



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: 09/13/2022

FROM: Audrey Saylor, OLE

RE: 6069 Hari Om Cuisine of India

Statutory & Regulation Authority:

AS 04.11.480(a) A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal application. The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board's permanent record of its review. If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.

AS 04.11.510(b)(1): "if an application is denied, the notice of denial shall be furnished the applicant immediately in writing stating the reason for the denial in clear and concise language; the notice of denial must inform the applicant that the applicant is entitled to an informal conference with either the director or the board, and that, if not satisfied by the informal conference, the applicant is then entitled to a formal hearing conducted by the office of administrative hearings (AS 44.64.010); if the applicant requests a formal hearing, the office of administrative hearings shall adhere to AS 44.62.330 — 44.62.630 (Administrative Procedure Act); all interested persons may be heard at the hearing and unless waived by the applicant and the board, the formal hearing shall be held in the area for which the application is requested"

3 AAC 304.145(h) "The board may uphold a protest of an application or continued operation with a single abeyance period not to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation is approved when all other applicable requirements have been met. If the local governing body has not notified the board within the period of the abeyance that it has removed the protest, the application or continued operation is denied. The period of abeyance may not be extended or renewed."

Background: This new Restaurant/ Eating place application was deemed complete on July 11, 2022. On August 23,202, the City of Fairbanks protested the new application pending correction of deficiencies and code violations.

Staff Recommendation: Consider the City of Fairbanks protest and determine if the protest is arbitrary, capricious and unreasonable. If the protest is deemed not to be arbitrary, capricious and unreasonable then uphold the protest with a 180-day abeyance.

Attachment:

City of Fairbanks protest

AB-00

AB-02

AB-03



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6702

Fax (907)459-6710

August 23, 2022

Audrey Saylor, Licensing Examiner
Alcohol & Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, Alaska 99501

Ms. Saylor:

At the regularly scheduled meeting of August 22, 2022, the Fairbanks City Council voted to **PROTEST** the following new restaurant/eating place license pending correction of deficiencies and code violations:

License Type: Restaurant/Eating Place, License #**6069**
DBA: **Hari Om Cuisine of India**
Licensee/Applicant: A Paul, LLC
Physical Location: 1528 S. Cushman Street, Fairbanks, Alaska

I will notify AMCO when the City protest has been lifted. Should you need further information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "D. Danyielle Snider".

D. Danyielle Snider, MMC
Fairbanks City Clerk

cc: File
Amit Paul, A Paul LLC



Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

Why is this form needed?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review Title 04 of Alaska Statutes and Chapter 304 of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's Anchorage office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 - Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	A Paul LLC		
License Type:	Restaurant and Eating Place	Statutory Reference:	04.11.100
Doing Business As:	Hari Om Cuisine of India		
Premises Address:	1528 S. Cushman Street		
City:	Fairbanks	State:	AK
		ZIP:	99701
Local Governing Body:	City of Fairbanks		
Community Council:			

Mailing Address:	1528 S. Cushman Street		
City:	Fairbanks	State:	AK
		ZIP:	99701

Designated Licensee:	Amit Paul		
Contact Phone:	954-336-5397	Business Phone:	907-328-3218
Contact Email:	amitankur@yahoo.com		

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

OFFICE USE ONLY			
Complete Date:	7/11/22	License Years:	1
Board Meeting Date:	9/20/22	Transaction #:	100375887
Issue Date:		Examiner:	AS
		License #:	6069



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

Section 2 – Premises Information

Premises to be licensed is:

- an existing facility a new building a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

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What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

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Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 4 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Amit Paul				
Title(s):	Member	Phone:	954-336-5397	% Owned:	100
Address:	1528 S. Cushman Street				
City:	Fairbanks	State:	AK	ZIP:	99701

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	



Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10066396	AK Formed Date:	08/18/2017	Home State:	Alaska
Registered Agent:	Amit Paul	Agent's Phone:	954-336-5397		
Agent's Mailing Address:	1528 S. Cushman St				
City:	Fairbanks	State:	AK	ZIP:	99701

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

Section 5 - Other Licenses

Ownership and financial interest in other alcoholic beverage businesses: Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Section 6 - Authorization

Communication with AMCO staff: Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

Lindsay Johnson, Subcontracted to file license



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

I certify that all proposed licensees have been listed with the Division of Corporations.

