



MEMORANDUM

TO: Bob Klein, Chair, and Members of the
Alcoholic Beverage Control Board

DATE: June 12, 2018

FROM: Erika McConnell, Director

RE: 302 Valley Country Store #3

Requested Action: License transfer of ownership and location, DBA change

Statutory Authority: AS 04.06.090(b): "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title."

AS 04.11.040(a) and (b): "(a) A license issued under this title may not be transferred to another person except with the written consent of the board. (b) A license or permit issued under this title may not be transferred to a new location except with the written consent of the board."

AS 04.11.480(a): "A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application ... If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable."

AS 04.11.480(a): "The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application..."

AS 04.11.510(b)(2): "the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection; the board shall send notice of a hearing conducted under this paragraph 20 days in advance of the hearing to each community council established within the municipality and to each nonprofit community organization entitled to notification under AS 04.11.310(b);"

Staff Rec.: Uphold the protest with a 90-day abeyance

Background: The Matanuska-Susitna Borough submitted a timely protest of the transfer of this beverage dispensary license, pending issuance of a conditional use permit.

The board is required to hold a hearing to consider the conditions, and the hearing shall be conducted under AS 04.11.510(b)(2). Notification of the protest was provided on May 18, 2018, via the board meeting's public notice. Supplemental notice was provided to the Farm Loop Community Council on June 3, 2018.

The Matanuska-Susitna Borough provided the licensee with an opportunity to be heard before the local governing body in accordance with 3 AAC 304.145(d), which states, "A local governing body that protests an application shall allow the applicant a reasonable opportunity to defend the application before a meeting of the local governing body."

The board should go into executive session to consider the criminal history of two affiliates of the proposed new licensee.

Attachment: Matanuska-Susitna Borough protest
Renewal application



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645
Phone (907) 861-7822 | Fax (907) 861-8158

E-mail: permitcenter@matsugov.us

February 22, 2018

Alcohol & Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501

SUBJECT: Valley Country Store & Fuel, LLC; License #302
4644 N. Trunk Road
Transfer to new location – Package Store

A review of the files relating to the subject business and license application, as they relate to Matanuska-Susitna Borough Code, has been completed. Based on that review, the Matanuska-Susitna Borough hereby takes the following action:

- WAIVE THE RIGHT TO PROTEST
- PROTEST the issuance of the license for the following reason(s):**
 - Delinquent Real Property Taxes owed:
 - Bed Tax owed:
 - Other debts owed:
 - The required Conditional Use Permit has not been obtained.**
 - There is a violation of the Conditional Use Permit:
 - There is an Assembly protest of renewal on file:

Upon curing all of the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest. It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

The applicant(s) has been sent a copy of this letter by certified mail or via email, only if a protest has been issued. Should you have any questions, please feel free to contact my office.

Sincerely,

Mark Whisenhunt, Planner II
Development Services Division
Matanuska-Susitna Borough



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
Form AB-01: Transfer License Application

What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 - Transfer Information

Enter information for the *current* licensee and licensed establishment.

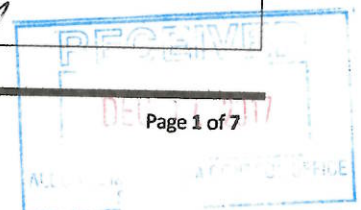
Licensee:	Three Bears Alaska, Inc	License #:	302
License Type:	Package Store	Statutory Reference:	AS 04.11.150
Doing Business As:	Three Bears		
Premises Address:	No premise		
City:		State:	
		ZIP:	
Local Governing Body:	Matanuska Susitna Borough		

Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer



OFFICE USE ONLY			
Complete Date:		Transaction #:	1017354
Board Meeting Date:		License Years:	
Issue Date:		BRE:	<i>WJF</i>





Alaska Alcoholic Beverage Control Board

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Section 2 – Transferee Information

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	Valley Country Store & Fuel, LLC				
Doing Business As:	Valley Country Store # 3				
Premises Address:	4644 N Trunk Rd				
City:	Palmer	State:	AK	ZIP:	99645
Community Council:	Farm Loop Community Council				

Mailing Address:	4891 E Stoney Hollow Dr				
City:	Wasilla	State:	AK	ZIP:	99654

Designated Licensee:	Matthew Gittlein			
Contact Phone:	907-841-5666	Business Phone:	907-376-7886	
Contact Email:	mattgittlein59@hotmail.com			

