



Administration Department

DATE: January 23, 2024

FROM: Jason Tomanek, Acting City Administrator

ITEM: Public Hearing on the application for a new Class F2: Restaurant Beer and Wine Liquor license for Dakota Asian Fusion Cuisine (dba) Ichiban Ramen Japanese & Asian Bistro at 1825 N 13th Street.

REQUEST:

Public hearing on a request for a new Class F2: Restaurant Beer and Wine Liquor license for Dakota Asian Fusion Cuisine (dba) Ichiban Ramen Japanese & Asian Bistro at 1825 N 13th Street.

BACKGROUND INFORMATION:

Dakota Asian Fusion Cuisine (dba) Ichiban Ramen Japanese & Asian Bistro is requesting the issuance of a new Class F2: Restaurant Beer and Wine Liquor license at 1825 N 13th Street.

Class F. To any restaurant applicant for a food and beverage license to sell at retail, subject to the following:

Class F-2 - Beer and wine only.

1. Gross sales of alcoholic beverages may not be greater than 45 percent of total gross sales of food and alcoholic beverages. All Class F license holders shall file with the application for license renewal a copy of their report of food and alcoholic beverage amounts that they have filed with the State of North Dakota for their state alcohol permit for the immediately preceding calendar year prior to renewal. The board of city commissioners may, in its discretion, require the licensee to provide such additional proof of the licensee's compliance with this section as the commission deems necessary. All sales of alcoholic beverages by Class F licensees must be separately receipted to the customer by cash register receipt and clearly identified as sales of liquor, beer or wine on all receipts.
2. The restaurant complies with state law regarding minors in licensed premises as listed in North Dakota Century Code Title 5.
3. The license is for on-sale only, and off-sale is not permitted. A cessation of business at a licensed location for a period of ninety days or longer shall constitute cause to revoke such license pursuant to section 5- 01-09.
4. Once a license has been established at a particular location, the license may not be transferred to another location.

5. Minors are allowed on the licensed premises only as permitted by NDCC Section 5-02-06

RECOMMENDED CITY COMMISSION ACTION:

Staff recommends approval of the request for a new Class F2: Restaurant Beer and Wine Liquor license for Dakota Asian Fusion Cuisine (dba) Ichiban Ramen Japanese & Asian Bistro at 1825 N 13th Street.

STAFF CONTACT INFORMATION:

Whitnie Olsen, Senior Administrative Assistant, wolsen@bismarcknd.gov

ATTACHMENTS:

1. Ichiban Ramen Japanese & Asian Bistro Application
2. Ichiban Ramen Japanese & Asian Bistro Site Diagram



APPLICATION FOR RETAIL ALCOHOL BEVERAGE LICENSE

Phone: 701-355-1300 • Fax: 701-221-6470 • TDD 711
221 N 5th St • Bismarck, ND 58501

Note: The \$200 application fee is due when the application is submitted.
(Fee does not apply to renewal applications)

LAST REVISED: 5/15/2023

License Type:	<input checked="" type="checkbox"/> New Application	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Relocation
Class A: Nationally Organized Fraternal Order or Club □ \$3,700	Class B-1: Operator of the Beverage Concession at the Airport Terminal Building □ \$650	Class B-2: Concession at the Bismarck Municipal Country Club □ \$650	Class B-3: Commercial passenger vessels on the Missouri River □ \$650	Class B-4: Sale of Beer & Wine at the Bismarck Event Center □ \$650
Class B-5: Sale of Beer & Wine at Bismarck Parks and Recreation Locations □ \$650	Class B-6: Commercial Airline □ \$650	Class C-1: Hotel or Motel Full Service □ \$3,800	Class C-2: Hotel or Motel □ \$1,000	Class D: Sale at Retail of Alcoholic Beverages □ \$4,100
Class E: Sale at Retail of Beer Only □ \$800	Class F-1: Restaurant - Alcoholic Beverages □ \$3,500	Class F-2: Restaurant - Beer & Wine Only <input checked="" type="checkbox"/> \$1,100	Class G: Catered Retail Beer, Wine, & Liquor □ \$650	Class H: Domestic Brewery / Distillery / Winery □ \$800
Class I: Senior Living Community / Complimentary □ \$350	All Class F-1, F-2, C-2, & G license holders shall file with the application for license renewal a copy of their report of food and alcoholic beverage amounts that they have filed with the State of North Dakota for their state alcohol permit for the immediately preceding calendar year prior to renewal. The Board of City Commissioners may, at its discretion, require the licensee to provide such additional proof of the licensee's compliance with this section as the commission deems necessary.			

