

McKinley Creekside Cabins & Café
The Great Alaska Fish & Chip Co
PO Box 89 / Mile 224 Parks hwy
Denali National Park, Alaska 99755
1-888-5DENALI (533-6254)
www.mckinleycabins.com

August 27, 2015

To: Richard Finney
From: Holly Slinkard
RE: Violation – Accusation No. 15-05 / License # 4006

I deeply regret my behavior that I demonstrated during an inspection with you on May 20th, 2015. I acted in a disrespectful and terribly rude way to you, and you were only doing your job. There is no excuse for it. I would never dream of purposely not complying with any law(s) as my past record shows, and understand the very important role your agency and you play in public safety. I hope that you will find it your heart to forgive me, and we can move forward positively in any and all interactions we will/may have in the future. Again, I am truly sorry.

Kind Regards,
Holly Slinkard
hollyslinkard@yahoo.com

Tab

12



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: September 8, 2015
RE: Stock Transfer- Pipeline Club
License #874

This is an Accusation regarding Notice of Violation per AS 04.11.040(c) and 3 AAC 304.175(b) for failing to complete a stock transfer upon change in controlling interest. The licensee has not been responsive to agency efforts to assist in the completion of the transfer. The licensee has not responded to a Notice of Violation, resulting in a further violation of 3 AAC 304.525(a)(1)(B).

Date of event requiring stock transfer:	November 27, 2011- Death of shareholder; corporation report not updated; corporation involuntarily dissolved June 10, 2013
Date event first reported to board:	In phone call before February 28, 2014
Date letter from Licensing sent:	Certified letter June 11, 2014 (for action by July 10)
Date of additional contacts from licensing:	Certified letter May 15, 2015
Notice of Violation sent:	June 1, 2015
Date of responses by licensee:	Phone call from licensee after May 21, 2015
Inquiry for the Board:	Should the board suspend the license in order to get the licensee to complete the transfer?
Recommendation:	Suspend license until complete stock transfer application is received.

STATE OF ALASKA

ALCOHOLIC BEVERAGE CONTROL BOARD

In the matter of)	
Valdez Motel Corp.)	
dba Pipeline Club)	
P.O. Box 472)	
Valdez, AK 99686)	
)	
Respondent)	
)	
_____)	No. 15-02

ACCUSATION

Petitioner, Cynthia A. Franklin, Director of the Alcoholic Beverage Control Board, acting in her official capacity and upon information and belief, alleges as follows:

INFORMATION

1. Respondent, Valdez Motel Corp., is the holder of a licensed beverage dispensary license doing business as Pipeline Club, located at 121 Egan Drive, Valdez, Alaska, license number 874.
2. According to ABC records, Mark Lee is President and 47% owner of stock in Valdez Motel, Corp. James Lee (deceased November 27, 2011) is Secretary/Treasurer and 47% owner of stock in Valdez Motel, Inc.
3. The license was first issued to Valdez Motel, Corp. in 1969.

COUNT 1

4. Petitioner incorporates paragraphs 1-3 of this accusation as if fully set forth in Count 1.

5. On December 29, 2011 the corporation swore to renewal paperwork stating the ownership of the corporation as set forth in paragraph 2 above. ABC staff later learned that on December 29, 2011, James Lee had been deceased for more than a month. On June 11, 2014, staff of the ABC Board sent a certified letter to the corporation requesting stock transfer paperwork be filed to bring the license into compliance with AS 04.11.030, AS 04.11.040(c) and AS 04.11.050 requiring an application for ownership transfer due to the death of the majority stockholder. The agency requested the licensee file a transfer application by July 10, 2014. No paperwork was filed. Additional contacts were made by agency staff including another certified letter 05/15/15. None of these contacts resulted in a transfer application being filed by the licensee. On June 1, 2015, a Notice of Violation was sent regarding the failure to apply for an ownership transfer. No response has been received as of June 30, 2015. Additionally, the corporation was involuntarily dissolved on June 10, 2013.

a) AS 04.11.030(b) states: If an application for the transfer of ownership of a license from a deceased licensee is not made within 90 days of the death of the licensee or within an additional 90 days if an application for transfer of ownership made by the executor is denied, or no petition is made to the board for an extension of time under (c) of this section within the time, the license is forfeited.

b) AS 04.11.040(c) states: A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board.

c) AS 04.11.050(a) and (b) state: (a) A corporation issued a license under this title shall report to the board when 10 percent or more of its corporate stock is transferred and

shall also report any change in its corporate officers or in the membership of its board of directors.

(b) The report to the board shall be made in writing in duplicate and shall be sent within 10 days after the transfer of the stock or the change in officers or directors.

COUNT 2

6. Petitioner incorporates paragraphs 1- 5 of this accusation as if fully set forth in Count 2.

7. The licensee has violated 3 AAC 304.525(a)(1)(B) by failing to respond to the Notice of Violation issued June 1, 2015 as set forth in Count 1 above. That regulation states: Upon receipt of a notice of violation, a licensee may request to appear before the director and be heard regarding the notice of violation. The request must be made within 10 days after receipt of the notice, and the director shall grant an appearance within 10 days after receipt of the request. A licensee shall respond, either orally or in writing, to the notice of violation.

THE ACTS ALLEGED in Counts 1 and 2 above are grounds for suspension or revocation of a license under AS 04.11.370 (a) (2), (3), (6), (10), which provide:

(a) A license or permit shall be suspended or revoked if the board finds:

(2) continuation of the manufacture, sale, or service of alcoholic beverages by the licensee or permittee would be contrary to the best interests of the public;

(3) failure on the part of the licensee to correct a defect that constitutes a violation of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or other laws after receipt of notice issued by the board or its agent;

(6) failure of the licensee to comply with the public health, fire, or safety laws and regulations in the state;

(10) violation by a licensee of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or an ordinance adopted under AS 04.21.010.

Wherefore, petitioner prays:

1. That the Alcoholic Beverage Control Board find that the respondent, Valdez Motel Corp., dba Pipeline Club, through its agents and employees committed the acts alleged above.

2. That the Alcoholic Beverage Control Board suspend or revoke the beverage dispensary license issued to Valdez Motel Corp., dba Pipeline Club, license number 874, under AS 04.11.370 (2), (3), (6), and (10), and;

3. For such other relief as the Alcoholic Beverage Control Board considers appropriate.

Dated at Anchorage, Alaska, this 1st day of July, 2015.

Cynthia A. Franklin, Director
Alcoholic Beverage Control Board



Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

Date: 6-1-15
Number AB15-0440
Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee Valdez Motel Corporation	License Number 874	Type of License Beverage Dispensary - Tourism
D.B.A. Pipeline Club 112 Egan Drive	How Delivered <input checked="" type="checkbox"/> Mail Receipt on file. <input type="checkbox"/> In Person	Law Enforcement Agency Valdez Police Department
Street or P.O. Box PO Box 472	City, State Valdez, AK	Zip 99686

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: Your application for renewal indicates that you have had a controlling interest in your corporation. As of today's date, you have failed to complete stock transfer paperwork to the Board. Licensing staff notes indicate they have contacted you multiple times since early 2014 to correct this issue. This is a violation of Title 04.

Your attention is directed to **AS04.11.040(c): Board approval of transfers, AS 04.11.370: Suspension and revocation of licenses and permits and 304.AAC175(b): Transfers**

You are directed to respond to the Director of the Alcohol Beverage Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

A Response is Required

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt:	Violation Observed By: F.R. Hamilton
Filed By: <i>FR Hamilton</i>	Title: Investigator III

Hand delivered by VPD 06/01/15
Certified mail #7013 1090 0001 2774 4378



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 West 7th Ave., Suite 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

May 15, 2015

Valdez Motel Corporation
Attn. Mark Lee
PO Box 472
Valdez, AK 99686

via certified 7011 2970 0003 3312 5783

Beverage Dispensary Tourism Liquor License #874 Pipeline Club

Dear Mr. Lee:

On the 2014-2015 renewal liquor license application you indicated a different distribution of stock then what had been original filed with the Alcoholic Beverage Control Board. This is a change in controlling interest and requires a transfer of ownership (stock transfer). Please submit your completed transfer documents by June 15th 2015 to avoid a potential suspension of liquor service.

The ABC Board record of ownership is as follows: Mark Lee 47% and James Lee 47%. It is my understanding that James Lee is deceased. If this is correct **a transfer of stock must occur**. The executor of his estate can sign the liquor license transfer documents. Please provide the court document which names the executor when you submit the application.

Contact State of Alaska Division of Corporation's and bring your corporation into good standing (it is now Involuntarily Dissolved). You will also need to make a change in the stockholders. Now James Lee is still shown as a stockholder.

I am sending you a transfer application package and expect to receive your transfer of ownership by June 15, 2015 to avoid a summons before the ABC Board and potential suspension of liquor service.

If you have any questions, please contact our office immediately.

A handwritten signature in cursive script that reads "Maxine Andrews".

Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

COPY

Enclosures: Transfer Application forms, Div. of Corp. data sheet, ABC owner data sheet

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Valdez Motel Corporation
Attn. Mark Lee
PO Box 472
Valdez, AK 9968

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

S. Lee

☐ Agent☐ Addressee

B. Received by (Printed Name)

S. LEE

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ NoMAY 26 '15 4:00 PM
5/21/15

3. Service Type

☒ Certified Mail®☐ Priority Mail Express™☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7011 2970 0003 3312 5783

PS Form 3811, July 2013

Domestic Return Receipt

State of Alaska
Department of Commerce, Community and Economic Development
Corporations, Business and Professional Licensing

VALDEZ MOTEL CORPORATION
M A LEE
P O BOX 65
VALDEZ, AK 99686

Certificate of Involuntary Dissolution/Revocation

The undersigned, as Commissioner of Commerce, Community and Economic Development of the State of Alaska, hereby certifies that a duly signed and verified filing pursuant to the provisions of Alaska Statutes has been received in this office and has been found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce, Community and Economic Development, and by virtue of the authority vested in me by law, hereby issues this certificate to

VALDEZ MOTEL CORPORATION



IN TESTIMONY WHEREOF, I execute the certificate
and affix the Great Seal of the State of Alaska
effective June 11, 2013.

A handwritten signature in cursive script, reading "Susan K. Bell".

Susan K. Bell
Commissioner



THE STATE
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

June 11, 2014

Valdez Motel Corporation
Attn: Mark Lee
PO Box 472
Valdez, AK 99686

Via certified 4006 3450 0003 7321 3514

Re: Renewal of Beverage Dispensary - Tourism Liquor License #874 Pipeline Club

Dear Mark Lee:

Please submit transfer of ownership (stock transfer). The ABC Board records show this license is owned by Mark Lee 47%, and James Lee 47%. The 2014-2015 renewal document you submitted indicates the stock is now held Mark Lee 42 %, Susan Lee 42% and Linda Lee 16%. This is a transfer of controlling interest and requires a complete liquor license transfer. The format of advertising which will be accepted by the ABC Board is enclosed. I have included the correct format for advertng for a stock transfer. I will gladly assist you in all the statutory requirements; please do not hesitate to ask.

Please contact State of Alaska Division of Corporations and bring your entity #8705D for Valdez Motel Corporation into compliance. The status now is Involuntarily Dissolved. This status is perhaps because the biennial report which was due January 2, 2013 was not filed. The stock percentage is does not match your 2014-2015 renewal document.

Linda Lee has never submitted fingerprints to the ABC Board for background check. Stature requires and person holding 10% or more stock submit fingerprints. The fee for processing the background check is \$51.50 per person. The instructions for fingerprints and the cards are enclosed.

Please submit the completed transfer forms by July 10th or contact our office with and explanation for the delay.

If you have any questions, please contact our office.

A handwritten signature in cursive script, reading "Maxine Andrews".

Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

Enclosures: Transfer application; SOA Div. of Corp. contact info; Entity #8705D data sheet;
Format for advertising; fingerprint instructions and cards

COPY

7006 3450 0003 7321 3514

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
Here

Total Postage \$

Sent To
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

Valdez Motel Corporation
Attn: Mark Lee
PO Box 472
Valdez, AK 99686

PS Form 3800, Aug 2004 See Reverse

2014/2015 Renewal Checklist

License # 874 d.b.a The Pipeline Club

License Application Complete: 2/28/14 mra

DBA	No Change <input checked="" type="checkbox"/>	New:
Licensee	No Change <input checked="" type="checkbox"/>	New:
Premises Address	No Change <input checked="" type="checkbox"/>	New: Authorized:
Mailing Address	No Change <input checked="" type="checkbox"/>	New:

License questions answered correctly: ☒ Yes ☐ No

Corrections taken:

Corporation Information:

In "good standing" – Div. of Corporation website ☐ Yes ☒ No
 Stockholders and officers match our licensing database ☐ Yes ☒ No

Fees paid: License fee ☒ Filing fee ☒ FP fee ☐ Late fee ☐

fee notes

Corrections made:

need to transfer James Lee is ~~deceased~~ ^{deceased}, involuntary dissolved

Return to Max

11260

2014/2015 Liquor License Renewal

License Number	License Type	Establishment Name
874	Hospitality	The Pipeline Club
N/A	Seasonal Date From:	Seasonal Date To:
Mailing Address		Premises Address
POB 472 Valdez, Ak 99686		112 Eagen Valdez
Valdez Motel Corporation		City: Valdez
		Borough:

Phone: 907-835-4332	Fax: 907-835-4416
Email: piprinn@gci.net	pipeinn@gci.net
Employer Identification # (EIN)	92-0036937
Community Council (Anchorage & Mat-Su only)	Valdez City Council

Please mark the correct box to answer:

Was your business open at least 30 days for 8 hours each day in 2012? (X)Yes ☐No
 Was your business open at least 30 days for 8 hours each day in 2013? (X)Yes ☐No
 Has the licensed premises changed from the last diagram submitted? ☐Yes (X)No
 Has any person named in this application been convicted of a felony or Title 4 violation? ☐Yes (X)No

IF RESTAURANT EATING PLACE LICENSE:

Gross receipts from sale of food were at least 50% of total gross receipts for 2012 and 2013? N/A ☐Yes ☐No

IF PACKAGE STORE LICENSE:

Do you intend to ship alcoholic beverages in response to a written order? ☐Yes ☐No
 N/A

List all corporation members, managers and shareholders below:

Name & Mailing Address	Title	Share %	Phone
Mark Lee POB 472 Valdez	Pres.	42	835-4332
Susan Lee POB 472 Valdez	V.P.	42	835-4965
Jamie Lee POB 472 Valdez	Sec/Tres	0	835-4965
Linda Lee 6423 Blackberry Anch.	SHARE	16	243-5991

If not a corporation - List all individuals, spouses, or partners that own business below:

Name & Mailing Address	Title	Phone

License Fee *see page 3 for fees	\$ 2,500.00
Filing Fee	\$ 200.00
TOTAL	\$ 2,700.00
Late Fee – If Received or Postmarked after 12/31/13	\$ 500.00
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 3,200.00

By affixing my signature below:

I declare under penalty of perjury that I have examined this application and to the best of my knowledge and belief state it is true, correct and complete.

I certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

As a licensee (a sole proprietor or partner), I certify that I have received alcohol server training and my certification is currently valid.

As a Corporate/LLC licensee, I certify that all agents and employees, who serve, sell or are otherwise responsible for the service/sale/storage of alcoholic beverages have received alcohol server training and their certification is currently valid. I further certify that certain shareholders/officers/directors/members of the entity that are *not directly or indirectly* responsible for the service/sale/storage of alcoholic beverages are not alcohol server training certified, and will not be required to be certified.

As a licensee, I certify that all my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

Mark Lee / Pres.

Mark Lee

Licensee Signature

Printed Name & Title

Jana Devlin

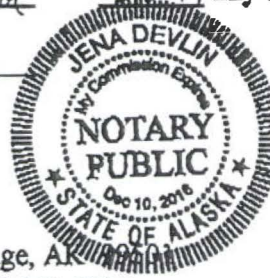
Notary Signature

Notary Public in and for the State of Alaska

Subscribed and sworn to before me this

28th day of February, 2014

My commission expires: 12-10-16



ABC LICENSE MANAGEMENT

Add/Update Owner or Enterprise

Licenses

ID: 2406	874	Pipeline Club	112 Egan Dr
Name: Valdez Motel Corporation			
Address: PO Box 472			
City: Valdez			
State: AK			
ZIP: 99686			
Email: pipeinn@gci.net			
<input type="button" value="Save"/>		<input type="button" value="Cancel"/>	

Interested Parties

Add Interested Party											
ID	Name	%	Aff	Pres	VP	Sec	Treas	Off	Mbr	Mgr	
<u>716</u>	Mark Lee	47.00	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Edit Delete
<u>717</u>	Susan Lee	0.00	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Edit Delete
<u>718</u>	James Lee	47.00	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Edit Delete
Total Percentage											

Division of Corporations, Business and Professional Licensing

Name(s)

Type	Name
Legal Name	VALDEZ MOTEL CORPORATION

Entity Details

Entity Type: Business Corporation

Entity #: 8705D

Status: Involuntarily Dissolved

AK Formed Date: 6/16/1969

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2013

Entity Mailing Address: POB 1027, WILLOW, AK 99688

Entity Physical Address: W WILLOW COMMUNITY CENTER CIRCLE, WILLOW, AK 99688

Registered Agent

Agent Name: M A LEE

Registered Mailing Address: P O BOX 65, VALDEZ, AK 99686

**Registered Physical
Address:**

Officials

AK Entity#	Name	Titles	Percent Owned
	James Lee	Director, Secretary, Treasurer	47
	Mark Lee	Director, President	47
	Susan M Lee	Director, Vice President	0

Filed Documents

Date Filed	Type	Filing	Certificate
6/16/1969	Creation Filing		

9/18/1987	Biennial Report		
5/1/1989	Biennial Report		
12/24/1990	Biennial Report		
12/29/1992	Biennial Report		
2/17/1995	Biennial Report		
12/30/1996	Biennial Report		
1/4/1999	Biennial Report		
12/15/2000	Biennial Report		
4/11/2003	Biennial Report		
8/28/2005	Biennial Report		
1/31/2008	Biennial Report		
8/12/2010	Biennial Report		
12/21/2011	Biennial Report		
6/10/2013	Admin Dissolution		



State of Alaska

Department of Public Safety

Alcoholic Beverage Control Board

Sean Parnell, Governor

Joseph A. Masters, Commissioner

June 21, 2012

Valdez Motel Corporation
Attn: Mark Lee
PO Box 472
Valdez, AK 99686

RE: Pipeline Club Liquor Lic. #874

Dear Mr. Lee:

The ABC Board is in receipt of your 2012/2013 liquor license renewal application. In checking corporation records with the Division of Corporations I find that their records indicate the above named corporation is "Non-compliant". In addition, your renewal application lists a Linda Lee with 6% ownership, but the Division of Corporations records do not list Linda Lee.

Please contact and update your information with the Division of Corporations. I attach the contact information for the Division of Corporations. If you have questions or concerns, please feel free to contact me.

Sincerely,

SHIRLEY A. GIFFORD
Director

/s/Christine C. Lambert

Christine C. Lambert
Licensing & Records Supervisor

Encl: Copy of Division of Corp. Records
Contact Information for Div. of Corp.

#8575

2012/2013 Liquor License Renewal

License Number	License Type	Establishment Name
874	Beverage Dispensary	Pipeline Club
If Seasonal License	Seasonal Date From:	Seasonal Date To: N/A

Mailing Address	Premise Address
Valdez Motel Corporation	112 Egan Dr.
PO Box 472	

Phone: 835-4332	Fax: 835-4441
Email: PIPEINNGCI.NET	

Please mark the correct box to answer:

1. Was your business open at least 30 days for 8 hours each day in 2010? ☒ Yes ☐ No
2. Was your business open at least 30 days for 8 hours each day in 2011? ☒ Yes ☐ No
3. Has the licensed premise changed from the last diagram submitted? ☐ Yes ☒ No
4. Has any person named in this application been convicted of a felony? ☐ Yes ☒ No

List all corporation members, managers and shareholders below:

Name & Mailing Address	Title	Share %	Phone
MARK LEE	PRES/GM	47	8354332
JAMES W. LEE	SEC/TRES.	47	8354444
LINDA LEE	DIRECTOR	6	

If not a corporation - List all individuals, spouses, or partners that own business below:

Name & Mailing Address	Title	Phone

License Fee	Application Fee	Late Fee	Fingerprint Fee	TOTAL
-------------	-----------------	----------	-----------------	-------

\$2500.00	\$200.00			\$2700 ⁰⁰
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By affixing my signature below:

I declare under penalty of perjury that I have examined this application and to the best of my knowledge and belief state it is true, correct and complete.

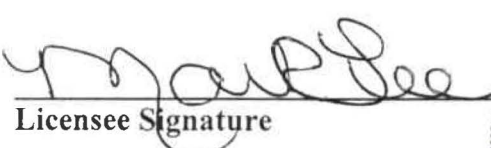
I certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations.



