

State of Alaska
Alcoholic Beverage Control Board
November 22, 2005
Agenda

1. ADMINISTRATION

- A. Approve Board minutes of July 13, 2005 and September 29, 2005.
- B. Delegate to the Director tie-breaking vote.

2. ADMINISTRATIVE MATTERS

A. INFORMAL CONFERENCES

B. HEARING OFFICER DECISIONS

- 1. 04/05-56 **American Legion Post #13**; American Legion Post #13; located at 205 Lincoln St in Sitka; club license.

Failure to reach settlement after Hearing Officer Decision.

Attachment 2B-1

C. SETTLEMENT AGREEMENT

- 1. 04/05-2658 **American Legion Post #15**; American Legion Mat-Su Valley Post #15; located at Lot 2 Woods McLeod Lake Sbdv in MatSu Borough; club license.

Informal settlement of Accusation # 05-07

Attachment 2C-1

D. VOLUNTARY RELINQUISHMENT OF LICENSE

- 1. 04/05-3697 **Old Town Village Restaurant**; PM & SJ Voszar and RW & LS Strawn; located at 1000 Mission Ave #100 in Kenai; restaurant/eating place license.

Voluntary relinquishment.

Attachment 2D-1

2. REMOVED

- 3. 04/05-329 **Duffy's Roadhouse**; Ethel Lorene Ellis; located at Mile 63 Tok Cutoff in an Unorganized area; beverage dispensary license.

AND

04/05-330 **Duffy's Roadhouse**; Ethel Lorene Ellis; located at Mile 63 Tok Cutoff in an Unorganized area; package store license.

Voluntary relinquishment.

Attachment 2D-3

E. REQUEST FORMAL HEARING SUSPENSIONS

F. SUSPENSION

G. BOARD CONSIDERATION

1. 05/06-4294 **Tony Roma's/Call of the Wild**; BVG Inc.; located at 1420 E Tudor Rd in Anchorage; beverage dispensary – duplicate license.

AND

05/06-2344 **Tony Roma's**; BVG Inc.; located at 1420 E Tudor Rd in Anchorage; beverage dispensary license.

Municipality of Anchorage requests conditions to be placed on license(s).

Attachment 2G-1

2. 04/05-4449 **Café 817**; Muffin Man & Company, Inc.; located at 817 W 6th Ave in Anchorage; restaurant/eating place license.

Licensee requests biennial period be changed from 2004/2004 to 2005/2006.

Attachment 2G-2

3. **State Alcohol Compliance Checks**

Attachment 2G-3

4. **Akeela Inc.**; Community Based Prime For Life presentation

Attachment 2G-4

3. **CONSENT AGENDA**

A. 04/05-870 **Pioneer Liquor Store**; Pioneer Entertainment LLC; located at 120-122 Front St in Ketchikan; package store license; waiver of operation.

1st request 2005 Fees Paid **Attachment 3A**

AND

04/05-864 **Pioneer Bar**; Pioneer Entertainment LLC; located at 120-122 Front St in Ketchikan; beverage dispensary license; waiver of operation.

1st request 2005 Fees Paid **Attachment 3A**

B. 05/06-4444 **Landsharks**; Anderson Bay Inc.; located at 121 Egan Dr in Valdez; beverage dispensary license; waiver of operation.

1st request 2005 Fees Paid **Attachment 3B**

C. 05/06-3820 **Igloo Liquor**; Sunshine Liquor Inc.; located at 188.5 Parks Hwy in MatSu Borough; package store license; waiver of operation.

1st request 2005 Fees Paid **Attachment 3C**

D. 05/06-4314 **Gallo's Mexican Restaurant**; Gallo's Mexican Restaurant, Inc.; located at Lot 1 CSK Sub in Fairbanks; beverage dispensary license; waiver of operation.

2nd request 2005 Fees Paid **Attachment 3D**

E. 05/06-2884 **Fred Meyer**; Fred Meyer Stores Inc.; located at No Premises in Anchorage; package store license; waiver of operation.

