



MEMORANDUM

TO: Bob Klein, Chair, and Members of the Alcoholic Beverage Control Board DATE: April 29, 2019

FROM: Erika McConnell, Director RE: 795 Oaken Keg #0720

Requested Action: Transfer of ownership and location, and 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 04.11.480(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... 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... 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 04.11.510(b)(2): “The board may review an application for the issuance, renewal, transfer of location, or transfer to another person of a license without affording the applicant notice or hearing, except...(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;”

Staff Rec.: Hold a public hearing; deny the application with a 180-day abeyance

Background: The Municipality of Anchorage protests the transfer of ownership and location of this package store license pending approval of a special land use permit and certification from the Anchorage Fire Department.

The licensee should be notified that under 3 AAC 304.145(h), this abeyance period may not be extended or renewed.

Attachment: Municipality of Anchorage protest
Transfer application



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>

March 7, 2019

Office of the Municipal Clerk Licensing

Ms. Mikal Milton
Alaska Alcohol and Marijuana Control Office
550 W 7th Ave. Ste. 1600
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Milton:

The Anchorage Municipal Assembly at its regular meeting on **March 5, 2019** took the following final action:

WAIVE OF PROTEST

Renewal Liquor License – AM 164-2019

- **Restaurant/Eating Place**
Bear Mountain Grill, LL#5048
Cafe Amsterdam, LL#3961
Ichiban Restaurant, LL#2113
Naruto Japanese Restaurant, LL# 5218
Organic Oasis Health Foods & Juice Bar, LL#3921
Silvertip Grill, LL#3558
Sushi Ya, LL#5379
West Berlin Restaurant, LL#5362
- **Beverage Dispensary**
Bear Tooth Theatrepub, LL#4694
Chepo's Mexican Restaurant, LL#3765
O'Brady's Burger & Brew, LL#4614
JJ's Sports Center, LL#569
Koots, LL#225
La Mex, LL#635
Sea Galley, LL#1666
Van's Dive Bar, LL#615
- **Beverage Dispensary – Duplicate**
Eddie's Sports Bar, LL#4317
Koots (Ice Bar), LL#1724
Koots (North Bar), LL#2107
- **Club**
Anchorage Elks Lodge #2868, LL#5236
Fraternal Order of the Eagles #4174, LL#3031
- **Package Store**
2 Go Mart #55, LL#1596
Oaken Keg #2628, LL#4167
Party Time/Boniface Liquors, LL#834
- **Wholesale Malt Beverage & Wine**
Veritas Wines, LL#5085
- **Recreational Site-Seasonal**
Anchorage Bucs, LL#1747



Transfer of Controlling Interest Downtown Liquor License

- **Restaurant/Eating Place**
The Kobuk, LL#5620 – AM 163-2019

New Liquor License

- **Restaurant/Eating Place**
Siam Cuisine AK LLC, LL#5751 – AM 162-2019

PROTEST

New Downtown Liquor License

- **Brewery**
49th State Brewing, LL#5744 – AR 2019-64
Pending a conditional use permit as required by AMC 21.50.160 approved by the Assembly and certification from the Anchorage Fire Department.
- **Winery**
49th State Brewing, LL#5745 – AR 2019-65
Pending a conditional use permit as required by AMC 21.50.160 approved by the Assembly and certification from the Anchorage Fire Department.

Transfer Ownership/Location Liquor License

- **Package Store**
Oaken Keg #0720, LL#795 – AR 2019-63
Pending a special land use permit as required by AMC 21.03.040C.4.a, approved by the Assembly and certification from the Anchorage Fire 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,

Debra Roehl

Debra Roehl
Business Specialist

CC: Alaska Pacific Beverage Company, LLC
Safeway Inc.





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 – Transferor Information

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

Licensee:	Carr-Gottstein Foods Co.	License #:	795
License Type:	Package Store	Statutory Reference:	04.11.150
Doing Business As:	Oaken Keg #1806		
Premises Address:	600 E. Northern Lights Blvd.		
City:	Anchorage	State:	AK
		ZIP:	99503
Local Governing Body:	Municipality of Anchorage		

Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

OFFICE USE ONLY			
Complete Date:	1/2/19	Transaction #:	989882
Board Meeting Date:	2/19/19	License Years:	19/20 (renewal)
Issue Date:		BRE:	CDC

AMCO

DEC 06 2018



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 2 – Transferee Information

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

Licensee:	Safeway Inc.				
Doing Business As:	Oaken Keg #0720				
Premises Address:	700 E. Northern Lights Blvd.				
City:	Anchorage	State:	AK	ZIP:	99503
Community Council:	Midtown Community Council				

Mailing Address:	P.O. Box 29096 MS 6531				
City:	Phoenix	State:	Arizona	ZIP:	85038-3573

Designated Licensee:	Gary Morton				
Contact Phone:	(208) 395-5394	Business Phone:	(208) 395-5394		
Contact Email:	gary.morton@albertsons.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.