I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

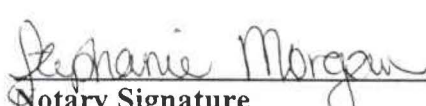
As a licensee (a sole proprietor, partner or officer, director, shareholder, member, of the entity to which license is issued), I certify that I have received alcohol server training and my certification is currently valid.

As a Corporate/LLC licensee, I certify that all agents and employees, who serve, sell or are otherwise responsible for the service/sale/storage of alcoholic beverages have received alcohol server training and their certification is currently valid. I further certify that certain shareholders/officers/directors/members of the entity that are *not directly or indirectly responsible* for the service/sale/storage of alcoholic beverages are not alcohol server training certified, and will not be required to be certified.

As a licensee, I certify that all my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.


 Licensee Signature


 PRES-GM
 Printed Name & Title


 Notary Signature

Notary Public in and for the State of Alaska

Subscribed and sworn to before me this 29 day of December 2011

My commission expires: August 25, 2015

Division of Corporations, Business and Professional Licensing

Name(s)

Type	Name
Legal Name	VALDEZ MOTEL CORPORATION

Entity Details

Entity Type: Business Corporation

Entity #: 8705D

Status: Non-Compliant

AK Formed Date: 6/16/1969

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2013

Entity Mailing Address: POB 472, VALDEZ, AK 99686

Entity Physical Address: POB 472, VALEDEZ, AK 99686

Registered Agent

Agent Name: M A LEE

Registered Mailing Address: P O BOX 65, VALDEZ, AK 99686

**Registered Physical
Address:**

Officials

AK Entity#	Name	Titles	Percent Owned
	James Lee	Treasurer, Director, Secretary	47
	Mark Lee	President, Director	47
	Susan M Lee	Director, Vice President	0

Filed Documents

Date Filed	Type	Filing	Certificate
6/16/1969	Creation Filing		
9/18/1987	Biennial Report		
5/1/1989	Biennial Report		

Tab

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THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: September 8, 2015
RE: Riverview Quick Stop License
#968

This is an Accusation regarding a Notice of Violation per AS 04.11.040(c) and 3 AAC 304.175(b) for failing to complete a stock transfer upon change in controlling interest. The licensee has not been responsive to agency efforts to assist in the completion of the transfer. The licensee has not responded to a Notice of Violation, resulting in a further violation of 3 AAC 304.525(a)(1)(B). AS 04.11.050 requires a change in stock to be reported within 10 days in a report to the board.

Date of event requiring stock transfer: April 22, 2013- Change in controlling interest

Date event first reported to board: December 31, 2014 in renewal application

Date letter from Licensing sent: Certified letter May 18, 2015

Date of additional contacts from licensing: Phone calls 12/31/14, 4/2/15, emails 4/7/15, 6/10/15

Notice of Violation sent: June 1, 2015

Date of responses by licensee: None other than phone calls mentioned

Inquiry for the Board: Should the board suspend the license in order to get the licensee to complete the transfer?

Recommendation: Suspend license until complete stock transfer application is received.

STATE OF ALASKA

ALCOHOLIC BEVERAGE CONTROL BOARD

In the matter of)	
Riverview Retail, LLC.)	
dba Riverview Quick Stop)	
1316 Badger Road)	
North Pole, AK 99705)	
)	
Respondent)	
)	
_____)	No. 15-03

ACCUSATION

Petitioner, Cynthia A. Franklin, Director of the Alcoholic Beverage Control Board, acting in her official capacity and upon information and belief, alleges as follows:

INFORMATION

1. Respondent, Riverview Quick Stop, LLC, is the holder of a licensed beverage dispensary license doing business as Riverview Quick Stop, located at 1316 Badger Road, North Pole, Alaska, license number 968.
2. According to ABC records Gene Lunney is President and 100% owner of stock in Riverview Quick Stop, LLC.
3. The license was first issued to the current owner of Riverview Quick Stop, LLC in December, 2012.

COUNT 1

4. Petitioner incorporates paragraphs 1-3 of this accusation as if fully set forth in Count 1.

5. On December 31, 2014 the corporation swore to renewal paperwork stating the ownership of the corporation had changed due to an April 22, 2013 change in controlling interest. According to the CPBL website entity search, Riverview Retail, LLC is owned 50% by Gene Lunney and 50% by Nickolas Kelsch. On May 18, 2015, staff of the ABC Board sent a certified letter to the corporation requesting stock transfer paperwork be filed to bring the license into compliance with AS 04.11.030, AS 04.11.040(c) and AS 04.11.050 requiring an application for ownership transfer due to a change in controlling interest of the corporation. The agency requested the licensee file a transfer application immediately. No paperwork was filed. Additional contacts were made by agency staff including phone calls on 12/31/14 and 4/2/15 and emails on 4/7/15 and 6/10/15. None of these contacts resulted in a transfer application being filed by the licensee. On June 1, 2015, a Notice of Violation was sent regarding the failure to apply for an ownership transfer. No response has been received as of June 30, 2015.

a) AS 04.11.030(b) states: If an application for the transfer of ownership of a license from a deceased licensee is not made within 90 days of the death of the licensee or within an additional 90 days if an application for transfer of ownership made by the executor is denied, or no petition is made to the board for an extension of time under (c) of this section within the time, the license is forfeited.

b) AS 04.11.040(c) states: A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board.

c) AS 04.11.050(a) and (b) state: (a) A corporation issued a license under this title shall report to the board when 10 percent or more of its corporate stock is transferred and shall also report any change in its corporate officers or in the membership of its board of directors.

(b) The report to the board shall be made in writing in duplicate and shall be sent within 10 days after the transfer of the stock or the change in officers or directors.

COUNT 2

6. Petitioner incorporates paragraphs 1- 5 of this accusation as if fully set forth in Count 2.

7. The licensee has violated 3 AAC 304.525(a)(1)(B) by failing to respond to the Notice of Violation issued June 1, 2015 as set forth in Count 1 above. That regulation states: Upon receipt of a notice of violation, a licensee may request to appear before the director and be heard regarding the notice of violation. The request must be made within 10 days after receipt of the notice, and the director shall grant an appearance within 10 days after receipt of the request. A licensee shall respond, either orally or in writing, to the notice of violation.

THE ACTS ALLEGED in Counts 1 and 2 above are grounds for suspension or revocation of a license under AS 04.11.370 (a) (2), (3), and (10), which provide:

(a) A license or permit shall be suspended or revoked if the board finds:

(2) continuation of the manufacture, sale, or service of alcoholic beverages by the licensee or permittee would be contrary to the best interests of the public;

(3) failure on the part of the licensee to correct a defect that constitutes a violation of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or other laws after receipt of notice issued by the board or its agent;

(10) violation by a licensee of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or an ordinance adopted under AS 04.21.010.

Wherefore, petitioner prays:

1. That the Alcoholic Beverage Control Board find that the respondent, Riverview Quick Stop, LLC, dba Riverview Quick Stop, through its agents and employees committed the acts alleged above.

2. That the Alcoholic Beverage Control Board suspend or revoke the beverage dispensary license issued to Riverview Quick Stop, LLC, dba Riverview Quick Stop, license number 968, under AS 04.11.370 (2), (3), and (10), and;

3. For such other relief as the Alcoholic Beverage Control Board considers appropriate.

Dated at Anchorage, Alaska, this 1st day of July, 2015.

Cynthia A. Franklin, Director
Alcoholic Beverage Control Board



Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

Date: 6-1-15
Number AB15-0438
Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee	License Number	Type of License
Riverview Retail, LLC	968	Package Store
D.B.A.	How Delivered	Law Enforcement Agency
Riverview Quick Stop	<input checked="" type="checkbox"/> Mail Receipt on file. <input type="checkbox"/> In Person	Alaska State Troopers
Street or P.O. Box	City, State	Zip
1316 Badger Road	Fairbanks, AK	99705

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: Your application for renewal indicates that you have had a controlling interest in your corporation. As of today's date, you have failed to complete stock transfer paperwork to the Board. Business registration examiners' notes indicate they have contacted you multiple times since the end of 2014 to correct this issue. This is a violation of Title IV.

Your attention is directed to AS04.11.040(c): Board approval of transfers, AS 04.11.370: Suspension and revocation of licenses and permits and 304AAC175(b): Transfers

You are directed to respond to the Director of the Alcohol Beverage Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a recurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

A Response is Required

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt: <i>Sue Poulson 6/18/15</i>	Violation Observed By: F.R. Hamilton
Filed By: <i>F.R. Hamilton</i>	Title: Investigator III



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7th Avenue Ste. 1600
Anchorage, Alaska 99501
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Fax: 907.334.2285

May 18, 2015

Riverview Retail, LLC
DBA Riverview Quick Stop
Attn: Gene Lunney
1316 Badger Road
North Pole, AK 99705

Certified: 7011 2970 0003 3312 5790

Re: Package Store Liquor License # 968

Dear Gene,

On the renewal application for this license you stated that you (Gene Lunney) and Nick Kelsch are 50/50 owners of this license. Our records indicate you (Gene Lunney) are 100% owner. This is a change in controlling interest.

Per Alaska Statue 04.11.040 (c) "*A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board*". The written consent of the board is by approving your stock transfer application that must be submitted to us.

I spoke with you about this at the time I processed your renewal in January and you stated you would be working on the transfer.

On April 7th 2015, I sent an email to dodiecaputo@gmail.com where I, again, explained to you the need of a stock transfer.

On April 8th 2015 someone left me a voicemail saying she had received the email but that you were out of town and that as soon as you came back she would let you know.

It has now been over four months and as of today our office has not received the required transfer of controlling interest, nor had I gotten a call from you.

I would like to remind you that per AS 04.11.370 (a) *A license or permit shall be suspended or revoked if the board finds: (3) failure on the part of the licensee to correct a defect that constitutes a violation of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or other laws after receipt of notice issued by the board or its agent.*

Please submit your transfer 30 days after receipt of this certified letter. Failure to do so will result on your license being presented to the board for action.

If you have further questions please don't hesitate to contact me.

Sincerely,

Jane Sawyer
Business Registration Examiner
907-269-0359
Jane.sawyer@alaska.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Riverview Retail, LLC
 DBA Riverview Quick Stop
 Attn: Gene Lunney
 1316 Badger Road
 North Pole, AK 99705

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☒ Clare Sundgren ☐ Address

B. Received by (Printed Name) C. Date of Delivery
Clare Sundgren 05/18/15

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
 (Transfer from service label)

7011 2970 0003 3312 5790

From: Sawyer, Jane Preston (CED)
Sent: Tuesday, April 07, 2015 9:00 AM
To: 'dodiecaputo@gmail.com'
Subject: Liquor license #968 Riverview Quick Stop

Good morning Gene,

I left a you a message with the person answering the phone on 4/2/15 to give me a call back.

We spoke on 12/31/14 about the need for you to do a stock transfer. Our records show you are the 100% owner of Riverview Retail, LLC, however, on your renewal application processed back in December and for which I issued a renewed license, you stated that now you and Nick Kelsch own this license 50/50. This requires a controlling interest transfer (also referred to as stock transfer).

Alaska Statute 04.11.040 (c) cites:

" A person may not receive or transfer controlling interest in a liquor license issued to a partnership, including a limited partnership, a limited liability organization, or a corporation under this title, except with the written consent of the board" Written consent of the board means submitting the stock transfer paperwork for the board to review and approve or deny.

Please contact me as soon as possible with proof that you are working on the transfer. Please note that failure to comply with ABC Board statutes and/or regulations may result in the suspension of your license.

Thank you

Jane Sawyer
Business Registration Examiner
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501
Tel: 907-269-0359 Fax: 907-334-2285

Required Documents	Date Received	Comments	Reviewers Initials
Application AS 04.11.260	10/19/11	revised per phone conversation w/ Gene 10/26/11	San
Posting Affid AS 04.11.310	10/19/11	revised per phone request 10/24/11	San
Proof of Adver AS 04.11.310	10/19/11	waiting for correction to read correct owners (new & current)	San
Corp/Partner AS 04.11.260 AS 04.11.430 13 AAC 104.105(4)	11/17/12	waiting for Div. of Corp. to read Gene Lunny as owner & 100%	cel
Right Title/Lease 13 AAC 104.107(6)	12-17-12		cel
Financial Int State AS 04.11.450	10/19/11		San
Creditors Affid AS 04.11.280(b)	11-26-12		cel
Fingerprint Cards AS 04.11.295	10/19/11	waiting for \$54.25 \$51.50 provided 11-26-12 #9306	San
Premise Diagram 13 AAC 104.185	10/19/11		San

Name/s of applicant on FP card:

Gene R. Lunny, JR

Checklist for transfer in 2011/12 to Riverview Retail, LLC w/ Gene Lunny 100%

Notices Req.	Date Sent	Date Hold Recd	Date Approved	Received by Initials
90 Day Ltr AS 04.11.510	10/28/11			San
LGB Notice AS 04.11.520	10/24/11		12/01/11	San
Community Council AS 04.11.310(b) MOA & Mat-Su Bor	N/A			San
Fire AS 04.21.030(2) Deferred Juris List	N/A			San
DOL - Emp Sec Div AS 04.21.030(2)	10/24/11		11/04/11	San
Dept of Revenue AS 04.21.030(2)	10/24/11		3-27-12	San



THE STATE
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

5848 E Tudor Road
Anchorage, Alaska 99507
Main: 907 269 0350
Chris Lambert: 907 269 0359
TDD: 907 465 5437
Fax: 907 272 9412

11-20-12 called
Espola w/ Gene
re: lease.

November 14, 2012

Riverview Retail, LLC
Attn: Gene Lunney
1316 Badger Road
North Pole, AK 99705

Mr. Lunney:

On October 19, 2011 the ABC Board received a transfer application for liquor license Riverview Quick Stop. Ms. Oates reviewed the application and emailed a list of items necessary to complete the application on 10/28/11 (copy enclosed). On July 27, 2012 I reviewed the file and requested the necessary documents to complete this application (copy enclosed). The following items have not been received in our office to date:

1. Lease indicating Riverview Retail, LLC has right title to do business at the location.
2. The Creditors Affidavit completed by the current owner, Riverview Quick Stop, Inc. (form enclosed)
3. Fingerprint processing fee of \$51.50 (check #7278 enclosed for \$54.25)
4. Location diagram (form enclosed)
5. Copy of the Correction Advertisement should read as follows: "Riverview Quick Stop, Inc. d/b/a Riverview Quick Stop located at 1316 Badger Road, North Pole is applying for a transfer of a package store liquor license (AS 04.11.150) to Riverview Retail, LLC."
6. Please include your federal employer identification number with these documents.

As this license application has been pending for over 12 months, the ABC Board must receive these documents by December 15, 2012 in order to consider the application. If the documents are not received timely I will return the application documents to you and rescind the application.

If you have any questions or concerns regarding this information, please feel free to contact me.

Sincerely,

SHIRLEY A. COTÉ
Director

/s/ *Christine C. Lambert*
Christine C. Lambert
Licensing & Records Supervisor
Christine.lambert@alaska.gov



THE STATE
of **ALASKA**

GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

5848 E. Tudor Road
Anchorage, Alaska 99507
Main: 907 269 0350
Chris Lambert: 907 269 0359
TDD: 907 465 5437
Fax: 907 272 9412

July 27, 2012

Riverview Retail, LLC
Attn: Gene Lunney
1316 Badger Road
North Pole, AK 99705

VIA CERTIFIED MAIL
7006 3450 0003 7319 2307

Dear Mr. Lunney:

On October 19, 2011 the ABC Board received a transfer application for liquor license Riverview Quick Stop license #968. After Ms. Oates reviewed your application she emailed a list of items necessary to complete the application on 10/28/11 (copy enclosed). To date the following items have not been received in our office:

1. The lease indicating that Riverview Retail, LLC has right title to do business at this premise
2. The Creditors Affidavit completed by the current owner, Riverview Quick Stop, Inc. (form enclosed)
3. Fingerprint processing fee of \$51.50
4. Premise diagram (form enclosed)

As this application is nine months old I will require these documents to be completed and received in our office by August 31, 2012. If the documents are not received, I will send you a request for refund and the license will revert to the current owners, Riverview Quick Stop Inc. If you have any questions or concerns regarding this request, please feel free to contact me.

Sincerely,

SHIRLEY A. COTÉ
Director

/s/ *Christine C. Lambert*
Christine C. Lambert
Licensing & Records Supervisor

Encl: Creditors Affidavit form
Premise diagram

Lambert, Christine C (CED)

From: Oates, Sarah D (CED)
Sent: Tuesday, August 28, 2012 8:10 AM
To: Gene Lunney
Cc: Lambert, Christine C (CED)
Subject: RE: Riverview Quick Stop #968 - 90 Day Letter

Thank you for the update, Gene. I look forward to receiving your envelope, and Chris or I will be sure to contact you if we need anything further.
Have a great morning!

-Sarah

Sarah D. Oates

Business Registration Examiner | Alcoholic Beverage Control Board
5848 East Tudor Road | Phone: 907.269.0356 | Fax: 907.272.9412

From: Gene Lunney [<mailto:gene.lunney@gmail.com>]
Sent: Monday, August 27, 2012 5:16 PM
To: Oates, Sarah D (CED)
Subject: Re: Riverview Quick Stop #968 - 90 Day Letter

Hello Sarah, I finally have all the information you have requested. The lease agreement/purchase held us up and is now final. I will send Certified Mail tomorrow morning. i recieved a letter from ABC folks saying they still needed a floor plan, so i have enclosed another copy for you. I very much appreciate your patience and your help. If you need anything else, there will be no hold ups getting to you.

On Fri, Oct 28, 2011 at 10:48 AM, Oates, Sarah D (DPS) <sarah.oates@alaska.gov> wrote:

Hey Gene,

Attached is a formal notice to inform you that we've received and begun processing your application for transfer of ownership for the Riverview Quick Stop.

As I mentioned in our phone conversation yesterday, there are a few things I'll need you to do before your application can go in front of the ABC Board for approval. They are as follows:

- Print a one-time notice advertise that reads exactly as follows:

"Notice of Correction: Riverview Quick Stop, Inc. d/b/a Riverview Quick Stop located at 1316 Badger Road, North Pole, Alaska 99705 is applying for a transfer of a Package Store Liquor License (AS 04.11.150) to Riverview Retail, LLC"

- Send me a copy of a lease that lists the lessee as "Riverview Retail, LLC" (you may also have your name on there, but it MUST have your LLC as the lessee) and the leased property location as "1316 Badger Road, North Pole, AK 99705". Please make sure the lease is signed by both the lessee and lessor.
- The current owners (Riverview Quick Stop, Inc.) will need to fill out a Creditors Affidavit listing any current liens. Please have them write "None" in the boxes provided if there aren't any.
- I talked with Bill from Department of Revenue about the whole EIN number thing this morning. He says that every corporation needs to have one. I gave you a number for Lee with Department of Labor last night (269-4836). Just make sure you get one pretty soon here!
- Please enclose a check for \$54.25 for your fingerprints. This money goes to the Feds as their processing fee for the fingerprints and background check.
- Contact Division of Corporations (headquarters: [907-465-2550](tel:907-465-2550)) and file with them to change the entity members so that they read "Gene Lunney, President, 100% shareholder; Nick Kelsch, Vice President, 0% shareholder".
 - Send me a copy of the completed paperwork for Division of Corporations that reflects the requested changes to be made.
 - To view what's currently listed for your LLC, do a search at this website: <http://commerce.alaska.gov/CBP/Main/CBPLSearch.aspx?mode=Corp>
 - Contact me with Nick's date of birth, home address, and telephone number.

Thanks again for getting back to me last night, Gene. I know this is a big list of stuff, but you did a great job for being a first-time applicant and doing it on your own! If you have any questions at all, please give me a call on my direct line at 269-0356 or shoot me an email to this address.

Have a great weekend!

-Sarah

Sarah D. Oates

Business Registration Examiner | Dept. of Public Safety | Alcoholic Beverage Control Board

5848 East Tudor Road | ☎ [907.269.0356](tel:907.269.0356) | 📠 [907.272.9412](tel:907.272.9412) | ✉ sarah.oates@alaska.gov

Tab

14



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: September 8, 2015
RE: Tequila Kitchen Express, License
#5247

This is an Accusation regarding Notice of Violation per AS 04.16.052 for furnishing alcohol to a minor, AS 04.21.025, lack of alcohol server education, AS 04.16.150, licensee responsible for violations, and AS 04.16.030, responsibility of licensees. The licensee failed to respond to the Notice of Violation per 3 AAC 304.525(a)(1)(B) which brings the licensee before the board.

Date of Accusation: July 1, 2015

Date of violation: April 16, 2015

Date NOV issued: April 17, 2015

Date of service of NOV: April 21, 2015

Responses received: Letter dated September 8, 2015, received after member of ABC staff contacted Tequila Kitchen to remind them they would be on agenda for board meeting (in packet)

Inquiry for the Board: Should the Board suspend the license as a sanction for the licensee's violations?

Other Considerations: Licensees failed to respond to an NOV (lack of server education/warning signs) which the board heard 10/8/14. The licensees also failed to complete an ownership transfer request and failed to update the mailing address per AS 04.11.430(b). The board warned the licensees to respond to the NOV and instructed them to complete the transfer and update the address. The licensees did not update addresses or file transfer paperwork and the board suspended the license at their 12/1/14 meeting until a complete transfer application was received.

Recommendation: Suspend license for amount of time board deems appropriate.

STATE OF ALASKA

ALCOHOLIC BEVERAGE CONTROL BOARD

In the matter of)
Tequila Kitchen Express, LLC.)
dba Tequila Kitchen Express)
2514 E. Tudor Road)
Anchorage, AK 99507)
Respondent)
_____) No. 15-04

ACCUSATION

Petitioner, Cynthia A. Franklin, Director of the Alcoholic Beverage Control Board, acting in her official capacity and upon information and belief, alleges as follows:

INFORMATION

1. Respondent, Tequila Kitchen Express, LLC, is the holder of a licensed restaurant or eating place license doing business as Tequila Kitchen Express, located at 2514 E. Tudor Road, Anchorage, Alaska, license number 5247.
2. According to ABC records Andrew Zhelayev is a 50% member and Josue Picasso is a 50% member in Tequila Kitchen Express, LLC.
3. The license was first issued to the current owner of Tequila Kitchen Express, LLC on October 8, 2013.

COUNT 1

4. Petitioner incorporates paragraphs 1-3 of this accusation as if fully set forth in Count 1.

5. On April 17, 2015 ABC enforcement staff issued a Notice of Violation to Tequila Kitchen, Express because server Alberto Garcia was not able to prove he has completed an alcohol server education course and the three required warning signs were not posted anywhere on the premises. AS 04.21.025 states(a) As a condition of issuance or renewal of a license and selling alcoholic beverages under a license, the board shall require a licensee who sells or serves alcoholic beverages and a licensee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board, if the license is for a (2) restaurant or eating place; AS 04.21.065 states: A holder of one of the following types of licenses or permits shall post on the licensed or designated premises three separate warning signs as described in (b) of this section; (2) restaurant or eating place license

COUNT 2

6. Petitioner incorporates paragraphs 1- 5 of this accusation as if fully set forth in Count 2.

7. The licensee has violated 3 AAC 304.525(a)(1)(B) by failing to respond to the Notice of Violation issued June 1, 2015 as set forth in Count 1 above. That regulation states: Upon receipt of a notice of violation, a licensee may request to appear before the director and be heard regarding the notice of violation. The request must be made within 10 days after receipt of the notice, and the director shall grant an

appearance within 10 days after receipt of the request. A licensee shall respond, either orally or in writing, to the notice of violation.

THE ACTS ALLEGED in Counts 1 and 2 above are grounds for suspension or revocation of a license under AS 04.11.370 (a) (2), (3), and (10), which provide:

(a) A license or permit shall be suspended or revoked if the board finds:

(2) continuation of the manufacture, sale, or service of alcoholic beverages by the licensee or permittee would be contrary to the best interests of the public;

(3) failure on the part of the licensee to correct a defect that constitutes a violation of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or other laws after receipt of notice issued by the board or its agent;

(10) violation by a licensee of this title, a condition or restriction imposed by the board, a regulation adopted under this title, or an ordinance adopted under AS 04.21.010.

Wherefore, petitioner prays:

1. That the Alcoholic Beverage Control Board find that the respondent, Tequila Kitchen Express, LLC, dba Tequila Kitchen Express, through its agents and employees committed the acts alleged above.

2. That the Alcoholic Beverage Control Board suspend or revoke the beverage dispensary license issued to Tequila Kitchen Express, LLC, dba Tequila Kitchen Express, license number 5247, under AS 04.11.370 (2), (3), and (10), and;

3. For such other relief as the Alcoholic Beverage Control Board considers appropriate.

Dated at Anchorage, Alaska, this 1st day of July, 2015.

Cynthia A. Franklin, Director
Alcoholic Beverage Control Board



Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

Date: 4-17-15
Number AB15-0397
Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee	License Number	Type of License
Tequila Kitchen Express, LLC	5247	Restaurant / Eating Place
D.B.A. Tequila Kitchen Express 2514 E. Tudor Road	How Delivered [X] Mail Receipt on file. [] In Person	Law Enforcement Agency Anchorage Police Department
Street or P.O. Box 2525 Blueberry Road, Ste 206	City, State Anchorage, AK	Zip 99503

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: On 4-16-15, at about 1305 hours, Tequila Kitchen Express cashier Julissa U. Martin sold an alcoholic beverage to a person under 21. Martin has been a cashier for about a month and when asked to provide proof of server education, she could not, which is required when serving/selling in Anchorage prior to being employed. Manager Alberto Perez arrived and stated Martin does not sell alcoholic beverages, she is only a cashier. She was observed assisting the cook after leaving the cashier area. It was also learned that Martin and the cook, Diego Rivera, a three month employee, did not have food handler's certification, another municipal/state requirement. These are violations of Title IV.

Your attention is directed to **AS 04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensee** and **04.21.025: Alcohol Server Education; AS04.16.150: License responsible for violations, AS04.16.030: Responsibility of licensees**

You are directed to respond to the Director of the Alcohol Beverage Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING. *Please include your Alcohol License Number in your response.

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

7013 2250 0000 9617 5347

A Response is Required

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt:	Violation Observed By: UB 13-011
Filed By: <i>JR Hamilton</i>	Title: Investigator III

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tequila Kitchen Express, LLC
2514 E Tudor Rd
Anchorage, AK 99507

**2. Article Number**

(Transfer from service label)

7013 2250 0000 9617 5347

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X Dorecia Jimenez ☐ Agent
☐ Addressee

B. Received by (Printed Name)

Dorecia Jimenez

C. Date of Delivery

4/21/15

D. Is delivery address different from item 1?

☐ Yes

NO
If YES, enter delivery address below:

☐ No

3. Service Type

☐ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of Commerce,
Community,
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

December 1, 2014

Tequila Kitchen Express LLC
2514 E Tudor Road
Anchorage AK 99507

Re: Suspension of License Number 5247- Restaurant/Eating Place License

Dear Tequila Kitchen Express LLC,

During the December 1, 2014 meeting of the Alcoholic Beverage Control Board in Anchorage, the Board decided to suspend your Restaurant/Eating Place License, DBA Tequila Kitchen Express, number 5247 for an indefinite period of time. The reason for the suspension is your failure to submit a transfer of controlling interest as required by the board at the October 8, 2014 meeting in Nome. Your license will remain suspended until you meet these requirements.

If you have any questions, please contact me at 269-0350.

Sincerely,

A handwritten signature in dark ink, appearing to read "Cynthia Franklin".

Cynthia Franklin, Director

cc: License file



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community, and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5438
Fax: 907.334-2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: November 24, 2014

FROM: Cynthia Franklin
Director, ABC Board

RE: Tequila Kitchen Express #5247

Question for the Board:

- 1) Should action be taken against Tequila Kitchen Express for failing to comply with the Board's directions at its 10-08-14 meeting and for failing to submit a transfer of ownership application as directed by the Board?

On October 8, 2014 at its regular meeting, the board ordered Tequila Kitchen Express to appear because it had failed to respond to a Notice of Violation. At the meeting, Josue Picasso appeared and stated that he had not received notifications from the board and that the ABC did not have his correct mailing address.

The board ordered Mr. Picasso to immediately update the licensee's mailing address with the ABC board in writing. The ABC did not receive any information in writing or otherwise from Mr. Picasso until after the licensing supervisor sent a certified letter November 12, 2014 informing Mr. Picasso that he must again appear before the board on December 1, 2014 for failing to respond. After receiving the letter, Mr. Picasso called agency staff and insisted he needed to text a new address, as he was in Las Vegas and his partner was in Los Angeles. Mr. Picasso finally provided a written address by email.

The ABC discovered on September 23, 2013 that changes among controlling interest of stock ownership in Tequila Kitchen Express, LLC, the company that is operating license 5247, had been made. At that time, agency staff informed Mr. Picasso in person that a transfer application needed to be filed, and the necessary paperwork was provided. Over the past 14 months, agency staff, including the director, have told Mr. Picasso numerous times that the transfer of ownership application must be completed. No transfer application has been filed to date, no documents have been provided, and no statutory requirements have been met, but Tequila Kitchen, LLC, continues to operate its license.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

November 12, 2014

Tequila Kitchen Express, LLC
2525 Blueberry Road, Ste 206
Anchorage, AK 99503

Re: Mandatory Appearance at the December 1st ABC Board of Directors Meeting

Dear Licensee:

At the October 8th, 2014 ABC Board of Directors meeting in Nome, the Chairman Bob Klein directed Josue (Josh) Picasso that your company was to immediately do the following:

- Inform the board, in writing, of the current mailing address for Tequila Kitchen Express, LLC.
- Begin paperwork for a transfer of controlling interest that reflects the ownership change of the LLC. A complete application needed to be submitted to board staff before the agenda was made for the December 1st board meeting.

Because you have failed to do either of these things, as specifically instructed and agreed upon, you are scheduled to reappear in front of the board at the **December 1st meeting at 11:05 AM**. This meeting is taking place in Anchorage at the Coast International Inn, located at 3450 Aviation Avenue. If you wish to appear telephonically, you may do so by calling **1-800-315-6338 and dialing 69173#** when asked for the code.

I will be out of state until November 24th, but if you have any questions or concerns, you may either reach me at the email below, or you may call Director Cindy Franklin at 269-0351.

Sincerely,

A handwritten signature in green ink, appearing to read "Schr", with a large loop at the end.

Sarah D. Oates

Records & Licensing Supervisor
sarah.oates@alaska.gov
(907)269-0356



Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

Date: 09/08/14
Number AB14-0539
Page 1 of 1 Page

Notice of Violation

(3 AAC 304.525)

Licensee	License Number	Type of License
Tequila Kitchen Express, LLC	5247	Restaurant/Eating Place
D.B.A.	How Delivered [X] Certified Mail # [] In Person	Law Enforcement Agency
Tequila Kitchen Express		Anchorage Police Department
Street or P.O. Box	City, State	Zip
2525 Blueberry Road, Ste 206	Anchorage, AK	99503

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: On 04/24/14 you were sent a Notice of Violation via certified mail. The mail was received and signed for on 04/28/14 by MJ Grey. You were directed to respond to the Director of the Alcoholic Beverage Control Board in writing within 10 days of receipt. As of 09/08/14, the Director has yet to receive any correspondence from you. Further investigation has also revealed that a citation you were issued for failing to post the required warning signs was never paid. On 06/02/14, you were sent a warning notice from the court system for failure to respond to a citation. On 06/26/14, the court system noted that you failed to respond or appear and entered a default judgment. The fine has since been transferred to collections.

Your attention is directed to **AS 04.21.065 (j) and 3 AAC 304.525: Posting of Warning Signs and Communication With Licensees**

You are directed to respond to the Director of the Alcohol Beverage Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. Failure to respond within 10 days will result in a mandatory appearance before the ABC Board at the next Board meeting.

***Please include your Alcohol License Number in your response.**

Robert Beasley, Interim Director
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, Alaska 99501

7009 2820 0001 7253 2248

A Response is Required

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt:	Violation Observed By: J. Bankowski
Filed By:	Title: INV. INV. 111

10-8-14 Answered before Board



Alcoholic Beverage Control Board
5848 East Tudor Road
Anchorage, AK 99507

Date: 04/24/2014
Case Number: AB14-0539
Page 1 of 1

Notice of Violation

(3 AAC 304.525)

Licensee	License Number	Type of License
Tequila Kitchen Express, LLC	5247	Restaurant/Eating Place
D.B.A.	How Delivered	Law Enforcement Agency
Tequila Kitchen Express	<input checked="" type="checkbox"/> Certified Mail # On-File <input type="checkbox"/> In Person	Anchorage Police
Street or P.O. Box	City, State	Zip
2525 Blueberry Road, Ste 206	Anchorage, AK	99503

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: On 04/23/14 at about 1100 hours, a licensed premises inspection was performed at Tequila Kitchen Express. Employee Alberto Raziel Perez Garcia was contacted and was unable to provide proof of completing a recognized alcohol server education course. He was advised to no longer sell alcohol without his valid server card. It was also discovered that the three required Alcohol Warning Signs were not posted anywhere on the premises and a citation was issued. These are violations of Title IV.

Your attention is directed to **AS 04.21.065 & 04.21.025: Posting of Warning Signs & Alcohol Server Education Course**


You are directed to respond to the Director of the Alcohol Beverage Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation.

***Please include your Alcohol License Number in your response.**

Shirley A. Cote', Director
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, Alaska 99501

A Response is Required

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt:	Violation Observed By: Joe Bankowski
Filed By: 	Title: Investigator III

7011 2970 0003 3312 7350

Serranos LLC DBA Tequila Kitchen Express
201 E Northern Lights Blvd, Anchorage, AK 99503
Tel (907) 744-1555 Fax (702) 386-0599
www.SerranosGrill.com



SEPTEMBER 8, 2015

State of Alaska
Dept. of Commerce and Economic Development
Alcoholic Beverage & Marijuana Control Boards
550 W 7th Ave Ste. 1600
Anchorage, AK 99501

RE: Violation Number AB15-0397 Date 04-17-15

Ms. Andrews,

Attached please find the pictures of alcohol posters at the restaurant. In response to the above mentioned violation I am also attaching pictures of all the TAM cards and the Food Handler's cards for all employees.

In an attempt to prevent cases of liquor sales to minors in the future we have been holding monthly employee meeting where we go over the rules to make sure every employee is aware of them. We remind employees to keep the year of birth in mind (born on this date) to make the calculation simpler. We have also been studying various forms of identification that may be presented to ensure the employees are familiar with the location of expiration dates and the date of birth on various types of IDs. Every new employee will be trained on these matters before they start work.

Thank you and please let me know if there are any question

Sincerely,

A handwritten signature in black ink, appearing to read "Jorge Perez Garcia", with a stylized flourish at the end.

Jorge Perez Garcia

PRESIDENT
Cell (907) 382-7191
Jorge@SerranosGrill.com



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Protecting people's lives for over 25 years

www.PremierFoodSafety.com

(800) 676-3121

Certificate of Completion

This certificate recognizes that

Alberto Raziel Perez-Garcia

has successfully completed and passed the

Municipality of Anchorage
Food Worker Online Training Program



Byong W. Yoo, PhD (Founder)

Issuance Date: 04/16/2015
Expiration Date: 04/16/2018

Confirmation #: 1504160460
Verification Code: 15-20939

www.PremierFoodSafety.com



PremierFoodSafety

www.PremierFoodSafety.com
(800) 676-3121

Municipality of Anchorage
Food Worker Card

Alberto Raziel Perez-Garcia

Name

Issue Date: 04/16/2015
Expiration Date: 04/16/2018
Verification Code: 15-20939



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Providing people & lives for over 25 years

www.PremierFoodSafety.com
(800) 676-3121

Certificate of Completion

This certificate recognizes that

William F Hernandez

has successfully completed and passed the

Municipality of Anchorage
Food Worker Online Training Program



Byong W. Yoo, PhD (Founder)

Issue Date: 04/28/2015
Expiration Date: 04/28/2018

Confirmation #: 1504160465
Verification Code: 18-50170

www.PremierFoodSafety.com



PremierFoodSafety

www.PremierFoodSafety.com
(800) 676-3121

Municipality of Anchorage
Food Worker Card

William F Hernandez

Name

Issue Date: 04/28/2015
Expiration Date: 04/28/2018
Verification Code: 18-50170



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Protecting food safety for over 35 years

www.PremierFoodSafety.com
(800) 676-3121

Certificate of Completion

This certificate recognizes that

Julissa Ulloa Martin

has successfully completed and passed the

Municipality of Anchorage
Food Worker Online Training Program



Byong W. Yoo, PhD (Founder)

Issuance Date: 04/16/2015
Expiration Date: 04/16/2018

Confirmation #: 1504160462
Verification Code: 18-29554

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(800) 676-3121

Municipality of Anchorage
Food Worker Card

Julissa Ulloa Martin

Name

Issue Date: 04/16/2015
Expiration Date: 04/16/2018
Verification Code: 18-29554



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(800) 676-3121



PremierFoodSafety
Protecting people's lives for over 31 years

www.PremierFoodSafety.com
(800) 676-3121

Certificate of Completion

This certificate recognizes that

Diego E Flores Rivera

has successfully completed and passed the

Municipality of Anchorage
Food Worker Online Training Program



Byong W. Yoo, PhD (Founder)

Issuance Date: 04/16/2018
Expiration Date: 04/16/2018

Confirmation #: 1804160421
Verification Code: 18-42732

www.PremierFoodSafety.com



PremierFoodSafety

www.PremierFoodSafety.com
(800) 676-3121

Municipality of Anchorage
Food Worker Card

Diego E Flores Rivera

Name

Issue Date: 04/16/2018
Expiration Date: 04/16/2018
Verification Code: 18-42732



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(800) 676-3121



PremierFoodSafety
Protecting people's lives for over 35 years

www.PremierFoodSafety.com
(800) 676-3121

Certificate of Completion

This certificate recognizes that

Dorecia Jimenez Martinez

has successfully completed and passed the

Municipality of Anchorage
Food Worker Online Training Program



Byong W. Yoo, PhD (Founder)

Issuance Date: 04/16/2015
Expiration Date: 04/16/2018

Confirmation #: 1504160404
Verification Code: 18-61258

www.PremierFoodSafety.com



PremierFoodSafety

www.PremierFoodSafety.com
(800) 676-3121

Municipality of Anchorage
Food Worker Card

Dorecia Jimenez Martinez

Name

Issue Date: 04/16/2015
Expiration Date: 04/16/2018
Verification Code: 18-61258



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Protecting people's lives for over 35 years

www.PremierFoodSafety.com
(800) 676-3121

TAP!!
Training for Alcohol Professionals
(not valid for use as identification)

CHARR
Alaska Chapter

800-478-2427 or
907-274-8133
www.alaskacharr.com

CERTIFICATE # 132409

Name Diego Flores

Birthdate 03/17/94

Signature [Signature]

EXPIRES ON 07/31/2018

Instructor _____

TAP!!
Training for Alcohol Professionals
(not valid for use as identification)

CHARR
Alaska Chapter

800-478-2427 or
907-274-8133
www.alaskacharr.com

CERTIFICATE # 132404

Name Dorecia Jimenez

Birthdate 12/31/93

Signature [Signature]

EXPIRES ON 07/31/2018

Instructor _____

TAP!!
Training for Alcohol Professionals
(not valid for use as identification)

CHARR
Alaska Chapter

800-478-2427 or
907-274-8133
www.alaskacharr.com

CERTIFICATE # 127434

Name Alberio Perez

Birthdate 04/08/1979

Signature [Signature]

EXPIRES ON 05/06/2017

Instructor _____

TAP!!
Training for Alcohol Professionals
(not valid for use as identification)

CHARR
Alaska Chapter

800-478-2427 or
907-274-8133
www.alaskacharr.com

CERTIFICATE # 127442

Name Hugo I. Martinez

Birthdate 05-24-1990

Signature [Signature]

EXPIRES ON 05/06/2017

Instructor _____

TAP!!
Training for Alcohol Professionals
(not valid for use as identification)

CHARR
Alaska Chapter

800-478-2427 or
907-274-8133
www.alaskacharr.com

CERTIFICATE # 123953

Name William Hernandez

Birthdate 07-04-1991

Signature [Signature]

EXPIRES ON 10/08/2016

Instructor _____

TAP!!
Training for Alcohol Professionals
(not valid for use as identification)

CHARR
Alaska Chapter

800-478-2427 or
907-274-8133
www.alaskacharr.com

CERTIFICATE # 132408

Name Jesus Salvador Martinez

Birthdate 12-19-69

Signature [Signature]

EXPIRES ON 07/31/2018

Instructor _____

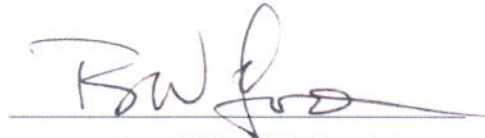
Certificate of Completion

This certificate recognizes that

Jesus S Martinez

has successfully completed and passed the

**Municipality of Anchorage
Food Worker Online Training Program**



Byong W. Yoo, PhD (Founder)

Issuance Date: 08/27/2015
Expiration Date: 08/27/2018

Confirmation #: 1508270968
Verification Code: 18-04088

www.PremierFoodSafety.com

Municipality of Anchorage Food Worker Card

Jesus S Martinez

Name

Issue Date: 08/27/2015
Expiration Date: 08/27/2018
Verification Code: 18-04088



Tab

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THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: September 8, 2015
RE: Clearwater Lodge License #4292

This is a request for extension of time to transfer this beverage dispensary license under AS 04.11.030(c) due to death of a licensee.

Date of death: January 18, 2015

Date requested: August 5, 2015

Request made by
executor or administrator? Yes

License being operated? No, waiver of operations granted July 1, 2015

First request? Yes

Recommendation: Grant extension of time to transfer license with a new
deadline of November 19, 2015.

From: [Sawyer, Jane Preston \(CED\)](#)
To: [Oates, Sarah D \(CED\)](#)
Subject: FW: RE: Clearwater Lodge Delta Junction
Date: Wednesday, August 05, 2015 11:58:40 AM

-Jane

From: ewingk@wildak.net [mailto:ewingk@wildak.net]
Sent: Wednesday, August 05, 2015 11:54 AM
To: Sawyer, Jane Preston (CED)
Subject: Fwd: RE: Clearwater Lodge Delta Junction

Jane, I would like to ask the board for an extension on the transfer of the Clearwater lodge liquor lincense. As the Board may or may not know, I have recently been officialy appointed as the Personal Representative of Patsy' estate. I am inlisting the help of the Cook Schulmann & Groseclose law firm in Fairbanks to assist me with the transfer paper work. Being as it is now August and the required three week notification will put us into September I am requesting that the Board extend the requirement for transfer submittle paperwork until their next meeting.

Thank you for your consideration in this matter.

Kevin Ewing

On Mon, 03 Aug 2015 23:48:35 +0000, "Sawyer, Jane Preston (CED)"
<jane.sawyer@alaska.gov> wrote:

Kevin,

The transfer packet info and applications will be in the mail tomorrow. I suspect you won't have the transfer in by September since the newspaper ad takes at least three weeks. Please type up a letter, or you can even email me, the extension request to the board. Since they are going to know that you have already been appointed the PR, I suggest you ask them until the following board meeting to submit your transfer, they may say yes or give you less time.

Thanks Kevin

-Jane

From: ewingk@wildak.net [mailto:ewingk@wildak.net]
Sent: Monday, August 03, 2015 10:35 AM
To: Sawyer, Jane Preston (CED)
Subject: RE: Clearwater Lodge Delta Junction

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT

In the Matter of the Estate)
)
Of)
)
PATSY C. EWING,)
Deceased.)
)

Case No. 4FA-15-315 PR/E

LETTERS TESTAMENTARY

The Will of Patsy C. Ewing having been admitted to probate, Kevin Dean Ewing is hereby appointed Personal Representative of the Estate.

DATED THIS 29 day of July 2015.

Registrar

Alicemary L. Rasley
Standing Master



I certify that on 7.30.15
copies of this form were sent to:

CLERK: JH Cordner cert

STATE OF ALASKA)
FOURTH JUDICIAL DISTRICT) ss.

I, the undersigned, certify that this is a true and full copy of Letters Testamentary/ Letters of Administration issued in the Superior Court, Fourth Judicial District, State of Alaska and that the Personal Representative was appointed as such on the 29 day of July 2015 at Fairbanks, Alaska in an informal/formal proceeding. Witness my hand and the seal of the court this 30 day of July 2015 at Fairbanks, Alaska.

By [Signature]
Probate Deputy Clerk

SUPERIOR COURT
PROBATE ONLY

LOGGED
JUL 02 2015

OOK SCHUHMAN
GROSECLOSE, INC.
4 FOURTH AVE., SUITE 200
POST OFFICE BOX 70810
AIRBANKS, AK 99707-0810

(907) 452-1855
FACSIMILE
(907) 452-8154

In the Matter of the Estate)
)
 Of)
)
 PATSY C. EWING,)
 Deceased.)
)

Case No. 4FA-15-315 PR/E

STATEMENT OF INFORMAL PROBATE OF WILL AND APPOINTMENT OF A PERSONAL REPRESENTATIVE

The Registrar makes the following findings based upon the application of Kevin Dean Ewing for informal probate of the last will of Patsy C. Ewing and appointment of a Personal Representative:

1. The application appears to be complete and contains the applicant's oath or affirmation that the statements contained therein are true to the best of the applicant's knowledge and belief.
2. The applicant is an interested person.
3. Decedent died on January 18, 2015 and at least 120 hours have elapsed since decedent's death.
4. Decedent was domiciled in Delta Junction, Alaska at the time of death.
5. Venue is proper because decedent was domiciled in this judicial district at the time of death.
6. The time for appointment of a Personal Representative has not expired.
7. A Personal Representative has not been appointed in this state or elsewhere.

LODGED
JUL 16 2015

8. Decedent left a valid, unrevoked will dated February 13, 1991. The original of this will is in the court's possession.

9. The person whose appointment is sought has priority for appointment as Personal Representative.

10. No bond is required because the estate is testate, and the will expressly waives the surety bond as to the person qualifying as Personal Representative (A.S. 13.16.255(1)) and all interested parties have filed Waivers of Bond.

11. Any notice required by the laws of this state has been given.


Therefore, it is ordered that the will is admitted to informal probate. It is also ordered that Kevin Dean Ewing be appointed as Personal Representative of decedent's estate. Letters Testamentary will be issued upon qualification.

DATED this 29 day of July 2015.

I certify that on 7.30.15
copies of this form were sent to:

CLERK:

TH Gardner cc


Registrar

Alicemary L. Rasley
Standing Master

OOK SCHUHMANN
GROSECLOSE, INC.
4 FOURTH AVE., SUITE 200
POST OFFICE BOX 70810
VIRBANKS, AK 99707-0810

(907) 452-1855
FACSIMILE
(907) 452-8154

Statement of Informal Probate of Will and
Appointment of a Personal Representative
Estate of Patsy C. Ewing, 4FA-15-315 PR/E
Page 2 of 2

Tab

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THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: September 8, 2015

RE: AK Alchemist License #5367

This application for a new restaurant/eating place in Anchorage. The MOA has issued a protest due to a denied administrative site plan review, protest from the MOA Fire Department, and pending building safety approval. This protest was tabled from the April 29, 2015 meeting because the site plan review, fire department approval and building safety review were pending.

Date Notification sent to MOA: January 7, 2015

Date MOA Protest Received: March 5, 2015

Basis for Protest: Denial of administrative site plan review (finalized 6/3/15), protest from the MOA Fire Department and pending building safety review

Update from MOA: Appeal of denial of site plan review set for September 29, 2015 before Anchorage Assembly. AK Alchemist applying for conditional use permit instead of a site plan review. (AMC 21.50.500.a.4, appeal heard as conditional use application)

Requirements met
per 3 AAC 304.145(d): Yes, a hearing was held on April 28, 2015.

Recommendation: Table matter until Anchorage Assembly decides applicant's appeal.

MUNICIPALITY OF ANCHORAGE
INFORMATION MEMORANDUM
NO. AIM 103(A)-2015

Accepted 8-11-15

Meeting Date: August 11, 2015

From: Assembly Member Demboski

Subject: Notice of Conditional Use Hearing Scheduled for September 29 2015 (Appeal of the Community Development Department's Denial Of An Administrative Site Plan Review Community Development Department Case 2015-0009) AK Alchemist, LLC dba AK Alchemist LL# 5367.

The applicant, AK Alchemist, LLC through legal counsel Dan Coffey, Law Offices of Ernouf & Coffey, P.C., has given notice of appeal of the administrative denial of applicant's site plan for land use involving the sale and service of beer and wine for consumption on premises located at 103 East 4th Avenue, Anchorage, Alaska, 99501. At the request of Assembly Chair Dick Traini, Assembly Member Amy Demboski is the Assembly point of contact for setting up the process in this matter. As provided by AMC 21.50.500A.4, the appeal shall be heard as a conditional use application in accordance with AMC 21.50.160 (old code).

- The rule prohibiting *ex parte* communication is in place: Parties and their representatives shall not engage in *ex parte* contact with Assembly Members on this matter.

In consultation with Municipal Clerk Barbara Jones; Municipal Attorney Bill Falsey; Applicant's attorney, Dan Coffey; and Assembly Counsel Julia Tucker, the anticipated schedule and process have been established as follows:

- At the request of the applicant, this matter will be heard on September 29, 2015. The hearing will be scheduled to begin at approximately 7:00 p.m.
 - Planning Staff will provide public notice as set out in AMC 21.15.005.
 - The applicant will post notice as set out in AMC 21.15.005.
- The schedule and filing deadlines are intended to provide the applicant and the Municipal Attorney time to review and respond to any legal issues and matters of concern, prior to publication of Assembly Meeting Agenda documents for the September 29, 2015 Assembly Meeting.
- Exchange of documents between parties (service) and filing with the Municipal Clerk may be done by e-mail. Counsel for the parties will provide Assembly Counsel with a courtesy copy at the time of filing.
- The parties, through counsel, have agreed to the following pre-hearing timeline, and the Municipal Clerk has concurred:
 - **August 14, 2015:** Planning Staff will prepare and submit the Conditional Use Permit packet, including the Staff Analysis, to the Office of the Municipal Clerk by noon on Friday, August 14, 2015.

- It is anticipated the packet will be submitted to the Municipal Clerk's Office through the "PACE" system, with the public hearing date of September 29, 2015.
 - The Municipal Attorney will ensure the Conditional Use Permit packet, including the Staff Analysis, is provided to applicant's counsel by noon on Friday, August 14, 2015.
 - **August 21, 2015:** Applicant's Brief will be filed with the Municipal Clerk's Office and served on counsel by 4:00 p.m. on Friday, August 21, 2015.
 - **August 28, 2015:** Any comments and considerations from the Municipal Attorney on issues of fact or law will be filed with the Municipal Clerk's Office and served on counsel by 4:00 p.m. on Friday, August 21, 2015.
 - **September 4, 2015:** Any Reply Brief by Applicant will be filed with the Municipal Clerk's Office and served on counsel by 4:00 p.m. on Friday, September 4, 2015.
 - **September 18, 2015:** Agenda preparation and publication by the Municipal Clerk for the September 29, 2015 Assembly Meeting will include the Conditional Use packet, including Staff Report, submitted by Planning Staff. Applicant's Brief(s) and any supplemental filing by the Municipal Attorney under the schedule, including any additional public comment received by Planning Staff, will be included under separately numbered Assembly Information Memoranda (AIM) for ease of reference and tracking.
 - **September 29, 2015:** If any additional public comments have been submitted to Planning Staff and not included for Agenda preparation on September 18, 2015, Planning Staff shall serve the applicant with copies by e-mail, and provide 15 copies at the Assembly Meeting, to the Municipal Clerk by 5:00 p.m. This matter will be heard at approximately 7:00 p.m. following the Assembly's evening break.
- For written public testimony on this item submitted through the Municipal Clerk's process outside the conditional use permit notices under AMC 21.15.005, the following process will be managed by the Municipal Clerk:
 - Written public testimony will be accepted by the Municipal Clerk at 632 W 6th Avenue, Suite 250, Anchorage, AK 99501, or via e-mail at wwmas@muni.org .
 - Written testimony received by the Municipal Clerk prior to 12:00 noon on September 25, 2015 will be made available to the Applicant's legal counsel and the Municipal Attorney by the Municipal Clerk no later than 5:00 p.m. on September 25, 2015.

- The Municipal Clerk will make all written public testimony received prior to 12:00 noon on September 25, 2015, available to Assembly Members as an item on the Addendum to the Agenda for the September 29, 2015 Assembly Meeting.
 - Written public testimony received after 12:00 noon, September 25, 2015 and before 4:00 p.m. on September 29, 2015, will be produced to the parties and to the Assembly Members, at 5:00 p.m. at the Assembly Meeting on September 29, 2015.
 - Assembly Members are instructed to forward any written communication sent to individual emails or received by an Assembly Member through an email other than wwmas@muni.org, to the Municipal Clerk for inclusion and distribution with the other public comment received by the Municipal Clerk outside the conditional use permit notices under AMC 21.15.005, as stated above.
- The parties, through counsel, have agreed to the following presentation times:
 - Oral presentations: 20 minutes for each party with the option to reserve a portion of allotted time for rebuttal. Oral presentation may be made by counsel and/or other designated representative, within the 20 minutes for each party.
 - Assembly Member questions will follow each presentation.
 - The time taken for Assembly Member questions does not count as part of the 20-minute allotment for each party.
 - If a party reserves a portion of the allotted 20 minutes for rebuttal, the party may choose to exercise the rebuttal time following public testimony.
 - Public Testimony: AMC 21.15.005 provides for due process notice and an opportunity to be heard on this matter. Testimony from the public will be heard on this matter following Assembly Member questions on the parties' main presentations.
 - In-person testimony is limited to 3 minutes per individual, and 5 minutes for a community council.

Prepared by: Julia Tucker, Assembly Counsel

Respectfully submitted,

Amy Demboski

Assembly Member, District 2 (Eagle River / Chugiak / JBER)

Submitted by: Chair of the Assembly at the
Request of the Mayor

Prepared by: Community Development
Department

Reviewed by: Department of Law

For reading: May 12, 2015

CLERK'S OFFICE

APPROVED

Date:

5-26-15

ANCHORAGE, ALASKA

AO NO. 2015-57

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE (OLD CODE) SECTION 21.50.500, SITE PLAN REVIEW STANDARDS—RESTAURANT OR EATING PLACE ALCOHOLIC BEVERAGE LICENSE USE, TO CHANGE THE TIMING OF THE ADMINISTRATIVE SITE PLAN REVIEW OF RESTAURANT OR EATING PLACE ALCOHOLIC BEVERAGE LICENSE USES, AND WAIVING PLANNING AND ZONING COMMISSION REVIEW.

WHEREAS, AO 2007-121(S-1) amended code to allow restaurants seeking a license to serve beer and wine to go through an administrative land use approval process rather than a conditional use process; and

WHEREAS, the code amendment required the Assembly to approve the license request before the land use review could be completed; and

WHEREAS, the Assembly relies on the land use review, along with other departments' reviews, to make a determination on whether or not to protest a liquor license request; and

WHEREAS, this ordinance amends the process to require the administrative land use review to occur before the Assembly lifts a liquor license protest, similar to the conditional use process for other types of liquor licenses; now, therefore

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code (Old Code) section 21.50.500 is hereby amended to read as follows:

21.50.500 Site plan review standards—Restaurant or eating place alcoholic beverage license use.

A. Administrative site plan review.

1. *Restaurant or eating place alcoholic beverage license use standards.* A restaurant or eating place licensed by the State Alcoholic Beverages Control Board to sell beer and wine for consumption only on the licensed premises is exempt from the conditional use requirements of 21.50.160 and may be reviewed under this section, provided the principal and

1 accessory uses are permitted non-residential uses. The
2 standards in 21.50.020 shall apply. [REQUIREMENTS
3 IMPOSED BY THE ASSEMBLY WHEN ACTING ON THE
4 BEER AND WINE LICENSE SHALL APPLY.] Administrative
5 review under this section shall occur before [IS AVAILABLE
6 ONLY AFTER] assembly approval of the restaurant or eating
7 place license for beer and wine.
8

9 2. *Application.* The applicant shall submit a site plan for approval
10 by the director of planning or the director's designee. The site
11 plan shall demonstrate that the standards in 21.50.020 are
12 met [AND REQUIREMENTS IMPOSED BY THE ASSEMBLY
13 WHEN ACTING ON THE BEER AND WINE LICENSE ARE
14 SATISFIED].
15

16 3. *Procedure for approval.* The director or designee shall take
17 action on the site plan within 45 days of the site plan
18 application submission date[, PROVIDED THAT NO
19 APPROVAL SHALL BE ISSUED UNDER THIS SECTION
20 UNTIL AFTER THE ASSEMBLY HAS APPROVED THE
21 RESTAURANT OR EATING PLACE LICENSE FOR BEER
22 OR WINE]. Within ten days of receipt of the application and at
23 least 30 days before taking action under this section, the
24 director or designee shall publish notice of the application in a
25 newspaper of general circulation in the municipality and invite
26 public comment. The notice shall state the names of the
27 applicants and the legal description of the land subject to the
28 application. Such notice, including a map of the vicinity, shall
29 be provided to any officially recognized community council
30 whose boundary encompasses the petition site and to owners
31 of property within 500 feet of the proposed site.
32

33 4. *Appeals.* A decision of the director of community planning and
34 development or the director's designee under this section is
35 final unless appealed within 15 days to the assembly. An
36 appeal may be filed by the applicant or by a petition of at least
37 one-third of the owners of the privately owned land (excluding
38 rights-of-way) within 500 feet of the outer boundary of the
39 petition site. An appeal shall be considered a conditional use
40 application for a use involving the sale of alcoholic beverages,
41 and shall be processed in accordance with section 21.50.160.
42 [IF AN APPEAL IS FILED TIMELY, THE ASSEMBLY SHALL
43 HOLD A PUBLIC HEARING, IN ACCORDANCE WITH

SECTION 21.15.005, AT ITS NEXT AVAILABLE MEETING
AND APPLY THE STANDARDS OF THIS SECTION. AN
APPEAL FROM A DECISION OF THE ASSEMBLY MAY BE
BROUGHT IN ACCORDANCE WITH SECTION 21.30.010.B.]

(AO No. 2007-121(S-1), § 15, 10-23-07)

Section 2. Notwithstanding the requirements of Anchorage Municipal Code (Old Code) section 21.10.015A.3., this ordinance and the amendments herein shall not require review by the Planning and Zoning Commission.

Section 3. This ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 26th day of may, 2015.



Chair of the Assembly

ATTEST:



Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2015-57 Title: **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY
AMENDING ANCHORAGE MUNICIPAL CODE (OLD CODE)
SECTION 21.50.500, SITE PLAN REVIEW
STANDARDS—RESTAURANT OR EATING PLACE ALCOHOLIC
BEVERAGE LICENSE USE, TO CHANGE THE TIMING OF THE
ADMINISTRATIVE SITE PLAN REVIEW OF RESTAURANT OR
EATING PLACE ALCOHOLIC BEVERAGE LICENSE USES, AND
WAIVING PLANNING AND ZONING COMMISSION REVIEW.**

Sponsor: Mayor
Preparing Agency: Community Development Department
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY15	FY16	FY17	FY18	FY19	
Operating Expenditures						
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp						

PUBLIC SECTOR ECONOMIC EFFECTS:

Approval of this ordinance should have no significant impact on the public sector.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of this ordinance should have no significant impacts on the private sector.

Prepared by: Erika McConnell Telephone: 343-7917

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 308-2015

Meeting Date: May 12, 2015

From: MAYOR

Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE (OLD CODE) SECTION 21.50.500, SITE PLAN REVIEW STANDARDS—RESTAURANT OR EATING PLACE ALCOHOLIC BEVERAGE LICENSE USE, TO CHANGE THE TIMING OF THE ADMINISTRATIVE SITE PLAN REVIEW OF RESTAURANT OR EATING PLACE ALCOHOLIC BEVERAGE LICENSE USES, AND WAIVING PLANNING AND ZONING COMMISSION REVIEW.

In 2007 through AO 2007-121(S-1), the Assembly amended Anchorage Municipal Code (Old Code) section 21.50.500 to make the land use review of liquor license applications for restaurant/eating places serving beer and wine only into an administrative review and approval process. The result was that applicants for a restaurant/eating place liquor license did not have to go before the Assembly for a conditional use, but rather would go through an administrative review with a decision being made by the Director of Community Development. This was a positive change, as “the land use related to offering beer and wine for consumption at a restaurant or other eating place has not been controversial on a policy level.” (AM 664-2007)

However, the ordinance also changed the timing of the land use review. Prior to this ordinance, new liquor license applications would be protested by the Assembly, pending the land use review (conditional use) and resolution of any other issues raised by other municipal departments (e.g., Building Safety, Fire, Finance, DHHS, etc.) Once the land use review was approved and any other department’s issues resolved, the protest would be administratively lifted by the Municipal Clerk and the ABC Board would issue the liquor license.

AO 2007-121(S-1) prohibits the administrative land use review for restaurant/eating place licenses until AFTER the Assembly has “approved” the license, meaning after any protest is lifted. Thus, the land use review would not take place until after the ABC Board has issued the liquor license to the restaurant/eating place. The result of this is that the Municipality would not see any land use issues related to the establishment until the opportunity to protest the license has passed. Once the license has been issued by the state, it is much more difficult for the Municipality to address any land use issues that arise from the land use review.

This ordinance brings the timing of administrative land use reviews of liquor license applications for restaurant/eating places serving beer and wine only back

to before the Assembly protest is lifted, to be consistent with conditional uses for liquor licenses, and to allow any land use issues to be raised and resolved before the Assembly indicates to the ABC Board that they have no objection to the issuance of the liquor license.

