



Jenny B. Dempsey
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: November 6, 2024

APPLICANT: Pho Dena, LLC; Frank Huy Do

TRADE NAME: Pho Dena

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

LICENSE REQUESTED: **UPGRADE for a CLASS H (Restaurant) (Beer/Wine/Liquor) Entertainment 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**

Existing Class H (BWL) E (Restricted),S

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: Entertainment Permit (Karaoke)

☐ 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, State of Maryland

Date: _____

Application is made by the undersigned under the provisions of Alcoholic Beverages and Cannabis Article, 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 Address: 14423 Fairdale Road, Silver Spring, MD 20905
Date of Birth: 01/10/1973 Naturalized at: Boston, MA Year: 1998
Place of Birth: Danang, Vietnam Sex: Male
Phone Number: 240-481-6427 Email: frankdonassociates@gmail.com

(2) Name: _____ Address: _____
Date of Birth: _____ Naturalized at: _____ Year: _____
Place of Birth: _____ Sex: _____
Phone Number: _____ Email: _____

(3) Name: _____ Address: _____
Date of Birth: _____ Naturalized at: _____ Year: _____
Place of Birth: _____ Sex: _____
Phone Number: _____ Email: _____

2. The applicant(s) (is, are) a citizen(s) or permanent resident(s) of the United States. The applicant(s) (if applying as a qualifying individual for a corporation, unincorporated association, or LLC) (is, are) a resident of the State of Maryland at the time of the filing of this application. The license remains valid only for as long as the resident applicant remains a resident of the State.

The applicant (s) thus qualified (is, are): ☒ 1 ☐ 2 ☐ 3 (Check number to correspond with name (s) listed above)

If not a resident of Anne Arundel County, Maryland, the Applicant(s) appoint _____
to serve as resident agent and accept service on behalf of the applicant(s).

3. Corporate name if applicable: Pho Dena LLC

4. The trade name if applicable (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 sf. or 9.824 acres (Lake Shore Plaza)

Square feet of area and type of building applied for: 2,500 sf.

6. The name of the owner of the premises described above: St. John Properties, Inc.

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APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: Entertainment Permit (Karaoke)

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, State name(s) of applicant, date, and offense: _____
9. (Has, have) the applicant (s) ever held a license for the sale of alcoholic beverages. ☒ Yes ☐ No
If yes, in what state, at what location, and name of license establishment: Current Licensee for Pho Dena LLC - Anne Arundel County
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 financial interest in the business to be conducted under said license. ☒ True ☐ False
12. The applicant (s) (is, are) not financially 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 and Cannabis Article, Annotated Code of Maryland. ☒ True ☐ False
13. No person except the applicant (s) is in any way peculiarly 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
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 the Alcoholic Beverages and Cannabis Article, 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) hereby submit(s) a duly executed and acknowledged statement from the premises owner where the proposed business will operate. This statement expresses consent for the issuance of the requested license, granting authority to the State Comptroller, Executive Director of the Alcohol, Tobacco, and Cannabis Commission, and the Board of License Commissioners of the respective county where the business is situated. Additionally, this authorization extends to their duly authorized deputies, inspectors, clerks, agents, and employees, as well as any peace officer within the county. This authorization allows for the inspection and search, without the need for a warrant, of both the business premises and any and all parts of the building where the business will be conducted, at any time and without limitations. ☒ True ☐ False

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

Existing Class H (BWL) E
(Restricted),S

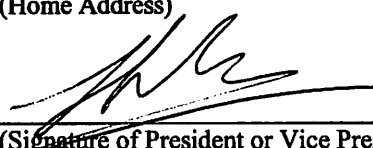
APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: Entertainment Permit (Karaoke)

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.

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

<u>Frank Huy Do</u>	<u>Managing Member & Owner</u>	<u>14423 Fairdale Road, Silver Spring, MD 20901</u>
(Name)	(Title)	(Home Address)
<hr/>		
(Name)	(Title)	(Home Address)
<hr/>		
(Name)	(Title)	(Home Address)

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

*1. 
(Signature of President or Vice President)

1. _____
(Signature of applicant)

2. _____
(Signature of applicant)

3. _____
(Signature of applicant)

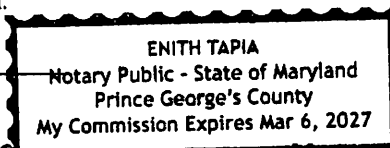
THE STATE OF MARYLAND

COUNTY OF Prince George's

I hereby certify that on the 2nd of Oct. 2024, before me, the subscriber, a notary public of the State of Maryland, in and for Prince George's County (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared Frank Huy Do (name(s) of person(s) swearing) and made Oath (oath or affirmation) in due form of law that the matters and facts set forth in the Board of License (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.


Notary Public Signature

Print Name: Enith Tapia



My commission expires: March 6, 2027

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

Existing Class H (BWL) E
(Restricted), S

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: Entertainment Permit (Karaoke)

THE STATE OF MARYLAND

COUNTY OF _____

I hereby certify that on the _____, before me, the subscriber, a notary public of the State of Maryland, in and for _____ (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared _____ (name(s) of person(s) swearing) and made _____ (oath or affirmation) in due form of law that the matters and facts set forth in the _____ (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Notary Public Signature

Print Name: _____

My commission expires: _____

THE STATE OF MARYLAND

COUNTY OF _____

I hereby certify that on the _____, before me, the subscriber, a notary public of the State of Maryland, in and for _____ (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared _____ (name(s) of person(s) swearing) and made _____ (oath or affirmation) in due form of law that the matters and facts set forth in the _____ (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Notary Public Signature

Print Name: _____

My commission expires: _____

THE STATE OF MARYLAND

COUNTY OF _____

I hereby certify that on the _____, before me, the subscriber, a notary public of the State of Maryland, in and for _____ (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared _____ (name(s) of person(s) swearing) and made _____ (oath or affirmation) in due form of law that the matters and facts set forth in the _____ (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Notary Public Signature

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Existing Class H (BWL) E
(Restricted), S

APPLICATION FOR ALCOHOLIC BEVERAGES LICENSE CLASS: Entertainment Permit (Karaoke)

Print Name: _____

My commission expires: _____

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, 4125 Mountain Rd, Lake Shore, MD 21122

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, Executive Director of the Alcohol, Tobacco, and Cannabis Commission, and the Board of License Commissioners of the respective county where the business is situated. Additionally, this authorization extends to their duly authorized deputies, inspectors, clerks, agents, and employees, as well as any peace officer within the county. This authorization allows for the inspection and search, without the need for a warrant, of both the business premises and any and all parts of the building where the business will be conducted, at any time and without limitations.

Eric L. Dep c/o St. John Properties, Inc.
(Signature) Lake Shore Associates, LLC
Eric Newellyn, Senior Retail Leasing Representative
(Print Name) St. John Properties, Inc.

(Signature)

(Print Name)

(Signature)

(Print Name)

THE STATE OF MARYLAND

COUNTY OF Baltimore

I hereby certify that on the 8th of October, 2024, before me, the subscriber, a notary public of the State of Maryland, in and for Baltimore County (here insert name of the county or City of Baltimore for which notary is appointed), personally appeared Eric Newellyn (name(s) of person(s) swearing) and made affirmation (oath or affirmation) in due form of law that the matters and facts set forth in the Application (here describe document to which the person(s) is or are swearing) are true.
As witness, my hand and notarial seal.

Sheila Chelton
Notary Public Signature

Print: Sheila Chelton

