

CLERK'S OFFICE

APPROVED

Date: 5-24-11

Submitted by: ASSEMBLY CHAIR OSSIANDER,
VICE-CHAIR HALL, AND ASSEMBLY
PUBLIC SAFETY
COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk

For reading: May 24, 2011

ANCHORAGE, ALASKA

AR NO. 2011-148

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING A NEW RESTAURANT/EATING PLACE LIQUOR LICENSE
#5044 AND RESTAURANT DESIGNATION PERMIT FOR LEANNE KING dba KOREAN
GARDEN, LOCATED AT 300 DIMOND BLVD SUITE 67, AND AUTHORIZING THE
MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, Leanne King 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 #5044 and Restaurant Designation Permit, to be used for Korean Garden, located at 300 Dimond Blvd Suite 67, 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 March 30, 2011 and has determined that the last day for the Assembly to file a protest is May 30, 2011 and

WHEREAS, the Assembly Meeting on May 24, 2011 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. Building Safety approval was received on **April 6, 2011**;
4. Administrative site plan review, required by AMC 21.50.500, **has not been completed**;
5. Approvals from the Municipal Health & Human Services and Anchorage Fire Departments **have not 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;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its PROTEST for a New Restaurant/Eating Place Liquor License #5044 and Restaurant Designation Permit until these conditions are met:

- Successful completion of the Administrative Site Plan Review under AMC 21.50.500 is confirmed by the Municipal Clerk.
- Approvals from Municipal Health & Human Services and Anchorage Fire Department received and confirmed by the Municipal Clerk.

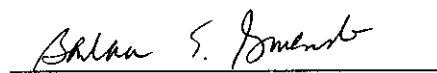
Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of Restaurant/Eating Place Liquor License #5044 and Restaurant Designation Permit 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.

PASSED AND APPROVED by the Anchorage Assembly this 24th day of May, 2011.


Chair

ATTEST:


Municipal Clerk



State of Alaska
Department of Public Safety
Alcoholic Beverage Control Board

Sean Parnell, Governor
Joseph A Masters, Commissioner

March 22, 2011

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

Re: Korean Garden – License # 5044 Restaurant Designation Permit enclosed.

We have received the enclosed application for a new liquor license 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 15 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Alcoholic Beverage Control Board

5948 E Tudor Rd Anchorage, AK 99507 Voice (907) 260-0250 Fax (907) 272-0412

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

New Liquor License

PAGE 1 OF 2

(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 _____
☒ Full 2-year period _____ Mo/Day _____ Mo/Day

7502

SECTION A. LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: 2011	License Type: Restaurant Eating Place	Statute Reference: Sec. 04.11.100	License Fee: \$
Office Use Only License #: 3044			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) Anchorage, AK	Community Council Name(s) & Mailing Address: Taku / Campbell Community Council 1059 W. Fireweed Lane Suite 100		Fingerprint: (\$54.25 per person)
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Leanne Kang	Doing Business As (Business Name): Kieran Gauden	Business Telephone Number: N/A	Total Submitted: \$
		Fax Number: N/A	
Mailing Address: 2151 Casey Cusack Loop	Street Address or Location of Premise: 300 Diamond Blvd Suite 69	Email Address: N/A	
City, State, Zip: Anchorage, AK 99515			
SECTION B. PREMISES TO BE LICENSED. Must be completed.			
Closest school grounds: Diamond High School	Distance measured under: <input checked="" 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.	
Closest church: Open Door Church	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Premises to be licensed is: <input checked="" type="checkbox"/> Proposed building <input type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input type="checkbox"/> Not applicable	
		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input type="checkbox"/> Diagram of premises attached	

SECTION C. Individual, corporate officer, limited liability organization member, manager or partner background.

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
N/A				

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.

