



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: November 30, 2022

FROM: Regina T. Cruz, OLE

RE: #6078 Kami Ramen

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: At the September 20, 2022 ABC Board Meeting, the board approved the new Restaurant/Eating place application with delegation. On October 12, 2022 the Municipality of Anchorage protested the new application pending issuance of a special land use permit.

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

Attachment:

Municipality of Anchorage Protest

AB-00

AB-02



Municipality of Anchorage

P.O. Box 196650 Anchorage, Alaska 99519-6650 Telephone: (907) 343-4316 Fax: (907) 249-7533 www.muni.org/clerklicensing

Office of the Municipal Clerk Licensing

October 12, 2022

Ms. Carrie Craig
Alaska Alcohol and Marijuana Control Office
550 W 7th Ave. Ste. 1600
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Craig:

The Anchorage Municipal Assembly at its regular meeting on **October 11, 2022**, took the following actions:

WAIVE OF PROTEST

Transfer Liquor License

- **Beverage Dispensary License:**
49th State Brewery, LL#4058 - AM 565-2022
- **Beverage Dispensary-Duplicate License:**
49th State Brewery, LL#5556 - AM 560-2022
49th State Brewery, LL#5557 - AM 561-2022
49th State Brewery, LL#5558 - AM 566-2022
49th State Brewery, LL#5554 - AM 574-2022
49th State Brewery, LL#5555 - AM 575-2022
- **Brewpub License:**
49th State Brewery, LL#4059 - AM 564-2022
- **Package Store License:**
49th State Spirits and Gifts, LL#5648 - AM 573-2022
- **Restaurant/Eating Place License:**
Kim's Cuisine, LL#5104 - AM 563-2022
Anchorage Cider House at Fat Ptarmigan, LL#5245 - AM 571-2022
Pizza Man, LL#5880 - AM 572-2022

PROTEST

New Liquor License

- **Restaurant/Eating Place License:**
Kami Ramen, LL#6078– AR 2022-307
Pending approval by the Director of the Planning Department of a special land use permit.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the October 11, 2022 Assembly Meeting.

If you require additional information or if I can be of any assistance, please contact me.

Cordially,

Amelia Rutz
Business License Assistant

CC: Francis McLaughlin, Current Planning
Above listed licensees.



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:	Kami LLC		
License Type:	Restaurant Eating Place	Statutory Reference:	AS 04.11.100
Doing Business As:	Kami Ramen		
Premises Address:	3807 Spenard Rd		
City:	Anchorage	State:	AK ZIP: 99517
Local Governing Body:	Anchorage Municipality		
Community Council:	Spenard Community Council		

Mailing Address:	3807 Spenard Rd		
City:	Anchorage	State:	AK ZIP: 99517

Designated Licensee:	Jia Hui Sim		
Contact Phone:	9073505501	Business Phone:	9075295259
Contact Email:	admin@kamiramen.com		

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

OFFICE USE ONLY			
Complete Date:	License Years:	License #:	6078
Board Meeting Date:	Transaction #:	100379423	
Issue Date:	Examiner:	AMCO	



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:	Jia Hui Sim			
Title(s):	Member	Phone:	9073505501	% Owned: 33
Address:	12323 Silver Spruce Cir			
City:	Anchorage	State:	AK	ZIP: 99516

Entity Official:	Chil Wen Choo			
Title(s):	Member	Phone:	9079806888	% Owned: 34
Address:	1508 Cam Loop			
City:	Anchorage	State:	AK	ZIP: 99515

Entity Official:	Hoo Leon Chew			
Title(s):	Member	Phone:	9077757399	% Owned: 33
Address:	12353 Woodward Dr			
City:	Anchorage	State:	AK	ZIP: 99516

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 #:	10166907	AK Formed Date:	June 23 2021	Home State:	Alaska
Registered Agent:	Jia Hui Sim	Agent's Phone:	9073505501		
Agent's Mailing Address:	12323 Silver Spruce Cir				
City:	Anchorage	State:	AK	ZIP:	99516

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:



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.

JH

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

JH

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.

JH

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.

JH

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

JH

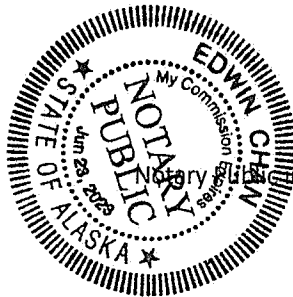
As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Jia Hui Sim

Signature of licensee

Jia Hui Sim

Printed name of licensee



Edwin Chan

Signature of Notary Public

Notary Public and for the State of ALASKA

My commission expires: June 23, 2013

Subscribed and sworn to before me this 3rd day of June, 2012.



Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

Why is this form needed?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form may not be required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's Anchorage office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.



Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Kami LLC	License Number:	6079		
License Type:	Restaurant Eating Place				
Doing Business As:	Kami Ramen				
Premises Address:	3807 Spenard Rd				
City:	Anchorage	State:	AK	ZIP:	99517

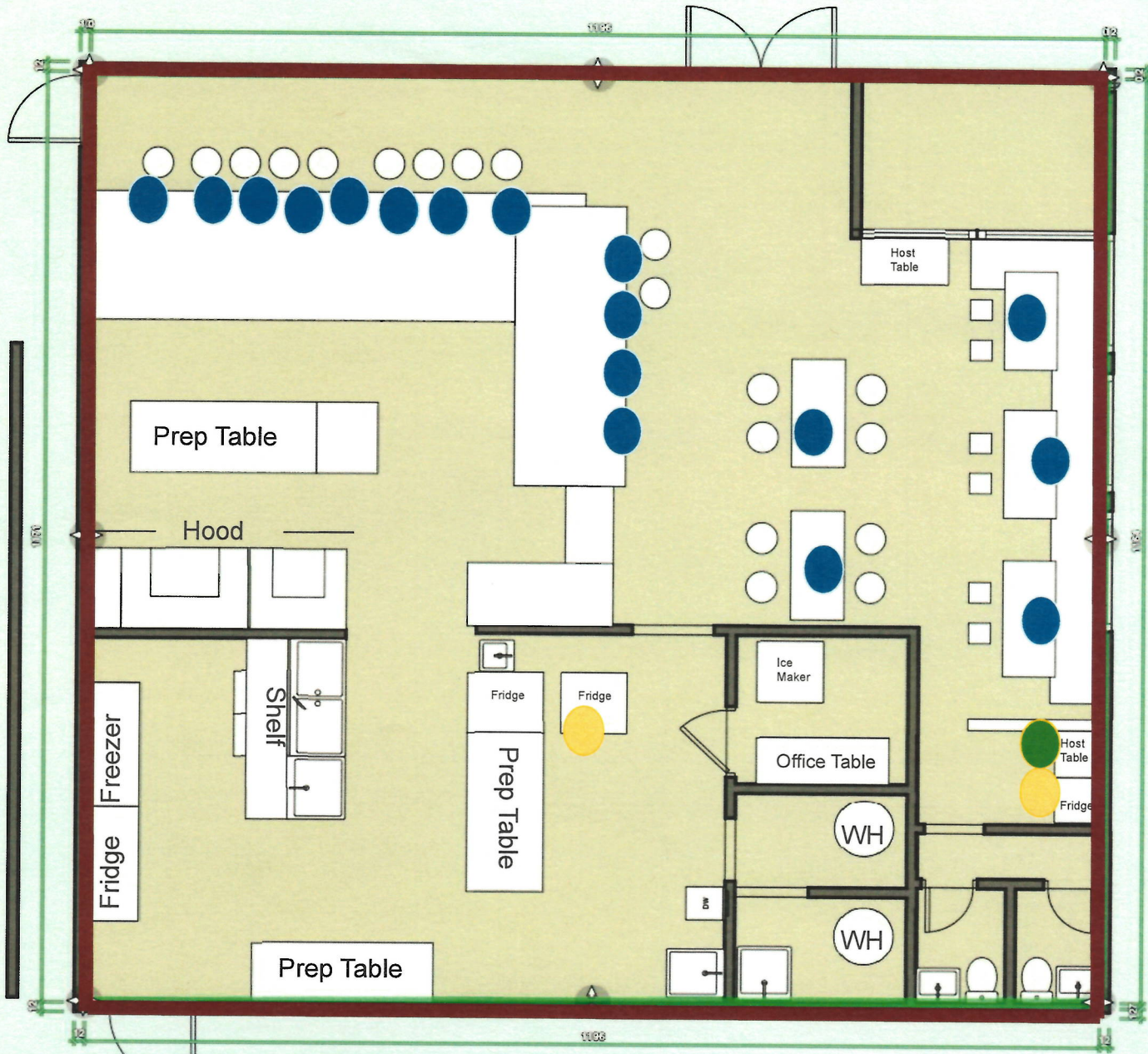


Alaska Alcoholic Beverage Control Board
Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

PLEASE SEE ATTACHED



● Alcohol will be stored

● Alcohol will be served, consumed and Sold

● Alcohol will be prepared and prepared
 AMCO Byrd 8/15/2022