.
15. There shall be no coin operated games or video machines maintained on the premises at any time.
16. The ownership or management shall comply with all decisions, orders, or directives of the Department of Alcoholic Beverage Control.
17. The ownership or management shall obtain all required planning approval and building permits for items, signs, lighting fixtures or other appurtenances required as a result of this recommended corrective action.
18. All alcoholic beverages containers shall be identified with a sticker that has the name of the business establishment. Translucent plastic bags shall be identified in the same manner.
19. Business hours of operation shall be between 7:00 A.M. and 9:00 P.M. daily with the sale of alcohol to occur only between the hours of 9:00 a.m. and 6:00 p.m. daily.
20. A sturdy lock and chain shall be placed across the parking lot entrance promptly at 9:00 P.M.
21. If requested by the appellant/business owner after 12 months, the Code Enforcement Commission shall review the Conditions of Operation imposed on Super Liquor to determine if the conditions should be revised.



BEFORE THE  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE ACCUSATION AGAINST:

Kun Man Jhae  
Kun Chim Jhae  
Super Liquor  
125 E Orange Grove Blvd.  
Pasadena, CA 91103

OFF-SALE GENERAL LICENSE

FILE : 21 - 393118

REG. : 09070704

DECISION

Respondent(s)/Licensee(s)  
under the Alcoholic Beverage Control Act.

The above-entitled matter having regularly come before the Department for decision; and it appearing to the Department that the respondent(s) has filed a stipulation and waiver in connection with the accusation herein in which respondent(s) waives right to hearing, reconsideration and appeal; and good cause appearing therefor, the Department now finds as follows:

That cause for disciplinary action has been established.

Determination of issues presented: That respondent(s) violated or permitted violation of Business & Professions Code Section(s) 25601, 24200(e) and 24200.5(a).

Grounds for suspension or revocation have been established under Article XX, Section 22 of the State Constitution and Business and Professions Code Section 24200(a&b).

Wherefore, it is hereby ordered that the license(s) issued to respondent(s) at the above-mentioned premises be revoked, with said revocation stayed for a period of two years from the effective date of the Department's decision until March 13, 2011, upon the following conditions:

1. That the license be suspended for a period of 15 days, beginning upon service of notice.
2. That no cause for disciplinary action occur within the stayed period.
  - (a) The Licensee(s) shall submit a revised diagram of the licensee's premises, ABC-257 and revised supplemental diagram ABC-253.
  - (b) The Licensee(s) shall petition for a conditional license containing the following restrictions:
    1. Wine products with an alcoholic content greater than 14.9% are prohibited.
    2. Fortified beer and/or malt beverages with an alcoholic content greater than 5.7% are prohibited.

If cause for disciplinary action occurred during the stayed period, the Director of the Department of Alcoholic Beverage Control may, in his discretion and without further hearing, revoke the license. Should no cause for disciplinary action occur during the stayed period, the license shall become permanent.

**Code Enforcement Commission**  
**125 E. Orange Grove Boulevard – Super Liquor**  
**Attachment "4"**

**BEFORE THE  
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE ACCUSATION AGAINST:

Kum Man Jhae  
Kun Chin Jhae  
Super Liquor  
125 E Orange Grove Blvd.  
Pasadena, CA 91103

OFF-SALE GENERAL LICENSE

FILE : 21 - 393118

REG. : 09070704

**DECISION**

Page 2 of 2

Respondent(s)/Licensee(s)  
under the Alcoholic Beverage Control Act.

3. Beer, malt beverages, and wine coolers in containers of 12 oz or less cannot be sold by single containers, but must be sold in manufacturers pre-packaged multi-unit quantities.
4. The licensee is prohibited from packing merchandise in anything other than clear plastic bags.
5. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on ABC-257 and ABC-253 dated (Pursuant to Condition a)
6. Loitering is prohibited on or around these premises or this area under the control of the licensee(s) as depicted on ABC-257 dated (Pursuant to Condition a).

**CERTIFICATE OF DECISION**

It is hereby certified that on March 13, 2009 the Department of Alcoholic Beverage Control adopted the foregoing as its decision in the proceeding therein described effective immediately.

Sacramento, California

Dated: March 13, 2009

By \_\_\_\_\_ Helen McConville  
Supervisor, Hearing & Legal

**Code Enforcement Commission  
125 E. Orange Grove Boulevard – Super Liquor  
Attachment "4"**