Additionally, this ordinance clarifies the appeal process for administrative site plan reviews for restaurant/eating places serving beer and wine only. If the decision of the Director of Community Development on the administrative land use review is appealed to the Assembly, then the appeal is treated like a conditional use application for a use involving the sale of alcoholic beverages, and comes to the Assembly just like a land use review for a restaurant with a full bar, a package store, or any other type of liquor license that requires a conditional use.

In order to quickly fix this problem in the "old" Title 21 for the remaining seven months that the "old" code will be in effect, this ordinance proposes to omit review by the Planning and Zoning Commission. The timing change of AO 2007-121(S-1) was not brought into the "new" Title 21, so this change is not needed in the "new" code.

THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by: Erika McConnell, Current Planning
Section Supervisor

Approved by: Jerry T. Weaver, Jr., Director
Community Development Department

Concur: Dennis A. Wheeler, Municipal Attorney

Concur: George J. Vakalis, Municipal Manager

Respectfully submitted: Daniel A. Sullivan, Mayor

From: [Honest, Miranda L.](#)
To: [Oates, Sarah D \(CED\)](#)
Subject: AK Alchemist LL#5367
Date: Wednesday, June 17, 2015 3:42:51 PM

Hi Sarah,

AK Alchemist went before the Assembly on April 28, 2015. It was decided to continue the protest. As of June 3, 2015 the Planning Department denied the request for an Administrative Site Plan Review.

As of today, June 17, 2015, the Fire Department has protested and Building Safety has not been received.

Regards,
Mandy Honest
Business License Official

Municipal Clerk's Office
632 W. 6th Avenue, Suite 250
Anchorage, AK 99501
Phone: (907) 343-4316
MuniFax: (907) 249-7614
Email: HonestML@muni.org
www.muni.org



Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

May 5, 2015

Ms. Sarah Oates
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **April 28, 2015** decided to continue the protest of the New Restaurant/Eating Place Liquor License for AK Alchemist, LLC dba AK Alchemist LL #5367 to provide for the Anchorage Assembly, as the local governing body, to complete its responsibilities under state statute and regulations. The resolution is enclosed.

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,

Jamie Heinz
Business License Official

Concur,

Amanda K. Moser
Deputy Municipal Clerk

Enclosure

CLERK'S OFFICE

APPROVED

Date: 4-28-15

Submitted by: ASSEMBLY MEMBER FLYNN
ASSEMBLY CHAIR TRAINI
ASSEMBLY MEMBER HONEMAN

Prepared by: MUNICIPAL CLERK'S OFFICE

Reviewed by: Assembly Counsel

For reading: April 28, 2015

**ANCHORAGE, ALASKA
AR NO. 2015-156**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY SUPPLEMENTING
AR NO. 2015-59, STATING THE ASSEMBLY'S PROTEST REGARDING A NEW
RESTAURANT/EATING PLACE LIQUOR LICENSE #5367 AND RESTAURANT
DESIGNATION PERMIT FOR AK ALCHEMIST, LLC dba AK ALCHEMIST, LOCATED
AT 103 E. 4TH AVENUE, ANCHORAGE, ALASKA AND FURTHER PROVIDING FOR
THE ANCHORAGE ASSEMBLY, AS THE LOCAL GOVERNING BODY, TO
COMPLETE ITS RESPONSIBILITIES UNDER STATE STATUTE AND
REGULATIONS .**

WHEREAS, AR No. 2015-59, as attached, was passed and approved by the Anchorage Municipal Assembly on March 3, 2015; and

WHEREAS, the purpose of this Resolution is to supplement AR No. 2015-59 for reasons stated herein; and

WHEREAS, Anchorage Municipal Code 21.50.500A.1 mistakenly references Anchorage Assembly approval of a beer and wine license for a restaurant or eating place; and

WHEREAS, the Anchorage Assembly does not have the authority to approve a restaurant or eating place liquor license, because that authority is held exclusively with the Alcoholic Beverage Control Board; and

WHEREAS, the intent of Anchorage Municipal Code 21.50.500A.1 is not ascertainable without correction by the Anchorage Assembly; and

WHEREAS, the structure in question would be classified under title 21 as a conex unit; and

WHEREAS, the applicant business holds a Mobile Food Vendor Permit from the Municipal Department of Health and Human Services; and

WHEREAS, the Anchorage Assembly seeks guidance and review of this application and Anchorage Municipal Code 21.50.500A.1 by the Public Safety Committee prior to further Assembly action; and

WHEREAS, continued notice of protest by the Assembly is in order to allow the Anchorage Assembly, as the local governing body, to complete its responsibilities under

1 state statute and regulations, including without limitation review of this application under
2 3AAC 304.145; and to allow the applicant the opportunity to attend the Public Safety
3 Committee meeting of the Anchorage Assembly and upon 21-day notice, as required by
4 Anchorage Municipal Code 2.30.120, the opportunity to attend and be heard at public
5 hearing on the exercise or waiver of this protest, after the Public Safety Committee has
6 presented its recommendations;

7
8 NOW, THEREFORE, BE IT RESOLVED by the Anchorage Assembly:

9
10 **Section 1.** This Assembly Resolution supplements AR No. 2015-59 which was
11 passed and approved by the Anchorage Assembly on March 3,
12 2015.

13
14 **Section 2.** The Anchorage Assembly hereby continues its PROTEST for
15 issuance of Restaurant/Eating Place Liquor License #5367 and
16 Restaurant Designation Permit to allow the Anchorage Assembly,
17 as the local governing body, to complete its responsibilities under
18 state statute and regulations, including without limitation review of
19 this application under 3AAC 304.145.

20
21 **Section 3.** The Anchorage Assembly refers AR No. 2015-59 and this
22 supplement to the Public Safety Committee for a full review and
23 recommendations.

24
25 **Section 4.** Review by the Public Safety Committee shall include
26 recommendation and guidance to the Anchorage Assembly on:

- 27
- 28 • The anomaly in Anchorage Municipal Code 21.50.500A.1
29 referencing approval of a beer and wine license by the
30 Anchorage Assembly.
 - 31
 - 32 • Whether the Anchorage Assembly should allow alcohol-related
33 land use for on-premises consumption of beer and wine for
34 mobile food vendors.
 - 35
 - 36 • Whether the Assembly should allow alcohol-related land use for
37 on-premises consumption of beer and wine in a conex unit.
 - 38

39 **Section 5.** The recommendations from the Public Safety Committee shall be
40 provided to the Anchorage Assembly at its May 26, 2015 meeting.

41
42
43 **Section 6.** A copy of this Assembly Resolution may be presented to the
44 Alcoholic Beverage Control Board as proof that the Anchorage
45 Assembly, as the local governing body, has stated and
46 supplemented its protest in order to allow the Director of the
47 Alcoholic Beverage Control Board to hold processing of

1 Restaurant/Eating Place Liquor License #5367 and Restaurant
2 Designation Permit under local protest, until receipt by the Director
3 of confirmation from the Municipal Clerk that additional Assembly
4 action has been taken on the exercise or waiver of this protest,
5 after due process.
6

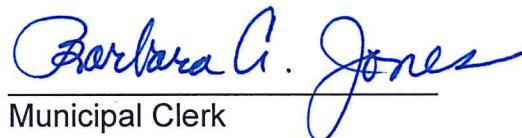
7 **Section 7.**

8 This matter shall be scheduled to come before the Public Safety
9 Committee at its regular meeting in May, 2015. The Municipal
10 Clerk shall provide the licensee notice of the date, time and place of
11 the meeting before the Public Safety Committee. Additionally, upon
12 receiving the recommendations from the Public Safety Committee,
13 the Anchorage Assembly may schedule a public hearing on the
14 Anchorage Assembly's exercise or waiver of continued protest. In
15 the event the Anchorage Assembly schedules a public hearing, the
16 Municipal Clerk shall provide the licensee and the community
17 council 21-day advance notice of the date, time and place of the
18 public hearing before the Assembly.

19 PASSED AND APPROVED by the Anchorage Assembly this 28th day of
20 April, 2015.
21

22
23
24 
25 Chair of the Assembly

26 ATTEST:

27
28 
29
30 Municipal Clerk



Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

March 5, 2015

Ms. Sarah Oates
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses - **CORRECTED**

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **March 3, 2015** took the following final action:

APPROVAL/NON -OBJECTION

Renewal

- **Restaurant/Eating Place**
-Eagle River (E.R.) Alehouse LL#4717
- **Beverage Dispensary**
-O'Brady's Burgers & Brew LL#4614

New

- **Restaurant/Eating Place**
-Jimmy Sushi LL#5370

PROTEST

Renewal

- **Restaurant/Eating Place**
-Kansha Restaurant LL#4688
-Pending payment of unpaid taxes.
-Ling & Louie's Asian Bar & Grill LL#5038
-Pending payment of unpaid taxes.
- **Package Store**
-Spirits of Alaska #1 LL#3556
-Conditional protest to allow for notice and opportunity for the licensee to be heard before the Assembly at a public hearing, prior to the exercise of additional protest or non-objection.

Transfer of Ownership

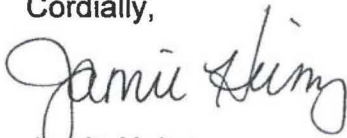
- **Restaurant/Eating Place**
 - Jimmy Sushi LL#5033
 - Pending receipt of fire department approval.
- **Beverage Dispensary**
 - South Restaurant + Coffee House LL# 4923
 - Pending receipt of Administrative Site Plan Review approval.

New

- **Restaurant/Eating Place**
 - AK Alchemist LL#5367
 - Pending receipt of fire department, building safety, and Administrative Site Plan Review approval.

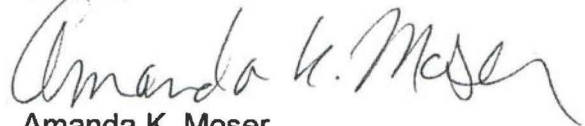
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Jamie Heinz
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

CC: Eagle River (E.R.) Alehouse
O'Brady's Burgers & Brew
Jimmy Sushi
Kansha Restaurant
Ling & Louie's
Spirits of Alaska
South Restaurant + Coffee House
AK Alchemist

#5367

MUNICIPALITY OF ANCHORAGE



Community Development Department
Planning Division

Mayor Dan Sullivan

Phone: 907-343-8301
Fax: 907-343-8200

March 16, 2015

Adam Blomfield
103 East 4th Avenue
Anchorage, AK 99501

Subject: Administrative Site Plan Review, Case #2015-0009

Dear Applicant:

The Community Development Department has reviewed the application for an administrative site plan review for a restaurant eating place serving beer and wine for the property located at 103 East 4th Avenue. The property is zoned B-2B (central business district, intermediate). The application was reviewed in accordance with Anchorage Municipal Code (AMC) 21.50.500. The Department finds that the existing structure is permitted as a coffee cart and not as a restaurant.

The Community Development Department **DENIES** the request subject. A building permit is required for the establishment to be permitted as a restaurant and eligible for an administrative site plan review for a restaurant serving beer and wine.

This decision is final upon the date of this letter, unless appealed within 15 days to the Assembly. An appeal may be filed by the applicant or by a petition of at least one-third of the owners (excluding rights-of-way) of the privately owned land within 500 feet of the petition site. If the appeal is filed timely, the Assembly shall hold a public hearing at the next available meeting.

Sincerely,

Jerry T. Weaver, Jr.
Director, Community Development Department

cc: **Alcoholic Beverage Control Board**
2400 Viking Drive
Anchorage, AK 99501

Barbara Jones, Municipal Clerk

Tab

17



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: September 8, 2015
RE: Club H.A.L.O. License #5384

This application for a new beverage dispensary duplicate license (on Fantasies on 5th's BDL) in Anchorage. The MOA has issued a conditional protest pending a conditional use permit by the MOA Planning Department.

Date Notification sent to MOA: May 29, 2015

Date Cond. Protest Received: June 10, 2015

Basis for Conditional Protest: Pending issuance of a conditional use permit

Requirements met
per 3 AAC 304.145(d): Yes, Resolution 2015-197 by Anchorage Assembly on June 9,
2015.

Update from MOA: Applicant has not followed through on conditional use
application or responded to MOA with additional information
requested.

Recommendation: Uphold MOA protest.

Action on License: Denial of application per AS 4.11.480(a)

Submitted by: ASSEMBLY CHAIR TRAINI,
VICE-CHAIR GREY-JACKSON AND
ASSEMBLY PUBLIC SAFETY
COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk

For reading: June 9, 2015

CLERK'S OFFICE

APPROVED

Date: 6-9-15 ANCHORAGE, ALASKA
AR NO. 2015-197

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING A NEW BEVERAGE DISPENSARY DUPLICATE, LIQUOR
LICENSE #5384 FOR FANTASIES ON 5TH. dba CLUB H.A.L.O. LOCATED AT 1911 E.
5TH AVE., AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, Fantasies on 5th has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a Beverage Dispensary Duplicate, Liquor License #5384, to be used for Club H.A.L.O, located at 1911 E. 5th Ave.; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on May 29, 2015 and has determined that the last day for the Assembly to file a protest is July 28, 2015 and

WHEREAS, the Assembly Meeting on July 28, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Conditional Use Permit required by AMC 21.50.160 **has not been approved;**
4. Approvals from Building Safety, Anchorage Fire Department and Municipal Health and Human Services Department **have not been** received.

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that outstanding items required for this location have been completed.

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its PROTEST for a Beverage Dispensary Duplicate Liquor License #5384 until these conditions are met:

- Conditional Use Permit required by AMC 21.50.160 has been approved by the Planning Division and confirmed by the Municipal Clerk.
- Approvals from Building Safety, Anchorage Fire Department and Municipal Health and Human Services Department have been received and confirmed by the Municipal Clerk.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of the Beverage Dispensary Duplicate, Liquor License #5384 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 9th day of June, 2015.


Chair of the Assembly

ATTEST:


Municipal Clerk

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

New Liquor License

(907) 269-0350
Fax: (907) 334-2285
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: ☒ Full Year OR ☐ Seasonal List Dates of Operation: _____

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2015 - 2016</u>	License Type: <u>BEVERAGE DISPENSARY</u>	Statute Reference Sec. 04.11. <u>090</u>	License Fee: \$ <u>2,500.00</u>
Office Use: License #: <u>5384</u>	<u>Duplicate</u>		Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) <u>MOA</u>			Rest. Desig. Permit Fee: \$
Community Council Name(s) & Mailing Address: <u>MOUNTAIN VIEW COMMUNITY COUNCIL</u>		Fingerprint: \$ (\$51.50 per person)	TOTAL <u>2,600.00</u>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>FANTASIES ON 5th AVE, LLC</u>	Doing Business As (Business Name): <u>CLUB H.A.L.O.</u>	Business Telephone Number: <u>907-563-0042</u>	
Mailing Address: <u>1911 E 5th AVE</u>	Street Address or Location of Premises: <u>1911 E 5th AVE</u>	Fax Number: <u>907-563-0043</u>	
City, State, Zip: <u>ANCHORAGE, AK, 99501</u>		Email Address: <u>SON15@RAMBLER.RU</u>	
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: <u>1.2 miles</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Distance to closest church: <u>.2 miles</u>	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input checked="" type="checkbox"/> Not applicable	
		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached	

New Liquor License

SECTION C - LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☒ Yes ☐ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
TRAVIS GRAVELLE	FANTASIES ON 5 th AVE	BEVERAGE DISPENSARY	1911 E 5 th AVE	ALASKA

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

SECTION D - OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): FANTASIES ON 5th AVENUE, LLC		Telephone Number: 907-563-0042	Fax Number: 907-563-0043
Corporate Mailing Address: 1911 E 5th AVE	City: ANCHORAGE	State: ALASKA	Zip Code: 99501
Name, Mailing Address and Telephone Number of Registered Agent: EUGENE GREAVES, 1911 E 5th AVE, ANCHORAGE 907-563-0042		Date of Incorporation OR Certification with DCED: 8/5/12	State of Incorporation: ALASKA

Is the Entity in "Good Standing" with the Alaska Division of Corporations? ☒ Yes ☐ No

If no, attach written explanation. Your entity *must* be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
TRAVIS GRAVELLE	MEMBER	100	1911 E 5 th AVE, ANCHORAGE	907-563-0042	6/10/67

NOTE: If you need additional space, please attach a separate sheet.

New Liquor License


SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

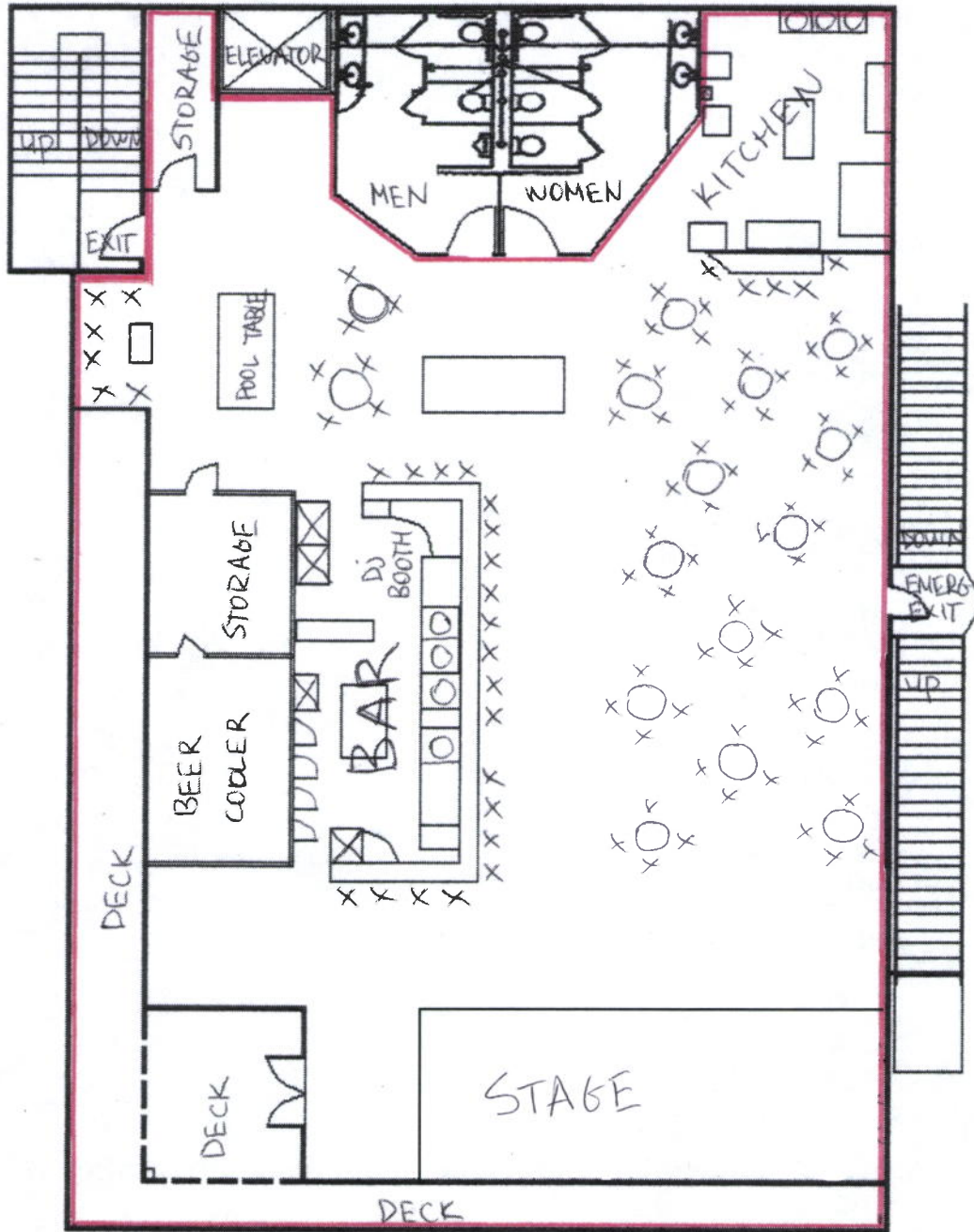
Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s) Signature 	Signature of Licensee(s) Signature
Signature	Signature
Name & Title (Please Print) Travis Gravelle owner	Name & Title (Please Print)
Subscribed and sworn to before me this 2 nd day of February 2015	Subscribed and sworn to before me this day of
Notary Public in and for the State of AK 9/19/2017 Timothy M. Pate	Notary Public in and for the State of
My commission expires:	My commission expires:

Notary Public
TIMOTHY M. PATE
State of Alaska
My Commission Expires Sep 19, 2017

1911 E 5th AVENUE, ANCHORAGE
"FANTASIES ON 5th", SECOND FLOOR
D.B.A. CLUB H.A.L.O."



— SITKA —

— 5TH AVE —



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD
MARIJUANA CONTROL BOARD

550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: June 22, 2015
RE: Club H.A.L.O. License #5384

This application for a new beverage dispensary duplicate license (on Fantasies on 5th's BDL) in Anchorage. The MOA has issued a conditional protest pending a conditional use permit by the MOA Planning Department.

