

Submitted by: ASSEMBLY CHAIR TRAINI,  
VICE CHAIR FLYNN, AND ASSEMBLY  
PUBLIC SAFETY  
COMMITTEE CHAIR HONEMAN  
Prepared by: Municipal Clerk  
For reading: September 14, 2010

CLERK'S OFFICE  
APPROVED  
9-14-10

Date: \_\_\_\_\_

ANCHORAGE, ALASKA  
AR NO. 2010-256

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A TRANSFER OF OWNERSHIP OF A RESTAURANT EATING PLACE LIQUOR LICENSE # 4517 AND RESTAURANT DESIGNATION PERMIT FOR SUSHI SPOT, INC dba PETER'S SUSHI SPOT, LOCATED AT 3020 MINNESOTA DRIVE UNIT 6 AND 7, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Sushi Spot, Inc. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a transfer of ownership for a Restaurant/Eating Place Liquor License # 4517 and Restaurant Designation Permit; to be used for Peter's Sushi Spot, located at 3020 Minnesota Drive Unit 6 and 7, Anchorage, 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 July 26, 2010 and has determined that the last day for the Assembly to file a protest is September 24, 2010 and

WHEREAS, the Assembly Meeting on September 14, 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. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Anchorage Fire Department approval **has not been completed**;
4. Administrative site plan review, required by AMC 21.50.500, **has not been completed**;
5. Approvals from the Municipal Health & Human Services and Building Safety Departments have been received; and

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

1  
2 NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:  
3

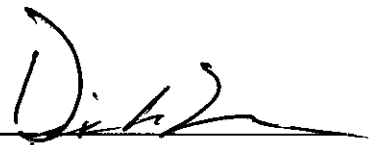
4 Section 1. The Anchorage Assembly hereby enters its PROTEST for a transfer of  
5 ownership of a Restaurant Eating Place Liquor License # 4517 and  
6 Restaurant Designation Permit until these conditions are met:  
7

- 8 • Successful completion of the administrative site plan review under  
9 AMC 21.50.500 is confirmed by the Municipal Clerk.
- 10
- 11 • Approval from the Anchorage Fire Department is received and  
12 confirmed by the Municipal Clerk.  
13

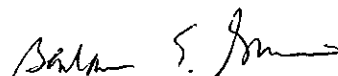
14 Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic  
15 Beverage Control Board as proof that the Anchorage Assembly, as the  
16 local governing body, has stated its protest in order to allow the Director  
17 of the Alcoholic Beverage Control Board to hold processing of  
18 Restaurant Eating Place Liquor License # 4517 and Restaurant  
19 Designation Permit under local protest, until receipt by the Director of  
20 confirmation from the Municipal Clerk that the conditions in Section 1  
21 have been met, and this protest is lifted as authorized by this Assembly  
22 Resolution.  
23

24 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon  
25 Municipal Clerk confirmation that all conditions in Section 1 have been  
26 met, to provide written notification to the Alcoholic Beverage Control  
27 Board that this protest by the Anchorage Assembly is lifted, without  
28 further action by the Assembly.  
29

30 PASSED AND APPROVED by the Anchorage Assembly this 14<sup>th</sup> day of  
31 September, 2010.  
32

33  
34   
35 Chair

36  
37 ATTEST:

38  
39   
40  
41 Municipal Clerk



State of Alaska  
 Department of Public Safety  
**Alcoholic Beverage Control Board**

Sean Parnell, Governor  
 Joseph A Masters, Commissioner

July 23, 2010

Municipality of Anchorage  
 Barbara Gruenstein  
 P.O. Box 196650  
 Anchorage, Alaska 99519

Re: Peter's Sushi Spot – License #4517

- Transfer of Ownership       Name Change       Restaurant Designation Permit  
 Transfer of Location      Old License # (if changed): \_\_\_\_\_

We have received the enclosed liquor license application within the Municipality of Anchorage. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

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.

tj

# Transfer Liquor License

Alcoholic Beverage Control Board  
5848 E Tudor Rd  
Anchorage, AK 99507

(907) 269-0350  
Fax: (907) 272-9412  
www.dps.state.ak.us/abc

This application is for:

- Seasonal - Two 6-month periods in each year of the biennial period beginning \_\_\_\_\_ and ending \_\_\_\_\_  
Mo/Day Mo/Day
- Full 2-year period

# 6503

SECTION A - LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: 2009 - 2010	License Type: Restaurant/Eating Place	Statute Reference Sec. 04.11.100	License Fee: \$ Filing Fee: \$100.00
License #: 4517		Community Council Name(s) & Mailing Address: Spenard Community Council 1057 West Fireweed Lane Suite 100 Anchorage, AK 99503	Fingerprint: (\$54.25 per person) <b>50.00 KAP</b>
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage			Total Submitted: \$ <b>150.-</b>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership):  Sushi Spot, Inc.		Doing Business As (Business Name): <b>Peter's Sushi Spot</b>	Business Telephone Number: 907-727-1368
Mailing Address: 16641 Southcliff Circle		Street Address or Location of Premise:  <b>3020 Minnesota Dr. Unit 6 &amp; 7 Anchorage, AK 99503</b>	Fax Number: 907-344-6599
City, State, Zip:  Anchorage, AK 99516			Email Address:  Skp67@yahoo.com