Location Information:				
Legal Business Name: DAKOTA ASIAN FUSION CUISINE		Date of Incorporation: 08/25/2023		State Business ID Number: 0006358747
Doing Business As (DBA) Name, if Applicable: ICHIBAN RAMEN JAPANESE & ASIAN BISTRO			If out of state corporation, is corporation registered in North Dakota? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Location Address: 1825 N 13th ST	City: Bismarck	State: ND	Zip: 58501	Phone Number: 626-376-0633
Name and Title of Person Completing Form (must be the person listed in ownership information or manager): Lifang Lin Manager				

Contact Information (Where correspondence is to be sent):			
Primary Contact: YiWu Xie		Phone Number: 701-800-3188	Email Address: ryanxie55@gmail.com
Mailing Address: 1116 Ranch Loop		City: Bismarck	State: ND
		Zip: 58503	

Manager's Name: Lifang Lin		Date of Birth: 01/09/1988	Percentage of Ownership:
Driver's License Number: LN-88-3540		State Issued: ND	Gender: Female
			Race: Asian
Home Address: 1116 Ranch Loop		City: Bismarck	State: ND
		Zip: 58503	
Occupation: Manager	Phone Number: 626-376-0633	Title:	Email Address: lifang.lin669@gmail.com

List all officers or directors of corporation or partners and percentage of ownership:

Name: YiWuXie		Date of Birth: 10/19/1986	Percentage of Ownership: 100%
Driver's License Number: X1B-86-9382	State Issued: ND	Gender: Male	Race: Asian
Home Address: 1116 Ranch Loop	City: Bismarck	State: ND	Zip: 58503
Occupation: Owner	Phone Number: 701-800-3188	Title:	Email Address: ryanxie55@gmail.com

Name:		Date of Birth:	Percentage of Ownership:
Driver's License Number:	State Issued:	Gender:	Race:
Home Address:	City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:

Name:		Date of Birth:	Percentage of Ownership:
Driver's License Number:	State Issued:	Gender:	Race:
Home Address:	City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:

Name:		Date of Birth:	Percentage of Ownership:
Driver's License Number:	State Issued:	Gender:	Race:
Home Address:	City:	State:	Zip:
Occupation:	Phone Number:	Title:	Email Address:

The undersigned states that the following information is true and correct.

<p>1. Are the manager and partners legal residents of the United States and the State of North Dakota, and are all officers or directors legal residents of the United States?</p> <p style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If no, please explain:</p>
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<p>2. Have any of the persons listed above been convicted of any crime within the past five years?</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, list all convictions and the dates, locations and sentence of disposition of each:</p>
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<p>3. Does the building meet all state and local sanitation and safety requirements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
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<p>4. Has applicant, or any of the persons listed above, within the past five years had any license to engage in sale of alcoholic beverages revoked or suspended?</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, please give details:</p>
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<p>5. If a new application, has the applicant or any of the persons listed above engaged in the sale or transportation of alcoholic beverages previously?</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, please give details:</p>
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<p>6. Has the applicant, or any of the persons listed above, within the past five years, had an application for any federal or state, or local license of any type rejected or denied?</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, please give details:</p>
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<p>7. Is there any agreement or understanding, or proposed agreement or understanding to obtain the license for another, or to operate the business for another, or as an agent for another?</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, please give details:</p>
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<p>8. Has the business been sold or leased, or is there any intention to sell or lease the business to another?</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, please give details:</p>
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<p>9. Has the applicant, or any of the persons listed above, shown interest in whatsoever, directly or indirectly, any other licensed liquor establishment within or without the State of North Dakota?</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, please give details:</p>
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<p>10. Will the applicant, or any of the persons listed above, be engaged in any other business other than the sale of liquor under the license applied for?</p> <p style="text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If yes, please give details:</p>
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<p>11. Have all property taxes and special assessments currently due been paid?</p> <p style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If no, please give details:</p>
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Signature:

- I agree that I will not transfer or sell this license, if granted, without the prior approval of the governing body and in accordance with applicable ordinances.

- I also agree that should any of the information contained in this application change within the period of the license, if granted, that I will inform city officials immediately and furnish such details as may be requested by such officials concerning any such changes. I also agree that, should there be a change in ownership or management during the period of the license, prior approval of the Board of City Commissioners is required.

- I further agree that any misrepresentation, false statement or omission in this application shall be grounds for rejection of said application or for revocation or suspension of any license granted.

YiWu Xie

Signature of Applicant

12/20/2023
Date

YiWu Xie

Print Name / Title of Officer

Liquor License Transfers (only use if license is being transferred):

The Class _____ license owned by me is transferred to Applicant upon successful application.

