

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – TWELFTH MEETING

THURSDAY, SEPTEMBER 17, 2020
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Twelfth Proclamation issued by Governor David Ige on August 20, 2020, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Caldwell's Emergency Order No. 2020-26, effective 12:00 am September 10, 2020 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://cchnl.webex.com/cchnl/onstage/g.php?MTID=e13162978d64aa065492d4426e8a865d5>; by dialing 14084189388, entering the access code: 1468947338#, and entering the passcode: 466547#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>.

All Commissioners will be participating in the meeting by interactive conference technology from remote locations.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Webex platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Webex platform, an equipment and internet access station will be available for use in Suite 111. While in Suite 111, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Webex platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

PUBLIC HEARINGS:

- | | |
|---|--|
| 1. Trans. Appl. No. 20-21263 from 41 Home Made, Inc., dba 41 Home Made, Inc. | For the transfer of the business and Restaurant General license (Category No. 1) of Asahi Grill Keeaumoku LLC, dba Asahi Grill Keeaumoku LLC, 815 Keeaumoku Street, J-104, and for a change of trade name to 41 Home Made, Inc. (R0969) (Prelim. Hrg. 8/27/20) |
| 2. Appl. No. 20-21625 from Asian Source Spirits LLC, dba Asian Source Spirits LLC, 274 Puuhale Road | For a Wholesale General license (Prelim. Hrg. 7/23/20) |

REQUESTS:

- | | |
|--|---|
| 3. Request No. 21-22092 from Sankara Hawaii, LLC, dba Hoakalei Country Club, Dispenser General license (Category No. 2 - Live Entertainment or Recorded Music and Dancing), 91-1620 Keoneula Boulevard, Ewa Beach (E1547) | Requesting approval to permanently reduce its licensed premises |
| 4. Request No. 21-22261 from Giovanni Pastrami Waikiki LLC, dba Giovanni Pastrami Waikiki LLC, [Stand-Alone] Temporary Restaurant General license (Category No. 2 - Live Entertainment or Recorded Music and Dancing), 227 Lewers Street, #R-118/113 (T0247) | Requesting a total of 73 days credit (First [Stand-Alone] Temporary license, 67 days; Second [Stand-Alone] Temporary license, 6 days), due to closure of its licensed premises relating to COVID-19 |

OTHER BUSINESS:

- 5. Request No. 21-22264 from Neal T. Gota, Esq., on behalf of Saiminsays LLC, dba Saiminsays LLC
Requesting waiver of Rule 3-82-32.1(a) requiring a temporary license application be filed within five working days of the surrender of the previous license or the closing of the business

(Premises at 925 Isenberg Street; former site of Agu Ramen)

- 6. Request No. 21-22268 from Keith M. Kiuchi, Esq., on behalf of Xtreme Mini Mart Partners LLC
Requesting determination of good cause for transfer of liquor license within one year under Section 281-41(a), HRS

(Retail General License No. D0997 issued to Mas Trading Inc., dba Mas Liquor & Tobacco, 1726 Kapiolani Boulevard, Suite 103)

ADJUDICATION HEARINGS:

- 7. Club Blossom (LCV 20-0147) (E1514)
 - (1) Licensee permitted and/or allowed employee(s) and an unidentified customer to engage in "lap dancing" within the licensed premises (Violation of Rule 3-82-47.1(c)) (Date of Violation: On or about July 12, 2020)

 - (2) Licensee's employee, who was not employed as an exotic dancer, was unclothed or in such attire, costume or clothing as to expose to view any portion of the pubic hair, anus, cleft of the buttocks, genitalia, or any portion of the female breast below the top of the areola (Violation of Rule 3-84-78.02(a)) (Date of violation: On or about July 12, 2020)

ADJUDICATION HEARINGS: (CONT.)

Club Blossom
(LCV 20-0147)
(E1514)
(Cont.)

(3) Licensee failed to have the interior and/or exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about July 12, 2020)

(4) Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-17 (COVID-19 [Novel Coronavirus] (Violation of Section 281-38, HRS) (Date of violation: On or about July 12, 2020)

(Rescheduled from August 27, 2020)

8. Club Business
(LCV 20-0140)
(E0326)

(1) Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way (Violation of Rule 3-84-79.1) (Date of violation: On or about July 15, 2020)

(2) Licensee failed to make time record entries at the time its employee reported on duty and again when the employee went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about July 15, 2020)

(Rescheduled from August 27, 2020)

ADJUDICATION HEARINGS: (CONT.)

9. Kirin Restaurant
(LCV 20-0036)
(R0282)
- Licensee failed to obtain approval from the Commission in writing, prior to any change in ownership of twenty-five percent or more of the stock, or any change in ownership resulting in the transferee becoming the owner of twenty-five percent or more of the outstanding stock (Violation of Section 281-41(i), HRS) (Date of violation: On or about October 31, 2016 and/or during the period between September 30, 2016 and December 23, 2019)
- (Rescheduled from August 27, 2020)
10. Livestock Tavern/
The Tchín Tchín! Bar
(LCV 20-0127)
(R1085)
- Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violations of the Fire Code of the City and County of Honolulu (Violation of Section 281-38, HRS) (Date of violation: On or about July 1, 2020)
- (Rescheduled from August 27, 2020)
11. Tapa's
(LCV 20-0145)
(E1462)
- Licensee failed to comply with laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-19 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about July 18, 2020)
- (Rescheduled from August 27, 2020)

ADJUDICATION HEARINGS: (CONT.)

12. Thumbs Up Market
(LCV 19-0434)
(D1272)

Licensee sold, served or furnished intoxicating liquor to a minor, or allowed consumption of intoxicating liquor by a minor, at the licensed premises (Violation of Section 281-78(b)(1)(A), HRS) (Date of violation: On or about December 8, 2019)

(Rescheduled from August 27, 2020)

OTHER BUSINESS: (CONT.)

13. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.

LICENSING INVESTIGATIVE REPORT

DATE: August 17, 2020

SUBJECT: Transfer application No. 20-21263 from 41 Home Made, Inc., dba 41 Home Made, Inc., Restaurant General (Category 1: Standard license) for the transfer of the liquor license of Asahi Grill Keeaumoku LLC, dba Asahi Grill Keeaumoku LLC, 815 Keeaumoku Street, J-104, Honolulu, and for a change of trade name to 41 Home Made, Inc. (R0969)

CORPORATION STRUCTURE:

41 HOME MADE, INC.: incorporated under the laws of the State of Hawaii on July 24, 2019. The corporation currently is authorized to issue 10,000 shares, of which 10,000 shares are currently outstanding and issued.

The officers/directors/stockholder are:

	<u>Title</u>	<u>Shares</u>	<u>Interest</u>
Yoshinori Ohmori	P/D	10,000	100%
Naoko Miura	VP/S/T/D	-0-	0%
Total		10,000	100%

For further details of the principals, see Exhibits A1-A2. CJIS Computer were negative for any felonies.

FINGERPRINTS:

Fingerprinting is pending.

FINANCIAL STATEMENT OF 41 HOME MADE, INC, AS OF
OCTOBER 7, 2019:

Financial Statement dated January 6, 2020, was submitted to the Commission and certified by the applicant to be substantially correct, as of October 7, 2019. Financial statement was received by the Commission of January 21, 2020.

TEMPORARY APPLICATION FILED:

The applicant filed a Temporary Application #20-21262 on January 22, 2020.

CONSIDERATION:

According to a document titled, "Assignment of Interests", authorized agent Wayne Luke declared that Asahi Grill Keeaumoku LLC assigns all of its interests in the premises, known as Asahi Grill Keeaumoku at 815 Keeaumoku Street, J-104, Honolulu, Hawaii, including the lease and liquor license.

The document further states the purchase price shall be \$320,000.00 which has been deposited in escrow at Title Guaranty and which shall be paid to seller at closing on a date to be mutually agreed upon.

The Assignment of Interests document does not identify the buyer. There was no other transactional document that identifies the applicant as buyer, submitted at the time of application.

The "Assignment of Interests", was signed by authorized agent Wayne Luke.

On July 20, 2020, this writer requested authorized agent Wayne Luke to submit the escrow documents involved with this transaction.

On August 17, 2020, this writer again, requested authorized agent Wayne Luke to submit the escrow documents involved with this transaction. Luke informed this writer that he will try to obtain it from his client. See Exhibit B for more details.

HAWAII REVISED STATUTES:

HRS §281-41 (h) If any licensee without prior approval transfers to any other person the licensee's business for which the licensee's license was issued, either openly or under any undisclosed arrangement, whereby any person, other than the licensee, comes into exclusive possession or control of the business or takes in any partner or associate who would be unfit or improper to hold a license pursuant to section 281-45, the commission may in its discretion suspend or cancel the license.

LICENSE IN EFFECT FOR MORE THAN ONE YEAR:

Liquor Commission records reveal that the current Restaurant General license has been in effect since November 7, 2011.

DESCRIPTION OF THE PREMISES:

Location: The square shaped premises is located in a commercial building located at 815 Keeaumoku Street, J-104.

- The licensed premises is approximately 50 feet by 39 feet overall
- Main Dining Room/Bar area.
- Restrooms located within the premises.
- Mezzanine 27 feet by 12 feet.
- Parking is located directly in front and behind the restaurant.

See **Exhibit C1-C2.**

BACKGROUND:

According to the Liquor Commission records, Asahi Grill Keeaumoku LLC, dba Asahi Grill Keeaumoku LLC was granted a Restaurant General license at subject location effective 11/07/2011.