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

Section 3 – Premises Information

Premises to be licensed is:

- an existing facility a new building a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

2.7 Miles

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

2.8 Miles





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Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.
 If more space is needed, please attach a separate sheet with the required information.
 The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

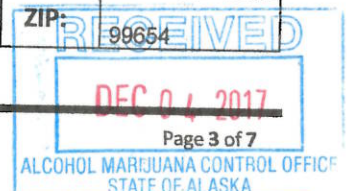
Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	KG ENTERPRISES, LLC				
Title(s):	OWNER	Phone:	907-376-7886	% Owned:	100
Address:	4891 E STONEY HOLLOW DR				
City:	WASILLA	State:	ALASKA	ZIP:	99654





Alaska Alcoholic Beverage Control Board

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Entity Official:	MATTHEW GITTLEIN (20% OWNER OF KG ENTERPRISES, LLC)				
Title(s):	AFFILIATE	Phone:	907-841-5666	% Owned:	0
Address:	4891 E STONEY HOLLOW DR				
City:	WASILLA	State:	AK	ZIP:	99654

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

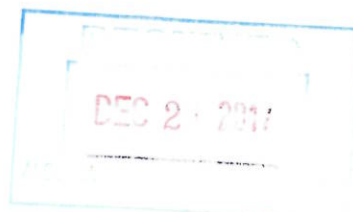
Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10015808	AK Formed Date:	10/9/2013	Home State:	ALASKA
Registered Agent:	JANICE GITTLEIN	Agent's Phone:	907-354-4865		
Agent's Mailing Address:	3147 E CARNEY RD				
City:	WASILLA	State:	AK	ZIP:	99654

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?





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 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
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Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

VALLEY COUNTRY STORE & FUEL, LLC
 dba VALLEY COUNTRY STORE # 1, PACKAGE STORE, LICENSE # 4574
 4891 E STONEY HOLLOW DR
 WASILLA, AK 99654

dba VALLEY COUNTRY STORE # 2, PACKAGE STORE, LICENSE # 4773
 3065 N CHURCH RD
 WASILLA, AK 99654

Section 7 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

[Empty box for authorization details]





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Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

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Section 8 – Transferor Certifications

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

Three Bears Alaska, Inc.

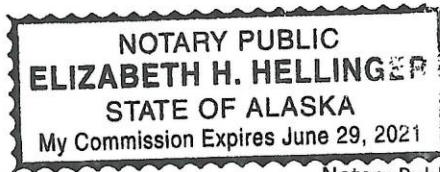
By: [Signature]

Signature of transferor

Stephen D. Mierop

Printed name of transferor

Subscribed and sworn to before me this 14th day of November, 2017.



[Signature]
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: June 29 2021

Signature of transferor

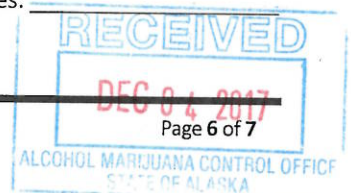
Printed name of transferor

Subscribed and sworn to before me this _____ day of _____, 20____.

Signature of Notary Public

Notary Public in and for the State of _____

My commission expires: _____





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Section 9 – Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

MB

I certify that all proposed licensees have been listed with the Division of Corporations.

MB

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

MB

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

MB

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

MB

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Signature of transferee

MATTHEW P GITTLEIN

Printed name

NOTARY PUBLIC
ELIZABETH H. HELLINGER
STATE OF ALASKA
My Commission Expires June 29, 2021

Subscribed and sworn to before me this 14th day of November, 2017.

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: June 29 2021





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 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board
Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The **second page** of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

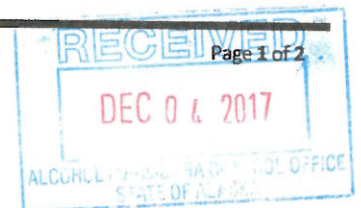
Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