Signature of Current License Holder

Signature of New Applicant

Print Name

Print Name

State of _____

Subscribed and sworn to before me this _____

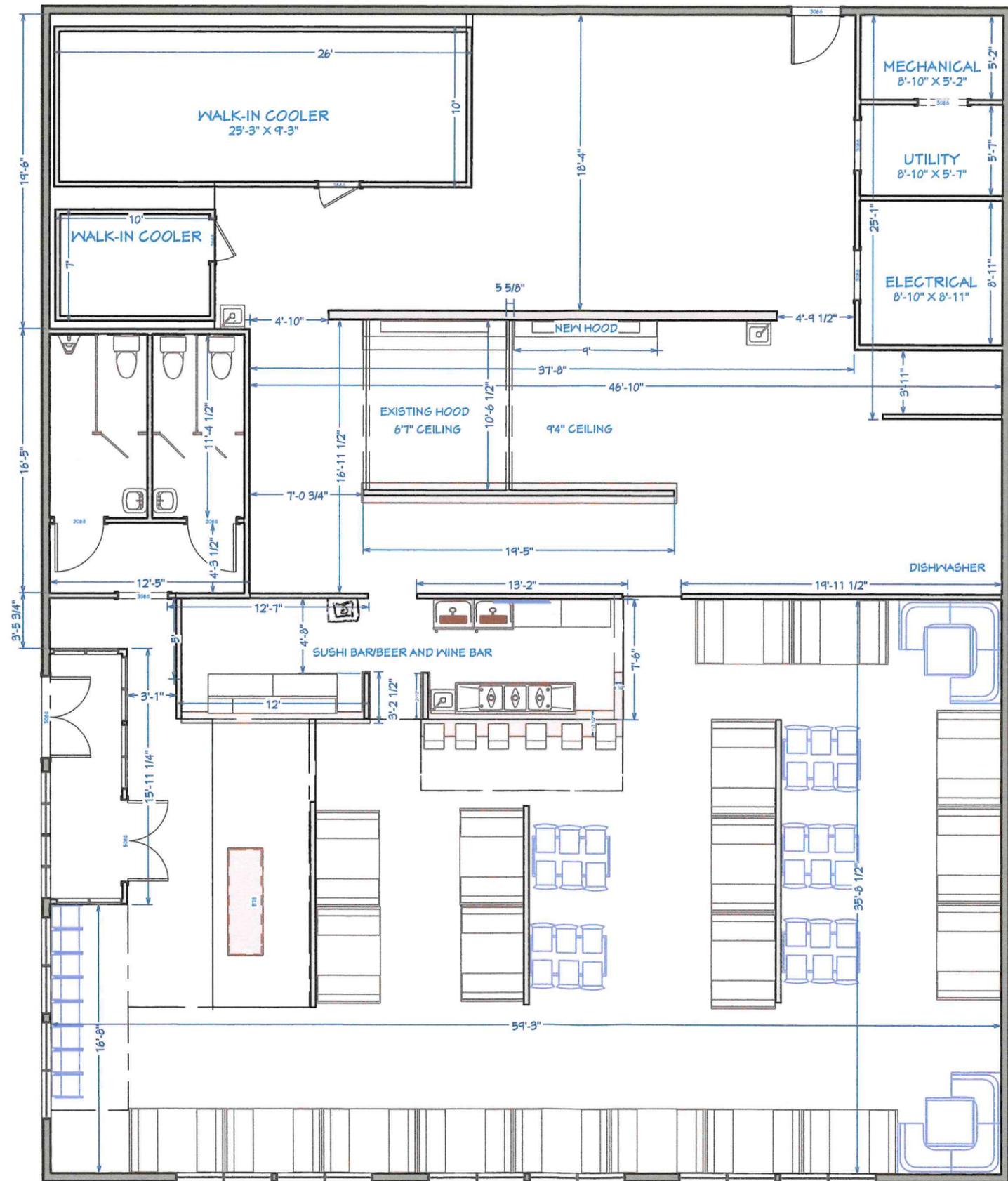
County of _____

day of _____

Notary Seal

Notary Public

My Commission Expires



GROSS LEASABLE
4398 SQ FT

REVISION TABLE	NUMBER	DATE	REVISED BY	DESCRIPTION

ICHIBAN RESTAURANT REMODEL
1823 N. 13TH ST.
BISMARCK, ND 58501

DRAWINGS PROVIDED BY:
TOBIAS MARMAN
CONSTRUCTION

DATE:

11/9/2023

SCALE:

1/8"=1'

SHEET: