

IN THE MATTER OF THE * BEFORE THE ALCOHOLIC
APPLICATION OF LI MEI CHANG AND *
JASON CHANG ON BEHALF OF NEW * BEVERAGE HEARING BOARD
KATANA SUSHI, INC., t/a KATANA *
SUSHI, FOR A TRANSFER OF A * FOR
CLASS B BEER, WINE, AND LIQUOR *
7-DAY ON-SALE LICENSE * HOWARD COUNTY, MARYLAND

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the "Liquor Board"), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the "Hearing Board").

On February 25, 2014, the Hearing Board heard the application of Li Mei Chang and Jason Chang ("Applicants"), on behalf of New Katana Sushi, Inc., t/a Katana Sushi ("New Katana Sushi, Inc."), for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Li Mei Chang on behalf of Katana Sushi, Inc., t/a Katana Sushi, for a 3,895 square foot restaurant located at 6343 Ten Oaks Road, Clarksville, Maryland 21029. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Thomas M. Meachum, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file are incorporated in the record by reference. These include the following : a letter dated December 24, 2013, from the Applicants' attorney enclosing the transfer application for New Katana Sushi, Inc.; a copy of the Articles of Incorporation for New Katana Sushi, Inc.; a letter dated December 13, 2013 from the State of Maryland Department of Assessments and Taxation confirming acceptance of the Articles of Incorporation for New Katana Sushi, Inc.; a copy of the floor plan; the background investigation questionnaire from Li Mei Chang; the driving record from the Motor Vehicle Administration for Li Mei Chang; the background investigation questionnaire from Jason Chang; the driving record from the Motor Vehicle Administration for Jason Chang; a Certificate of Achievement from Maryland's BEST for completion of an alcohol awareness course for Jason Chang; a memorandum dated January

30, 2014, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses and Permits, the Bureau of Environmental Health, and the Department of Planning and Zoning; the background investigations of the Applicants by the Alcoholic Beverage Inspector dated February 14, 2014; a memorandum dated February 24, 2014, from the Department of Planning and Zoning; a memorandum dated February 12, 2014 and February 24, 2014 from the Office of the Fire Marshal; a letter dated January 30, 2014, to the Department of Finance; a letter dated February 7, 2014, from the Department of Finance; a letter dated January 30, 2014, to the Comptroller of Maryland; a letter dated February 10, 2014, from the Comptroller of Maryland; a fax transmission dated January 30, 2014 to the Applicants' attorney enclosing a letter dated January 30, 2014, with notification of the hearing date and the necessity to advertise; an email dated February 7, 2014, from the Alcoholic Beverage Inspector stating the premises had been posted; and a letter dated February 21, 2014, from the Applicants' attorney enclosing the certification of advertisement from the Howard County Times and the Baltimore Sun.

SUMMARY OF TESTIMONY

Li Mei Chang, President and 70% shareholder for New Katana Sushi, Inc., was sworn and testified that she has lived in Howard County for over twelve years, is alcohol awareness certified, and is a registered voter. Ms. Chang testified that she has owned Katana Sushi, Inc. since 2006. Ms. Chang testified that the purpose of creating a new corporation was to add her son, Jason Chang, to the business so that one day he would be able to take over the business.

Ms. Chang testified that she also owned Katana Sushi in Lyndwood from 2009 until 2010. Ms. Chang testified that she has never had a violation at either restaurant.

Jason Chang, Vice President and 30% shareholder for New Katana Sushi, Inc., was sworn and testified that he has worked at Katana Sushi since 2006, and has worked at various positions in the business. Mr. Chang testified that he is currently the assistant manager, and that he will assume more responsibility as his experience increases. He stated that he is alcohol awareness certified and that he understands the Rules and Regulations.

Mr. Chang testified that he currently is in the restaurant Thursdays through Sundays. Mr. Chang testified that he will be graduating from college in May, and that he will then work in the restaurant six days per week, from opening until closing.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants chose to waive the right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Li Mei Chang and Jason Chang on behalf of New Katana Sushi, Inc., t/a Katana Sushi, have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Li Mei Chang on behalf of Katana Sushi, Inc., t/a Katana Sushi, for a 3,895 square foot restaurant located at 6343 Ten Oaks Road, Clarksville, Maryland 21029.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Li Mei Chang has been a Howard County resident for more than two years, is a registered voter, and a 70% shareholder of New Katana Sushi, Inc.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of this application will not unduly disturb the peace and safety of the residents in the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Li Mei Chang and Jason Chang on behalf of New Katana Sushi, Inc., t/a Katana Sushi, have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Li Mei Chang on behalf of Katana Sushi, Inc., t/a Katana Sushi, for a 3,895 square foot restaurant located at 6343 Ten Oaks Road, Clarksville, Maryland 21029.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Li Mei Chang meets the requirements of Rules 1.09(S), 1.09(T) and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of the application will not unduly disturb the peace and safety of the residents in the neighborhood.

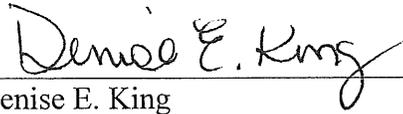
ORDER

For the foregoing reasons, it is this 21st day of March, 2014, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Li Mei Chang and Jason Chang on behalf of New Katana Sushi, Inc., t/a Katana Sushi, for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Li Mei Chang on behalf of Katana Sushi, Inc., t/a Katana Sushi, for a 3,895 square foot restaurant located at 6343 Ten Oaks Road, Clarksville, Maryland 21029, be and the same is hereby **GRANTED** subject to the following conditions:

1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with the following conditions:
 - a. That the Applicants submit an Affidavit of Compliance with the Bulk Transfer Act; and
 - b. That the Applicants comply with all State and County rules and regulations; and
 - c. Failure to comply with these conditions and obtain the license before April 18, 2014, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Denise E. King
Administrator

Harry Evans, III, Chairperson

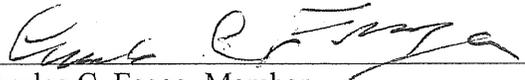


Mary Bird, Member

REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
MARGARET ANN NOLAN
COUNTY SOLICITOR

ABSENT

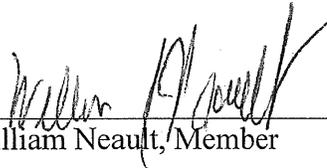
Lisa Lopez Friedman, Member



Charles C. Feaga, Member



Lewis Taylor, Esquire
Assistant County Solicitor



William Neault, Member