Date Notification sent to MOA: May 29, 2015

Date Cond. Protest Received: June 10, 2015

Basis for Conditional Protest: Pending issuance of a conditional use permit

Requirements met
per 3 AAC 304.145(d): Unclear. See e-mail from MOA on this question.

Recommendation: Table until next meeting to allow conditional use permit to be issued and for MOA to clearly meet requirement in 3 AAC 304.145(d).

From: [Honest, Miranda L.](#)
To: [Oates, Sarah D \(CED\)](#)
Cc: [Moser, Amanda K.](#)
Subject: RE: 3 AAC 304.145(d)
Date: Monday, June 22, 2015 8:41:50 AM
Attachments: [Baked Alaska Alehouse LL#5390.pdf](#)
[Club H.A.L.O. LL#5384.pdf](#)

Hi Sarah,

Baked Alaska was conditionally protested until a site plan review was completed. Francis with the Planning department said they are scheduled to for 6/26. [Resolution No. AR 2015-186](#), a resolution of the Anchorage Municipal Assembly stating its protest regarding a New Restaurant/Eating Place Liquor License #5390 and Restaurant Designation Permit for Baked Alaska Alehouse, Inc. dba **Baked Alaska Alehouse**, located at 3048 Mountain View Drive, #104, and authorizing the Municipal Clerk to take certain action.

Department: Assembly Chair Traini, Assembly Vice-Chair Gray-Jackson, and Assembly
Public Safety Committee Chair Honeman

Memo No. AM:

Introduced: 6-9-15

P.H. Date:

Action: APPROVED 6-9-15

Club HALO is conditionally protested until a conditional use permit has been completed. As of 6/15 Francis said they had not yet filed for one. [Resolution No. AR 2015-197](#), a resolution of the Anchorage Municipal Assembly stating its protest regarding a New Beverage Dispensary Duplicate, Liquor License #5384 for Fantasies on 5th. dba **Club H.A.L.O.** located at 1911 E. 5th Ave., and authorizing the Municipal Clerk to take certain action.

Department: Assembly Chair Traini, Assembly Vice-Chair Gray-Jackson and Assembly
Public Safety Committee Chair Honeman

Memo No. AM:

Introduced: Addendum 6-9-15

P.H. Date:

Action: APPROVED 6-9-15

Please let me know if this is all the info you need. I'm still learning!

Thanks!

Mandy Honest
Business License Official

Municipal Clerk's Office
632 W. 6th Avenue, Suite 250
Anchorage, AK 99501
Phone: (907) 343-4316
MuniFax: (907) 249-7614
Email: HonestML@muni.org



Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

June 10, 2015

Ms. Sarah Oates
Alcoholic Beverage Control Board
550 W 7th Ave. Ste. 1600
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **June 9, 2015** took the following final action:

APPROVAL/NON -OBJECTION **Liquor License Renewal**

- **Beverage Dispensary**
-Long Branch Saloon LL#670
- **Restaurant/Eating Place**
-Peggy's Restaurant LL#1821
-Agave LL#5213
- **Club**
-Petroleum Club of Anchorage LL#3586

PROTEST(Resolutions Enclosed)

New Liquor License

- **Restaurant/Eating Place**
- Baked Alaska Alehouse LL#5390
-Pending Administrative Site Plan Review by Planning Department
- Brickhouse Asian Grill LL#5389
- Pending Administrative Site Plan Review by Planning Department
- **Beverage Dispensary Duplicate**
- **Club H.A.L.O. LL#5384**
- **Pending a Conditional Use Permit by Planning Department**

Liquor License Renewal

- **Wholesale - General**
-Bill's Distributing, Inc. dba Avalanche Spirits LL#5041
-Pending Payment of Taxes Due Totaling \$6,717.97

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Miranda Honest
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

CC: Long Branch Saloon
Peggy's Restaurant
Agave
Petroleum Club of Anchorage
Baked Alaska Alehouse
Brickhouse Asian Grill
Club H.A.L.O.
Avalanche Spirits

Tab

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THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: September 8, 2015

RE: Hearth Artisan Pizza #5408

This is a conditional protest filed by the Municipality of Anchorage for a new restaurant/eating place pending an administrative site plan review by the MOA planning department.

Date of Notification to MOA: June 16, 2015

Date of Protest: August 12, 2015

Requirements met
per 3 AAC 304.145(d): Yes, protest is by Resolution heard by the Anchorage
Assembly August 11, 2015.

Recommendation: Uphold protest and delegate authority to director to issue
license if MOA withdraws protest.



Municipality of Anchorage

P.O. Box 190650 • Anchorage, Alaska 99519-0650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

August 12, 2015

Ms. Sarah Oates
Alcoholic Beverage Control Board
550 W 7th Ave. Ste. 1600
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **August 11, 2015** took the following final action:

APPROVAL/NON -OBJECTION

Liquor License Transfer of Ownership, Name Change

- **Beverage Dispensary Seasonal With Restaurant Designation Permit**
-Tequila 61 LL#826

CONDITIONAL PROTEST

New Liquor License

- **Restaurant/Eating Place With Restaurant Designation Permit**
- Hearth Artisan Pizza LL#5408
-Pending Administrative Site Plan Review by the Planning Department

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,

Miranda Honest
Business License Official

Concur,

Amanda K. Moser
Deputy Municipal Clerk

CC: Tequila 61
Hearth Artisan Pizza

Submitted by: ASSEMBLY CHAIR TRAINI, VICE-CHAIR
GRAY-JACKSON AND ASSEMBLY PUBLIC
SAFETY COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk
For reading: August 11, 2015

CLERK'S OFFICE

APPROVED

Date:

8-11-15

ANCHORAGE, ALASKA

AR NO. 2015-234

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING A NEW RESTAURANT/EATING PLACE LIQUOR LICENSE
#5408 AND RESTAURANT DESIGNATION PERMIT FOR PIE BY FIRE, LLC dba HEARTH
ARTISAN PIZZA LOCATED AT 1200 W. NORTHERN LIGHTS BLVD. STE. F, AND
AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, Pie by Fire, LLC. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a New Restaurant/Eating Place Liquor License #5408 and Restaurant Designation Permit, to be used for Hearth Artisan Pizza, located at 1200 W. Northern Lights Blvd. Ste. F, Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on June 16, 2015 and has determined that the last day for the Assembly to file a protest is August 15, 2015; and

WHEREAS, the Assembly Meeting on August 11, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Administrative site plan review, required by AMC 21.50.500, **has not been completed**;
4. Approvals from the Anchorage Fire Department, Building Safety, and Municipal Health and Human Services Department **have been** received; and

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that outstanding items required for this location have been completed.

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

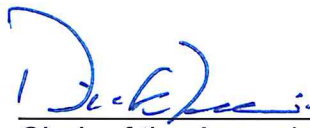
Section 1. The Anchorage Assembly hereby enters its PROTEST for a New Restaurant/Eating Place, Liquor License #5408 and Restaurant Designation Permit until these conditions are met:

- Conditional Use Permit required by AMC 21.50.160 has been approved by the Planning Division and confirmed by the Municipal Clerk.

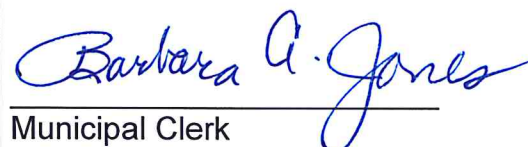
Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of the New Restaurant/Eating Place, Liquor License #5408 and Restaurant Designation Permit under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 11th day of August, 2015.


Chair of the Assembly

ATTEST:


Municipal Clerk



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

June 16, 2015

Municipality of Anchorage

Attn: Mandy Honest VIA EMAIL: HonestML@ci.anchorage.ak.us

Pie by Fire, LLC **d.b.a. Hearth Artisan Pizza – License #5408**

☒ **New Application** ☐ **Transfer of Ownership** ☐ **Transfer of Location**
☒ **Restaurant Designation Permit** ☐ **DBA Name Change**

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.



Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: June 16, 2015

Application Type: x New

_____ **TRANSFER**
_____ Ownership
_____ Location
_____ Name Change

Governing Body:	Municipality of Anchorage
Community Councils:	Spenard
License #:	5408
License Type:	Restaurant / Eating Place
D.B.A.:	Hearth Artisan Pizza
Licensee/Applicant:	Pie by Fire, LLC
Physical Location:	1200 W Northern Lights Blvd, Ste. F
Mail Address:	1200 W Northern Lights Blvd, Ste. F Anchorage, AK 99503
Telephone #:	907-351-3083
EIN:	Uses SS# -2585

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Pie by Fire, LLC	1200 W Northern Lights Blvd. Ste. F Anchorage, AK 99503	907-351-3083	2/13/2013 Alaska	yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Jonathan B Campabello	4/2/1966	1200 W Northern Lights Blvd. Ste. F Anchorage, AK 99503	907-351-3083	Member 100%

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 3 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.



Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

New Liquor License

License is: ☒ Full Year OR ☐ Seasonal List Dates of Operation: _____

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2015-2016</u>	License Type: Restaurant Eating Place	Statute Reference Sec. 04.11.100	License Fee: \$ <u>600</u>
Office Use: License #: <u>5408</u>			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage	Community Council Name(s) & Mailing Address: Spenard Community Council		Rest. Desig. Permit Fee: \$ <u>50</u>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Pie by Fire LLC	Doing Business As (Business Name): Hearth Artisan Pizza	Business Telephone Number: 907-351-3083	Fingerprint: <u>49.75</u> (\$49.75 per person)
Mailing Address: 1200 W Northern Lights Bd., Suite F City, State, Zip: Anchorage, Alaska 99503	Street Address or Location of Premises: 1200 W Northern Lights Bd., Suite F Anchorage, Alaska 99503	Fax Number: 907-272-6441	TOTAL <u>799.75</u>
Email Address: jon@middlewaycafe.com			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: Aquarian Charter: 1600 feet	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable	
Distance to closest church: Is Jesus the Answer: 700 feet	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____		
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached		

New Liquor License

SECTION C – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☐ Yes ☒ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

SECTION D – OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): Pie by Fire LLC		Telephone Number: 907-351-3083	Fax Number: 907-272-6441
Corporate Mailing Address: 1200 W Northern Lights Bd., Suite F	City: Anchorage	State: Alaska	Zip Code: 99503
Name, Mailing Address and Telephone Number of Registered Agent: Jonathan Campabello 1200 W Northern Lights Bd., Suite F Anchorage, Alaska 99503		Date of Incorporation OR Certification with DCED: 02/13/2013	State of Incorporation: Alaska
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Jonathan Campabello	managing member	100	2500 Turnagain Pkwy, Anchorage, Alaska 99517 907-929-1210	907-351-3083	04/02/1966

NOTE: If you need additional space, please attach a separate sheet.

New Liquor License

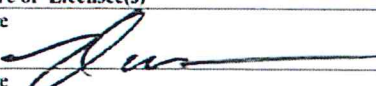
SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

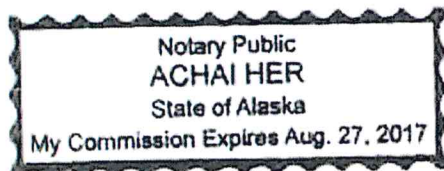
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s) Signature 	Signature of Licensee(s) Signature
Signature	Signature
Name & Title (Please Print) Jonathan Campabello – Managing Member	Name & Title (Please Print)
Subscribed and sworn to before me this 31 day of January, 2015	Subscribed and sworn to before me this day of
Notary Public in and for the State of AK	Notary Public in and for the State of
My commission expires: August 27, 2017	My commission expires:



STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 13 AAC 104.715-794
FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 20 for employment. If for employment, please state in detail, how the person will be employed, duties, etc.

This application is for designation of premises where : (please mark desired items).

- 1 ☒ Under 13 AAC 104.305 Bona fide restaurant/eating place.
2 ☒ Persons age 16 to 20 may dine unaccompanied.
3 ☒ Persons under 16 may dine accompanied by a person 21 years or older.
4 ☒ Persons between 16 and 20 years of age may be employed. *(See note below).

License Number 5408

LICENSEE: PIE BY FIRE, LLC

D/B/A: HEARTH ARTISAN PIZZA

ADDRESS: 1200 W. NORTHERN LIGHTS BD., STE F, ANCHORAGE 99503

1. Hours of Operation: 11am to 12am Telephone # 907-351-3083

2. Have police ever been called to your premises by you or anyone else for any reason: [] Yes [x] No
If yes, date(s) and explanation(s).

3. * Duties of employment: HOST(HOUSTESS), BUSSEY, DISHWASHER, COOK, BAKER, OFFICE CLERK

4. Are video games available to the public on your premises? NO

5. Do you provide entertainment: [x] Yes [] No If yes, describe. OCCASIONAL LIVE MUSIC

6. How is food served? ☒ Table Service _____ Buffet Service _____ Counter Service _____ Other*

7. Is the owner, manager, or assistant manager always present during business hours? [x] Yes [] No

*** A MENU AND A DETAILED LICENSED PREMISE DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

[Signature]
Applicant signature

Local Governing Body Approval

Subscribed and sworn to before me this

9th day of June, 2015

Date: _____

[Signature]
Notary Public in and for Alaska

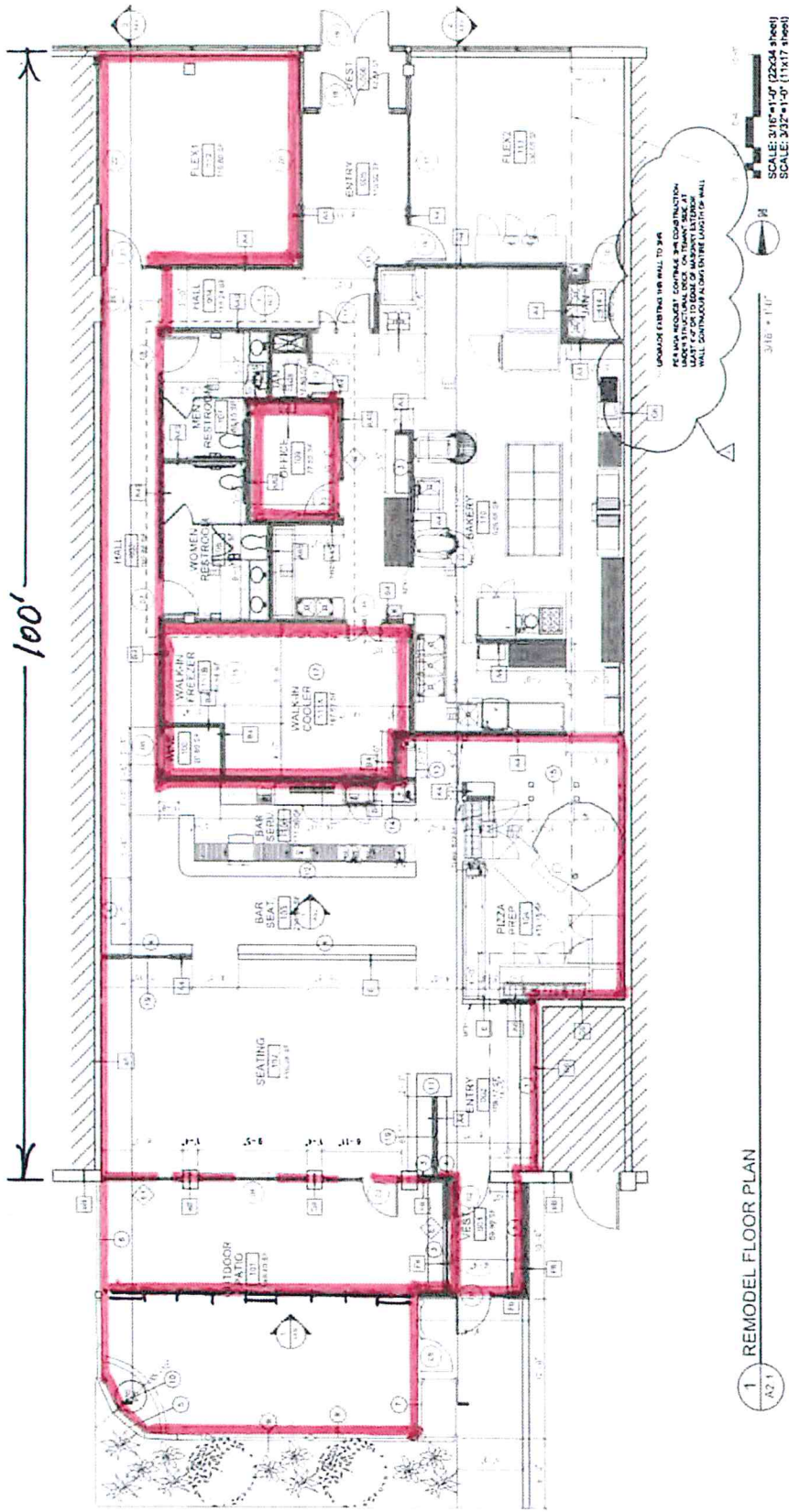
My Commission expires Notary Public 29, 2016
BAO NHIA VANG
State of Alaska

Director, ABC Board

Date: _____

* If employed, please attach a letter from the parent or guardian authorizing the minor's employment.

** If more space is required, to explain food service, entertainment, etc., please add on back or attach additional page(s).



GENERAL NOTES

1. REFER TO COVER SHEET G1.9 FOR SUMMARY WORK
2. REFER TO DETAIL SHEET A2.0 FOR ASSEMBLY TYPES
3. REFER TO SHEET X FOR EQUIPMENT INFORMATION
4. REFER TO SHEET X FOR FURNITURE INFORMATION
5. LANDSCAPING BY OWNER.

SHEET NOTES

1. BENCH, REFER TO 11A5.1
2. COUNTER, REFER TO 21A5.1
3. COUNTER, REFER TO 31A5.1
4. COUNTER, REFER TO 41A5.1
5. VERTICALLY INSTALL SALVAGED CONC. SLAB CUTS
6. RECLAIMED TUNDRAL MAT PROVIDED BY OWNER
7. CRANE STRUCTURE WITH SHIMMAGE CRANE AND SHIMMAGE CRANE COORDINATE FOUNDATION WITH STRUCTURAL

8. STEEL PATIO FENCE 42" HIGH, VERIFY AVAILABILITY OF RECLAIMED MATERIAL FROM OWNER.
9. LANDSCAPING BY OWNER
10. FIRE PIT CONTENTS TBD, PROVIDE DEDICATED GAS LINE TO THIS LOCATION
11. FRONT SEATING, REFER TO 31A5.1
12. BACK COUNTER, REFER TO 31A5.2
13. FRONT COUNTER, REFER TO 21A5.2
14. BACK COUNTER, REFER TO 31A5.2
15. PIZZA KITCHEN CASEWORK, 4115.11.1

16. 31A5.1 SHELVES REFER TO 31A5.1
17. REFRIGERATION DESIGNED BY OTHER, REFER TO 31A5.1
18. STORAGE SHELVES REFER TO 31A5.2
19. PROVIDE OPENING FOR INSTALLATION OF SALVAGED WINDOW PROVIDED BY OWNER, COORDINATE DIVISIONS WITH OWNER.
20. FLEX ROOM CASEWORK WITH ADA SINK, REFER TO 31A5.1

SYMBOL LEGEND

- EXISTING PARTITION
- NEW PARTITION
- ASSEMBLY TYPE, REFER TO SHEET A2.0
- SHEET NOTES
- DOOR TAG, REFER TO DOOR SCHEDULE
- GLAZING SCHEDULE REFERENCE
- AREA NOT IN SCOPE OF WORK

PRO.
LOC.
KEY

Hearth Artisan Pizza (sample menu)

Organic-Pizza-Wine-Beer

APPETIZERS

Fire Roasted Vegetables

Seasonal roasted vegetables 8

Braised Calamari and Polenta

Calamari stuffed with seafood in a spicy tomato sauce and polenta 13

Burrata and Pesto

House made burrata, bacon, braised leeks, and hazelnut pesto on a toasted rustic crostini 13

Gnocchi and Pesto

Gnocchi, pesto, toasted hazelnuts, shaved soppressata, and parmesan reggiano 11

Braised Fennel Sausage

Fennel sausage, polenta, smoked tomatoes, parmesan reggiano, garbanzo beans and grilled onions and peppers

SOUPS 8 and 20 oz

Minestrone

Traditional minestrone with organic vegetables, hazelnut pesto and Parmesan Reggiano 5.00/12

Lentil

Classic lentil soup with fennel sausage, crème fraîche, chives. 5.00/12

Cioppino

Tomato stew with local seafood, chives, and Parmesan Reggiano. Served with a rustic baguette 6.50/20

SALADS (Side and Entrée)

House

Chopped salad with Boston lettuce, sheep's milk feta, calabrian chilis, heirloom tomatoes, salami, red onions, with lemon-oregano vinaigrette 7/14

Farmhouse

Organic iceberg wedge, red onions, heirloom tomatoes, celery, cucumbers, carrots, spicy garbanzo beans, and vegan ranch mostly organic dressing 7/13

Tuscan

Marinated Tuscan kale salad with butternut squash quinoa, honey and lemon-tahini dressing 7/13

Roasted Raddichio

Cast iron roasted raddichio, smoked tomatoes, thyme, goat cheese, pine nuts, chives, salami, black pepper, aged balsamic vinegar and organic olive oil 7/13

Panzenella

Giant fresh croutons, radicchio, Boston lettuce, cucumbers, salami, kalamata olives, red onions, sheep's milk feta, chives, heirloom tomatoes, aged balsamic and organic olive oil 7/13

PIZZA 14" personal pies.