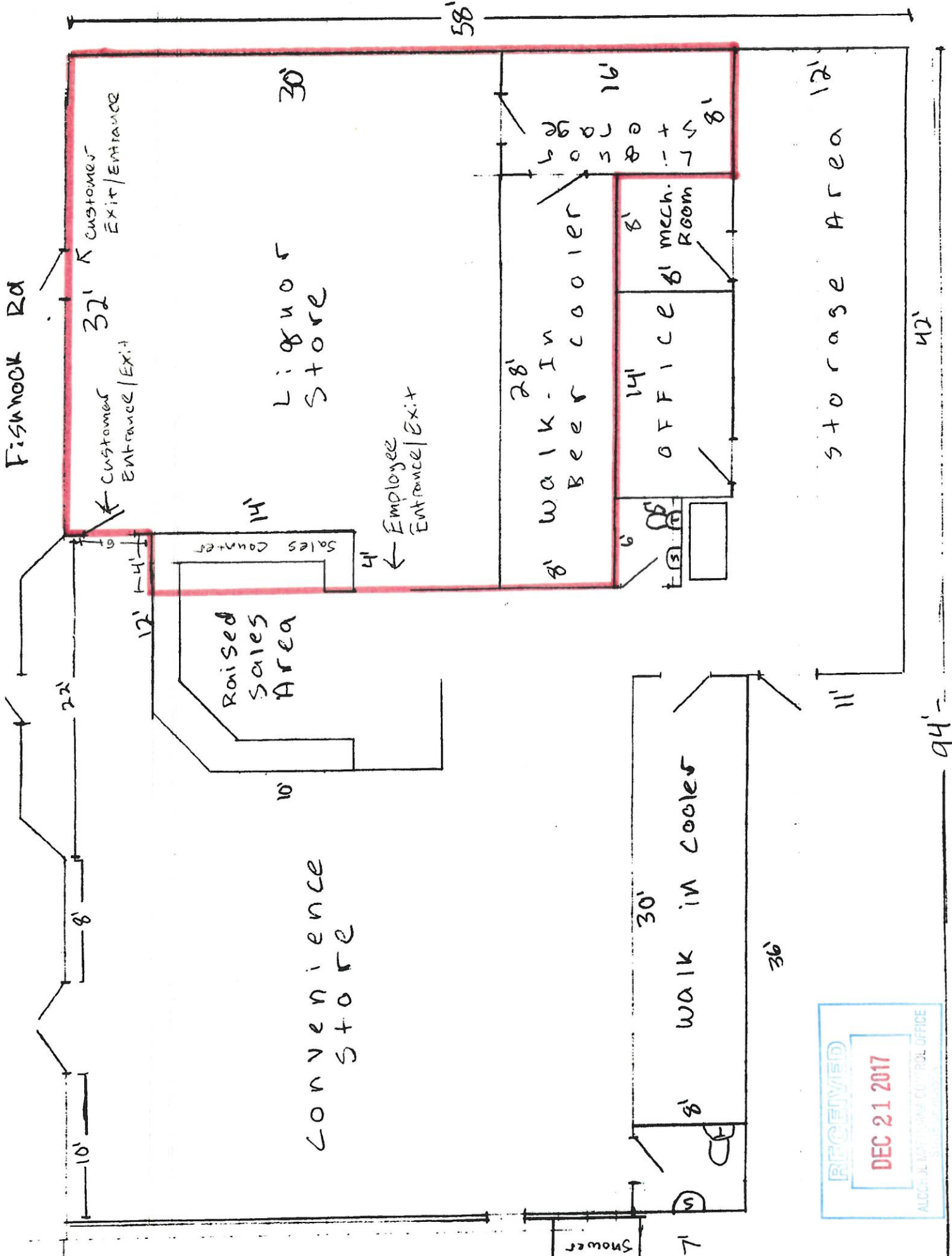
Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	VALLEY COUNTRY STORE & FUEL, LLC	License Number:	302
License Type:	PACKAGE STORE		
Doing Business As:	VALLEY COUNTRY STORE # 3		
Premises Address:	4644 N. TRUNK RD.		
City:	PALMER	State:	AK ZIP: 99654



Fishhook Rd



Customer Entrance/Exit

32'

Customer Entrance/Exit

Liquor Store

30'

Employee Entrance/Exit

28' Walk-In Beer Cooler

14' Office

8' Mech. Room

Storage Area

12'

14'

Sales Counter

Raised Sales Area

10'

Convenience Store

30' Walk in cooler

36'

12'

42'

94'

58'





VCS 3 SITE PLAN

4644 N TRUNK RD.

