

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF BYUNG SUB CHA	*	
AND JONG WOON KIM ON BEHALF	*	BEVERAGE HEARING BOARD
OF UMA UMA, INC., t/a UMA UMA, FOR	*	
A NEW CLASS B BEER, WINE, AND	*	FOR
LIQUOR 7-DAY ON-SALE LICENSE	*	
	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No. 16-44
	*	

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the “Liquor Board”), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the “Hearing Board”).

On October 18, 2016, the Hearing Board heard the application of Byung Sub Cha and Jong Woon Kim (the “Applicants”), on behalf of Uma Uma, Inc., t/a Uma Uma (“Uma Uma, Inc.”), for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,185 square foot restaurant located at 9380 Baltimore National Pike, Ellicott City, Maryland 21042. The hearing was properly advertised pursuant to Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were not represented by an attorney. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: a letter dated October 7, 2016, from the daughter of Jong Woon Kim, advising that her father would be utilizing an interpreter; the application; a copy of the floor plan; a copy

of the Corporate Charter approval Sheet dated March 6, 2014, for Uma Uma, Inc; a copy of the Articles of Incorporation for Uma Uma, Inc.; the background investigation questionnaires for the Applicants; copies of the fingerprinting receipts from the Criminal Justice Information System – Central Repository for the Applicants; copies of the Maryland Driver’s Licenses for the Applicants; a copy of the Certificate of Naturalization for Byung Sub Cha; a copy of the voter registration record for Byung Sub Cha; a copy of the criminal history record check of Maryland’s Criminal Justice Information System for Jong Woon Kim; a copy of the United States Permanent Resident card for Jong W. Kim; a copy of Resolutions of the Director(s) for Uma Uma, Inc., dated June 6, 2016; a copy of a memorandum dated September 1, 2016, from the Liquor Board to the Alcohol Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, the Department of Planning and Zoning, and the Office of the Fire Marshal; the background investigations for the Applicants from the Alcohol Beverage Inspector, dated October 3, 2016; an email dated September 8, 2016, from the Department of Inspections, Licenses, and Permits; a memorandum dated September 20, 2016, from the Bureau of Environmental Health; a memorandum dated October 14, 2016, from the Department of Planning and Zoning; an letter dated September 20, 2016, from the Office of the Fire Marshal; a letter dated September 1, 2016, to the Department of Finance; a letter from the Department of Finance; a letter dated September 1, 2016, to the Comptroller of the Treasury; a letter dated September 14, 2016, from the Comptroller of the Treasury; an fax transmission dated September 6, 2016, from the Liquor Board Administrator to Jong Woon Kim, advising notification of the hearing date, and enclosing the required advertisement; and an email dated October 3, 2016, from the Alcoholic Beverage Inspector stating the premises had

been posted.

SUMMARY OF TESTIMONY

Hea Park, a court certified Korean interpreter, was sworn as a translator for the Applicants.

Byung Sub Cha, 10% shareholder of Uma Uma, Inc., was sworn and testified that Uma Uma is a full-service restaurant that has been operating for four years. Mr Cha testified that he has lived in Howard County for more than two years, is a registered voter, and is alcohol awareness certified. Mr. Cha stated that he met Mr. Kim through his accountant. He testified that he was a co-owner of a deli with a liquor license in Virginia in 1998, during which time he never had any violations. Mr. Cha testified that he feels that the liquor license for the restaurant would accommodate the public, and would not have a negative effect on the surrounding area. Mr. Cha testified that the Applicants are fit and proper persons to hold an alcoholic beverage license.

Emily Kim, daughter of Jong Woon Kim, was sworn and testified that the restaurant is a full-service restaurant that will have a total of 58 seats for customers. Ms. Kim testified that the hours of operation are Saturday, 11:00 A.M. to 2:00 A.M., and all other days, 11:00 A.M. to 10:00 P.M. Ms. Kim testified that they have adequate parking that is well lit. Ms. Kim testified that their customers have been asking for alcoholic beverages to accompany their meals, and that she feels that alcoholic beverages would complement Ramen noodles and Asian food. Ms. Kim testified that the restaurant is a father/daughter operated business. Ms. Kim testified that she oversees the training and management of the employees, and that she is at the restaurant approximately 70 hours per week. Ms. Kim testified that their policy will be to card

anyone who appears to be under the age of 40, and that they will not serve anyone who appears to be intoxicated. Ms. Kim testified that they have 15 employees, and that 6 are alcohol awareness certified.

Jong Woon Kim, 90% shareholder of Uma Uma, Inc., was sworn and testified that he has prior experience in the alcoholic beverage business, as he owned Keepers Market in Baltimore for five years. Mr. Kim testified that his store sold groceries, along with beer and wine. Mr. Kim testified that he never had a violation during he operated the business.

Mr. Kim testified that he and his daughter, Emily, have worked with Martin Johnson to create a policy for employees, and to review the rules and regulations governing alcoholic beverages.

The following Exhibits were entered into the record:

Exhibit #1 – a copy of the Alcohol Awareness Certification for the Applicants and employees

Exhibit #2 - a copy of a Google map and four photographs of the interior and exterior of Uma Uma

Exhibit #3 – a copy of the beverage menu

Exhibit #4 – a copy of the food menu

Pursuant to Rule 6.13(D) of the Liquor Board Rules and Regulations, the Applicants waived their right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Byung Sub Cha and Jong Woon Kim, on behalf of Uma Uma, Inc., t/a Uma Uma, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,185 square foot restaurant located at 9380 Baltimore National Pike,

Ellicott City, Maryland 21042.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Byung Sub Cha has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Uma Uma, Inc., t/a Uma Uma.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of the application will not unduly disturb the peace and safety of the residents of the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Byung Sub Cha and Jong Woon Kim, on behalf of Uma Uma, Inc., t/a Uma Uma, have applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,185 square foot restaurant located at 9380 Baltimore National Pike, Ellicott City, Maryland 21042.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Byung Sub Cha meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of the application would not unduly disturb the peace and safety of the neighborhood.

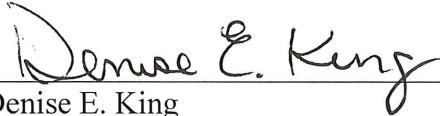
ORDER

For the foregoing reasons, it is this 8th day of November 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Byung Sub Cha and Jong Woon Kim, on behalf of Uma Uma, Inc., t/a Uma Uma, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 2,185 square foot restaurant located at 9380 Baltimore National Pike, Ellicott City, Maryland 21042, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County Rules and Regulations; and
- (b) Failure to comply with these conditions and obtain the license by January 31, 2017, shall render this Proposed Decision and Order null and void.

ATTEST:

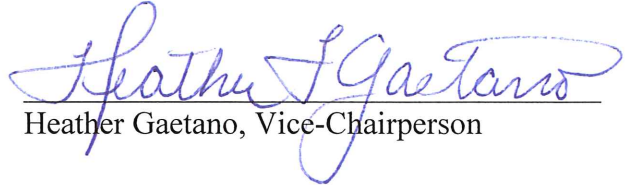
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Denise E. King
Administrator



Mary Bird, Chairperson



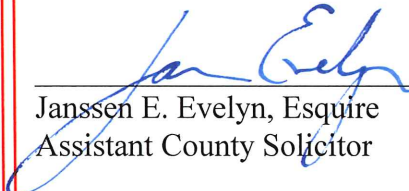
Heather Gaetano, Vice-Chairperson

REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR

Harry Evans, III, Member



Charles C. Feaga, Member



Janssen E. Evelyn, Esquire
Assistant County Solicitor



Charley C. Sung, Member