



MEMORANDUM

TO: Alcoholic Beverage Control Board DATE: July 9, 2019
FROM: Erika McConnell, Director RE: 5543 Yama Sushi

Requested Action: Reinstatement and renewal

Statutory and Regulatory Authority: AS 04.06.090(b): "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title."

AS 04.11.540: "...If a complete application for renewal has not been filed by February 28 or the required fees and the penalty fees have not been paid by that date, the license expires at 12:00 midnight February 28."

3 AAC 304.160(f): "The board will deny a request for reinstatement submitted under (e) of this section if

- (1) the license became available in accordance with 3 AAC 304.100(2) and was issued to a different applicant, unless the limit of licenses under AS 04.11.400 has not been reached; or
- (2) the board finds that the failure to timely file or pay was caused by
 - (A) the licensee's failure to notify the board of a change of the licensee's mailing address;
 - (B) a transfer of ownership of the business for which the license was issued without written approval of the board in violation of AS 04.11.040;
 - (C) a lease of the licensed business to another person in violation of AS 04.11.450(c); or
 - (D) any other action of the licensee whether active or tacit that the board finds constitutes a failure to lawfully operate the business for which the license was issued."

Staff Rec.: Evaluate reinstatement request in accordance with 3 AAC 304.160(f)

Background: For the 2019/2020 licensing period, a renewal application was not submitted by midnight on February 28, 2019; the license expired. An expiration and cessation of operations letter was sent on March 13, 2019.

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The licensee has submitted a request for reinstatement and renewal, a complete renewal application, and all required fees.

Attachments: Request for Reinstatement
Renewal Application

YAMA SUSHI
Jung Gue Lee
351 #B Muldoon Road
Anchorage, Alaska 99504

Alcohol Beverage Control Board
550 West 7th Avenue Suite 1600
Anchorage, AK 99501

Re: License 5543

Members of the ABC Board;

We would like to start my apology that we don't submit our alcohol renew application for 2019 on time because we were on the process of transferring our business to another party. We did not think that we needed to renew our license since we were selling the business.

However, we found out that, in order to transfer the license to the party who have purchased the business, dba Yama Sushi, we should have renewed our license. We are writing this letter wishing that you would approve our renewal license application.

We thank you for taking the time to consider our request for reinstatement of the liquor license so that we can continue on transferring the license #5543 to the new owner of the business and the new owner will continue also to do a good business until they will finish the process papers of the transferring of the license to their name.

Thank you for the Consideration.

Sincerely,
Jung Gue Lee
Old Owner dba Yama Sushi





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

Restaurant or Eating Place License

Form AB-17a: 2019/2020 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing restaurant or eating place liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

| | | | |
|-----------------------|----------------------------|------------|--------------|
| Licensee: | Jung Gue Lee | License #: | 5543 |
| License Type: | Restaurant or Eating Place | Statute: | AS 04.11.100 |
| Doing Business As: | Yama Sushi | | |
| Premises Address: | 351 #B Muldoon Road | | |
| Local Governing Body: | Municipality of Anchorage | | |
| Community Council: | North east | | |

| | | | |
|------------------|---------------------|--------|--------|
| Mailing Address: | 8022 Normanshire Ct | | |
| City: | Anchorage | State: | Alaska |
| ZIP: | 99504 | | |

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

| | | | |
|-------------------|--------------------|----------------|---------------|
| Contact Licensee: | Jung Gue Lee | Contact Phone: | (907)952-3734 |
| Contact Email: | PKtr0203@gmail.com | | |

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

| | | | |
|------------------|--|----------------|--|
| Name of Contact: | | Contact Phone: | |
| Contact Email: | | | |



Form AB-17a: 2019/2020 Restaurant Renewal License Application

Section 2 – Entity or Community Ownership Information

This top subsection must be completed by any licensee that is a **corporation** or **LLC**. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. **You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>**

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

| | |
|------------------------------|--|
| Alaska CBPL Entity #: | |
|------------------------------|--|

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

J.L.

This subsection must be completed by any **community** or **entity**, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- 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**.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

| | | | | | |
|--------------------------|--|---------------|--|-----------------|--|
| Name of Official: | | | | | |
| Title(s): | | Phone: | | % Owned: | |
| Mailing Address: | | | | | |
| City: | | State: | | ZIP: | |

| | | | | | |
|--------------------------|--|---------------|--|-----------------|--|
| Name of Official: | | | | | |
| Title(s): | | Phone: | | % Owned: | |
| Mailing Address: | | | | | |
| City: | | State: | | ZIP: | |

| | | | | | |
|--------------------------|--|---------------|--|-----------------|--|
| Name of Official: | | | | | |
| Title(s): | | Phone: | | % Owned: | |
| Mailing Address: | | | | | |
| City: | | State: | | ZIP: | |



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Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate (spouse)

| | | | |
|------------------|------------------------------------|----------------|---------------|
| Name: | Jung Gue Lee | Contact Phone: | (907)952-8734 |
| Mailing Address: | 8022 Normanshire Ct Anchorage A.K. | | |
| City: | Anchorage | State: | Alaska |
| ZIP: | 99504 | | |
| Email: | PLCTR0203@gmail.com | | |

This individual is an: applicant affiliate (spouse)

| | | | |
|------------------|--|----------------|--|
| Name: | | Contact Phone: | |
| Mailing Address: | | | |
| City: | | State: | |
| ZIP: | | | |
| Email: | | | |

Section 4 – Alcohol Server Education

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

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.

S.L.

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:

2017 2018

The license was regularly operated continuously throughout each year.

The license was regularly operated during a specific season each year.

The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.

The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years.

If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.



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Section 6 - Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?

Yes No

Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2017 or 2018?

Yes No

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

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 current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

J.L.

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control (ABC) Board.

J.L.

I certify on behalf of myself or of the organized entity 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.

J.L.

I am submitting as part of this application a completed copy of Form AB-33: Restaurant Receipts Affidavit, to provide evidence to the ABC Board that this establishment met the food sales requirement set forth in AS 04.11.100(e).

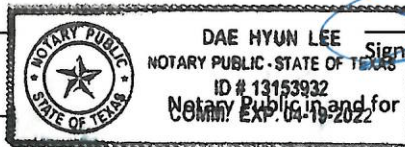
J.L.

As an applicant for a liquor license renewal, 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. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Signature of licensee

LEE, JUNG GUE

Printed name of licensee



Signature of Notary Public

Notary Public and for the State of Texas

My commission expires: 04/19/2022

Subscribed and sworn to before me this 16th day of March, 2019.

Seasonal License? Yes No

If "Yes", write your six-month operating period: _____

| | | | | | |
|--|-----------|------------------|-----------|---------------|-----------|
| License Fee: | \$ 600.00 | Application Fee: | \$ 300.00 | TOTAL: | \$ 900.00 |
| Miscellaneous Fees: | | | | Late Fee | 500.00 |
| GRAND TOTAL (if different than TOTAL): | | | | Reinstatement | 1,000.00 |
| | | | | | 2,400.00 |