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46

47 48 Submitted by: ASSEMBLY CHAIR TRAINI

VICE CHAIR FLYNN, AND ASSEMBLY PUBLIC SAFETY COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk For reading: May 25, 2010

CLERK'S OFFICE

APPROVED

ANCHORAGE, ALASKA AR NO. 2010–156

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING THE NEW RESTAURANT/EATING PLACE LIQUOR LICENSE #4978 FOR JOHN LEE DBA: WASABI GARDEN, LOCATED AT 11751 BUSINESS BLVD. EAGLE RIVER, AK 99577 AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, John Lee has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a new Restaurant/Eating place Liquor License #4978, to be used for Wasabi Garden, located 11751 Business Blvd, Eagle River, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on March 31, 2010 and has determined that the last day for the Assembly to file a protest is May 31, 2010; and

WHEREAS, the Assembly Meeting on May 25, 2010 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

- 1. Any ABC Board violations and/or incidents are on file that would lead to an ABC Board violation are attached;
- 2. An Administrative site plan review, required by AMC 21.50.500, has not been completed;

WHEREAS, protest by the Assembly is in order until Municipal Clerk confirmation that outstanding items required for this location have been completed;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for a new Restaurant/Eating place Liquor License #4978 until this condition is met:

 Successful completion of the administrative site plan review under AMC 21.50.500 is confirmed by the Municipal Clerk.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of Restaurant/Eating Place license #4978 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

Man, 2010. PASSED AND APPROVED by the Anchorage Assembly this 25th day of

Chair Dick Traini

ATTEST:

Municipal Clerk

State of Alaska **Alcoholic Beverage Control Board**

| Date of Notice: | April 1, 2010 | | | |
|--|---|------------|---|----------------|
| Application Type: | ☑ NEW | | TRANSFER Ownership Location Name Change | |
| Governing Body: Community Councils | Municipality of Anchorage : Eagle River | | J | |
| License #: License Type: D.B.A.*: Licensee/Applicant: Physical Location: | 4978 Restaurant/Eating Place Wasabi Garden John Lee 11751 Business Blvd., Eagle I | River | | |
| Mail Address: | 11751 Business Blvd., Eagle I | River, AK | 999577 | |
| Telephone #: EIN: | 907-694-2200 Fax: 90 20-8895259 | 7-694-7168 | 8 | |
| Corp/LLC Agent: | Address | Phone | Date and State of Limited Partnership/Corpo ration | Good standing? |
| Plance notes the Man | ah aya /Offic aya /Dina at uyu /Sh aya l | addana (ma | in air ala) liata dha dha ann ann dha | |

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

| Member/Officer/Director: | DOB | Address | Phone | Title/Shares (%) |
|--------------------------|----------|---|--------------|------------------|
| John Lee | 08/11/56 | 11751 Business Blvd. Eagle River, AK | 907-694-2200 | Applicant |
| Mee Ok Yun | 05/28/56 | 11751 Business Blvd. Eagle River, AK | 907-694-2200 | Affiliate |

If transfer application, current license information:

License #:

Current D.B.A.:

Current Licensee:

Current Location:

Additional comments:

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

/s/ Christine C. Lambert
Christine C. Lambert
Business Registration Examiner

STATE OF ALASKA ALCOHOLIC BEVERAGE CONTROL BOARD

APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 13 AAC 104.715-794

FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and and persons under the age of 19 for employment. If for employment, please state in detail, how the person will be employed, duties, etc. (13 AAC 104.745).