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) K&K Corporation	Telephone Number 907-440-8875	Fax Number
Corporate Mailing Address: 211 E. Diamond Blvd.	City Anchorage	State AK
Zip Code 99505	Name, Mailing Address and Telephone Number of Registered Agent Kang Cho 1563 E. Tudor Rd. Anchorage AK 99507 #907-561-0161	Date of Incorporation OR Certification with DCED 11/30/2010
State of Incorporation Alaska	Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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
LEANNE KANG	Manager	100%	500 Diamond Blvd. Suite 03-03	349-1700	2/05/1959

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

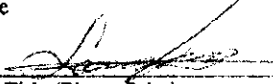
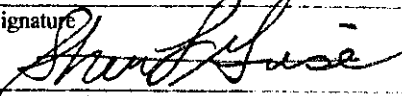
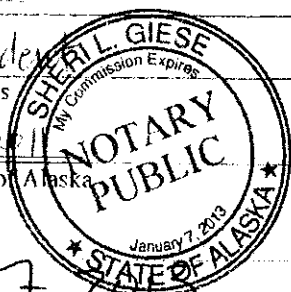
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: LEANNE KANG Address: 2151 CASEY CUSACK LANE ANCHORAGE AK 99515 Home Phone: 863-2719 (907) Work Phone: 349-1700 (907)	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: 02/05/1959	Name: Address: Home Phone: Work Phone: Date of Birth: Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Name: Address: Home Phone: Work Phone: Date of Birth: Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address: Home Phone: Work Phone: Date of Birth: Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	

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 Licensee(s)

Signature 	Signature 
Name & Title (Please Print) Leanne Kang / President	Name & Title (Please Print) Sheri L. Giese / Notary Public
Subscribed and sworn to before me this 26th day of January , 20 11	Subscribed and sworn to before me this day of
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska
My commission expires: Jan 7, 2013	My commission expires:

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 persons under the age of 18 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) Bottle & wine restaurant/feeling place
- 2 ☒ Persons age 15 to 20 may dine unaccompanied
- 3 ☒ Persons under 18 may dine accompanied by a person 21 years or older
- 4 ☐ Persons between 15 and 19 years may be employed (See note below)

LICENSEE

Leanne Kang

D/B/A

Korean Garden

ADDRESS:

300 Diamond Blvd Suite 67

- 1 Hours of Operation: 11:00 a.m. to 11:00 p.m. Telephone # N/A
- 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)

3 Duties of employment: manage all employees, Accounts Receivable, Account Ledger Review

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

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? ☒ 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.

Leanne Kang

Applicant(s) signature

Subscribed and sworn to before me this

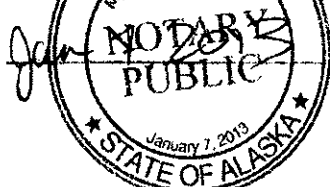
26 day of

January 2011

Sheryl L. Giese

Notary Public in and for Alaska

My Commission expires



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 18 years of age. Persons 18 and 20 years of age are not required to have the consent or exemption.

* Describe how food is served on back of form

X

◆ LUNCH SPECIAL ◆

MONDAY - FRIDAY
11:30 AM-2:30 PM

1. 갈 비.....Galbi.....12.99
B.B.Q Beef Short Ribs
2. 불 고 기.....Bulgogi.....11.99
B.B.Q Beef Rib Eye
- * 3. 돼지불고기.....Dwaeji Bulgogi.....11.99
B.B.Q Pork(Spicy)
4. 닭 불고기.....Chicken Bulgogi.....11.99
B.B.Q Boneless Chicken
5. 닭테리아키.....Chicken Teriyaki.....11.99
6. 잡 채.....Jap Chae.....11.99
Pan Fried vermicelli with meat and vegetables
- * 7. 오징어볶음.....Ojing-co Boggeum.....11.99
Pan Fried squid with hot sauce
- * 8. 새우 볶음.....Seawoo Boggeum.....12.99
Pan fried shrimp with hot spicy sauce

