



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

MEMORANDUM

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

DATE: April 11, 2016

RE: Johnny Chicago's #5431

This is a new application for restaurant/eating place license in the Municipality of Anchorage (MOA). The MOA has protested the issuance of the licenses pending approval of an administrative site plan from the planning department. This application was tabled at the February 10, 2016 ABC meeting to provide the applicant an opportunity to apply with the MOA for the site plan review.

Date of application: November 6, 2015

Date of Protest: December 23, 2015

Basis of Protest: Resolution of Anchorage Assembly AR# 2015-328
-Lack of approval of site plan review from planning department (no application for site plan review filed)

Requirements Met: Yes, applicant notified 3 AAC 304.145(d) when matter went before Assembly

Action Required: MOA is still waiting for applicant to apply for a site plan review.

Recommendation: Uphold MOA protest, deny application per AS 04.11.480(a) and due to applicant's non-responsiveness to MOA and ABC board and failure to apply for MOA site plan review.

- Hard Rock Café LL#5260
- **Beverage Dispensary – Tourism**
 - Flight Deck Bar/Arctic Inn LL#402
 - Anchorage Marriott Hotel LL#3945
- **Club**
 - Loyal Order of Moose Lodge 1534 LL#750
- **Package Store**
 - Shopper's Cache LL#2535
 - Mom & Pops Grocery & Liquor LL#3219
 - Wal-Mart Superstore 2070 LL#4669
 - Wal-Mart Superstore 2188 LL#4765
 - Wal-Mart Supercenter 4359 LL#4948

Liquor License Transfer of Ownership, dba Name Change

- **Beverage Dispensary**
 - Dive Bar LL#615

CONDITIONAL PROTEST

New Liquor License

- **Restaurant/Eating Place With Restaurant Designation Permit**
 - Johnny Chicago's LL#5431
 - Pending approval of an Administrative Site Plan from the Planning Department
- **Theater**
 - Alaska Experience Theatre Company LL#5429
 - Pending approval from the Anchorage Fire Department, Health Department, Building Safety Department, and of a Conditional Use Permit from the Planning Department

Liquor License Transfer of Ownership


- **Restaurant/Eating Place With Restaurant Designation Permit**
 - Crazy Cow Caribbean Grill LL#5380
 - Pending approval from Building Safety

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,


 Barbara A. Jones
 Municipal Clerk
 Mandy Honest
 Business License Official

Concur,


 Amanda K. Moser
 Deputy Municipal Clerk

CC: Pizza Olympia
 Sushi & Sushi Restaurant
 Haru
 The Bar-B-Q Pit
 Ray's Place
 Kinley's Restaurant
 Wild Wings 'n Things
 Buckaroo Club

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

Prepared by: Municipal Clerk
For reading: December 22, 2015

CLERK'S OFFICE
APPROVED

Date:

12-22-15

ANCHORAGE, ALASKA
AR NO. 2015-328

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A NEW RESTAURANT/EATING PLACE LIQUOR LICENSE #5431 AND RESTAURANT DESIGNATION PERMIT FOR JOHNNY CHICAGO'S, LLC dba JOHNNY CHICAGO'S LOCATED AT 751 E 36TH AVE., UNIT 107, ANCHORAGE, AK 99503 AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Johnny Chicago's, 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 #5431 and Restaurant Designation Permit, to be used for Johnny Chicago's, located at 751 E 36th Ave., Unit 107, Anchorage, Alaska 99503; 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 November 6, 2015 and has determined that the last day for the Assembly to file a protest is January 5, 2015; and

WHEREAS, the Assembly Meeting on December 22, 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.

1 NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:
2

3 Section 1. The Anchorage Assembly hereby enters its PROTEST for a New
4 Restaurant / Eating Place, Liquor License #5431 with Restaurant
5 Designation Permit until this condition is met:
6

- 7 • Administrative site plan review required by AMC 21.50.500 has
8 been approved by the Planning Department and confirmed by the
9 Municipal Clerk.
10


11 Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic
12 Beverage Control Board as proof that the Anchorage Assembly, as the
13 local governing body, has stated its protest in order to allow the Director
14 of the Alcoholic Beverage Control Board to hold processing of the New
15 Restaurant/Eating Place, Liquor License #5431 with Restaurant
16 Designation Permit under local protest, until receipt by the Director of
17 confirmation from the Municipal Clerk that the conditions in Section 1
18 have been met, and this protest is lifted as authorized by this Assembly
19 Resolution.
20

21 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon
22 Municipal Clerk confirmation that all conditions in Section 1 have been
23 met, to provide written notification to the Alcoholic Beverage Control
24 Board that this protest by the Anchorage Assembly is lifted, without
25 further action by the Assembly.
26

27 PASSED AND APPROVED by the Anchorage Assembly this 22nd day of
28 December, 2015.
29

30
31 
32 _____
33 Chair of the Assembly

34 ATTEST:

35
36 
37 _____
38 Municipal Clerk
39