REASON FOR TRANSFER:

The licensee selling the business as part of the sales transaction.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business:

- The applicant will operate as a Local Japanese Style Restaurant with the service of alcoholic and non-alcoholic beverages.
- There will be two (2) managers, managing the business with approximately (8) employees.
- Business hours would be daily 7:00 a.m. to 10:00 p.m.
- Business plan submitted. See **EXHIBIT D**.

According to LIQ-LIC-142: Landlord Authorization for Sale and Service of Liquor, Kay N. Nakano, Property Manager for Keeaumoku Development LLC, authorizes the applicant to sell, and service of liquor on the premises, at 815 Keeaumoku Street, J-104, Honolulu.

At the time of this investigation, an executed lease has not been submitted under the applicant's name. The executed lease must be submitted prior to an issuance of the license.

PENDING VIOLATION:

No pending violations.

ZONING CLEARANCE:

Zoning Clearance must be submitted prior to the issuance of the license.

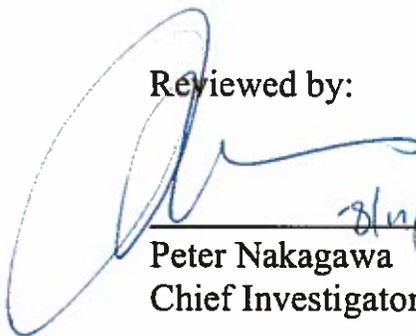
OPINION:

The applicant has met the minimum requirements relative to the making and filing of this application. However, without the escrow/transactional document, it is unclear if the business was transferred prior to Commission approval.



Daniel Sato
Supervising Investigator

Reviewed by:



8/14/2022
Peter Nakagawa
Chief Investigator *wh*

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LIQUOR COMMISSION
C.C.C. OF HONOLULU

2020 JAN 21 P 3 00

List your experience in the liquor industry: No

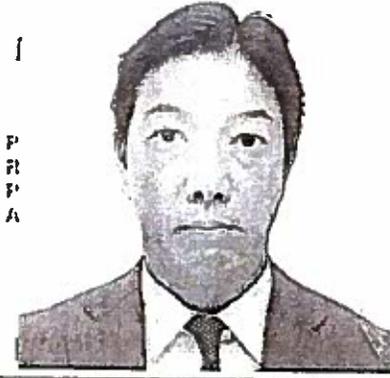
Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, Yoshinori Ohmori, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have/ have not) been convicted of any felony charge.

YOSHINORI OHMORI
Sinnahira



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P
P
A

FOR NOTARY USE ONLY

STATE OF HAWAII }
City and County of Honolulu } SS.

On this _____ day of _____, in the year of _____, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed

Signature of applicant(s) before Notary
Subscribed and sworn to before me this:
_____ day of _____, 20_____

Signature of Notary
Print Name: _____
Notary Public, State of Hawaii
My commission expires _____
(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION
Date of Doc: _____ # of Pages _____
Notary Name: _____ Circuit _____
Doc. Description: _____

Notary Signature _____ *Date* _____
(Place Notary Stamp or Seal here)

**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

PERSONAL HISTORY AND AFFIDAVIT
Rule 3-83-53.1

NAME Miura Naoko SOCIAL SECURITY NO. _____
Last First Middle Maiden

HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS. _____
HOME ()

CITY _____ STATE _____ ZIP CODE _____ BUS. () 953-4703

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS Single
(City, State) (MM / DD / YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1991 NAME OF SCHOOL Shibata H.S. Niigata, Japan
(include City and State)

NO. OF YEARS COMPLETED IN COLLEGE 4 YEAR COMPLETED 1991 NAME OF COLLEGE Kato Gakuu U Yokohama, Japan
(include City and State)

OTHER EDUCATION _____

CITIZENSHIP* Japan - Permanent Resident DATE ARRIVED IN HAWAII (if applicable) 2008
055103804
 *(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1996	2000	TV Reporter	Various	Niigata & Tokyo, Japan
2000	2008	Dental Ass't	for Husband	Yokohama, Japan
2008	present	Real Estate Agent, Broker House Ans		Honolulu, HI

(If additional space is needed, please use reverse side)

EXHIBIT A2

List your experience in the liquor industry: None

Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, NAOKO MIURA, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I (have/ have not) been convicted of any felony charge.

Naoko Miura

Signature

F
F
F
F



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STATE OF HAWAII }
City and County of Honolulu } SS.

On this 23rd day of June, in the year of 2020, personally appeared NAOKO MIURA

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Naoko Miura
Signature of applicant(s) before Notary

NOTARY CERTIFICATION

Date of Doc: JUN 23 2020 # of Pages: 2

Notary Name: Michele Renee Bulosan 1st Circuit

Doc. Description: Personal History and Affidavit

Subscribed and sworn to before me this:

23rd day of June, 2020

Michele Renee Bulosan
Signature of Notary

Print Name: Michele Renee Bulosan
Notary Public, State of Hawaii

Michele Renee Bulosan
Notary Signature

JUN 23 2020
Date

My commission expires Expiration Date: June 2, 2022

(Place Notary Stamp or Seal here)

(Place Notary Stamp or Seal here)

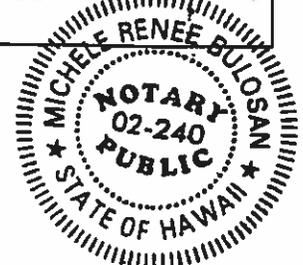
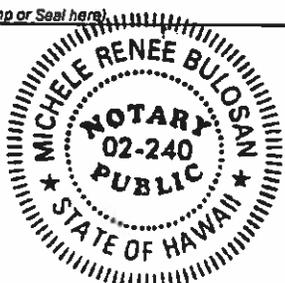


EXHIBIT A2

Assignment of Interests

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C&C OF HONOLULU

2020 JAN 21 P 3:02

Comes now Asahi Grill Keeaumoku LLC and hereby assigns all of its interests in the premises known as Asahi Grill Keeaumoku at 815 Keeaumoku Street, Bldg. J-104, Honolulu, Hawaii, including the lease and liquor license.

The purchase price shall be \$320,000.000 which has been deposited in escrow at Title Guaranty and which shall be paid to Seller at closing on a date to be mutually agreed upon.

Asahi Grill Keeaumoku LLC

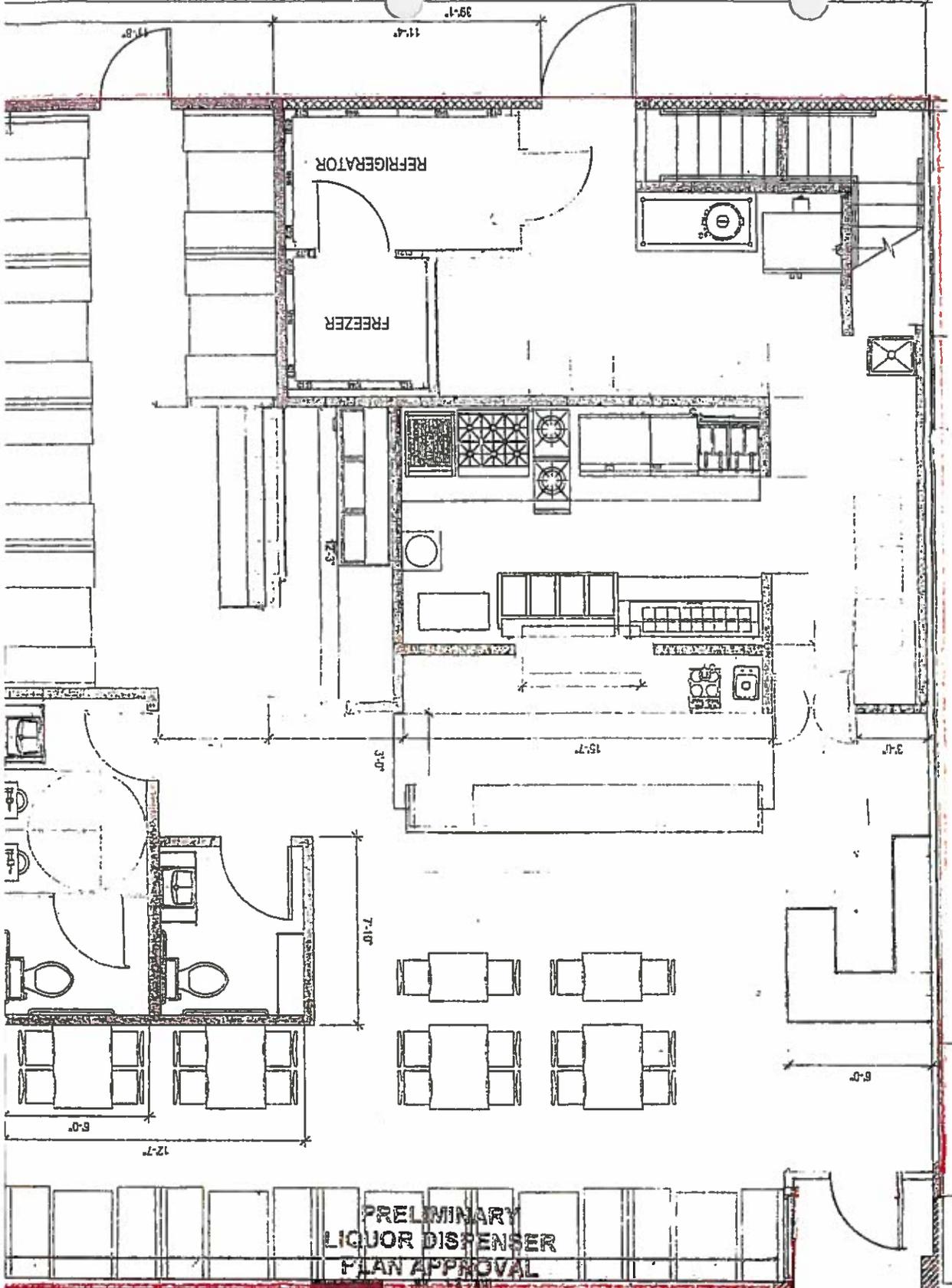
By Wayne Luke

Wayne Luke
Its Authorized Agent

EXHIBIT B

3-615

ASAHI GRILL KEEAUMOKU LLC
VERIFY IN FIELD



**PRELIMINARY
LIQUOR DISPENSER
PLAN APPROVAL**

Date _____
By _____
SANITATION BRANCH
DEPARTMENT OF HEALTH

ASAHI GRILL KEEAUMOKU LLC
dba ASAHI GRILL KEEAUMOKU LLC
#15 Keeaumoku Street, Bldg. J-104
Honolulu, Hawaii 96814
(TMK 2-3-18-60)