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

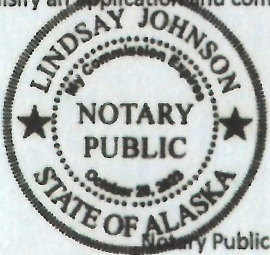
I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

 Signature of licensee

 Printed name of licensee



 Signature of Notary Public

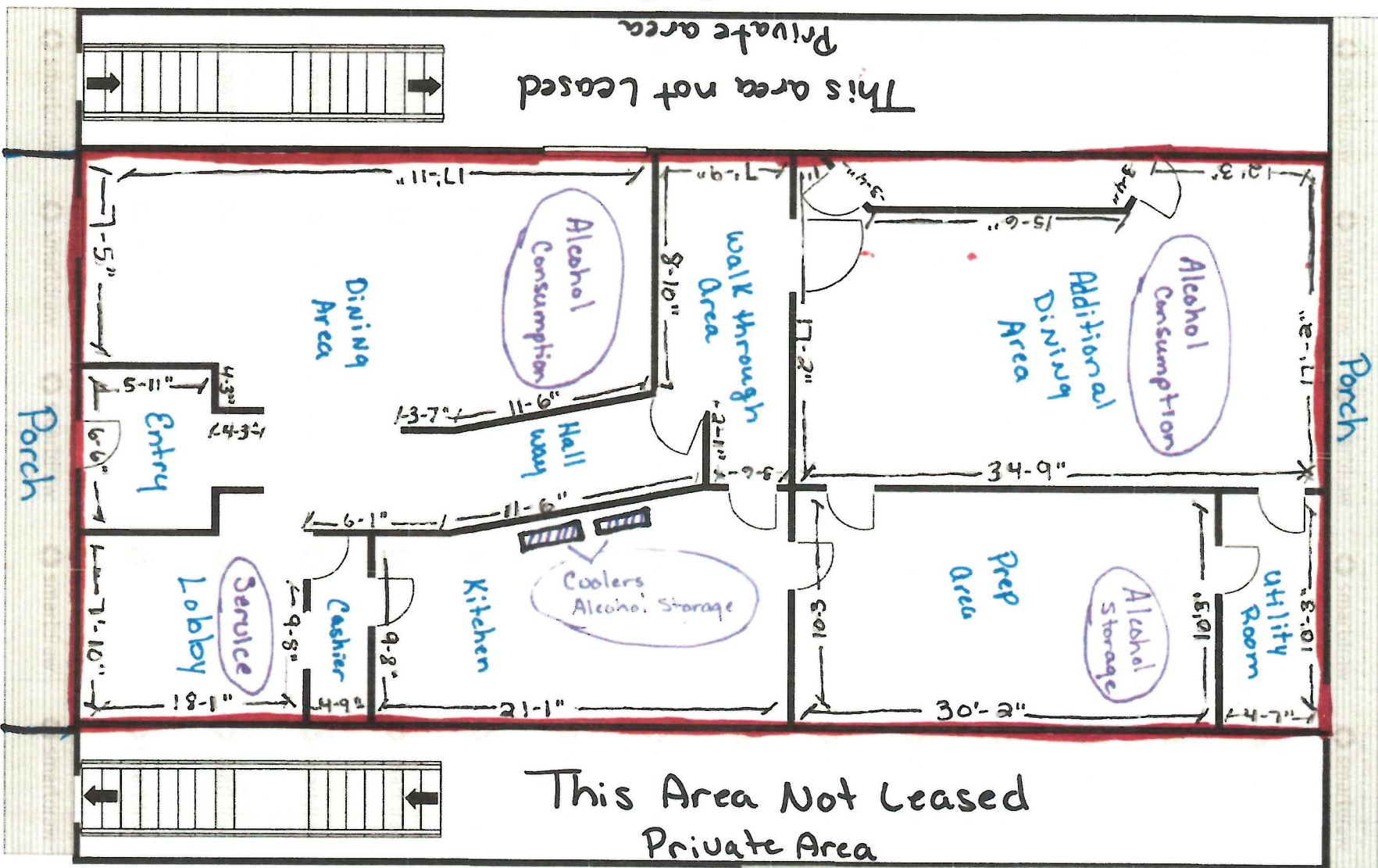
 Notary Public in and for the State of Alaska