Mushroom

Walnut "cream", wild mushrooms, eggplant, spinach, caramelized onions, and basil 18

Spicy Soppressata

Smoked tomato sauce, soppressata salami, pickled cherry peppers, smoked provolone, chili flakes and oregano 18

Italian Sausage

Pomodore sauce, fresh mozzarella, bell peppers, braised fennel sausage, basil 18

Italian sausage and raddichio

Pomodore sauce, fresh mozzarella, braised fennel sausage, button mushrooms, raddichio, aged balsamic vinegar, extra virgin olive oil, sea salt and parmesan reggiano 20

Olive

Extra virgin olive oil, fresh mozzarella, sheep's milk feta, kalamata olives, rosemary, lemon slices, figs and smoked paprika 20

Ricotta Pesto

House made ricotta, hazelnut pesto, gnocchi, heirloom tomatoes sea salt and fresh basil 18

Pizza Vedure

Smoked tomatoes sauce, house made burrata, red onions, arugula, hazelnut pesto, hazelnuts, aged balsamic 18

Margarita

Pomodore sauce, fresh mozzarella, basil 16

Marinara

Pomodore sauce, basil and shaved garlic 14

The Daily Cheese

Shaved garlic, extra virgin olive oil, daily cheeses, and Italian parsley.

DESSERTS

Salted caramel ice cream sandwich

Oatmeal cookies and salted caramel ice cream 7

Torta caprese

Flourless chocolate cake with house made crème fraîche and roasted hazelnuts 7

Torta de nocci

Almond cake with roasted apple sauce and crème fraîche 7

Stuffed apple

Roasted apple stuffed with nuts and dried fruit, brown butter, toasted croissant and vanilla ice cream 9

Beverages for All

VIGNETTE WINE SODAS Pinot Noir, Rose, Chardonnay ..\$5
JUICES, SODAS & ICED TEAS ...\$2
K-BAY CAPPE ESPRESSO Doppio, Latte, Cappuccino, Mocha ..\$2-5
CHAI..\$3
LOOSE LEAF TEA...\$3.50

Wine by the glass

Bottle wine list available

red

FAIRVIEW, KENZAAMHEID SHIRAZ, SA '10 ...\$14
CHRONIC CELLARS, Purple Paradise, Paso Robles, CA '12 ...\$12
ORIGINAL, Malbec, Limoux, FR '12 ...\$8
GOULEYANT, MALBEC, Cahors, FR '13 ...\$9
CABALLERO, Malbec Reserva, AR '13 ...\$8
LEFT COAST, Pinot Noir, Willamette Valley, OR '12 ...\$11
IBERICOS Tempranillo, Rioja, ES '11 ...\$9
CELESTE, Tempranillo, Ribera Del Duero, ES '11 ...\$10
CORONAS, Tempranillo, Catalonia, ES '11 ...\$8
CHATEAU FONTANES, Cabernet, VdP, FR '13 ...\$9
DOUBLE CANYON, Cabernet, Horse Haven Hills, WA '12 ...\$10
VINDICATED, Cabernet, Napa Valley, CA '12 ...\$10
CHATEAU RECOUGNE, Bordeaux, FR '10 ...\$10
DOMAINE DES BRAVES, Gamay, Regnié '13 ...\$9

not red or white

LEFT COAST, Pinot Noir Rosé, Willamette Valley, OR '14 ...\$10

white

MERRY EDWARDS, Sauvignon Blanc, Russian River, CA '12...\$17
LEFT COAST, White Pinot Noir, Willamette Valley, OR '14 ...\$12
AUNTSFIELD, Sauvignon Blanc, Marlborough, NZ ...\$10
MARTINO, Semillon, Mendoza, AR '11...\$9
ALL SAINTS, Marsanne, Victoria, AU '10...\$11
PFELFFER, CHARDONNAY/MARSANNE, Victoria, AU '12...\$9
VIGNE DEL MALINA, Chardonnay, Venezie Giulia, IT '10...\$9
LIMESTONE HILL, Chardonnay, Robertson, SA '14...\$8
BERGER, Riesling, Spiegel, AT '11...\$10
DR. H, Riesling, Mosel, DE '12 ...\$8
F. MAGNIEN, Cremant de Bourgogne, FR 'NV ...\$12
VIETTI, moscato D'Asti, IT 'NV ...\$9

dessert wines

MAS AMIEL GRENACHE MAURY ... \$9
KOPKE RUBY .. \$8
ROCHA '06 LEV ... \$9
KOPKE VINTAGE '11 PORT ... \$15
TERRA D'ORO ZINFANDEL PORT. \$8
KOPKE TANNY ... \$8
KOPKE 20 YEAR TANNY ... \$12
KOPKE 10 YEAR WHITE PORT ... \$14
BROADBENT 10 YEAR MALMSEY MADEIRA ... \$11
MARCHESE ANTINORI, Vinsanto, IT '08 ... \$11
EROICA ICE WINE, Riesing, WA '06 ... \$19
VIETTI, Moscato D'Asti, IT ... \$9

Beer on Tap

bottled beer list available

PETRUS AGED PALE SOUR ALE BEL .. \$7
STONE QUADRO TRITICALE CA 22oz ... \$11
OLD RASPUTIN RUSSIAN IMPERIAL STOUT CA .. \$5
GUINNESS DRAUGHT STOUT IRL .. \$5
MIDNIGHT SUN PLEASURETOWN IPA AK ... \$5
STONE GO TO IPA CA .. \$5
KING STREET HEFEWEIZEN AK ... \$5
ALASKAN WHITE ALE AK ... \$4
KENAI RIVER BREWING PBR BLONDE ALE AK .. \$4
STIEGL GOLDBRÄU AT ... \$6
SAMUEL SMITH ORGANIC CIDER ENG ... \$5
MILLER HIGH LIFE ... \$4
STELLA ARTOIS BELG .. \$5

Solberg, Amy R.

From: Moser, Amanda K.
Sent: Friday, July 24, 2015 3:42 PM
To: Solberg, Amy R.
Cc: Jones, Barbara A.
Subject: FW: Lobby Registration

Follow Up Flag: Follow up
Flag Status: Completed

Amy:

Can you please remove David Shurtleff from the lobbyist register?

From: David Shurtleff [mailto:DavidS@strategies360.com]
Sent: Friday, July 24, 2015 11:11 AM
To: Moser, Amanda K.
Subject: Lobby Registration

Hi Amanda and team:

Please consider this email formal notice that I will no longer be serving any client as a Municipal lobbyist effective 07/24/2015. I wish to fully unregister. Thank you for the help!

David

David Shurtleff
Vice President, Alaska
Strategies 360
508 W 2nd Ave, Suite 100
Anchorage, AK 99501
T 907-770-5600
C 907-230-2368
www.strategies360.com

Tab

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MEMORANDUM

TO: DEC – Kenai Peninsula Office

melanie.hollon@alaska.gov
heidi.isernhagen@alaska.gov

DPS – State Fire Marshal's Office

amy.noket@alaska.gov
jessica.faulkner@alaska.gov
diana.parks@alaska.gov
lloyd.nakano@alaska.gov

FROM: ABC Board
Jane Sawyer
550 W 7th Ave., Ste. 1600
Anchorage, AK 99501
269-0359 – Phone
334-2285 – Fax

DATE: 08/10/2015

SUBJECT: Transfer of location of Club Liquor License

WITHIN 30 DAYS please notify our office if there is a reason to object to requested transfer.

License #	2951
Owner	AMVETS Post #4
DBA	AMVETS Post #4
TYPE OF LICENSE	Club
FOOD SERVICE PROVIDED	YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN <input type="checkbox"/> xx
PREMISE LOCATION	42126 K-Beach Rd. Soldotna, AK 99669 moving from 43335 K-Beach Rd., #30, Soldotna, AK 99669
MAILING ADDRESS	43335 K-Beach Rd., Soldotna, AK 99669
PHONE	907-262-3540

PROPOSED BUILDING ☐ EXISTING FACILITY ☐ NEW BUILDING xx

REVIEWED/APPROVED: NO DEC ☒

DATE: 8/10/2015 PHONE: (907)262-3413 FIRE ☐

COMMENTS: We have not recieved plans for the building.

MEMORANDUM

TO: Employment Security Division
Department of Revenue

theresa.mitchell@alaska.gov
patricia.reimer@alaska.gov
pamela.verschoor@alaska.gov

FROM: ABC Board
Maxine Andrews
2400 Viking Drive
Anchorage, AK 99501
907-269-0350 – Phone
907 334-2285 – Fax

DATE: 9/2/15

SUBJECT: Transfer of Ownership: **Beverage Dispensary Liquor License #1920**

WITHIN 30 DAYS please notify our office if there is a reason to object to requested transfer.

FROM:

DBA	Reflections
LICENSEE(S)	The Lighthouse Inc.
PREMISES LOCATION	2406 S Cushman Street, Fairbanks
MAILING ADDRESS	912 Sixth Ave. Fairbanks, AK 99701
EIN	92-0111480
PHONE	907-888-7736 Tiffany West

TO:

DBA	Gambardella's Pasta Bella
LICENSEE(S)	Gambardella's II, Inc.
PREMISES LOCATION	706 2nd Ave.
MAILING ADDRESS	706 2nd Ave. Fairbanks, AK 99801
EIN	92-0152792
PHONE	907-457-4992 Lisa Gambardella

REVIEWED/APPROVED: Object

Employment Security ☒

DATE: 9/3/2015

Dept. of Revenue ☐

PHONE: 907-269-4844

MEMORANDUM

TO: Employment Security Division
Department of Revenue

theresa.mitchell@alaska.gov
patricia.reimer@alaska.gov
pamela.verschoor@alaska.gov

FROM: ABC Board

DATE: 7/29/15

2400 Viking Drive
Anchorage, AK 99501
269-0350 – Phone
334-2285 – Fax

JUL 30 2015

AFTO

SUBJECT: Transfer of Ownership: **Restaurant/Eating Place Store Liquor License #5050**

WITHIN 30 DAYS please notify our office if there is a reason to object to requested transfer.

FROM:

DBA	Pho Lena East
LICENSEE(S)	Biponh Morisath-Luce
PREMISES LOCATION	360 Boniface B11 Anchorage
MAILING ADDRESS	360 Boniface A22-A23 Anchorage, AK 99504
EIN	92-0163723
PHONE	907-279-9777 Biponh Morisath-Luce

TO:

DBA	Pho Lena East
LICENSEE(S)	Pho Lena East, LLC
PREMISES LOCATION	360 Boniface A22-A23 Anchorage
MAILING ADDRESS	360 Boniface A22-A23 Anchorage, AK 99504
EIN	92-0163723
PHONE	907-279-9777 Biponh Morisath-Lucer

REVIEWED/APPROVED:

Object

Employment Security



DATE:

8/4/2015

Dept. of Revenue



PHONE:

907-269-4844

Tab

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THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

ALCOHOLIC BEVERAGE CONTROL BOARD

550 W 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair
and Members of the ABC Board

DATE: September 8, 2015

FROM: Cynthia Franklin
Director

RE: Sushi on the Fly #5397

AS 04.11.400(d)(2) requires the premises to be located within an airport terminal.

The application is for a new license in the Anchorage International Airport.

The applicant offers a full-service restaurant.

New Liquor License

License is: ☒ Full Year OR ☐ Seasonal List Dates of Operation: _____

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2015/2016</u>	License Type: BD- Tourism/	Statute Reference Sec. 04.11.400 (d)	License Fee: \$ <u>2500</u>
Office Use: License #: <u>5397</u>			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) MOA	Community Council Name(s) & Mailing Address: Sand Lake Community Councils C/O Federation of Community Councils 1057 West Fireweed Lane Suite 100 Anchorage, Alaska 99503		Rest. Desig. Permit Fee: \$
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): JSJ Group LLC	Doing Business As (Business Name): Sushi On The Fly		Fingerprint: \$ (\$49.75 per person)
	Business Telephone Number: 907-240-7431		TOTAL <u>2,600</u>
Mailing Address: 8127 Seclusion Dr.	Street Address or Location of Premises:	Email Address:	
City, State, Zip: Anchorage, AK 99504	5000 W Int'l Airport Rd South Concourse C C2781 Anchorage, AK 99502	Jeff@AlaskaDTS.com	
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: >200 ft	Distance measured under: XAS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Distance to closest church: >200 ft	Distance measured under: XAS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached	

New Liquor License

SECTION C – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☒ Yes ☐ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
Jeff Graham	Sushi On the Fly	Bev Disp/Tavern	5000 W. Int'l Airport Rd South Concourse C-2791	Alaska

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

SECTION D – OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): JSJ Group LLC		Telephone Number: 907-240-7431	Fax Number:
Corporate Mailing Address: 8127 Seclusion Dr.	City: Anchorage	State: Alaska	Zip Code: 99504
Name, Mailing Address and Telephone Number of Registered Agent: Jeff Graham 8127 Seclusion Dr. Anchorage, AK 99504		Date of Incorporation OR Certification with DCED: 05/16/2014	State of Incorporation: AK
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Jung D Kim	Member	51	9430 Musketball Pl. Anchorage, AK 99507	907-230-7096	10/17/1966
Jeffrey W Graham	Member	49	8127 Seclusion Dr. Anchorage, AK 99504	907-240-7431	12/28/1963

NOTE: If you need additional space, please attach a separate sheet.

New Liquor License

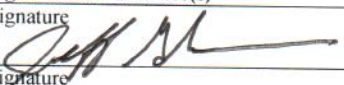
SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

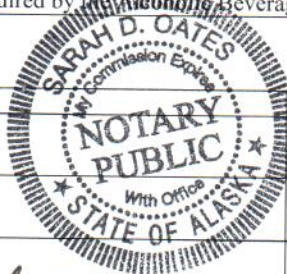
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s) Signature 	Signature of Licensee(s) Signature
Signature	Signature
Name & Title (Please Print) Jeff M. Graham Owner	Name & Title (Please Print)
Subscribed and sworn to before me this 8th day of May, 2015	Subscribed and sworn to before me this day of
Notary Public in and for the State of Alaska	Notary Public in and for the State of
My commission expires: 5/1/16	My commission expires:



Anchorage Beverage Control board, State of Alaska

Sushi On The Fly Kiosk is located at C2781 in the South Concourse of the Ted Stevens International Airport at 5000 W. International Airport Rd.

Sushi On The Fly Kiosk, will be operating under a Beverage Dispensary/Tourism License AS 04.11.400(d) since it is located in the Anchorage International Airport and because Sushi On The Fly Kiosk caters to the traveling public.

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT
AS 04.16.049 & 3 AAC 304.715 - 794

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 5397 Type: BD-Tourism

This application is for designation of premises where: (Please check the appropriate items below)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> | Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794. |
| 2. <input checked="" type="checkbox"/> | Persons 16 - 20 years of age may dine unaccompanied. |
| 3. <input checked="" type="checkbox"/> | Persons under 16 may dine accompanied by a person 21 years of age or older. |
| 4. <input checked="" type="checkbox"/> | Persons between 16 - 20 years of age may be employed. *(See note below) |

Licensee's Name: JSJ Group LLC

Name of Business: Sushi On The Fly

Business Address: 5000 W Int'l Airport Rd, S Concourse, C City: C2781 Anchorage, AK 99502

1. Hours of operation 10AM to 2AM Telephone Number: _____

2. Have police been called to your premises for any reason? [] Yes [X] No
(If you answered yes, please explain below).

3. * Duties of employment: Bus, Dishwash, Hostess

4. Are video games available to the public on your premises? [] Yes [X] No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?
[] Yes [X] No

6. How is food served? [X] Table Service [X] Buffet Service [X] Counter Service [] Other _____

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours? [X] Yes [] No

*** A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

**Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

[Signature]
Licensee Signature

Subscribed and sworn to before me this 24th day of May, 2015

[Signature]
Notary Public in and for Alaska

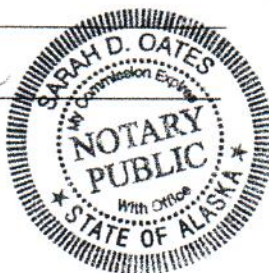
My Commission expires: w/office

[Signature]
Local Governing Body Approval

July 23, 2015
Date

Director, ABC Board

Date



1,388 Sq. Ft.

Food and Beverage Space
ADA 31641

Beer Kiosk
498 Sq. Ft.



0 10 32

SCALE IN FEET

PLOTTED: FEB 13 2015 14:01:03

Future-1.dwg

AIRPORT LEASING

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

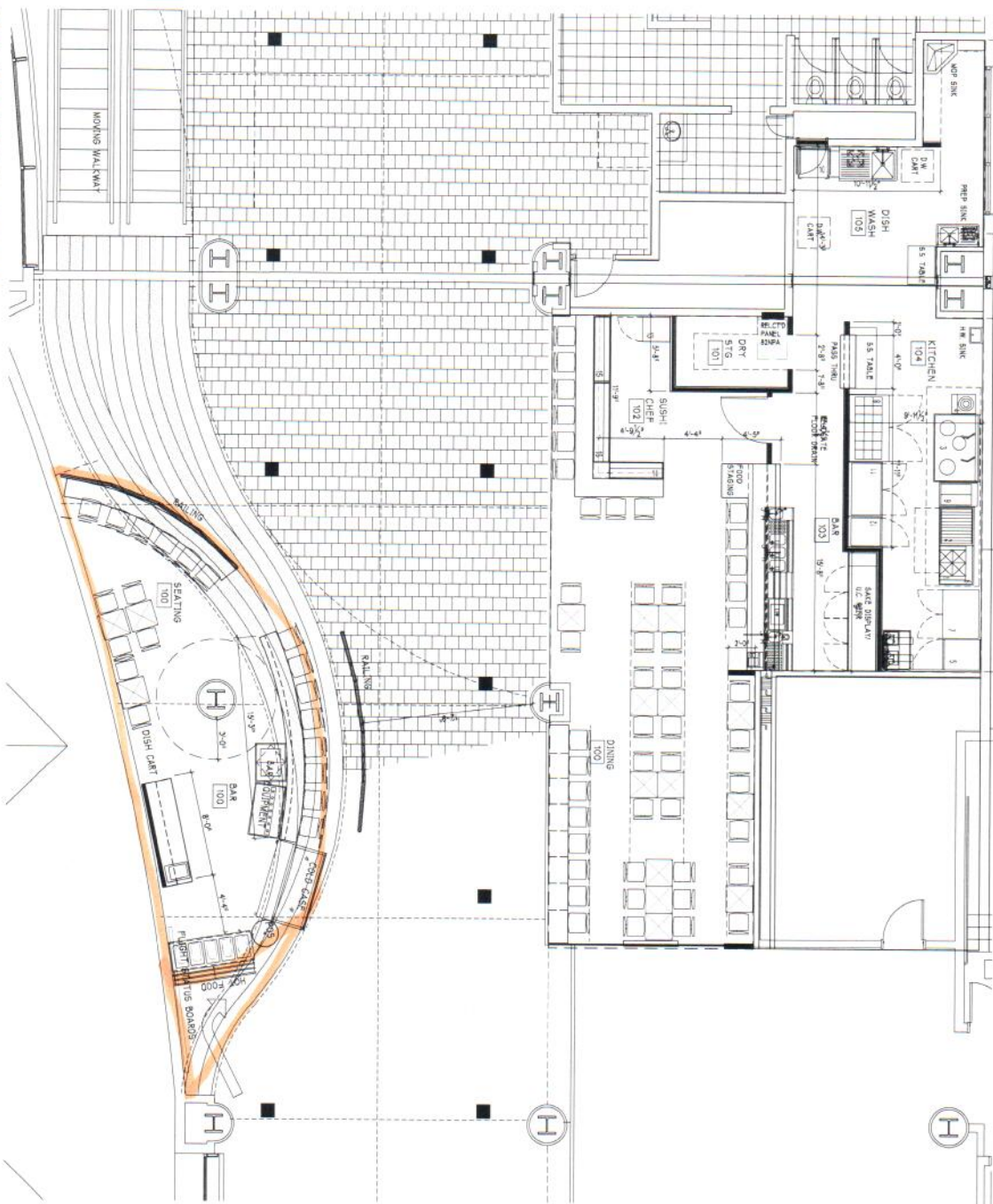


Ted Stevens
Anchorage
International Airport
"America's"