EXHIBIT C1

2011 AUG -3 AM 10:20

2011 AUG 17 AM 10:10

FLOOR PLAN
1/4" = 1'-0"

2020 AUG -3 AM 10: 18

2020 AUG -3 AM 10: 18

2011 AUG 17 AM 10: 10

2011 AUG 17 AM 10: 10

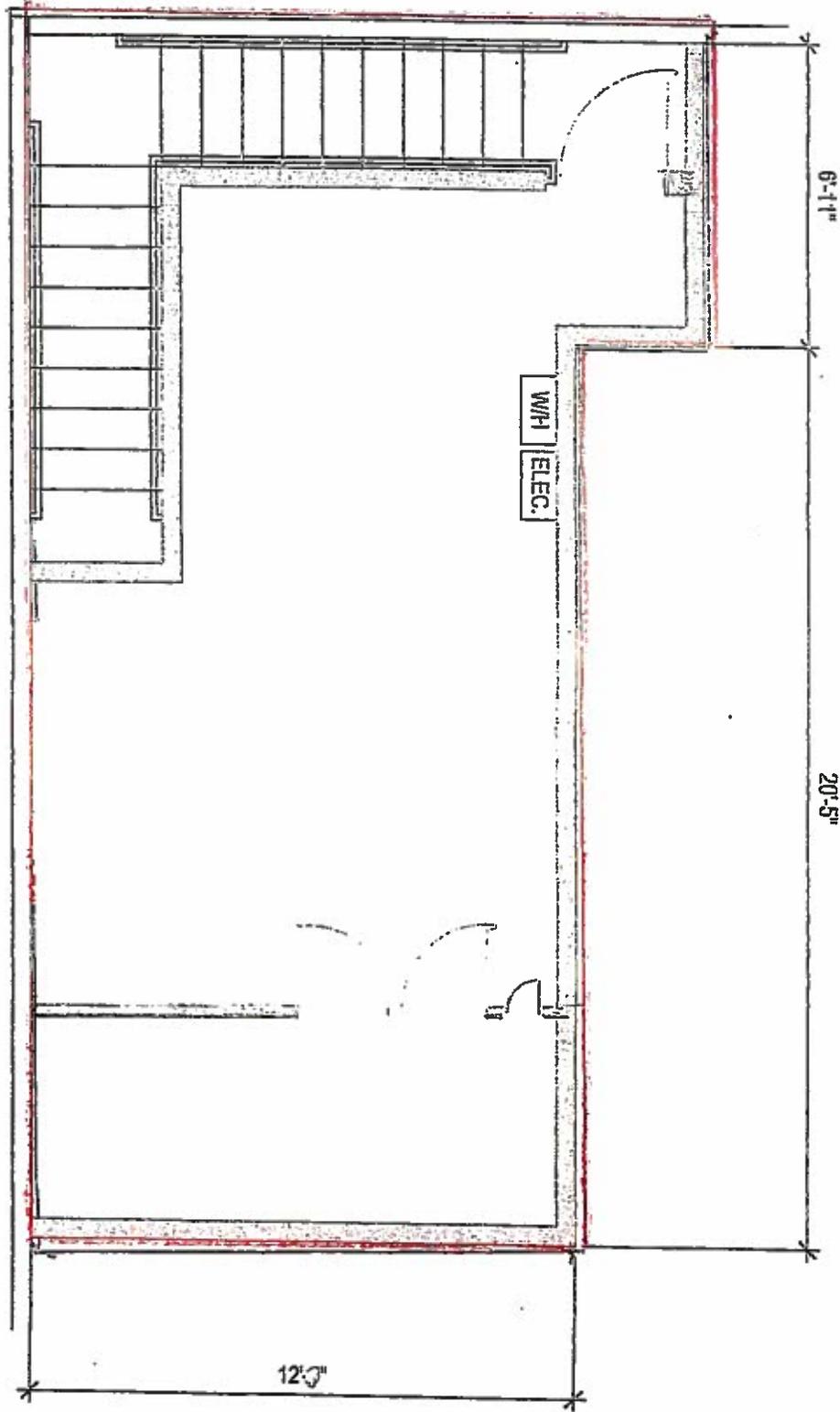


EXHIBIT C2

MEZZANINE PLAN
14'-11-0"

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C&C OF HONOLULU

50% Food Requirement

2020 JAN 22 A 9:35

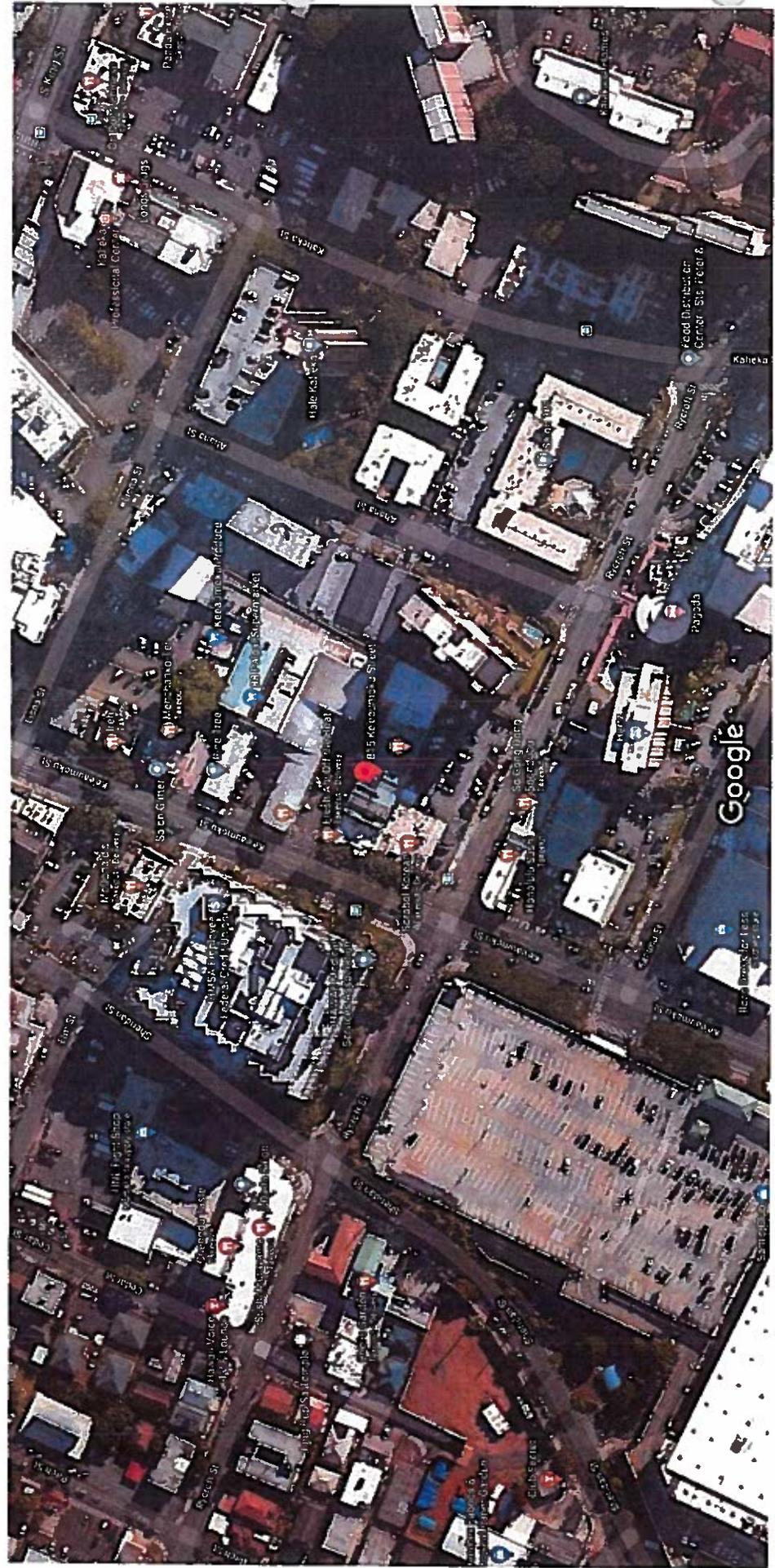
The records of the Honolulu Liquor Commission will show that the Transferor has been in business since 2011 and has met the 30% Food requirement for each year of operation,

Wage

1-20-20

EXHIBIT D

Google Maps 815 Ke'eaumoku St



Imagery ©2020 CyberCity 3D, Inc. / 3D Travel Inc., Maxar Technologies, U.S. Geological Survey, USGS, Map data ©2020 100 ft

LICENSING INVESTIGATIVE REPORT

DATE: July 13, 2020

SUBJECT: New Application No. 20-21625 from Asian Source Spirits LLC dba
Asian Source Spirits LLC, Wholesale General license at 274
Puuahale Road, Honolulu

COMPANY STRUCTURE:

Asian Source Spirits LLC: Was originally organized under the laws of the State of Hawaii on January 28, 2014, as a member-managed limited liability company. As of April 16, 2015, the company has changed from member-managed to manager-managed limited liability company, JNL LLC as the sole member and Danny Kim as the Manager. The following are the member-manager:

	<u>Title</u>	<u>Shares</u>	<u>Interest</u>
JNL LLC	Member	48,000	100%
<u>KIM, Danny</u>	<u>Manager</u>	0	0%
		Total: 48,000	100%

JNL LLC: Organized under the laws of the State of Hawaii on January 28, 2014, as manager-managed limited liability company. The member-Manager are:

KIM, Jamie Lyn	Member	50,000	100%
<u>KIM, Danny</u>	<u>Manager</u>	0	0%
		Total: 50,000	100%

See **Exhibit A** for biographical background information on the principal. CJIS check was negative of any criminal convictions.

AUTHORIZED AGENT:

According to the Notification of Authorized Agent, dated March 18, 2020 and received April 24, 2020, applicant appoints attorney Naomi Cole to serve as authorized agents before the Liquor Commission on his behalf.

FINGERPRINTS:

Proof of principal's fingerprints must be received by Commission before issuance of liquor license.

FINANCIAL STATEMENT FOR ASIAN SOURCE SPIRITS LLC AS OF
MARCH 1, 2020:

Financial Statements of the applicant, dated March 1, 2020, and submitted to the Commission on April 24, 2020, and certified by the applicant to be substantially correct.

COST AND FINANCING:

In addition to the cost of the property, the applicant spent approximately \$5Million on improvements; financing via Bank of Hawaii.

DESCRIPTION OF THE PREMISES:

Location: The proposed wholesale license is located at 274 Puuhale Road, Honolulu, Hawaii 96817.

Details of premises: The nearly square-shaped building has an overall dimensions of 64,128 square feet of warehouse space; approximately 75 feet ewa of the Puuhale Road and Democrat Street.

The warehouse is currently under construction; specifications are based on the submitted floor plan.

- Cooler with capacities of approximately 5,610 square feet.
 - Freezer & Super-freezer occupies approximately 19,635 square feet.
 - Refrigeration takes up approximately 5,617 square feet of space.
- The remaining 25,086 square feet of space encircles the above mentioned facilities with storage area of dry goods & merchandising.

See Exhibit B1 & B2, photo and floor plan.

Hawaii Revised Statutes Section §281-20 General right of inspection:

Any investigator may, at all times, without notice and without any search warrant or other legal process, visit and have immediate access to every part of the premises every licensee for the purpose of making any examination or inspection thereof or inquiry into the books and records therein, to ascertain whether all of the conditions of the license and all provisions of this chapter and chapter are being complied with by the licensee.

According to the applicant, the proposed premises will be available to investigators for inspection during business hours and upon request for after hours.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

New Hope Oahu
290 Sand Island Access Rd.
Approximately 500 feet ewa from the proposed licensee.

Puuhale Elementary School
345 Puuhale Road
Approximately 500 feet mauka-kkhd from the proposed licensee.

SAME CLASS OF LICENSE WITHIN 500 FEET OF PREMISES:

None

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of July 13, 2020, there are 23 Wholesale licenses issued within the City and County of Honolulu, of which 21 are of the Wholesale General kind.

SAME CLASS OF LICENSE WITHIN 500 FEET OF PREMISES:

None

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business: The applicant proposes a wholesale operation distributing wines, beer, spirits (soju) and numerous Asian dry-goods.

Days and Hours of Operation: 8 am to 4 pm., Monday thru Friday.
Applicant proposed to hire 89 employees 1 mgr., and 2 assistant mangers.

Lease: This Indenture was made by and between Asian Source Sprits LLC ("Lessee"), and HNK Puuhale, LLC ("Lessor"), on April 1, 2020, to be effective upon Liquor Commission Approval of applicant's Liquor License.

Terms of Lease: The ten (10) year lease was made on April 1, 2020; to be effective upon Liquor Commission approval.

FEDERAL PERMIT:

Application is pending approval with the Department of Treasury-Alcohol and Tobacco Tax and Trade Bureau (TTB).

A Permit must be received by Commission before a liquor license is issued.

OTHER LIQUOR LICENSE INTERESTS:

Asian Source Spirits LLC (C0129)
500 Alakawa Street, Ste. 104, Honolulu
5/29/16 to 6/30/20

Makino Chaya Aiea, Inc. (R0280)
98-150 Kaonohi Street, Ste. B219, Aiea
6/17/05 to 6/30/18

Palace Buffet (R0726)
94-780 Meheula Parkway, Mililani
1/14/05 to 11/14/07

Makino Chaya Aloha, Inc. (R0820)
1 Aloha Tower Drive, Space 205
5/18/07 to 6/30/11

HISTORY OF VIOLATIONS FOR OTHER LIQUOR LICENSED INTERESTS DURING PERIOD OWNED OR OPERATED BY THE PRINCIPALS:

Makino Chaya Aiea, Inc. (R0280)
According to the LCIS, the above licensee accumulated \$1,650 of fines within three (3) years for failure to report gross sales tax; 8/1/2007 to 8/31/11.

Palace Buffet (R0726)
From 8/1/07 to 8/16/08, licensee was fined \$2,000.00 for Prohibitions: Sell, serve or furnish any liquor or allow consumption of any liquor by a Minor.

Makino Chaya Aloha, Inc. (R0820)
From 8/1/07 to 8/31/10, above licensee was fined \$1,650 for failure to report gross sales tax.

Refer to Exhibits C, LCIS report (3pages)

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of July 13, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested.

The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

ZONING CLEARANCE:

A valid zoning clearance must be received before a liquor license is issued.

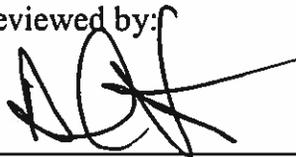
OPINION:

The applicant has met statutory requirements.



Homer Tamapua
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Licensing Investigator

*7/14/20
ah*

List your experience in the liquor industry: 20 years of liquor experience

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2020 APR 24 A 11:52

Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, Danny Tae Kyung Kim, of _____,
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have have not) been convicted of any felony charge.

[Handwritten Signature]
Signature



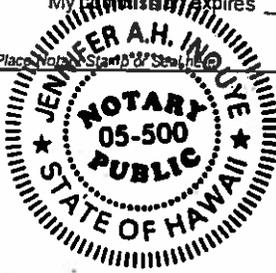
FOR NOTARY USE ONLY

STATE OF HAWAII }
City and County of Honolulu } SS.

On this 31st day of March, in the year of 2020, personally appeared Danny Tae Kyung Kim who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free and clear.

[Handwritten Signature]
Signature of applicant(s) before Notary
Subscribed and sworn to before me this:
31st day of March, 2020
[Handwritten Signature]
Signature of Notary
Print Name: Jennifer A. H. Inouye
Notary Public, State of Hawaii
My Commission expires 14 August 2021

NOTARY CERTIFICATION
Date of Doc: undated # of Pages: 2
Notary Name: Jennifer A. H. Inouye Circuit
Doc. Description: Personal History and Affidavit
[Handwritten Signature] 3/21/2020
Notary Signature Date
my commission expires 14 Aug 2021 Seal here)