| This application is for designation of premises where: (please mark appropriate items). 1 X Under AS 04.16.010(c) Bona fide restaurant/eating place. |
|---|
| 2 Persons age 16 to 20 may dine unaccompanied. |
| Persons under 16 may dine accompanied by a person 21 years or older. |
| 4 Persons between 16 and 19 years may be employed. (See note below). |
| LICENSEE: dahn hee |
| DIBIA: Waralin Garden |
| ADDRESS: 11751 Bussiness Blud- |
| 1. Hours of Operation: 11 am to 10 pm Telephone # 694-2200 |
| 2. Have police ever been called to your premises by you or anyone else for any reason: [] Yes [] No If yes, date(s) and explanation(s). |
| ii yee, aaaay an enpanaanaay. |
| |
| 3. Duties of employment: dishwater, will flism. |
| 4. Are video games available to the public on your premises? |
| 5. Do you provide entertainment: [] Yes [No If yes, describe. |
| |
| 6. How is food served? Table Service Buffet Service Counter Service Other* |
| |
| 7. Is the owner, manager, or assistant manager always present during business hours? [V] Yes [] No |
| *** A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION *** |
| |
| This permit remains in effect until the liquor license is transferred OR at the discretion of the Alcoholic Beverage Control Board. |
| (13 AAC 104.795) |
| 1 certify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and have instructed my employees about provisions |
| contained therein. |
| |
| And History (a) alimateurs |
| Applicant(s) signature Application approved (13 AAC 104.725(e) |
| Subscribed and sworn to before me this day of Warth 2010 |
| 19th day of WMUN 3010 |
| generale Janumille |
| Notary Public in and for Alaska |
| $\mathcal{L}_{\mathbf{a}}$ |
| My Commission expires Director, ABC Board |
| STATE OF ALASKA |
| NOTARY PUBLIC Date: |
| Henreeda Jaramillo |
| NOTE A Comprise on Frances Will Office written parental consent and an exemption by the Department of Labor must be provided |

to the licensee by the employee who is under 19 years of age. Persons 19 and 20 years of age are not required to have

the consent or exemption.

* Describe how food is served on back of form.

6. SHRIMP TEMPLIRA (6pcs) 7. VEGETABLE TEMPLIRA (6pcs) 8. YAKITOR 9. CREAM CHEESE WONTON(6pcs).... 2. GYOZA. 3. DEP FRIED CALAMARI (6pcs). 10. AGEDASHI TOFU(4pcs)... 5. NIXED TEMPURA (4pcs SHRWP & 4pcs VEG) 1. SOY BEAN. APPETIZER

\$10.95 \$10.95 \$10.95 \$9.95

\$10.95

42. SHRIMP TEMPURA (4pcs)

41, RED SNAPPER

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40. HAUBUT.

Shifmp Apcs, Veggle 3pcs C. MIXED TEMPURA

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|-------------------|-----------------------------------|----------------------------|-------------------|-----------------|
| 11. CHICKEN SALAD | 12. CUCUMBER & AVOCADO SALAD SR 9 | 13. MANGO & AVOCADO SALAD. | 14. SEAWEED SALAD | 15. HUIKI \$4.9 |
| | | | | |

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SPECIAL APPETIZER

\$10.95 \$12.95 \$12.95 514.95

45. CHICKEN 47. HALIBUT... 46. SALMON.

4. BEF

SPECIAL LUNCH BOX (BENTO) Included: 1 Shifm Tempura, 3 Veggle Tempura, 40cs Colifornia rol. Rice 4, Sup

\$12.95

| | 8pcs/514. | 4pcs 57. | 25 |
|------------------|------------------|---|---|
| | 6pcs/\$11.95 | MUSSE | A.B |
| 16. FRESH OYSTER | 4pcs/\$8.95 | 17. BAKED GREEN | 18. SOFT SHELL CRAB. S7.9 |
| | 16. FRESH OYSTER | 16. FRESH OYSTER 4Pcs/\$8.95 6pcs/\$11.95 8pcs/\$14. | 16. PRESH OYSTER 4PCs/\$8.95 6PCs/\$11.95 8PCs/\$14. 17. BAKED GREEH MUSSE 4Pcs \$7.9 |

