

Jenny B. Jarkowski
Planning and Zoning Officer

MEMORANDUM

TO: Edward I. Aronson, Board of License Commissioners

FROM: Joan A. Jenkins, Office of Planning and Zoning, Zoning Division

SUBJECT: Liquor License Application

DATE: September 22, 2023

APPLICANT: Pho Dena, LLC; Frank Huy Do

TRADE NAME: Pho Dena

ADDRESS: 4141-4143 Mountain Road, Pasadena, MD 21122

LICENSE REQUESTED: **NEW LICENSE FOR CLASS H (Beer/Wine/Liquor)**
Entertainment (restricted to multiple TVs only) and Sunday
License

This Office finds that the subject property is zoned C3 – General Commercial District. The license is for a restaurant that is a tenant space in the Lake Shore Plaza shopping center. The C3 District allows a restaurant as a permitted use, and alcoholic beverage uses as accessory to other uses is allowed as a conditional use. As such, the proposed alcoholic beverage use would be accessory to the principal use of the site as a restaurant.

This Office further finds that the proposed use meets the applicable requirements of §18-2-109 and §18-10-104 of the Code with respect to vehicular access and existing traffic patterns for surrounding uses as this is an existing restaurant in the C3 – General Commercial District. Impact to residential areas, existing and allowed land uses, and the magnitude of the activity would also be substantially the same as existing conditions. Accordingly, this Office would have **no objection** to the issuance of the requested liquor license.

The applicant should be advised that building permits and grading permits are required for all renovation and/or new construction. Additionally, a Zoning Certificate of Use is required for the subject use.

Please contact this Office at 410-222-7437 if there are any questions concerning this matter.

**BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND**

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS H (BWL) E, S

☐ Outdoor Dining

If transfer, formerly trading as: _____

For the use of: (Check one)

☐ Individual ☐ Partnership ☒ LLC ☐ Corporation ☐ Unincorporated Association

To the Board of License Commissioners

Anne Arundel County, John B. Maloney, Chairman Date August 22, 2023

Application is made by the undersigned under the provisions of Alcoholic Beverages I, Titles 1-12, Annotated Code of Maryland, for the above license, and the applicant (s) submit (s) and certify (ies) to the following information required by the Article:

1. Applicant (s)
 - (1) Name Frank Huy Do Residence 14423 Fairdale Road, Silver Spring, MD 20905
Date of Birth 01/10/1973 Period of Residence 5 years Period of Residence in A. A. Co. 0 years
Place of Birth Danang, Vietnam Naturalized at Boston, MA Year 1998
Telephone Number 240-481-6427 Sex Male
 - (2) Name _____ Residence _____
Date of Birth _____ Period of Residence _____ Period of Residence in A. A. Co. _____
Place of Birth _____ Naturalized at _____ Year _____
Telephone Number _____ Sex _____
 - (3) Name _____ Residence _____
Date of Birth _____ Period of Residence _____ Period of Residence in A. A. Co. _____
Place of Birth _____ Naturalized at _____ Year _____
Telephone Number _____ Sex _____
2. ~~The applicant(s) (is, are) citizen(s) of the United States, and (if the application is for an individual or partnership), (has, have) been for two years next preceding the filing of this application a resident of Anne Arundel County. The applicant (s) applicant(s) (if applying as a qualifying individual for a corporation, unincorporated association, or LLC) is and has been a registered voter and taxpayer in Anne Arundel County for two years next preceding the filing of this application. The applicant (s) thus qualified (is, are): 1 ☐ 2 ☐ 3 ☐ (Insert number to correspond with name (s) listed above)~~
3. Corporate name if applicable: Pho Dena LLC
4. The trade name of the applicant (s) is: Pho Dena
and the location and address where license is desired is: 4141 - 4143 Mountain Road, Pasadena, MD 21122
5. Describe premises: Lot size: Approx. 427,927 sq. ft. or 9.824 acre lot (Lake Shore Plaza)
Size and type of construction and building or area applied for: 2,500 sq. ft. commercial suite - restaurant
6. The name of the owner of the premises described above: St. John Properties, Inc.
7. The applicant (s) (has, have) never been convicted of a felony. ☒ True ☐ False
8. The applicant (s) (has, have) never been adjudged guilty of violating the laws governing the sale of alcoholic beverages or for the prevention of gambling in the State of Maryland as follows. ☒ True ☐ False
If false, give names, dates and offenses: _____
9. (Has, have) the applicant (s) ever held a license for the sale of alcoholic beverages. ☐ Yes ☒ No
(If yes, in what state, and at what location) _____
10. The applicant (s) (has, have) not had a license for the sale of alcoholic beverages revoked. ☒ True ☐ False
11. The applicant (s) (has, have) a pecuniary interest in the business to be conducted under said license. ☒ True ☐ False
12. The applicant (s) (is, are) not pecuniarily interested in any other place of business in the county, counties or Baltimore City where, or for which, a license has been applied for, granted or issued under Alcoholic Beverages I, Titles 1-12, Annotated Code of Maryland. ☒ True ☐ False
13. No person except the applicant (s) is in any way pecuniarily interested in the license applied for or in the business to be conducted there under during the continuance of the license, if issued. ☒ True ☐ False

**BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND**

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS H (BWL) E, S

14. The applicant (s) (has, have) not been adjudged guilty of any offense against the laws of the State or of the United States.
☒ True ☐ False
15. No manufacturer, brewer, distiller, or wholesaler, directly or indirectly, has any financial interest in the premises or business of the applicant. ☒ True ☐ False
16. The applicant (s) will not convey or grant to any manufacturer, brewer, distiller, or wholesaler any financial interest, except as otherwise permitted in Alcoholic Beverages I, Titles 1-12, Annotated Code of Maryland.
☒ True ☐ False
17. The applicant (s) (has, have) at the time of filing this application no indebtedness or other financial obligation and will not incur any such indebtedness or other financial obligation, directly or indirectly, to any manufacturer, brewer, distiller or wholesaler other than for the purchase of alcoholic beverages. ☒ True ☐ False
18. The applicant (s) will, if granted a license, conform to all laws and regulations relating to the business in which the applicant (s) propose (s) to engage. ☒ True ☐ False
19. The applicant (s) submit (s) herewith a statement duly executed and acknowledged by the owner of the premises in which the business is to be conducted, assenting to the granting of the license applied for, authorized the Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners of the county in which the place of business is located, its duly authorized agents and employees, and any peace officer of such county, to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours. ☒ True ☐ False

EXTRACT FROM LAW: If any affidavit or oath required under the provisions of the Act shall contain any false statement, the offender shall be deemed guilty of perjury, and upon indictment and conviction thereof, shall be subject to the penalties provided by law for that crime.

Give Name (s), title (s), and address (es) of applicants:

FRANK H. DO Managing Member & Owner 14423 Fairdale Rd. Silver Spring, MD 20905
(name) (title) (home address)

(name) (title) (home address)

(name) (title) (home address)

*Note: If President or Vice-President is one of the applicants, he/she must also sign as an applicant.

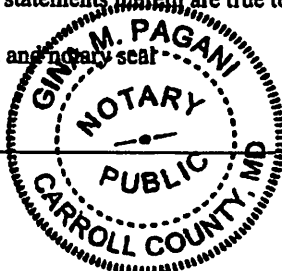
(Corporate Seal)

- *1. _____
(signature of President or Vice President)
1. _____
(signature of applicant)
2. _____
(signature of applicant)
3. _____
(signature of applicant)

STATE OF MARYLAND Howard County as:
THIS CERTIFIES, That on the 11th day of July, 2023, before the subscriber, a
Notary Public of the State of Maryland, personally appeared Frank Do
the applicant (s) named in the foregoing application, and made oath in due
form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and notary seal

(SEAL)



Gina Pagani
(NOTARY PUBLIC)

my commission expires 4/1/25

**BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND**

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS H (BWL) E, S

STATE OF MARYLAND _____ as:
THIS CERTIFIES, That on the _____ day of _____, before the subscriber, a
_____ of the State of Maryland, personally appeared _____
the applicant (s) named in the foregoing application, and made oath in due
form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and notary seal _____
(SEAL) (NOTARY PUBLIC)

STATE OF MARYLAND _____ as:
THIS CERTIFIES, That on the _____ day of _____, before the subscriber, a
_____ of the State of Maryland, personally appeared _____
the applicant (s) named in the foregoing application, and made oath in due
form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and notary seal _____
(SEAL) (NOTARY PUBLIC)

STATE OF MARYLAND _____ as:
THIS CERTIFIES, That on the _____ day of _____, before the subscriber, a
_____ of the State of Maryland, personally appeared _____
the applicant (s) named in the foregoing application, and made oath in due
form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and notary seal _____
(SEAL) (NOTARY PUBLIC)

BOARD OF LICENSE COMMISSIONERS
FOR ANNE ARUNDEL COUNTY, MARYLAND

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS H (BWL) E.S.

STATEMENT OF OWNER OF PREMISES REQUIRED IN CONNECTION WITH
ALCOHOLIC BEVERAGES LAW OF MARYLAND

(I, WE) HEREBY CERTIFY, That (I am, we are) the owner (s) of the property known as Lakeshore Plaza

Named in the foregoing application made to the State Comptroller under the Alcoholic Beverages Law of Maryland; that (I, we) hereby authorize the State Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners for Anne Arundel County, its duly authorized agents and employees, and any peace officer of such county to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

WITNESS (our, my) hand (s) and seal (s) this 10th day of July, 2023.

ST. JOHN PROPERTIES, INC. (seal)
Willi. Holzman (seal)
V.P., RETAIL LEASING (seal)

STATE OF MARYLAND Baltimore County as:
THIS CERTIFIES, That on the 10th day of July, 2023, before the
subscriber, a Notary public of the State of Maryland, personally appeared William Holzman

and made oath in due form of law that the statements therein are true to the best of (his, their) knowledge and belief.

WITNESS my hand and notary seal

(Seal)

Margaret E. Gammon
NOTARY PUBLIC

MARGARET E GAMMON
Notary Public-Maryland
Howard County
My Commission Expires
May 19, 2027