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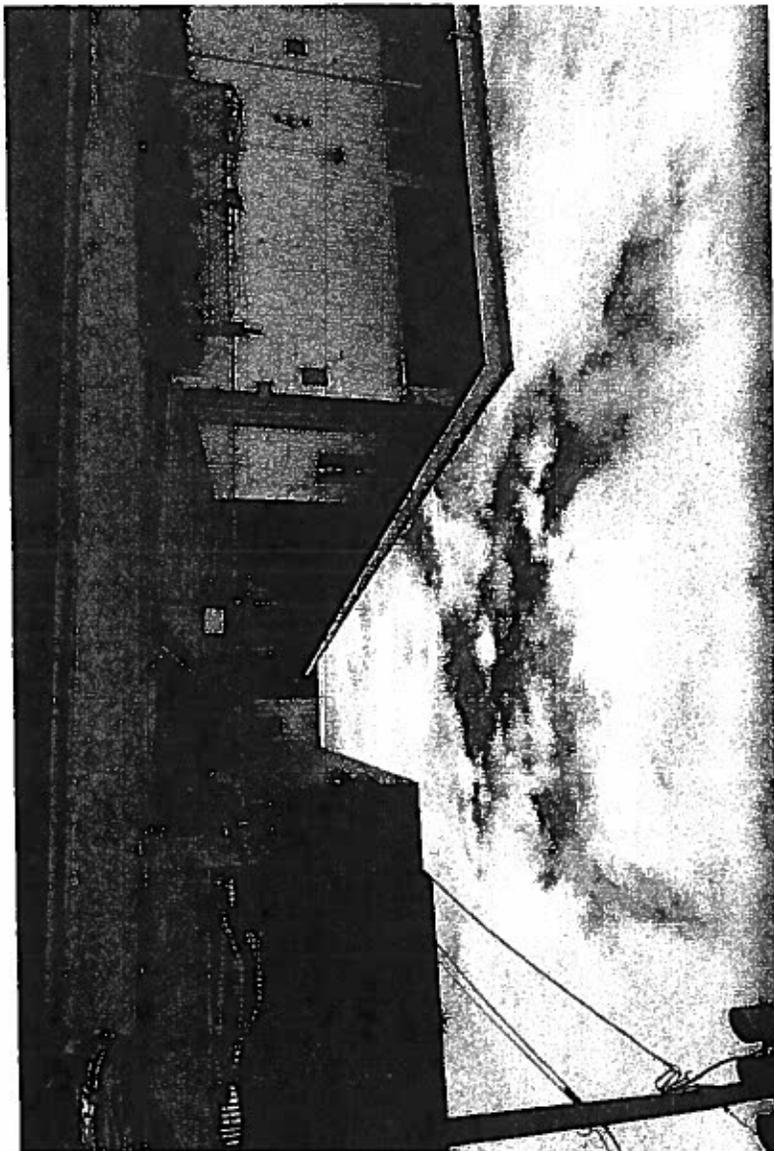
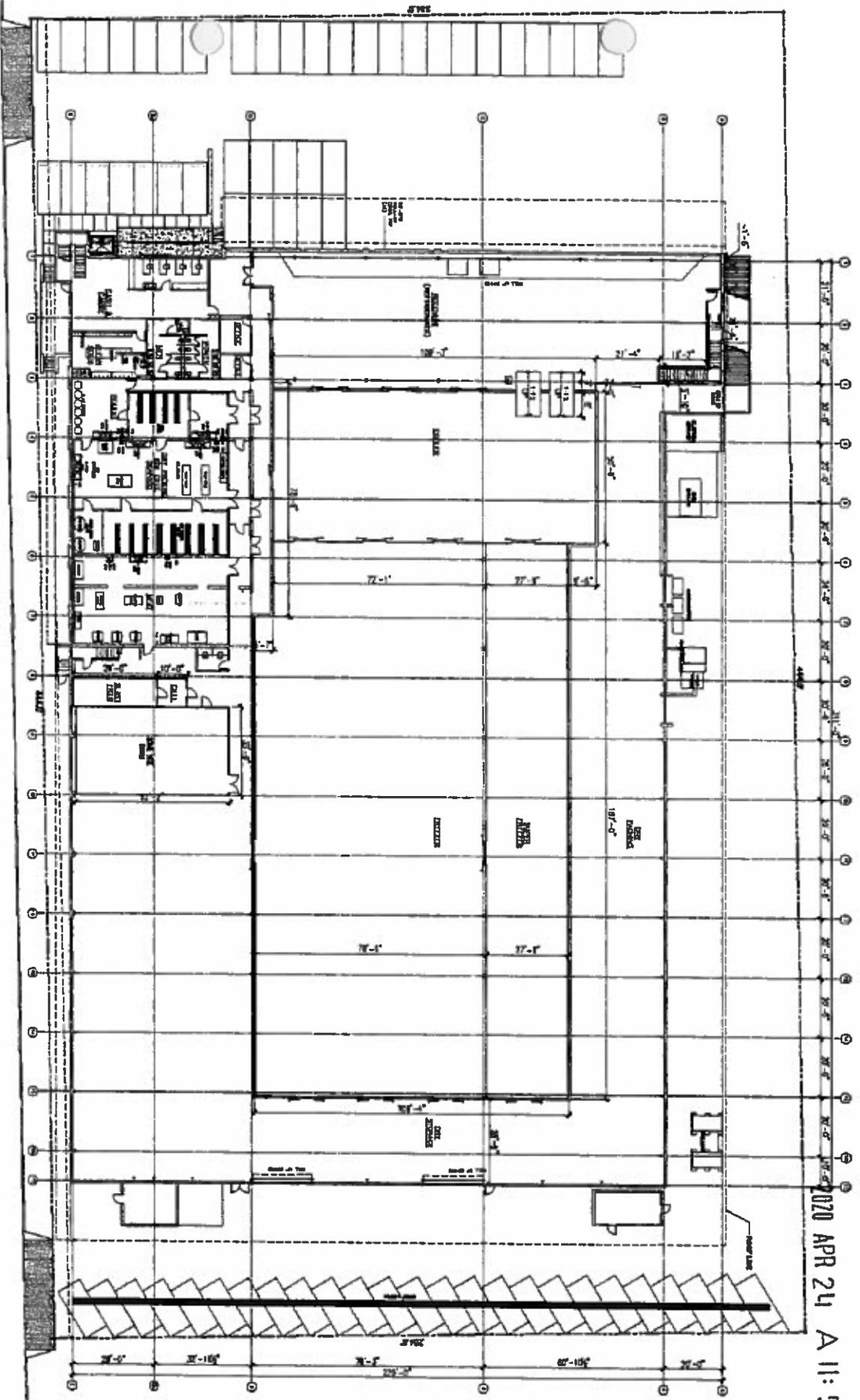


EXHIBIT B1

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2020 APR 24 A 11: 53



PUUHALE ROAD

A FLOOR PLAN
SK-V SCALE 1/8" = 1'-0"

EXHIBIT R7

Date: ASIAN SOURCE SPIRITS Scale: AS NOTED Drawn By: 274 PUUHALE ROAD HONOLULU, HI 96819 TMK: 1-2-022:005	Sheet No. 1 of 1 SK-1 Sheet
---	-----------------------------------

HISTORY OF VIOLATIONS

Violation Date: 06/19/2005 to: 06/19/2020

LICENSE: R0280
 MAKINO CHAYA AIEA, INC.
 98-150 KAONOHI ST, SUITE B-219

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
VIOLATION	22108	05/15/2011	3-82-38.8	2011-0189	FINED	09/30/2011	125.00 *
VIOLATION	01062	08/31/2010	3-81-17.54(c)	2010-0304	FINED	01/14/2011	250.00 *
VIOLATION	00982	09/02/2008	3-81-17.54(c)	2008-0247	FINED	12/31/2008	400.00 *
VIOLATION	00918	08/01/2007	3-81-17.54(c)	2007-0304	FINED	12/22/2007	1,000.00 *

Records printed: 4

HISTORY OF VIOLATIONS

Violation Date: 06/19/2007 to: 06/19/2020

LICENSE: R0820
MAKINO CHAYA ALOHA, INC.
1 ALOHA TOWER DRIVE, SPACE 205

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
VIOLATION	01072	08/31/2010	3-81-17.54(g)	2010-0314	FINED	01/14/2011	250.00 *
VIOLATION	00983	09/02/2008	17.5-4(c)	2008-0248	FINED	12/31/2008	400.00 *
VIOLATION	00919	08/01/2007	3-81-17.54(g)	2007-0305	FINED	12/22/2007	1,000.00 *

Records printed: 3

HISTORY OF VIOLATIONS

Violation Date: 06/19/2005 to: 06/19/2020

LICENSE: R0726 PALACE BUFFET
94-780 MEHEULA PARKWAY

NOTICETYPE	NOTICE NUMBER	VIOLATION DATE	SECTION/RULE	CASE NUMBER	DISPOSITION	DUE DATE	AMOUNT FINED
COMPLAINT AND VIOLATION	12240	08/16/2008	281-78(b)(1)(A)	2008-0154	FINED	11/29/2008	1,000.00 *
VIOLATION	20109	08/16/2008	281-78(b)(1)(A)	2007-0303	FINED	12/22/2007	1,000.00 *
DISCREPANCY	00809	03/01/2006	3-81-17.51 Lic Fees	2006-9988	FEES		240.00 *

Records printed: 4

EXHIBIT C

Google Maps

ASIAN SOURCE SPIRITS LLC



274 Puuhale Rd



Photos

LICENSING INVESTIGATIVE REPORT

DATE: September 8, 2020

SUBJECT: Miscellaneous Request No. 21-22092 from SANKARA Hawaii, LLC dba HOAKALEI Country Club, Dispenser General (Category 3/Music & Dancing) license, requesting Permanent Deletion of portion of licensed premises, at 91-1620 Keoneula Boulevard, Ewa Beach (E1547)

EXISTING LICENSED PREMISES:

Location: The existing licensed premises (New Clubhouse) is located approximately 1500 feet Makai from the proposed "Deleted" and former (Temporary) location of Clubhouse at; **91-1243 Keoneula Blvd.**

Details of premises: The irregular shaped golf course occupies approximately 246.397 acres of capacious land that is known as **HOAKALEI COUNTRY CLUB**. Which includes the proposed deleted area at the above listed address.

DELETION REQUESTED:

In a request form dated and received by Commission on July 23, 2020, applicant request to permanently delete 5.055 acres of land that previously housed the temporary clubhouse, golf shop and an exterior covered lanai (48'x 28') for outdoor dining & special events.

See **Exhibit A**, current floor plan.

REDEFINED LICENSED PREMISES:

According to the applicant, the temporary clubhouse has been removed and cleared from the liquor license boundary. The area will be on the Makai side of the borderline, and plans of building condominiums on the site is in the making.

See **Exhibit B1 & B2**, after floor plan & photos

THIRD AMENDMENT LEASE:

Third Amendment to Temporary Club House Lease Agreement is effective as of November 30, 2019, by and between **Wai Kai Residential, LLC** ("Landlord"), and **Sankara Hawaii, LLC** ("Tenant").