EXHIBIT C		
ADA NO: 31641		
EXHIBIT DATE: FEBRUARY 13, 2015		
DRAFTED	CHECKED	APPROVED

SHEET 1 of 2

1 DRAFT FLOOR PLAN 2-13-2015
 SCALE 1/8"=1'-0" (11x17 FORMAT) 1/4"=1'-0" (24x36 FORMAT)



A1

SHEET NUMBER

SHEET TITLE
 PROPOSED
 FLOOR PLAN
 PROJ. NO. JAK-2000
 DATE 3/7/2005
 CAD FILE

PROJECT:
Sushi on the Fly
 Concourse C Tenant Improvement
 Ted Stevens Anch. Intntl. Airport
 Anchorage, Alaska

**Benchmark
 Architecture**

POB 230247 Anchorage, Alaska 99523
 (907) 561-1000 phone 279-1976 fax sdepalatis@gai.net



Sushi On The Fly

STARTERS

Edamame (Soy Beans)	\$3.99
Hiyashe-Wakame (Seaweed Salad)	\$5.99
Gyoza (Fried Dumpling) - 4 pc	\$7.99
Baked Mussel - 4 pc	\$9.99
Cajun Tuna Tataki	\$15.99
C.S.T. (Cucumber, Squid, Tobiko)	\$9.99
Shoyu Ahi Poki (Soy Sauce Base)	\$11.99
Spicy Ahi Poki (Red Chili Paste)	\$11.99
Shrimp Tempura - 3 pc	\$9.99
Halibut Tempura - 3 pc	\$11.99
Tuna Maki Roll	\$8.99
Cucumber Maki Roll	\$7.99

SALADS

Edamame Salad	\$8.95
Fresh Green Salad	\$9.95
Fresh Fruit Salad	\$10.95
Chicken Caesar Salad	\$9.95

ORIENTAL (Served w/ Steamed Rice or Fried Rice + \$3 & Egg roll)

Spicy Pork	\$13.95
Onion, Scallion, Mushroom, Garlic	
Mongolian Beef	\$13.95
(Can be made spicy)	
Fresh Green Beef	\$13.95
Broccoli, Bok Choy, Onion	
Spicy Pepper Beef	\$13.95
Broccoli, Bok Choy, Onion	
Mongolian Chicken	\$13.95
(Can be made spicy)	
Fresh Green Chicken	\$13.95
Green Peas, Bok Choy, Onion	
Sweet & Sour Chicken	\$13.95
Onion, Sweet and sour sauce	
Sesame Chicken	\$13.95
Honey or Spicy	
Kung Pao Chicken	\$13.95
Onion, Carrot, Dry Chili Pepper	

TERIYAKI

Served w/ steamed rice & steamed vegetables

Beef Teriyaki	\$15.95
Chicken Teriyaki	\$13.95
Salmon Teriyaki	\$15.95
Halibut Teriyaki	\$15.95

NOODLES

Udon	\$11.95
Tempura Udon - 2 Shrimp Tempura	\$14.95
Ramen	\$14.95
Stir Fried Noodle	\$14.95
Yakisoba (Beef, Chicken, Seafood + \$1)	\$12.95

SUSHI ROLL

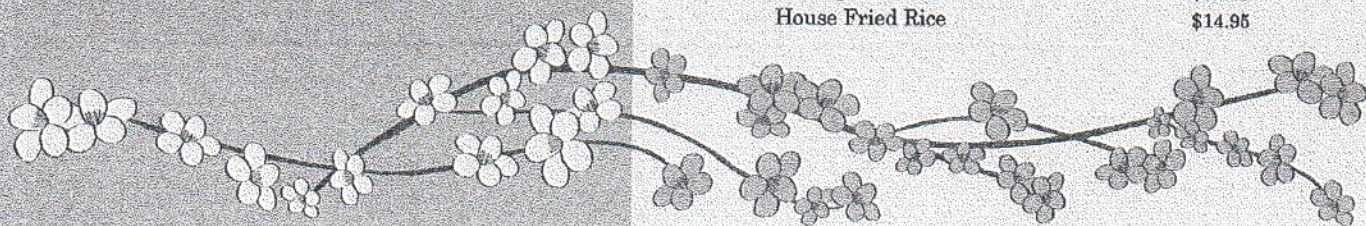
8 Pieces - Comes with Edamame & Salad

California Roll	\$11.95
IN: Crab Meat, Avocado, Cucumber	
Spicy California Roll	\$11.95
IN: Spicy Crab Meat, Avocado, Cucumber	
Spicy Tuna Roll	\$11.95
IN: Spicy Tuna, Cucumber	
Rainbow Roll	\$16.95
IN: Crab Meat, Avocado, Cucumber OUT: (Raw) Tuna, Salmon, Yellow Tail, White Fish, Avocado	
Fisherman's Roll	\$15.95
IN: Crab meat, Cucumber, Asparagus OUT: Fresh Tuna, Avocado	
Mexico City Roll	\$15.95
IN: Crab Meat, Shrimp w/ Spicy Sauce OUT: Avocado	

Alaska Roll	\$16.95
IN: Cream Cheese, Avocado, Cucumber OUT: Fresh Salmon	
OMG Roll	\$19.95
IN: Crab Meat, Avocado, Cucumber OUT: S.M.T. (Scallop, Mayo, Tobiko) SIDE: Spicy Tuna	
Sleeping lady Roll	\$19.95
IN: Shrimp Tempura, Crab Meat, Cucumber, Asparagus OUT: S.M.T. SIDE: Spicy Tuna	
Bear Bait Roll	\$19.95
IN: Shrimp Tempura, Crab Meat, Avocado, Cucumber OUT: Spicy Tuna	
Crunch Roll	\$14.95
IN: Tempura, Avocado, Cucumber, Crab Meat OUT: Tempura Flakes	
Monster Roll	\$16.95
IN: Shrimp Tempura, Crab meat, Cucumber OUT: Unagi, Avocado	
Tiger Roll	\$14.95
IN: Shrimp Tempura, Avocado, Cucumber OUT: Shrimp	

FRIED RICE

Vegetable Fried Rice	\$10.95
Kimchee Fried Rice	\$11.95
Beef Fried Rice	\$12.95
Chicken Fried Rice	\$11.95
Shrimp Fried Rice	\$12.95
House Fried Rice	\$14.95



SUSHI ON THE FLY

Liquor

Tanqueray
Jack Daniel's
Makers Mark
Jagermeister
Jameson
Hennessy
Jose Cuervo
Patron
Crown Royal
Captain Morgan
Smirnoff
Absolut
Grey Goose
Remy Martin
Bombay Gin

Beers

Stella Artois
King Street Stout
Heinekin
Bud Light
Budweiser
Coors Light
Coors
Corona
49th State
Guinness
Broken Tooth IPA
Alaskan Amber
Alaskan White
Blue Moon
Broken Tooth Raspberry Wheat
Angry Orchard
Denali Twister Creek

Breakfast

-Noodle- *Beef Pho – Assorted beef with beef based broth
Quick Spam Musubi- .
Asian power breakfast- Rice, Ground Beef, Egg and Gravy
Asian Sausage breakfast- Reindeer Sausage, Rice and Egg
Asian Sandwich- Wheat Muffin, Spam, Egg.

Drinks

Coca Cola Products

Tab

21



MEMORANDUM

TO: Robert Klein, Chair
and Members of the ABC Board

DATE: September 8, 2015

FROM: Cynthia Franklin
Director

RE: Consent Agenda

5411 Akutan Roadhouse: Akutan Roadhouse, Inc.
West Marine Drive; Akutan
License: Beverage Dispensary

New license application. All statutory requirements have been met.

Local governing body action: City of Akutan does not protest

Approvals: State Fire Marshal, Department of Environmental Conservation

Background investigations: Complete

Temporary has been issued.

5415 Canton Asian Bistro: Canton Asian Bistro, LLC
8585 Old Dairy Road, Ste 105; Juneau
License: Restaurant / Eating Place – Public Convenience

New license application. All statutory requirements have been met.

Local governing body action: City & Borough of Juneau does not protest

Approvals: Department of Environmental Conservation

Background investigations: Complete

Temporary has been issued.

5416 Corvus Airlines N892EA: Corvus Airlines, Inc.
Alaskan Skies
License: Common Carrier

New license application. All statutory requirements have been met.

Background investigations: Complete

Temporary has been issued.

3811 Dutch Harbor Restaurant: Loi My Ma

11 North 2nd Street; Unalaska

License: Restaurant / Eating Place

From: Tuyet Soung Thi Nguyen DBA Dutch Harbor Fast Food 2

Transfer of ownership and DBA change. All statutory requirements have been met.

Local governing body action: City of Unalaska does not protest

Approvals: Department of Labor, Department of Revenue

Background investigations: Complete

964 Fogcutter Bar & Restaurant: Fogcutter Bar & Restaurant, Inc.

122 Main Street; Haines

License: Beverage Dispensary

From: Brian J Lemcke (80%) and Kelly Jessup (20%) to Kelly Jessup (100%)

Transfer of controlling interest. All statutory requirements have been met.

Local governing body action: City & Borough of Haines does not protest

Approvals: Department of Labor, Department of Revenue

Background investigations: Complete

5419 Gakona Brewing Company: Gakona Brewing Company, LLC

Mile 0.5 Tok Cutoff, Copper Bluffs Subdivision, Lot 11 (Gakona); Outside/Unorganized

License: Brewery

New license application. All statutory requirements have been met.

Approvals: State Fire Marshal, Department of Environmental Conservation

Background investigations: Complete

Temporary has been issued.

5414 Juneau Elks Club No. 420: BPO Elks Lodge #420

9321 Glacier Highway; Juneau

License: Club

New license application. All statutory requirements have been met.

Local governing body action: City & Borough of Juneau does not protest

Approvals: Department of Environmental Conservation

Background investigations: Complete

Temporary has been issued.

4971 Larkspur Cafe: GraCED, Inc.
2A Lincoln Street, Ste 1A; Sitka
License: Restaurant / Eating Place
From: Larkspur Cafe, LLC

Transfer of ownership. All statutory requirements have been met.
Local governing body action: City & Borough of Sitka does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

5404 M/V Le Boreal: Compagnie du Ponant, SAS
Alaskan Waters
License: Common Carrier

New license application. All statutory requirements have been met.
Background investigations: Complete
Temporary has been issued.

5403 M/V Le Soleal: Compagnie du Ponant, SAS
Alaskan Waters
License: Common Carrier

New license application. All statutory requirements have been met.
Background investigations: Complete
Temporary has been issued.

5413 Rose 99 Sushi Bar: Rose 99, LLC
3826 Spenard Road; Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Local governing body action: Municipality of Anchorage does not protest
Background investigations: Complete
Temporary has been issued.

4192 Seong's Sushi Bar: Jeong Hee Kim
740 W 9th Street; Juneau
License: Restaurant / Eating Place
From: Seong S. Kim DBA Seong's Sushi Bar & Chinese Takeout

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: City & Borough of Juneau does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

489 Skinny Dick's Halfway Inn: Moodar Corp.
8910 Parks Highway (Mile 327.9 Parks Highway); Fairbanks North Star Borough
License: Beverage Dispensary
From: A. Brook Taylor (50%) and Lois Krize (50%) to A. Brook Taylor (100%)

Transfer of controlling interest. All statutory requirements have been met.
Local governing body action: Fairbanks North Star Borough does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

5417 The Restaurant at Porterhouse Grill: The Restaurant at Porterhouse Grill, LLC
35590 Sterling Highway (Sterling); Kenai Peninsula Borough
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Local governing body action: Kenai Peninsula Borough does not protest
Approvals: State Fire Marshal, Department of Environmental Conservation
Background investigations: Complete
Temporary has been issued.

1176 Tundra Lodge & R/V Park: Barbara A Abbott
Milepost 1315 Alaska Highway (Tok); Outside/Unorganized
License: Beverage Dispensary
From: Donald E & Barbara A Abbott

Transfer of ownership. All statutory requirements have been met.
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

Tab

22



MEMORANDUM

TO: Robert Klein, Chair
and Members of the ABC Board

DATE: September 8, 2015

FROM: Cynthia Franklin
Director

RE: Delegated Consent Agenda

- 62 Anchor Liquor Store:** Tiny Wings, Inc.
207 Breakwater Avenue; Cordova
License: Package Store
From: 201 Breakwater Avenue #2-3

Transfer of location. All statutory requirements have been met.
Local governing body action: City of Cordova does not protest
Pending: State Fire Marshal
Background investigations: Complete

- 5421 Arctic Harvest:** Arctic Harvest, LLC
4753 Eielson Farm Road (North Pole); Fairbanks North Star Borough
License: Distillery

New license application. All statutory requirements have been met.
Local governing body action: Pending Fairbanks North Star Borough
Approvals: State Fire Marshal, Department of Environmental Conservation
Background investigations: Pending

- 5412 Heirloom Wines:** Heirloom Wines, LLC
14493 W Kiowa Street (Big Lake); Mat-Su Borough
License: Wholesale – Malt Beverage & Wine

New license application. All statutory requirements have been met.
Local governing body action: Matanuska-Susitna Borough does not protest
Pending: State Fire Marshal
Background investigations: Complete

270 Lavelle's Taphouse: Arlette Eagle-Lavelle
414 2nd Avenue; Fairbanks
License: Beverage Dispensary
From: Franklin B. Eagle; No DBA; No Premises

Transfer of ownership, location, and name change. All statutory requirements have been met.
Local governing body action: Pending City of Fairbanks
Approvals: Department of Labor, Department of Revenue
Pending: Department of Environmental Conservation
Background investigations: Pending

493 Ninilchik Trading: Echo Lake Superior Meat & Processing, LLC
15945 Sterling Highway (Ninilchik); Kenai Peninsula Borough
License: Package Store
From: Grizzly Ridge, LLC DBA Grizzly Ridge; 18280 Sterling Highway

Transfer of ownership, location, and name change. All statutory requirements have been met.
Local governing body action: Kenai Peninsula Borough
Approvals: Department of Revenue
Pending: State Fire Marshal, Department of Labor
Background investigations: Pending

414 No DBA: David Worel
No Premises; Fairbanks North Star Borough
License: Beverage Dispensary
From: Lisa Davis DBA 49'er Club; 4625 Old Airport Way

Transfer of location, ownership, and DBA change. All statutory requirements have been met.
Local governing body action: Pending Fairbanks North Star Borough
Approvals: Department of Revenue
Pending: Department of Labor
Background investigations: Complete

5420 Sheep Mountain Lodge: Sheep Mountain Lodge, LLC
17701 West Glenn Highway (Sutton); Mat-Su Borough
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Local governing body action: Matanuska-Susitna Borough does not protest
Approvals: State Fire Marshal, Department of Environmental Conservation
Background investigations: Pending
Temporary has been issued.

5398 The Grape Tap: The Grape Tap, LLC
322 N Boundary Sreet; Wasilla
License: Restaurant / Eating Place – Public Convenience

New license application. All statutory requirements have been met.
Local governing body action: City of Wasilla does not protest
Pending: Department of Environmental Conservation
Background investigations: Pending

5406 The Potato: Potato Enterprises, Inc.
90 Kennicott Avenue (McCarthy); Outside/Unorganized
License: Restaurant / Eating Place – Public Convenience

New license application. All statutory requirements have been met.
Approvals: State Fire Marshal
Pending: Department of Environmental Conservation
Background investigations: Complete

Tab

23



Alcoholic Beverage Control Board
550 W. 7th Ave, Ste 1600
Anchorage, AK 99501

Date: 3-31-15
Number AB15-0334
Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee Muddsuckers, Inc.	License Number 5316	Type of License Restaurant / Eating Place
D.B.A. The Red Chair Cafe	How Delivered <input checked="" type="checkbox"/> Mail Receipt on file. <input type="checkbox"/> In Person	Law Enforcement Agency Anchorage Police Department
Street or P.O. Box 337 E. 4th Ave, South Entrance	City, State Anchorage, AK	Zip 99501

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: On 3-27-15, at about 1146 hours, The Red Chair Cafe server Robert Alexander Monroy furnished an alcoholic beverage to a person under 21. This is a violation of Title IV.

Your attention is directed to **AS 04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensees**

You are directed to respond to the Director of the Alcohol Beverage Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

7013 2250 0000 9617 5316

A Response is Required

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt:	Violation Observed By: UB 13-011
Filed By: <i>JR Hamilton</i>	Title: Investigator III

To

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W 7th Ave, Suite 600
Anchorage, Alaska 99501

04.11.2015

RE: Muddsuckers, Inc. License Number 5316 response to Violation of Title IV by The Red Chair Café server Robert Alexander on 3-27-15.

Dear Mrs. Franklin,

Prior to this violation, it has been The Red Chair Café's policy to card all guests who request alcoholic beverages. We have also had 'Born by Date' notices at each server point of sale station and in the beer and storage room.

As a result of Mr. Alexander's violation, we have instituted random checks on all of our servers to verify that they have checked guest ids. We have also started including a discussion on the born by date during weekly server meeting.

It is our belief that these steps will reduce the future chances of a miscalculation occurring again.

Sincerely,



David Seube

General Manager, The Red Chair Cafe
bossdude@theredchaircafe.com

The Red Chair Cafe

Tel 907-270-7780
Fax 907-277-7774

337 E 4th Ave.
South Entrance
Anchorage, AK 99501

www.theredchaircafe.com
feedback.box@theredchaircafe.com





Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

Date: 4-17-15
Number AB15-0398
Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee Tesoro Northstore Company	License Number 1596	Type of License Package Store
D.B.A. 2 Go Mart #55 545 Muldoon Road	How Delivered [X] Mail Receipt on file. [] In Person	Law Enforcement Agency Anchorage Police Department
Street or P.O. Box Attn: Tara Arce (TX1-012) 19100 Ridgewood Pkwy	City, State San Antonio, TX	Zip 78259

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: On 4-16-15, at about 1540 hours, 2 Go Mart #55 clerk John Brown sold an alcoholic beverage to a person under 21. When asked to provide proof of server education, he provided a copy of his server card but did not have any picture ID on him. These are violations of Title IV.

Your attention is directed to **AS 04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensee** and **3AAC304.465: Alcohol Server Education**

You are directed to respond to the Director of the Alcohol Beverage Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

7013 2250 0000 9617 5330

A Response is Required

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Receipt:	Violation Observed By: UB 13-011
Filed By: <i>JL Hamilton</i>	Title: Investigator III



SOLOMON SALTSMAN & JAMIESON

A Partnership of Professional Corporations
426 Culver Boulevard | Playa Del Rey, CA 90293
Telephone: 310.822.9848 | Facsimile: 310.822.3512
Toll Free: 800.405.4222
www.ssjlaw.com

Ryan M. Kroll

Partner
email: rkroll@ssjlaw.com

May 1, 2015

via U.S. Mail and e-mail

Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave., Suite 1600
Anchorage, Alaska 99501
cynthia.franklin@alaska.gov

RE Tesoro Northshore Company- dba: 2 Go Mart #55
545 Muldoon Road, Anchorage Alaska
License number: 1596
Violation Number: AB15-0398

Dear Ms. Franklin,

Our office represents the current licensee, Tesoro Northstore Company, for license number 1596. This letter is in response to the Notice of Violation dated April 17, 2015, which I have enclosed with this letter to assist in identifying the matter.

Tesoro Northstore Company takes its responsibilities as a retailer of alcoholic beverages seriously and corrective steps were taken as a result of this incident. The clerk, John Brown, was immediately suspended. After an investigation was conducted, Mr. Brown was terminated. Thereafter, the remaining store employees were retrained in the responsible sale of alcoholic beverage.

I understand from speaking with Mr. Beasley that this matter will soon be moot once this license transfers and Tesoro is no longer the licensee. However, if you or Mr. Beasley have any additional follow up questions regarding this matter or wish to discuss this matter further, please feel free to contact me. Thank you.

Very truly yours,

SOLOMON SALTSMAN & JAMIESON

Ryan Kroll / rkm
RYAN M. KROLL

Encls.

cc: Robert Beasley, Enforcement Supervisor (via e-mail)

California | Oregon | Washington

Litigation | Personal Injury | Gaming | Employment Law | Land Use | Indian Law | Alcohol Licensing