My commission expires: October 28, 2023

Subscribed and sworn to before me this 12 day of May, 2022



This area not leased
Private area



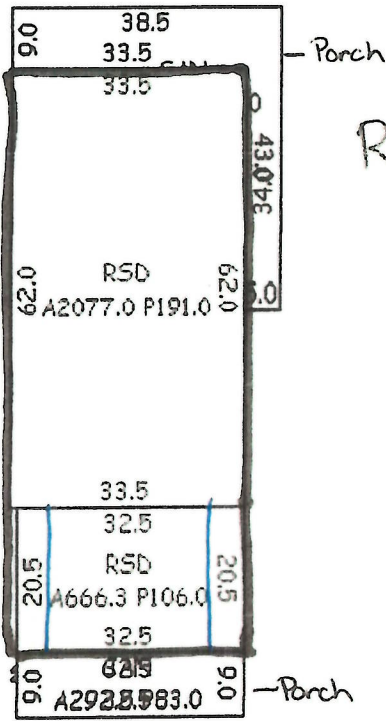
Stacia St. ↑

S. Cushman St. ↓

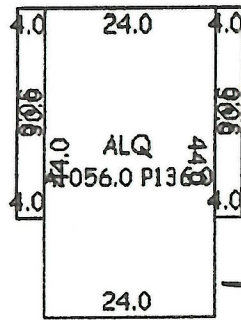
This Area Not Leased
Private Area

15th
AVE →

Porch

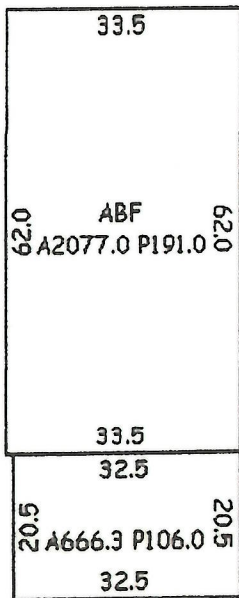


RSD = Restaurant w/seating.
(Main level)



ALQ = Apt.-living quarters.
(Top floor)

→ Private Residence - Not Leased



ABF = Apt. bsmt. finished.
(Basement)

→ Private Residence, not leased

We are not able to access the areas we do not lease.

This is what the borough has on file. There are two doors on either side of Hari Om Cuisine of India that house locked stairwells.



JEFF JACKSON
Appraiser II
Assessing Department

- ☎ P: (907) 459-1466 F: (907) 459-1416
- ✉ jeff.jackson@fnsb.gov
- 🌐 fnsb.gov
- 📍 Fairbanks North Star Borough
907 Terminal St
P.O. Box 71267
Fairbanks, AK 99707-1267





1528

1528

1528

1861 8 888336

AND 8855
PROPERTIES.COM
CIVIC PROPERTIES



300

300

300

- Transit
- Hotels
- Attractions
- Pharmacies
- ATMs
- Parking

NCOA
Prospect Heights

Transit

Parking

Pharmacies

ATMs

Heartland Realty

Fairbanks Analytical Testing

Nicholas Ruth OD

1528 S Cushman St,
Fairbanks, AK 99701

Midtown market
Butcher shop

S Cushman St

S Cushman St

15th Ave

15th Ave

1421

1525

1532

1533

Alaska
Google



Alaska Alcoholic Beverage Control Board
Form AB-03: Restaurant Designation Permit Application

Why is this form needed?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A menu or expected menu listing the meals, including entrées prepared on-site and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

Section 1 – Establishment Information

Enter information for licensed establishment.

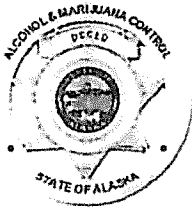
Licensee:	A Paul, LLC		
License Type:	Restaurant & Eating Place	License Number:	
Doing Business As:	Hari Om Cuisine of India		
Premises Address:	1528 S. Cushman Street		
City:	Fairbanks	State:	AK ZIP: 99701
Contact Name:	Amit Paul	Contact Phone:	954-336-5397

Section 2 – Type of Designation Requested

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

- Dining after standard closing hours: AS 04.16.010(c)
- Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
- Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- Employment for persons 16 or 17 years of age: AS 04.16.049(c)
 NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY	
Transaction #:	Initials:



Alaska Alcoholic Beverage Control Board
Form AB-03: Restaurant Designation Permit Application

Section 3 – Minor Access

Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

Minors will only be allowed in the dining area & lobby. They will not be allowed in the kitchen or prep areas. Only 18yo + older will be employed.

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

All alcohol will be kept in the kitchen area or in a locked area. Access to the public is forbidden in these areas. Minors under 18 will not be employed. All employees will have valid TAMS or Tip cards.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

Yes No

Section 4 – DEC Food Service Permit

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/fss/food/>

Please follow this link to the Municipality Food Safety Website:

<http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx>

IF you are unable to certify the below statement, please discuss the matter with the AMCO office:

I have attached a copy of the current food service permit for this premises OR the plan review approval.

*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.

initials /



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Hours of Operation

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

11:00 am - 8:00 pm Monday through Saturday
Closed Sundays

Section 6 – Entertainment & Service

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes No

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

Food and beverage service offered or anticipated is:

table service buffet service counter service other

If "other", describe the manner of food and beverage service offered or anticipated:



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 7 – Certifications and Approvals

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons. This menu includes entrées that are regularly sold and prepared by the licensee at the licensed premises.

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.

I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted.

(AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Amit Paul

Printed name of licensee

Signature of licensee

Local Government Review (to be completed by an appropriate local government official):

Approved

Denied

Signature of local government official

Date

Printed name of local government official

Title



(In Anchorage call 334-2560)

1-87-SAFE-FOOD

If you have questions or concerns regarding safe food handling practices call toll free:

[Signature]
Program Manager:

Expiration Date:
December 31, 2022

This permit, issued under the provisions of 18 AAC 31, is valid until the noted expiration date or unless suspended or revoked by the department.
This permit is not transferable for change of ownership, facility location, or type of operation. It must be posted in plain view in the establishment and is the property of the State of Alaska.

Permit Number: 7226
Issued to: A. PAUL, LLC
For: HARI OM Cuisine of India
For Operation of: FF-1 Food Service
Located at: 1528 S Cushman ST Fairbanks, AK 99701

Alaska Food Code
2022 Establishment Permit
Division of Environmental Health
Food Safety & Sanitation Program



Haribh

CUISINE OF INDIA

Our menu reflects our passion to provide our customers food prepared from scratch using fresh ingredients and spices. We have a menu that we think would cater to people with dietary restrictions. We have uniquely made the Thali (think Indian Bento Box) a cornerstone of our menu. It is a stainless steel platter with little bowls consisting of a wide variety of different dishes providing nutrition, texture, flavors and colors for a complete meal. Includes rice, assorted Indian breads, Raitha, Achar, and Dessert.

GF- Gluten Free V - Vegan N - Contains Nuts

APPETIZERS

Vegetable Samosas (V)

Crispy patties stuffed with spiced potatoes and peas.
Served with tamarind and mint chutney.

\$7

Vegetable Pakoras (GF) (V)

Marinated mixed vegetables fried in chickpea flour.
Served with tamarind and mint chutney.

Chicken Pakoras (GF)

Marinated boneless chicken fried in chickpea flour.
Served with tamarind and mint chutney.

\$9

Masala Fries (GF) Crispy french fries sprinkled with indian seasonings. Served with Tikka Masala dipping sauce.	\$7
Papad (GF) (V) Two Indian style "tostadas" made with chickpea flour. Served with tamarind and mint chutney.	\$5
SOUPS	
Tomato Soup (GF) (V) Home-style tomato soup tempered with garlic and cumin. Garnished with cilantro.	\$6
Chicken Ginger Soup (GF) Clear broth with boneless chicken tempered with ginger and cilantro.	\$6
Dal Shorba (GF) (V) Yellow lentil soup with garlic, cilantro and Indian spices.	\$6
VEG ENTREES	
Korma (GF) (N) Korma (GF) (N) Mixed vegetables cooked in a creamy cashew gravy.	\$15
Tikka Masala (GF) (N) Mixed vegetables cooked in a creamy tomato gravy.	\$15
Dhaba Dal (GF) (V) Yellow lentils tempered with cumin, cilantro and Indian spices.	\$13
Channa masala (GF) (V) Chickpeas cooked with special spices in north frontier style.	\$14
Aloo Gobi (GF) (V) Potatoes and cauliflower tossed with home ground spices, and flavored with fresh cilantro.	\$14

Vindaloo (GF) (V) Portugeuse potato dish cooked in vinegar with tomato , green chilies, ginger and garlic.	\$14
Biryani (GF) A combination rice cooked with vegetables blended with spices.	\$17
Palak Panner Paneer in a thick paste made from puréed spinach and seasoned with garlic, garam masala, and other spices.	\$16
Paneer Tikka Masala Marinated Paneer cheese served in a spiced gravy.	\$16

NON VEG ENTREES

Choose your protein:

Chicken \$18 Lamb \$22 Shrimp \$21 Fish \$20

Korma (GF) (N)

Cashew paste gravy with cream and Indian spices.

Tikka Masala (GF) (N)

Tomato based gravy with cream and Indian spices

Curry (GF)

Onion, tomato, and cilantro based gravy tempered with Indian spices.

Vindaloo (GF)

Portugeuse potato dish cooked in vinegar with tomato , green chilies, ginger and garlic.

Biryani (GF)

A combination rice cooked with vegetables blended with spices.

THALI PLATTER (Available all day long)

Lunch Vegetarian Thali	\$16
Lunch Non Veg Thali	\$18
Dinner Vegetarian Thali	\$18
Dinner Non Veg Thali	\$22

ACCOMPANIMENTS

Naan	\$4
Paratha	\$4
Raitha	\$4
Brown Rice	\$4
Mango Achar pickle	\$4

DESSERTS

Rice Kheer (GF) (N) Basmati rice pudding cooked in milk, nuts and raisins	\$6
Mango Custard (GF) (N) Mixed fruit with mango puree and cream	\$8
Ice Cream	\$6

BEVERAGES

Mango Lassi	\$6
Spiced Chai Tea	\$5
Soft Drinks	\$2
Bottled Water	\$2
Iced Tea	\$3
Milk	\$3