48. RED SNAPPER

49. BUIGOKI

50. KALBI

| 8pcs/514.9 | 4pcs 57.9 | 57.9 | 85 | \$5.9 | \$12.9 | \$14.9 | 510.9 | \$10.9 | \$11.9 | Ì | | | \$11.9 | \$15.9 | | \$12.9 | |
|------------------------|------------------------|---------------------|---------------|-----------------|-----------------|----------------|---|-------------------|-----------------------|---------------------------------|-------------------------|---------------------------|---------------------|-----------------|----------------------------------|--------------------|-------------------|
| 4pcs/36.75 6pcs/511.75 | EN MUSSE | CRAB | Ĭ | | 1 | KKY | *************************************** | CKY. | COLLAR | 26. TATAKI 6pcs Pepper Albacore | 27. TUNA SASHIMI (Spcs) | SHIMI (Spcs) | Spcs) | H | (Tuna, Salmon, Red Snapper) 9pcs | #GASM | MAIAN |
| - PCS/30 | 17. BAKED GREEN MUSSEL | 18. SOFT SHELL CRAB | JIS. JALAPENO | 20. CRISPY TUN, | J21. POKKY TUNA | 22 COMBO POKKY | 23. DYNAMITE | 24. SCALLOP POKKY | 25. YELLOWIAIL COLLAR | 26. TATAKI 6pcs | 27. TUNA SASHI | 28. SALMON SASHIMI (Spcs) | 29. HAMACHI (Spcs). | 30. MIX SASHIMI | (Tuna, Salmor | 31. ALASKAN ORGASM | 32 SHNOMONO SALAD |

CICE CONTRO

| מאס אינו אינו אינו אינו אינו אינו אינו אינו | 33. MISO SOUP \$1.50 | 34. STEAM INCE | 35. KIMCHI | 36. HOUSE SALAD\$2.00 | Hot & Spicy |
|---|----------------------|----------------|-------------|-----------------------|-------------|
| SUC ORDER | 33. MISO SO | 34. STEAM R | 35. KIMCHI. | 36. HOUSE S | |





DINNER SPECIAL

- LUNCH SPECIAL -

TERIYAKI served w/ Salad, Rice & Soup

n n n n \$10.95

S CHICKEN 39. SALMON.

37. BEEF

| NOODLE + SOUP 77. SHRMP TEMPURA UDON + CAUPORNA ROU(4pcs) | 82. UDON. 111.95 83. SHRIMP TEMPURA UDON. 59.95 84. SHRIMP TEMPURA UDON. 59.95 84. SHCK SEAFOOD UDON SOUIP | 85. NABEYAKI UDON \$10.95 84. YAKSOBA (BEEFICHICKEN/SHRMP + \$1.00) 87. RAMEN \$8.95 | FRIED RICE 88. CHICKEN OR PORK FRIED RICE 89. BEEF FRIED RICE 90. SHRMP FRIED RICE 91. VEGETABLE FIRED RICE 92. HOUSE FRIED RICE 57.95 |
|---|--|--|--|
| TERIYAKI Served w/ Salad, Rice & Soup 57. BEEF 58. CHCKEN 512.95 59. SALMON. 60. HALBUT 515.95 61. RED SNAPPER 514.95 | | SPECIAL DINNER BOX (BENTO) Served w/ Shirto Tempura(2pcs) Veggie Tempura(3pcs), Calfornia Roll(4pcs), Ree & Soup 64, REE | |

KATSU Served w/ Rice & Soup

\$10.95

Included: Solad, Rice & Soup

51. CHICKEN...

52. PORK...

510.95

55. TEMPURA SUSHI LUNCH 3pcs shrimp. 3pcs veggie, 5pcs sushi

56. ONLY NIGIR! (9pcs).

-514.95

\$14.95

53. SUSHI LUNCH 7000 SUSHI LUNCH 7000 SUSHI WAS AUSTINION OF CORRESPONDENCE OF THE PROPERTY OF

SUSHI & SASHIMI LUNCH

| 71. CHICKEN \$13.95 72. PORK \$13.95 72. PORK \$13.95 72. PORK Y School Rice & Soup 73. BEEF \$14.95 74. CHICKEN \$11.95 75. SHRWE(40cs) \$11.95 77. CURRY UDON \$9.95 78. HAMBURGER \$11.95 | \$13.95 | ир S14.95 | ł | \$11.95 | \$10.95 |
|--|---------|--|---|------------------|---------------|
| 71. CHICKEN 72. PORK JRRY Served 73. BEEF 74. CHICKEN 75. SHEWR(4pc) 77. CURRY UDO 77. CURRY UDO 78. HAMBURGE | | SURRY Served w/ Safad, Rice & Soup 73. REEF | | 76. SHRIMP(4pcs) | 78. HAMBURGER |