SECTION B - TRANSFER INFORMATION.	
<input checked="" type="checkbox"/> Regular Transfer <input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application (15 AAC 104.107). Real or personal property conveyed with this transfer must be described. Provide security interest documents. <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.	Name and Mailing Address of <i>CURRENT</i> Licensee: Sushi Spot, Inc. 16641 Southcliff Circle Anchorage, AK 99503 Business Name (dba) <i>BEFORE</i> transfer: Sushi Spot, Inc. d/b/a Peter's Sushi Spot Street Address or Location <i>BEFORE</i> transfer: 4140 B St. Anchorage, AK 99503

SECTION C - PREMISES TO BE LICENSED. Must be completed for RELOCATION applications.		
Closest school grounds: Romig Middle School	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Not applicable
Closest church: <i>First Korean Presbyterian Church</i>	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		

Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?  
 Yes  No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?  
 Yes  No If Yes, attach written explanation.

Office use only Date Approved	Director's Signature
----------------------------------	----------------------

# Liquor License

**Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.**

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): Sushi Spot, Inc.		Telephone Number: 907-727-1368	Fax Number: 907-344-6599
Corporate Mailing Address: 16641 Southcliff Circle	City: Anchorage	State: Alaska	Zip Code: 99516
Name, Mailing Address and Telephone Number of Registered Agent: Han K. Choe, CPA 555 W Northern Lights Blvd. Suite 216, Anchorage, AK 99503		Date of Incorporation OR Certification with DCED:	State of Incorporation: Alaska

Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes?  Yes  No  
 If no, attach written explanation. Your entity *must* be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

**Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)**

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Peter Park	President	70	16641 Southcliff Circle, Anchorage, AK 99516 907-727-1368	907-727-1368	11/6/65
Sooji Park	Secretary	30	16641 Southcliff Circle, Anchorage, AK 99516 907-727-1367	907-727-1367	6/14/67

NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.

**Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)**

Name: None	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:

**Declaration**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska Statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Current Licensee(s) Signature	Signature of Transferee(s) Signature
Signature	Signature
Name & Title (Please Print) Peter Park, President	Name & Title (Please Print) Peter Park, President
Subscribed and sworn to before me this 25 day of June, 2010.	Subscribed and sworn to before me this 25 day of June, 2010.
Notary Public in and for the State of Alaska Blenda Empuador	Notary Public in and for the State of Alaska Blenda Empuador
My commission expires: March 4, 2013	My commission expires: March 4, 2013

STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 15 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 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  Under AS 04.16.010(c) Bona fide restaurant/eating place.
- 2  Persons between 16 & 21 may dine unaccompanied.
- 3  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: Sushi Spot, Inc

D/B/A: Peter's Sushi Spot

ADDRESS: 3020 Minnesota Dr. #607, Anchorage, AK.

- 1. Hours of Operation: 11 a.m. to 10 p.m. Telephone # 907-727-1368
- 2. Have police ever been called to your premises by you or anyone else for any reason: [ ] Yes [x] No  
If yes, date(s) and explanation(s).

3. Duties of employment: bus tables, hostess, dishwasher

4. Are video games available to the public on your premises? No

5. Do you provide entertainment: [ ] Yes [x] 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? [x] 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)

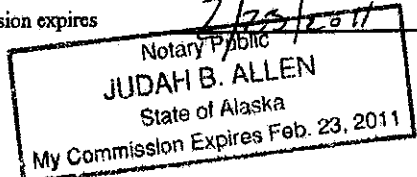
I certify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and have instructed my employees about provisions contained therein.

[Signature]  
Applicant(s) signature

Subscribed and sworn to before me this 21 day of July 2010

[Signature]  
Notary Public in and for Alaska

My Commission expires 2/23/2011



Application approved (13 AAC 104.725(e))  
Governing Body Official

Date: \_\_\_\_\_

Director, ABC Board

Date: \_\_\_\_\_

NOTE: AS 04.16.049(c) requires that 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.

STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

**INSTRUCTIONS:** Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

**DBA:** Peter's Sushi Spot

**PREMISES LOCATION:** 3020 Minnesota Dr. # 6&7, Anchorage, AK 99503.

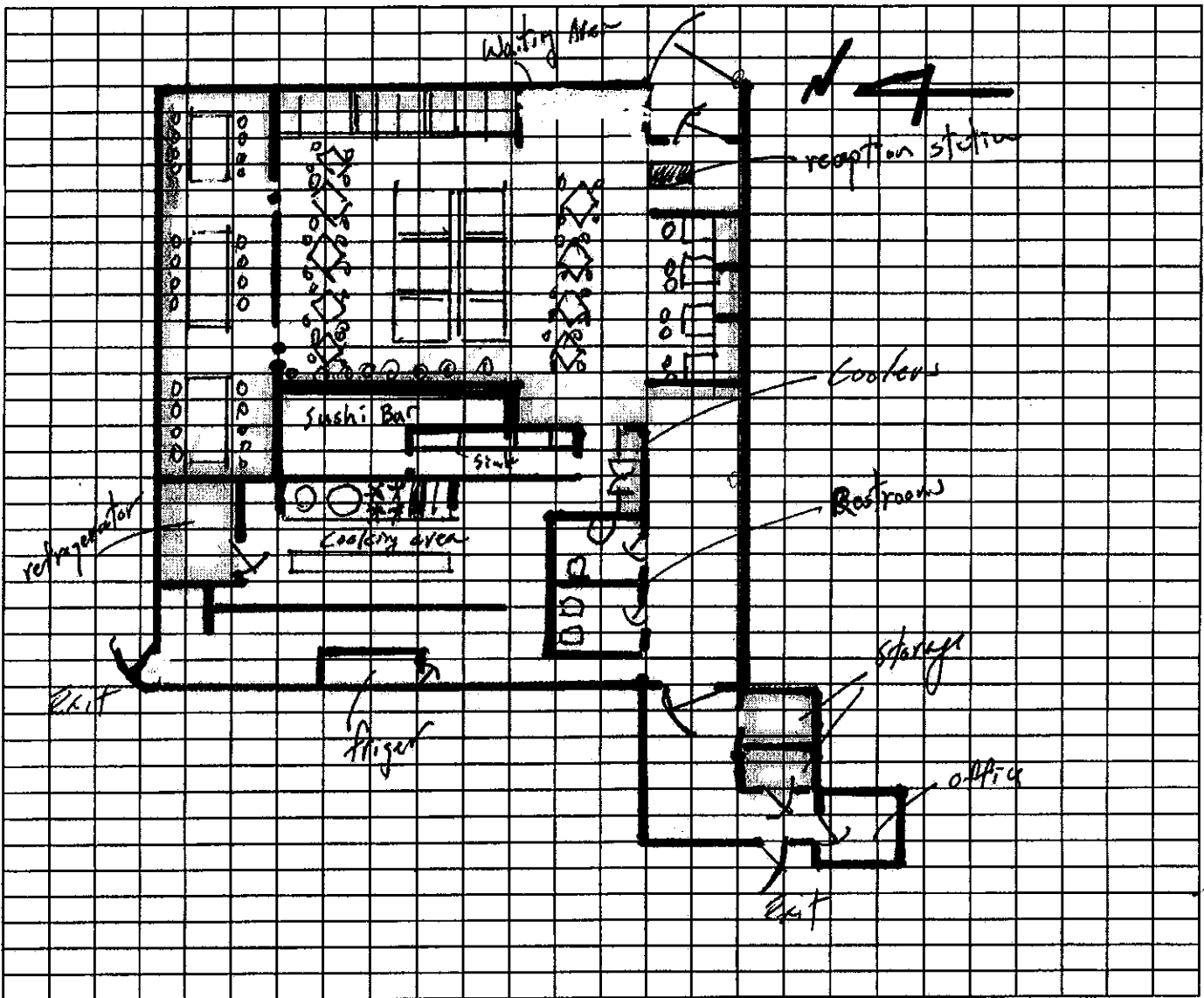
Indicate scale by x after appropriate statement or show length and width of premises. X 1 SQ. = 4 FT.

**SCALE A:** \_\_\_\_\_ 1 SQ. = 1 FT.

**SCALE B:** \_\_\_\_\_

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



**Content ID:** 009372

**Type:** AR\_AllOther - All Other Resolutions

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A TRANSFER OF OWNERSHIP OF A RESTAURANT EATING PLACE LIQUOR LICENSE # 4517 AND RESTAURANT DESIGNATION

**Title:** PERMIT FOR SUSHI SPOT, INC dba PETER'S SUSHI SPOT, LOCATED AT 3020 MINNESOTA DRIVE UNIT 6 AND 7, 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 Prepared:** 9/3/10 9:09 AM

**Assembly Meeting Date:** 9/14/10

<b>Workflow Name</b>	<b>Action Date</b>	<b>Action</b>	<b>User</b>	<b>Security Group</b>	<b>Content ID</b>
Clerk_Admin_SubWorkflow	9/3/10 9:30 AM	Exit	Amanda Moser	Public	009372
AllOtherARWorkflow	9/3/10 9:30 AM	Checkin	Amanda Moser	Public	009372