2nd request 2005 Fees Paid **Attachment 3E**

F. 05/06-233 **Corner, The**; Mitchell & Kathleen Demientieff; located at Front & A St in Nenana; package store license; waiver of operation.

AND

05/06-232 **Corner Bar, The**; Mitchell & Kathleen Demientieff; located at Front & A St in Nenana; beverage dispensary license; waiver of operation.

1st request for each license 2005 Fees Paid **Attachment 3F**

G. 05/06-4350 **Chepo's Fiesta**; J&L Enterprises Inc.; located at No Premises in Anchorage; **transfer of location & name change** of a beverage dispensary license from 223 E 5th Ave, d.b.a. Chepo's Fiesta Mexican Restaurant; backgrounds complete.

All statutory requirements have been met. Municipality of Anchorage does not protest.

N. 04/05-119 **Big Lake Lodge;** Loon’s Landing Inc.; located at 15328 W Big Lake Lodge Rd in MatSu Borough; beverage dispensary license; waiver of operation.

1st request 2005 Fees Paid **Attachment 3N**

O. 05/06-1744 **Chuck E. Cheese’s;** CEC Entertainment, Inc.; located at 308 E Northern Lights Blvd in Anchorage; beverage dispensary license; waiver of operation.

2nd request 2005 Fees Paid **Attachment 3O**

P. 04/05-4011 **Seven Seas Navigator;** Radisson Seven Seas, Inc.; located in Alaskan Waters; common carrier license; waiver of operation.

2nd request 2005 Fees Paid **Attachment 3P**

Q. 04/05-859 **Wylie Coyote;** AOK Inc.; located at 2421 E Tudor Rd in Anchorage; beverage dispensary license; waiver of operation.

2nd request 2005 Fees Paid **Attachment 3Q**

END CONSENT AGENDA

4. DELEGATION CONSENT AGENDA

A. 05/06-1241 **Willow Trading Post**; Willow Trading Post Inc.; located at 14345 N Willow Rd in MatSu Borough; **transfer of ownership & name change** of a package store license from The Rose Corporation Inc., d.b.a Willow Trading Post Lodge; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued November 2, 2005.

B. 05/06-1240 **Willow Trading Post**; Willow Trading Post Inc.; located at 14345 N Willow Rd in MatSu Borough; **transfer of ownership & name change** of a beverage dispensary license from The Rose Corporation Inc., d.b.a Willow Trading Post Lodge; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued November 2, 2005.

C. 04/05-4535 **TJ Seggy's**; TLS, Inc.; located at 50470 Sterling Hwy in Kenai Peninsula Borough; **transfer of ownership, location & name change** of a package store license from Earle Robins & Jack Nicholas, d.b.a. Bishop Creek Liquor Store, located at Mile 35 Kenai Spur Hwy; backgrounds not complete.

All statutory requirements have been met. Kenai Peninsula Borough does not protest. Temporary approval issued November 8, 2005.

D. 05/06-4523 **Simon's Taco Rico**; Armida & Jose Hernandez; located at 2409 C St in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest.

E. 05/06-4517 **Peter's Sushi Spot**; Sushi Spot Inc.; located at 4140 B St in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued October 17, 2005.

F 06/07-4534 **Peaks**; Quartz Creek Enterprises, Inc.; located at 19503 Sterling Hwy in Kenai Peninsula Borough; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have **not** been met (State Fire Marshal has not responded). Kenai Peninsula Borough does not protest.

G. 05/06-4536 **Oceanview Restaurant**; Luis Orta; located at 1831 Tongass Ave in Ketchikan; **transfer of ownership, location & name change** of a beverage dispensary license from Fo'c'sle Inc, d.b.a. Fo'c'sle Bar, located at 312 Front St; backgrounds not complete.