REASON FOR DELETION:

To be in compliant with the lease with WAI KAI RESIDENTIAL that terminated July 31, 2020.

OPINION:

Statutory requirements has been met.


Homer Tamapua
Licensing Investigator

REVIEWED BY:


Daniel Sato
Supervising Licensing Investigator


9/14/2020



LCAPP 1009, MAPS 1314, 1328, 1337, 1317A, 1407A, 1533, HONOLULU, ENA, OAHU, HAWAII (Formerly) DC 9-1-12

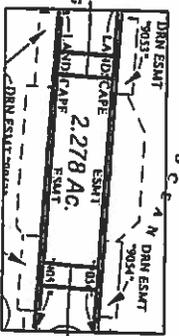
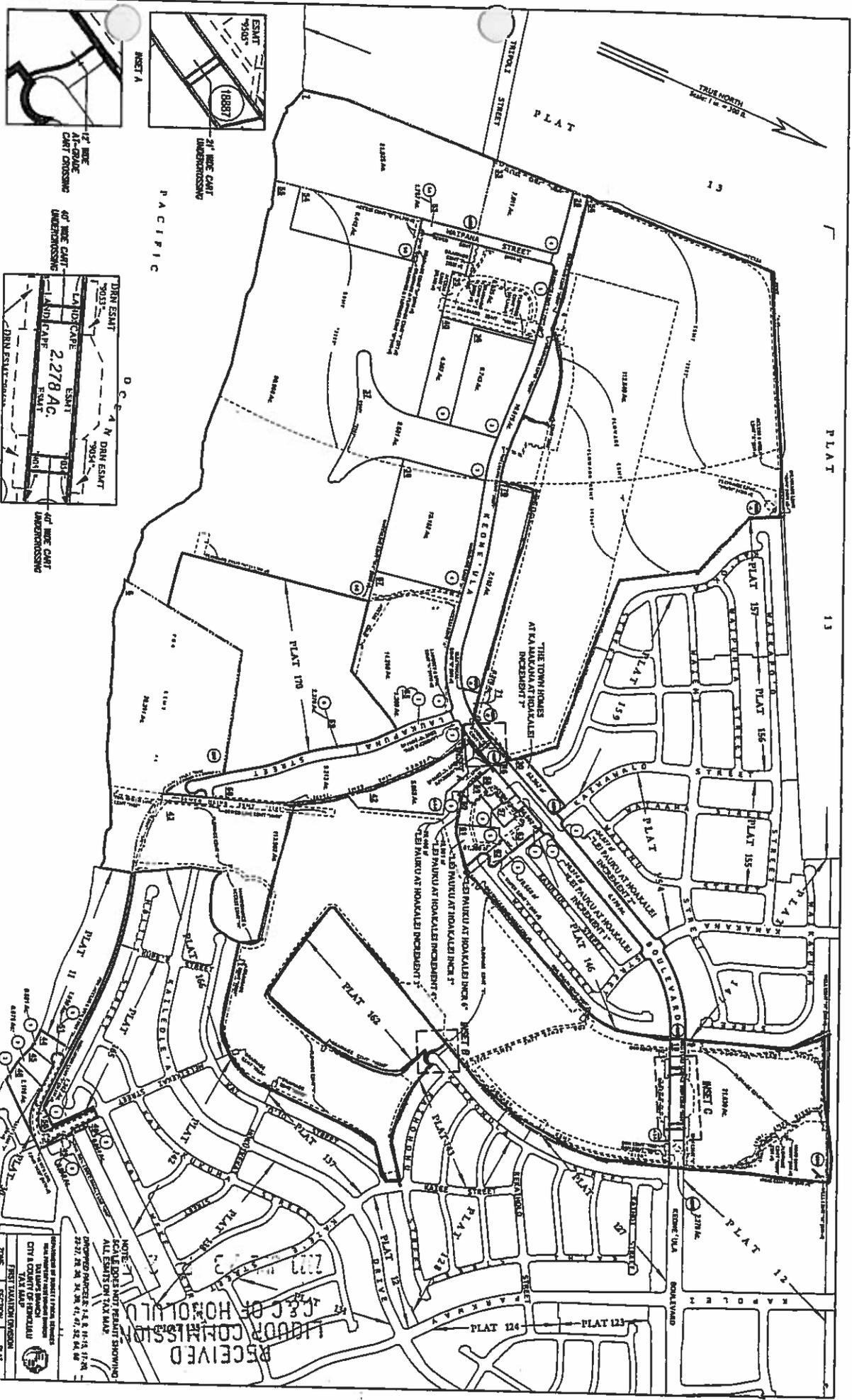


EXHIBIT A

FOR PROPERTY ASSESSMENT PURPOSES, PARCELS MAY NOT BE LEGALLY SUBDIVIDED LOTS - SUBJECT TO CHANGE

2017

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CITY OF HONOLULU

NOTE: 1. ALL RIGHTS RESERVED 2017
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PLAT	SECTION	ZONE	LOT
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LCAPP 1089, MAPS 1314, 1328, 1337, 1376, 1407 & 1533, HONOLULU, EWA, OAHU, HAWAII (formerly par. 5-1-12)

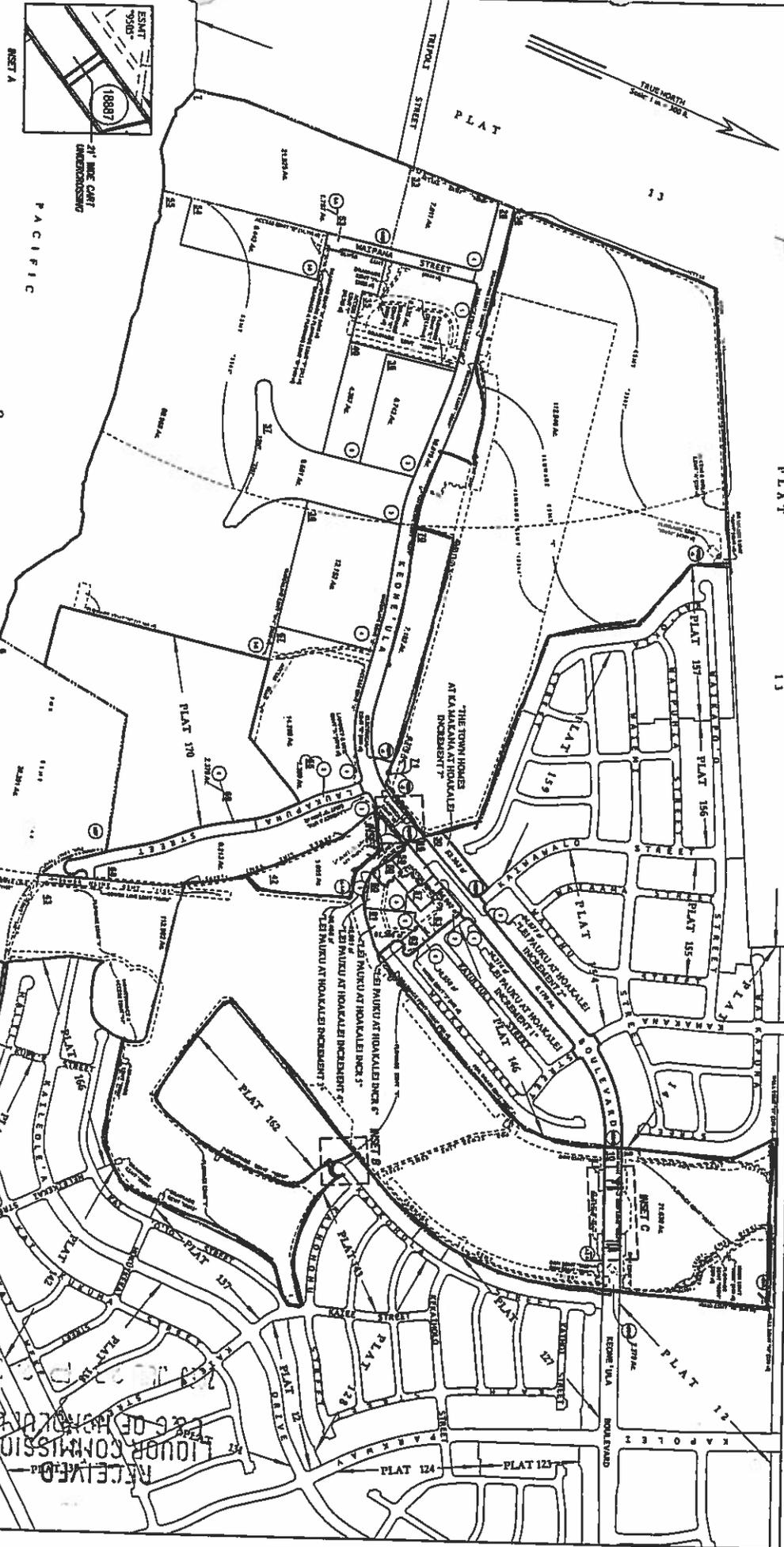
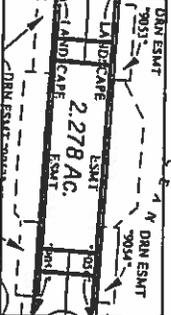
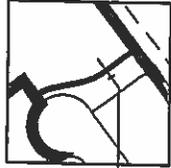


EXHIBIT B1

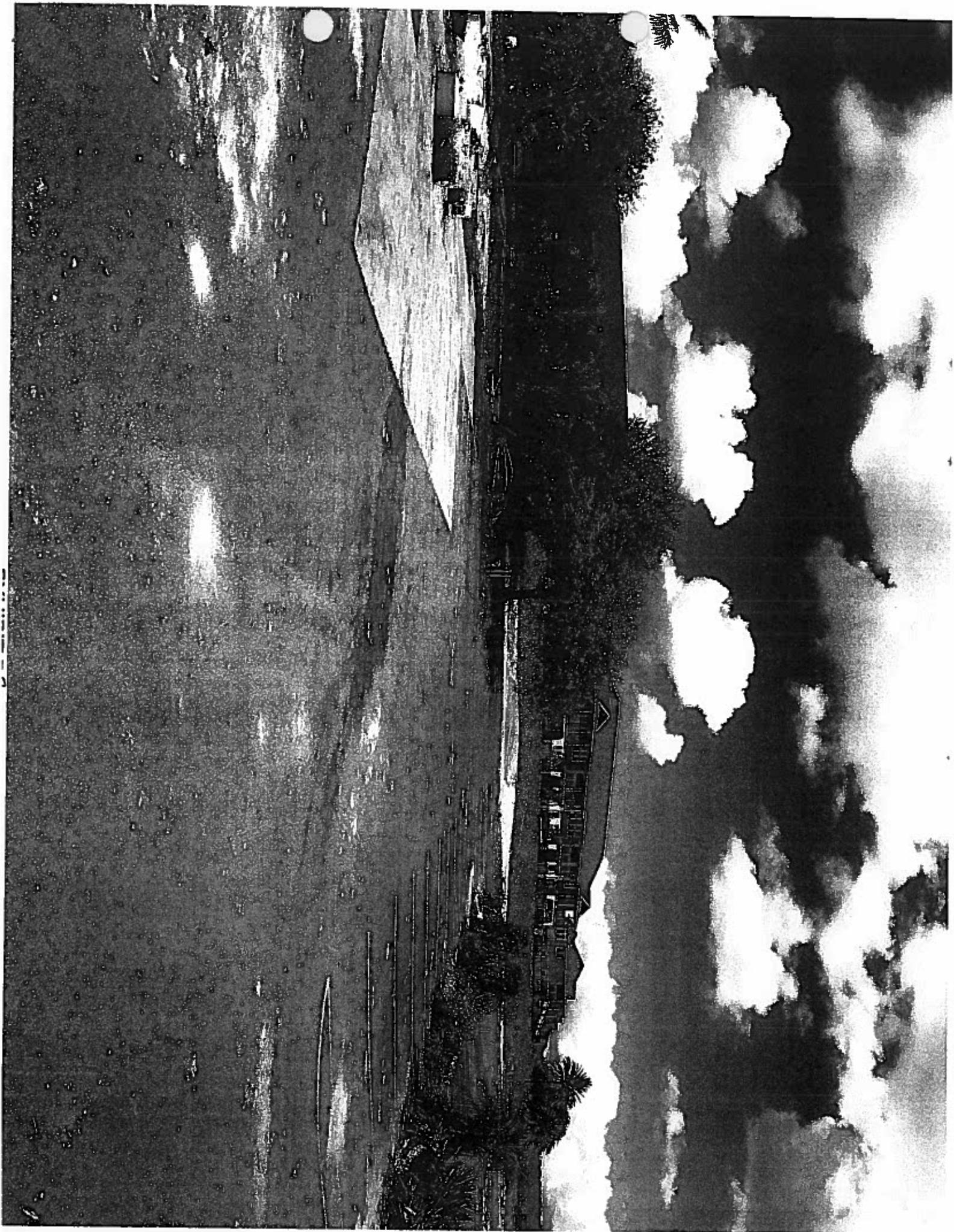
FOR PROPERTY ASSESSMENT PURPOSES, PARCELS MAY NOT BE LEGALLY SUBDIVIDED LOTS - SUBJECT TO CHANGE

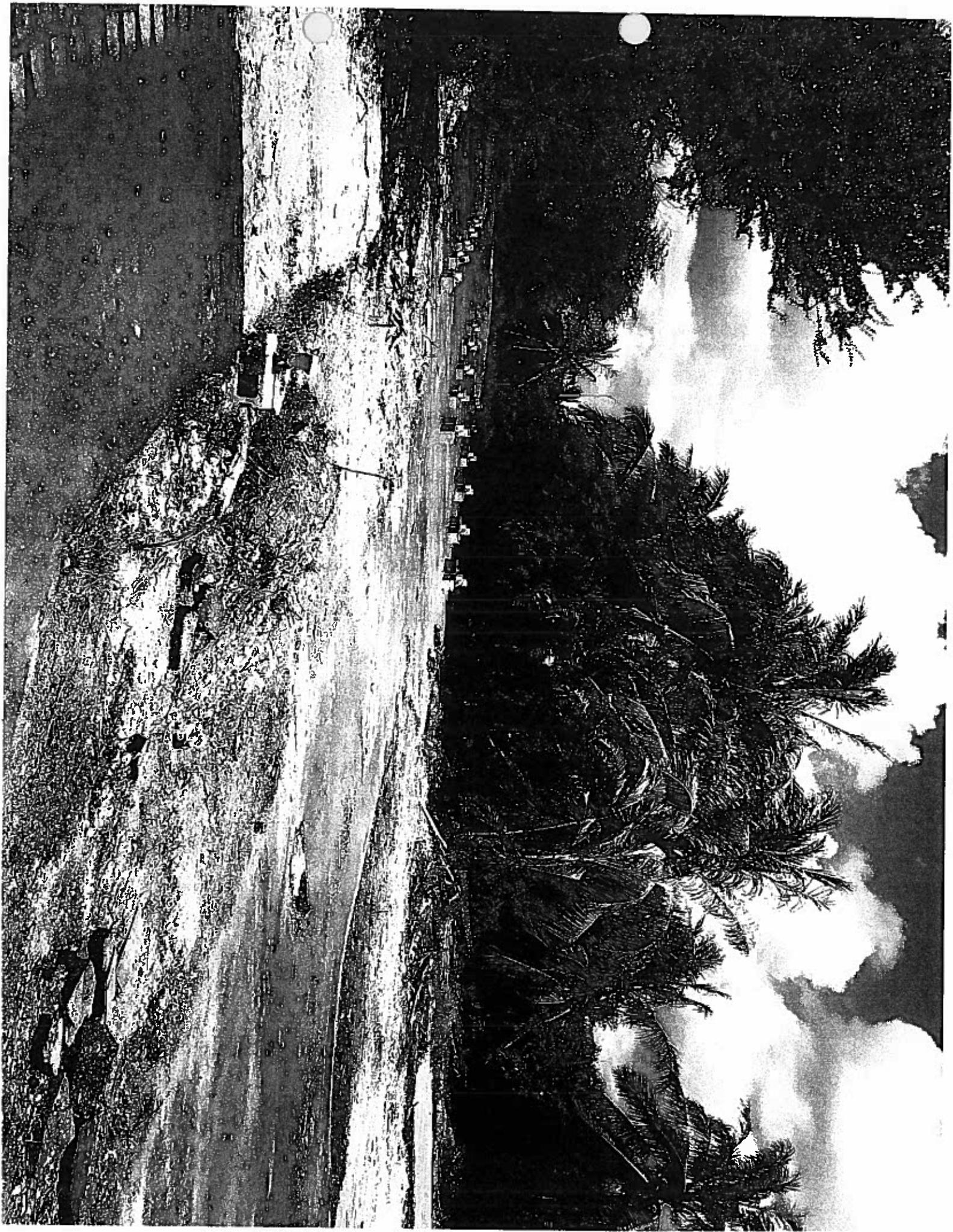
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COUNTY OF HONOLULU
PLANNING DEPARTMENT

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ZONE	SECTION	PLAT

NOTE:
SCALE DOES NOT APPLY TO THIS MAP
ALL EASEMENTS ON THIS MAP
DRAWN BY: [Name]
DATE: 11/21/17

COPYRIGHT CITY & COUNTY OF HONOLULU - ALL RIGHTS RESERVED 2017

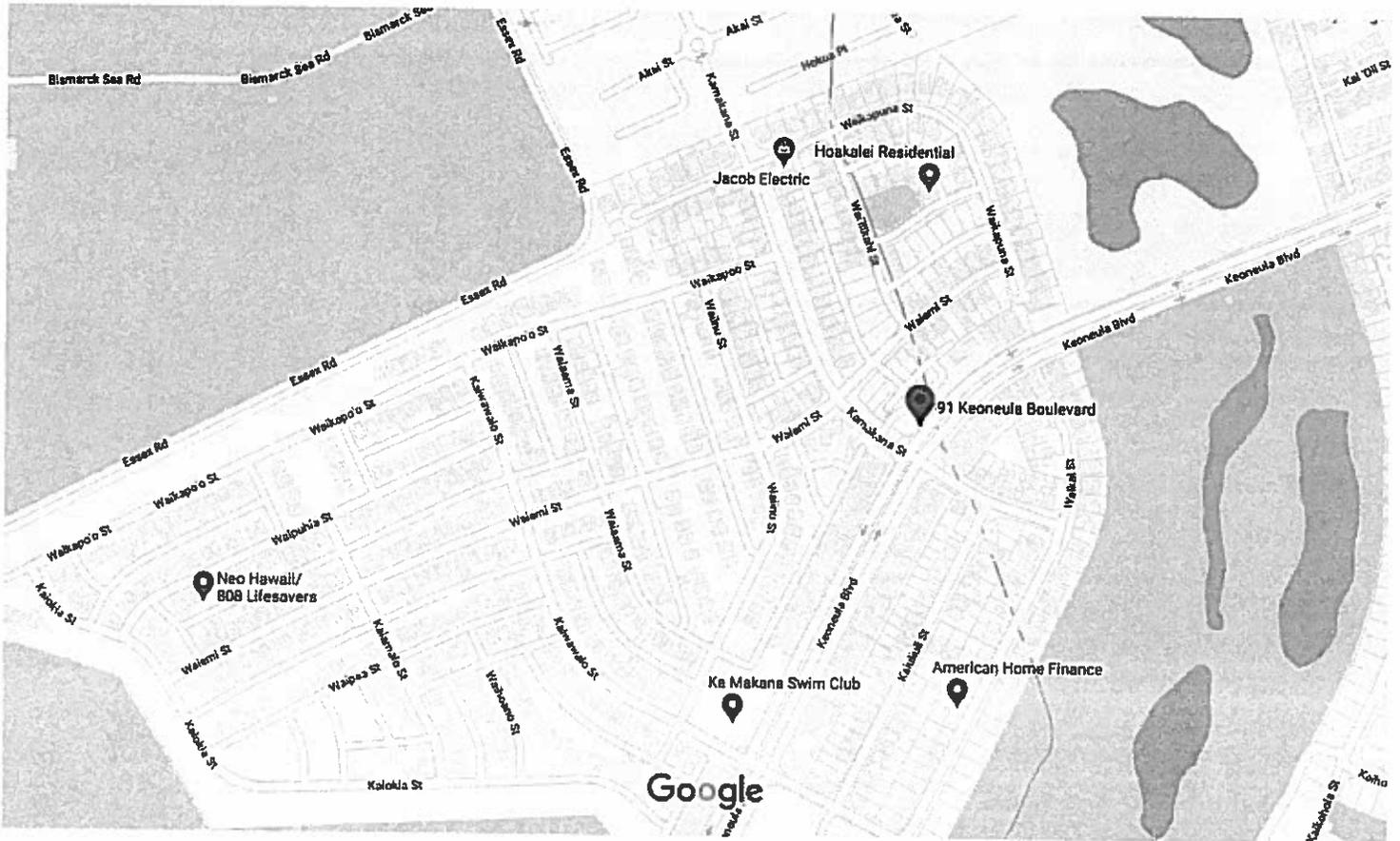




Google Maps

91 Keoneula Blvd

SANKARA HAWAII, LLC dba HOAKALEI COUNTRY CLUB



Map data ©2020 200 ft



91 Keoneula Blvd

Ewa Beach, HI 96706



Directions



Save



Nearby



Send to your phone



Share

#21-22261



KOBAYASHI SUGITA & GODA, LLP
Attorneys at Law

Bert T. Kobayashi, Jr.*
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Chelsea C. Kala
Richard C. Kala
Elyse K. G. Wong
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C & C OF HONOLULU

2020 SEP -8 P 3: 58

Please place on
Agenda 9/17/20 ah

September 8, 2020

Liquor Commission
City & County of Honolulu
Pacific Park Plaza
711 Kapiolani Blvd., Suite 600
Honolulu, Hawaii 96813

Re: Licensee: Giovanni Pastrami Waikiki LLC (T0247)

Dear Sir or Madam:

I am the authorized representative for Giovanni Pastrami Waikiki LLC ("Applicant") regarding its temporary liquor license (T0247).

Applicant is in the process of applying for a permanent liquor license and its current Temp # 2 license will expire on October 8, 2020. Due to circumstances out of its control, the permanent license may not be approved by the expiration of its Temp #2 license.

Applicant respectfully requests the following:

1. Credit of 67 days from its Temp #1 license (valid January 31, 2020 through May 30, 2020) as Applicant was closed due to COVID-19 between March 25, 2020 through and including May 30, 2020 and no liquor was sold during this period; and
2. Credit of 6 days from its Temp #2 license (valid from June 10, 2020 through October 8, 2020) as Applicant was closed from June 10, 2020 through and including June 15, 2020/

Therefore, applicant is requesting a total credit of **73 days** for unused days from both its Temp #1 and Temp #2 licenses to be added to it's current temporary license (to extend expiration date of its current temporary license to **December 20, 2020**).

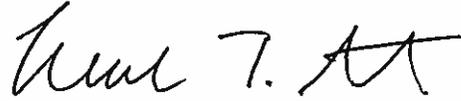
September 8, 2020
Page 2

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2020 SEP -8 P 3: 58

Thank you for your assistance in this matter.

Very truly yours,



NEAL T. GOTA
ANTHONY F. SUETSUGU
for
KOBAYASHI, SUGITA & GODA, LLP

21-22264



KOBAYASHI SUGITA & GODA, LLP
Attorneys at Law

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C&C OF HONOLULU
2020 SEP -9 P 2:05

September 9, 2020

VIA EMAIL

Liquor Commission
City and County of Honolulu
711 Kapiolani Boulevard, Suite 600
Honolulu, Hawaii 96813

Re: **SAIMINSAYS LLC**
Location: 925 Isenberg Street, Honolulu, Hawaii

Dear Sir or Madam:

We are the attorneys and authorized agents for SAIMINSAYS LLC dba SAIMINSAYS LLC (the "Applicant") regarding its to-be-filed applications for a New Restaurant and Stand-Alone Temporary liquor license (restaurant/general) at 925 Isenberg Street, Honolulu, Hawaii (the "Premise"). The Premise previously held a liquor license (R1073) under "Agu Ramen".

Applicant respectfully request that the Liquor Commission waive the requirement to file a temporary license application within five (5) working days of the surrender of the previous license or the closing of the business under §3-82-32.1 of the Rules of the Liquor Commission of the City and County of Honolulu.

Your favorable consideration of this matter would be greatly appreciated. We respectfully request a hearing on this matter as soon as practical. If you have any questions or require any additional information, please feel free to contact me at (808) 535-5730 or by email at ntg@ksglaw.com.

Very truly yours,

NEAL T. GOTA
ANTHONY F. SUETSUGU
for
KOBAYASHI, SUGITA & GODA, LLP

#21-22268
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C&C OF HONOLULU

Keith M. Kiuchi, A Law Corporation

1001 Bishop Street, ASB Tower, Suite 985 | Honolulu, HI 96813 | Tel.: (808) 533-2230 |
FAX: (808) 533-4391

2020 SEP 10 10 2: 32

VIA E-MAIL

September 10, 2020

Please place on
Agenda 9/17/20 ab

Ms. Anna Hirai
Assistant Administrator
Honolulu Liquor Commission
711 Kapiolani Blvd., Suite 600
Honolulu, HI 96813

**Re: Request for Determination of Good Cause For Transfer of Liquor License
Within One Year under HRS §281-41(a).**

Dear Ms. Hirai:

I represent Xtreme Mini Mart Partners LLC ("Xtreme Mini Mart"). Xtreme Mini Mart will be applying for a transfer of a retail general liquor license from Mas Trading Inc. (dba Mas Liquor & Tobacco) for a retail store located at 1726 Kapiolani Blvd., Suite 103, Honolulu, HI 96814. Mas Trading Inc. holds a retail liquor license under License D0997. That license was transferred to Mas Trading Inc. and that transfer was approved by the Honolulu Liquor Commission on November 21, 2019, but the liquor license was not activated until February 10, 2020.

Under HRS §281-41(a): "No license issued under this chapter to an original applicant or to any transferee shall be transferable or be transferred within one year of the issuance or transfer, except for good cause shown to the satisfaction of the liquor commission." Because the liquor license presently held by Mas Trading Inc. was not issued until February 10, 2020, this proposed transfer would be within one year of the previous transfer and thus the Commission must find, under §281-41(a), that there is "good cause" for the liquor license to be transferred within one year. This letter is to request that the Honolulu Liquor Commission determine that there is "good cause" to allow the transfer of this liquor license less than one year from February 10, 2020.

Mas Trading Inc.'s initial sole officer was On Kyoung "Hana" Yoo. Ms. Yoo is a realtor employed with Realty Brokerage LLC. When Ms. Yoo bought Mas Liquor and Tobacco, she bought the store with the intention that her aunt would operate the store but she would be financially responsible for the lease and the store itself. For family reasons, Ms. Yoo's aunt moved back to South Korea early this year. This changed the plans for the store because Ms. Yoo, who works full-time as a realtor, had planned to staff the store with her aunt, who while an employee would really earn any profit from the store. Initially Ms. Yoo staffed the liquor store with her daughter, who is still attending college, but this proved to be unworkable. Thus, Ms.

Page 2

Letter to Ms. Anna Hirai, Assistant Administrator
September 10, 2020

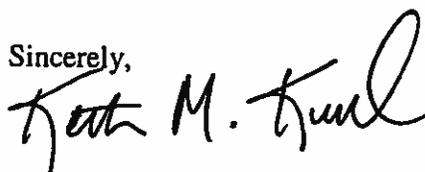
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LIQUOR COMMISSION
C&C OF HONOLULU

2020 SEP 10 P 2: 32

Yoo has been compelled to sell the store, which is the reason she listed the store for sale, and now Xtreme Mini Mart is requesting that the liquor license be transferred to them.

Based upon the foregoing, Xtreme Mini Mart requests that the Commission determine that there is "good cause" for the liquor license to be transferred within one year, and thus allow Xtreme Mini Mart to submit its application for a transfer of the liquor license. We ask that this matter be placed on the Honolulu Liquor Commission agenda for its September 17, 2020 meeting.

Sincerely,



Keith M. Kiuchi

cc: Client