.\$10.95 59.95

98. CHIRASHI.

95. CHICKEN BOWL. 94. BEEF BOWL....





w/ Say Paper 1.95 Add **COLL FESTIVAL**

100, CRUNCH SHRIMP ROLL
SPIND Imputo, cyclinder, crob, croccodo 99. CALIFORNIA ROLL
OLGANDEL CITÓ. GROCODO

129 WASAN GARDEN ROLL
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102 CRINCH HAIBUT ROLL 510.95
103. CRINCH RED SHAPER ROLL 511.95
2 104. SPICY SCALLOG ROLL SOCY ROCK
20.55. SPICYTURA ROLL SOCY IND
104. SHEMP TRAVILLA ROLL SOCY IND
50.95

107. SPIDER CLAS ROUL 51.95
Software and between concepts and present and personal and personal

132. AMERICAN EAGLE ROLL
Calibrated topoch withorted beet
133. VEGETABLE ROLL
59.95

134. ALASKAN ROLL
Crotment, ovocode, sofferst crub topped
w/ softman & secweed solad
w/ softman & secweed solad

\$12.80

135. SUPER PHILADELPHIA ROLL. Smoked suffront chem cheese

106. BAKED SALMON ROLL
CORPORACI concordo, cuentros, bisade samen
109. BAKED LOSATER ROLL
Edy bisite, crobined, encodo, cuentros

110. EAINBOW NOLL. Cabried, avocado, cucumber / 3ind of ftsh

112 DYNAMIC ROLL S12.95 Octobe, mosey.

113. IIGER ROLL \$11.95 Shirty lempura, criddinedi, ovcoddo, cucumber, shirty

\$114, HOT NIGHT ROLL \$11,95 Shrip temper, cutmed, executs, cucumber,

115. DAGON ROLL.
Control executo, exember herwells sell114. ESSICA ROLL
Shirp temputa, executo, exemptersefron, lura

117. SUPER CATEFRILAR ROL.
SUPER CATEFRILAR ROL.
P. 118. FIRE CLACKER ROLL.
SCHOOL SHOOL COUNTER FROM STATE STATE
SCHOOL SHOOL COUNTER FROM LINE. J 119, EAGLE RIVER ROLL
Shinth lembura, stoy fund, cucumber, somon, procode, fund

139. SUSHI SMALL (6pcs) 140. SUSHI MEDIUM (6pcs).... 141. SUSHI LARGE (13pcs).

SUSHI COMBO

2 121. JOHN BAHN JOVI. S13.95 Socy fund. cucumber, esk knot fatetic 122. FRENCH FRY ROLL
Crotmact, avacado, araom cheste, fried políticos

124. FORBEST GLIMP ROLL
Shimp tempura, ardomed, avacado, cucumber, balead salmon

KOREAN MAIN DISHES 125, TOKYO DART ROLL Softwel crab, shinp lempura, crabmed, arrected, arranger, despring approach, arranger, despring approach, arranger, arranger,

145, KALBI Gilled short to markated in special say souce

124, TUNA ROU.
127, CLICUMBER ROU.
128, AVOCADO ROU.

146, BULGOGI Tender beef marinaled in special say sauce A147. DEJI WAGOGI. S18.95 Gilled port sice marked in chill souce

P148. OJINGALOKUM. S14.95 Glied studmornded in spicy suice with vegges

BASKETS Served w/ tranch tries

153. COMBO BASKET \$15.95 FSH (2003) + SHRIMP (2003), OYSTER(3003) -. \$10.95 --. \$12.95 \$7.95 151. SHRUMP (Apcs) + PISH (2pcs) 155. CHICKEN NUGGET (Bpcs)... 149. SHIMMP (Bpcs) 154. CHICKEN (Apcs)... 152 OYSTER (Ppcs)... 150. FISH (4pcs)....

DESSERT

... \$5.95 159. BANANA ICE CREAM (Barra, 2 scoob varilo, 1 scoop mango) 154. FRED OREO COOKIES Spes. 158 ICE CREAM (Green Tea, Mango, Varido) 157, FRED ICE CREAM

BEVERAGES

534.95

137. SASHIMI MEDIUM (15pcs)... 138. SASHIMI LARGE (18pcs)....

136. SASHIWI SWALL (12pcs)...

SASHIMI COMBO

25.55 \$5.00 142 GLASS OF WINE (Chardomay, Cabenel Sawgron, While Irriandel, Meriol) 140, SOFT DRINK (FREE MERLUS) 161.JUICE (Apple, Orange)...

1/59.00 1/58.50 166. JAPANESE BEER ___ S / \$4.95 169. COLD SAKE 5/\$12.95 167. DOMESTIC BEEK 168. HOT SAKE 143. COFFE. 165. PLUM WINE. 164, MICK

> 142. EAGLE RIVER BOAT 549.95 2 or 3 PEOPLE: Assorbed sustri + sosterini + red 144. WASABI CARDEN BOAT 6 PEOPLE: Assorted sust + section + roll

SPECIAL BOAT



OPEN HOURS

Mon ~ Sat: 11am ~ 10pm

Sun: 12noon ~ 9pm

Just, Mon ~ Fri : 11am ~ 3pm **LUNCH HOURS**

Dinner menu all day on weekends and halidays HAPPY HOURS

Mon - Thur: 3pm - 5pm 15% Off

Tel (907) 694-2200 Fax (907) 694-7168

11751 Business Blvd. Eagle River, AK 99577

next to valley River Cinema

free Defivery available Minimum order S25 limit over

Banquet facilities available for up to 50 people

1/515.95

STATE OF ALASKA ALCOHOL BEVERAGE CONTROL BOARD Licensed Premises Diagram

| | | | , | | | | | | |
|--|--|--|---|--|--|--|--|---|--|
| Show all entrances and exits and all fi | visites such as tab | our present or proposed les, booths, games, | | | 1 | | | | |
| DBA: _ Wasaly | Dard | in | | | | | · | | |
| PREMISES LOCATION: | 11751 | BusiNess | Mi | D . | GAGO | F Ru | Tox | N | K |
| Indicate scale by x after appropriate sta | atement or show le | ength and width of | premise | s. | | 1 | SQ. = 4 | FT. | |
| SCALE A:1 SQ. = | | SCALE B: | | | | | | | |
| Length and width of premises in feet: | | | | | | | | | |
| Outline the area to be designated for sa DO NOT USE BLUE INK OR PENC | le, service, storage | e, and consumption | n of alcoi | holic bev | erages ir | ı red. | | | |
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h VexceNormsLicpmdia/12/17/97/vh Licensed Premises Diagram

Content ID: 009049

Type: AR_AllOther - All Other Resolutions

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING THE NEW RESTAURANT/EATING PLACE LIQUOR LICENSE #4978 FOR JOHN LEE DBA: WASABI GARDEN, LOCATED AT 11751

Title: BUSINESS BLVD. EAGLE RIVER, AK 99577 AND AUTHORIZING THE

MUNICIPAL CLERK TO TAKE CERTAIN ACTION. ASSEMBLY CHAIR TRAINI VICE

CHAIR FLYNN, AND ASSEMBLY PUBLIC SAFETY COMMITTEE CHAIR HONEMAN

Author: moserak
Initiating
Dept: Muni_Clk

Date 5/17/10 9:53 AM **Prepared:**

Assembly

Meeting 5/25/10

Date:

| Workflow Name | Action Date | <u>Action</u> | <u>User</u> | <u>Security</u> <u>Group</u> | Content ID |
|-------------------------|-----------------------|---------------|-----------------|---------------------------------|---------------|
| Clerk_Admin_SubWorkflow | 5/17/10 9:59 AM | Exit | Amanda Moser | Public | 009049 |
| AllOtherARWorkflow | 5/17/10 9:59 AM | Checkin | Amanda Moser | Public | 009049 |