All statutory requirements have been met. Ketchikan does not protest. Temporary approval issued November 4, 2005.

H. 04/05-3515 **Naukati Connection Liquor Store**; Tamara L. Richter; located at Lot Block 3 in an Unorganized area; **transfer of ownership** of a package store license from Allen P. Richter; backgrounds not complete.

All statutory requirements have been met. No local governing body.

I. 05/06-4310 **Main Street Café**; Wild Land Development LLC; located at 13572 Main Street (Talkeetna) in MatSu Borough; **transfer of ownership** of a restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued October 17, 2005.

J. 04/05-4533 **Katina's Greek & Italian Restaurant**; George & Christine Lagoutaris; located at 11888 Kenai Spur Hwy #4 in Kenai; **transfer of ownership, location & name change** of a restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Kenai does not protest. Temporary approval issued November 8, 2005.

K. 05/06-4490 **Hacienda Mexican Restaurant #2**; Basillio, Inc.; located at 1791 E Palmer Wasilla Hwy in Wasilla; **transfer of ownership, location & name change** of a beverage dispensary license from M Lohman Investments Inc, d.b.a. Hot Shots & Cinnamons - Wasilla Bar, located at no premises; background not complete.

All statutory requirements have been met. City of Wasilla has not responded (notice sent 5/24/05).

L. 05/06-4526 **Houston Road House**; Harvel Hayden Young; located at Mile 60.5 Parks Hwy in Houston; **new** beverage dispensary – tourism license; backgrounds not complete.

All statutory requirements have **not** been met (DEC has not responded). City of Houston has not responded (notification sent 9/1/05).

M. MOVED

N. 05/06-3032 **Pizza Paradisos**; George Pitsilionis; located at Kenai Spur & main St in Kenai; **transfer of ownership** of a beverage dispensary license; backgrounds not complete.

All statutory requirements have **not** been met (Dept of Labor and Dept of Revenue have not responded). City of Kenai does not protest.

O. 05/06-4528 **Birch Tree Dining**; Kenny Lee & Jong Lee; located at 3801 DeBarr Rd in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued November 2, 2005.

P. 05/06-2362 **Big Lake Moonshine Shop**; McMelton Wine & Spirits Inc. (stock transfer); located at Hollywood & Big Lake Rd in MatSu Borough; **transfer of ownership** of a package store license; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest.

Q. 04/05-4531 **Platinum Jack's**; Jaax, Inc.; located at 901 W 6th Ave in Anchorage; **transfer of ownership, location & name change** of a beverage dispensary license from Dale Brooke Wallace, d.b.a. The Alley, located at 900 W 5th Ave; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest.

END DELEGATION CONSENT AGENDA

5. PROTESTS

A. 05/06-

4529 **Samurai Sushi Garden**; Kenny & Jong Lee; located at 1265 Muldoon Rd in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage *protests* based on pending payment of delinquent tax payment and approval by Fire Department and Building Safety/Code Enforcement.

B. 04/05-1078 Icons Lounge; Crazy Horse Too, Inc. (stock transfer); located at 156 Muldoon Rd in Anchorage; **transfer of ownership & name change** of a beverage dispensary license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage *protests* based on Alaska Statutes, Title 10.06 violation(s). **Attachment 5B**

C. MOVED

D. 04/05-4530 Dillinger's Restaurant and Hideout Lounge; Pacific Rim Inc.; located at 1288 Sadler Way in Fairbanks; **transfer of ownership and location** of a beverage dispensary license from Pacific Rim Associates LLC, located at 720 Old Steese Hwy; backgrounds not complete.