◆ APPETIZER ◆

1. 육 회.....Yug Hoc.....16.99
Sliced raw beef with seasonings
2. 양념 두부.....Yang Nyum Dubu.....12.99
Tofu with seasonings
3. 파 굴 전.....Pa Gul Jun.....13.99
Pan Fried green onion and oyster
4. 파 해물 전.....Pa Haemool Jun.....16.99
Pan Fried green onion and seafood
5. 잡 채.....Jap Chae.....13.99
Pan fried vermicelli-noodles with meat and vegetables
6. 찐 만 두.....Jjin Mandu.....12.99
Steamed dumplings stuffed with minced meat
7. 야끼 만두.....Yaki Mandu.....12.99
Pan fried dumplings stuffed with minced meat
- * 8. 떡 볶음.....Ddeok Boggeum.....14.99
Pan fried rice cake and assorted vegetables

* Hot & Spicy

◆ KOREAN DINNER ◆

Served with kimchee, vegetables, Rice

- * 9. 대 구 조 림.....Daegu Jorim.....19.99
Deep fried cod fish with hot spicy sauce
- * 10. 조 기 조 림.....Jogi Jorim.....17.99
Deep boiled Yellow corvina with hot spicy sauce
11. 갈 비 찜.....Galbee Jjim.....22.99
Deep boiled beef short rib with special sauce
- * 12. 아 구 찜.....Agu Jjim.....19.99
Deep boiled angler fish with bean sprout
13. 전 주 비 빔 밥.....Jeonju Bibimbab.....13.99
Rice mixed with meat, vegetables, and seasonings
14. 돌솥전주비빔밥.....Dolsot Jeonji Bibimbab...15.99
Rice mixed w/meat, vegetables, and seasonings served in hot stone-pot
15. 돌솥해물비빔밥...Dolsot Haemool Bibimbab...16.99
Rice mixed w/as sorted seafood vege & seasonings served in hot stone-pot
16. 돌솥김치비빔밥...Dolcot Kimchee Bibimbab...14.99
Rice mixed w/kimchee assorted vege & seasonings served in hot stone-pot
17. 육 회 비 빔 밥.....Yughoe Bibimbab.....15.99
Minced raw beef & rice mixed with seasoning
- * 18. 돼지김치볶음...Dwaeji Kimchee Boggeum....15.99
Pan fried pork mixed with kimchee
- * 19. 낙 지 볶 음.....Nagji Boggeum.....18.99
Pan fried small octopus in hot sauce.
- * 20. 오 징 이 볶 음.....Ojing-co Boggeum.....15.99
Pan fried squid mixed in hot sauce
- * 21. 모듬해물볶음..Modeum Haemool Boggeum...18.99
Pan fried assorted seafood combination
- * 22. 매운새우볶음...Maewoon Saewoo Boggeum...17.99
Pan fried spicy shrimp

* Hot & Spicy

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: Korean Garden

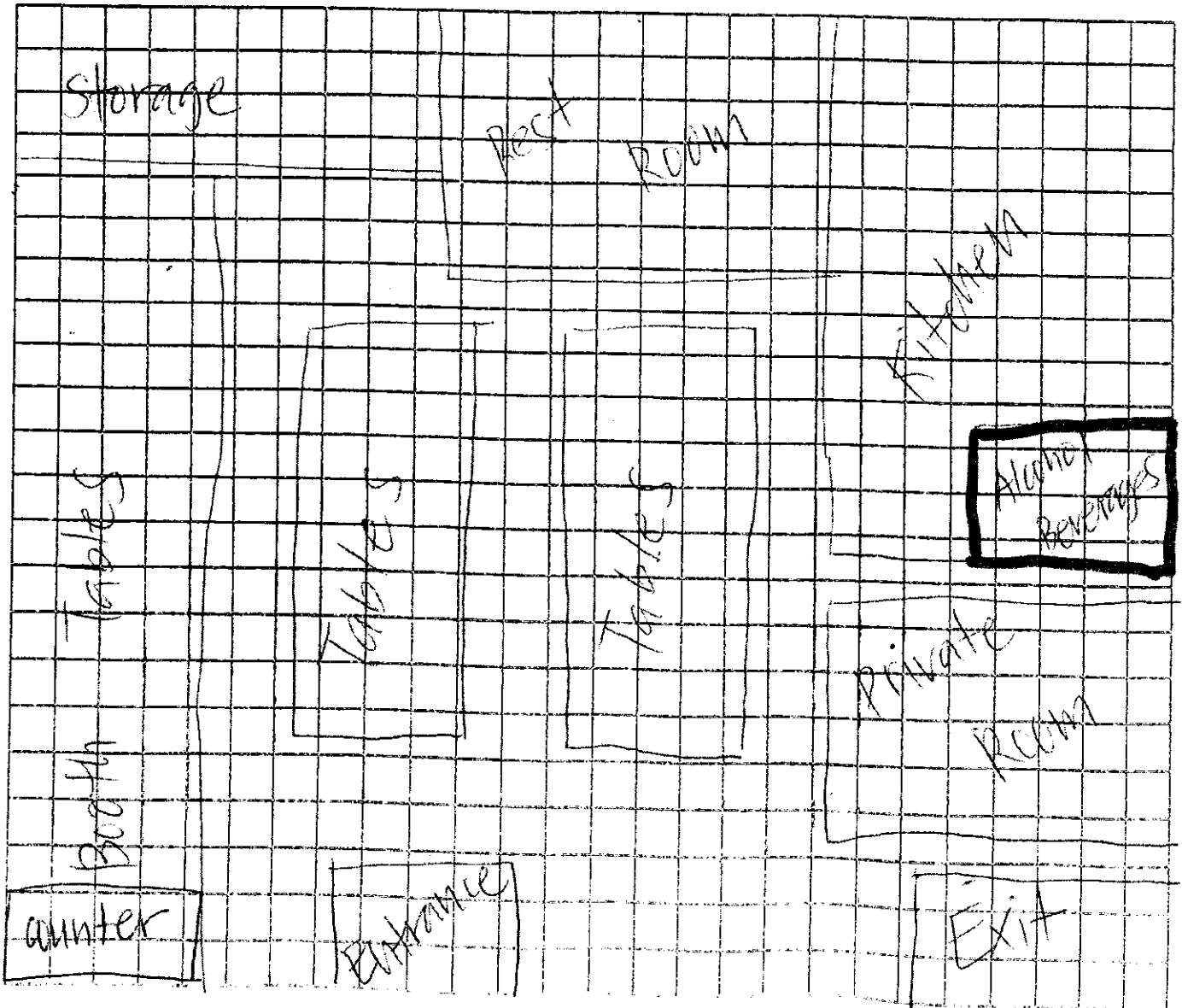
PREMISES LOCATION: 300 Diamond Blvd. Suite 67

Indicate scale by x after appropriate statement or show length and width of premises

SCALE A: 1 SQ = 4 FT SCALE B: 1 SQ = 1 FT

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: 010226**Type:** AR_AllOther - All Other Resolutions

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
 PROTEST REGARDING A NEW RESTAURANT/EATING PLACE LIQUOR
 LICENSE #5044 AND RESTAURANT DESIGNATION PERMIT FOR LEANNE

Title: KING dba KOREAN GARDEN, LOCATED AT 300 DIMOND BLVD SUITE 67, AND
 AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION. Assembly
 Chair Ossiander, Vice-Chair Hall and Assembly Public Safety Chair Honeman.

Author: moserak**Initiating
Dept:** Muni_Clk**Date
Prepared:** 5/13/11 9:51 AM**Assembly
Meeting
Date :** 5/24/11

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	5/13/11 10:03 AM	Exit	Amanda Moser	Public	010226
AllOtherARWorkflow	5/13/11 10:03 AM	Checkin	Amanda Moser	Public	010226