All statutory requirements have *not* been met (DEC has not responded). Fairbanks *protests pending satisfactory inspection by the City of Fairbanks Building Department and issuance of a satisfactory certificate of occupancy.*

E. 04/05-4522 American Legion Post #34; Chappie James American Legion Post #34; located at 916 Ingra St in Anchorage; **transfer of location** of a club license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage *protests pending approval of a Conditional Use Permit and approval by the Building Safety/Code Enforcement.*

6 OTHER FILINGS

A. MOVED

B. 05/06-4527 Kaladi Brothers Coffee; Kaladi Brothers Coffee LLC; located at 621 W 6th Ave in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued November 4, 2005. (*staff suggests approval with delegation*)

AND

Restaurant Designation Permit, items 1, 2, 3 & 4.

Attachment 6B

C. 05/06-421 **Fox Roadhouse;** Ancient Aurora, Inc.; located at 2195 Old Steese N in Fairbanks North Star Borough; beverage dispensary license; waiver of operation.

2nd request 2004 Fees Paid

AND

05/06-421 **Fox Roadhouse;** Ancient Aurora, Inc.; located at 2195 Old Steese N in Fairbanks North Star Borough; beverage dispensary license; waiver of operation.

3rd request 2005 Fees Paid

Attachment 6C

D. 05/06-4520 **Brown Jug/Northern Lights at Spenard;** Brown Jug Inc.; located at 2710 Spenard Rd in Anchorage; **transfer of location & name change** of a package store license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage *protests pending approval by the Anchorage Fire Department.* (Staff suggests approval with delegation)

AND

05/06-4520 **Brown Jug/Northern Lights at Spenard;** Brown Jug Inc.; located at 2710 Spenard Rd in Anchorage; package store license; waiver of operation.

3rd request 2005 Fees Paid

Attachment 6D

E. 05/06-4101 **Bonanza Grill;** John Faur (pending transfer to Jack O'Brien); located at No Premises in Fairbanks; beverage dispensary license; waiver of operation.

2nd request 2005 Fees Paid

Attachment 6E

F. 04/05-2320 **Trophy Sports Hunting & Fishing Lodge;** Donald Ridl; located at 41150 Sterling Hwy in the Kenai Peninsula Borough; beverage dispensary – seasonal license; waiver of operation.

4th request 2005 Fees Paid

Attachment 6F

September 29, 2005 Board meeting: Waiver of operation; Renewal; and, Transfer application must be received in the ABC Board office prior to the November 22, 2005 meeting. All applications have been received and accepted for filing. (ABC Board is acting on Waiver of Operation at this time.)

G. 04/05-4117 **Pilot House;** Pilot House, Inc.; located at 485 Katlian St in Sitka; beverage dispensary license; waiver of operation.

3rd request 2005 Fees Paid

Attachment 6G

7. BACKGROUND INFORMATION

A. 05/06-4507 **Trio Restaurant and Lounge; Y and Y LLC**; located at 1235 Airport Way Ste 1 in Fairbanks; **transfer of ownership, location & name change** of a beverage dispensary license from The Palace Inc., located at 2300 Airport Way, d.b.a. Palace Theatre & Saloon; backgrounds not complete.

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All statutory requirements have been met. City of Fairbanks *protests* based on Building Department deficiencies.

Background information on Yong H. Yi.

Attachment 7A

05/06-4532 **Ernesto's Taqueria; Headhunters, Inc.**; located at 328 Egan Dr in Valdez; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have *not* been met (DEC has not responded). Valdez has not responded (notification sent 9/23/05).

8. MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS

Date of next meeting: _____

Location of next meeting: _____

ADDENDUM
State of Alaska
Alcoholic Beverage Control Board
November 22, 2005

9. OTHER FILINGS (Cont.)

A. 05/06-4101 **Bonanza Grill**; Jack O'Brien; located at No Premises in Fairbanks; **transfer of ownership, location & name change** of a beverage dispensary license, from John Faur, located at 2406 S Cushman, d.b.a. The Attic; backgrounds complete.

All statutory requirements have been met. Fairbanks does not protest. Creditor issues.

Attachment 9A

10. BOARD CONSIDERATION (Cont.)

A. Northern Hospitality

Attachment 10A