.8 miles - Frontier Charter School

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.

.4 miles - First Christian Church and The Church of God (same distance)



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

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:	Albertsons Companies Inc.				
Title(s):	Sole Shareholder	Phone:	(925) 226-5065	% Owned:	100
Address:	11555 Dublin Canyon Road				
City:	Pleasanton	State:	CA	ZIP:	94588



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 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
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Alaska Alcoholic Beverage Control Board

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Entity Official:	James Donald				
Title(s):	President	Phone:	(208) 395-5248	% Owned:	0
Address:	414 34th Ave. S.				
City:	Seattle	State:	WA	ZIP:	98144

Entity Official:	Gary Morton				
Title(s):	VP/Asst. Secretary, Treasurer	Phone:	(208) 395-5394	% Owned:	0
Address:	2000 Canal St.				
City:	Boise	State:	ID	ZIP:	83705

Entity Official:	Robert Gordon				
Title(s):	Secretary	Phone:	(208) 395-3856	% Owned:	0
Address:	24 Robert Rd.				
City:	Orinda	State:	CA	ZIP:	94563

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 #:	39147F	AK Formed Date:	11/7/86	Home State:	Delaware
Registered Agent:	Jill McLeod	Agent's Phone:	907-276-4557		
Agent's Mailing Address:	1031 W. 4th Ave., Ste. 600				
City:	Anchorage	State:	AK	ZIP:	99501

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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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

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):

See Attachment 1

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:

Jill McLeod and Michele Rupp of Dorsey & Whitney LLP - Attorneys for Licensee

Attachment 1
Safeway Inc. Package Store Licenses

License #174
DBA Safeway #2522
Package Store
502 Marine Way
Kodiak, AK

License #2509
DBA Safeway Store #1090
Package Store
2685 Mill Bay Road
Kodiak, AK

License #995
DBA Oaken Keg #2754
Package Store
3627 Airport Way
Fairbanks, AK

License #2912
DBA Oaken Keg #1833
Package Store
313 Meals Avenue
Valdez, AK

License #999
DBA Oaken Keg #3410
Package Store
30 College Road
Fairbanks, AK

License #4162
DBA Oaken Keg #1832
Package Store
90 Sterling Highway
Homer, AK

License #1358
DBA Oaken Keg Spirit Shop #520
Package Store
3101 Penland Parkway
Anchorage, AK

License #4167
DBA Oaken Keg #2628
Package Store
1717 Abbott Rd
Anchorage, AK

License #1845
DBA Oaken Keg #548
Package Store
44428 Sterling Highway
Soldotna, AK

AMCO

DEC 0 1997



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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.

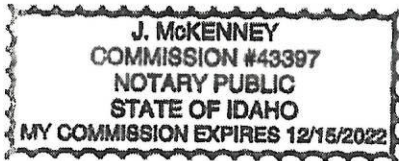
Robert Gordon

Signature of transferor

Carr-Gottstein Foods Co., By ROBERT GORDON

Printed name of transferor

Subscribed and sworn to before me this 19th day of NOVEMBER, 2018.



J. McKenney

Signature of Notary Public

Notary Public in and for the State of Idaho

My commission expires: 12/15/22

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: _____



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

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.

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

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.

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.

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

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.

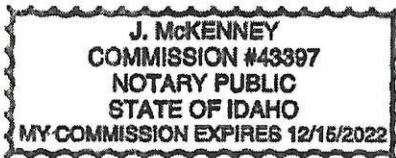
Signature of transferee

[Handwritten Signature]

Safeway Inc. By JAMES DONALD

Printed name

Subscribed and sworn to before me this 11th day of NOVEMBER, 2018.



J. McKenney
Signature of Notary Public

Notary Public in and for the State of Idaho

My commission expires: 12/15/22



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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:	Safeway Inc.	License Number:	795		
License Type:	Package Store				
Doing Business As:	Oaken Keg #0720				
Premises Address:	700 E. Northern Lights Blvd.				
City:	Anchorage	State:	AK	ZIP:	99503



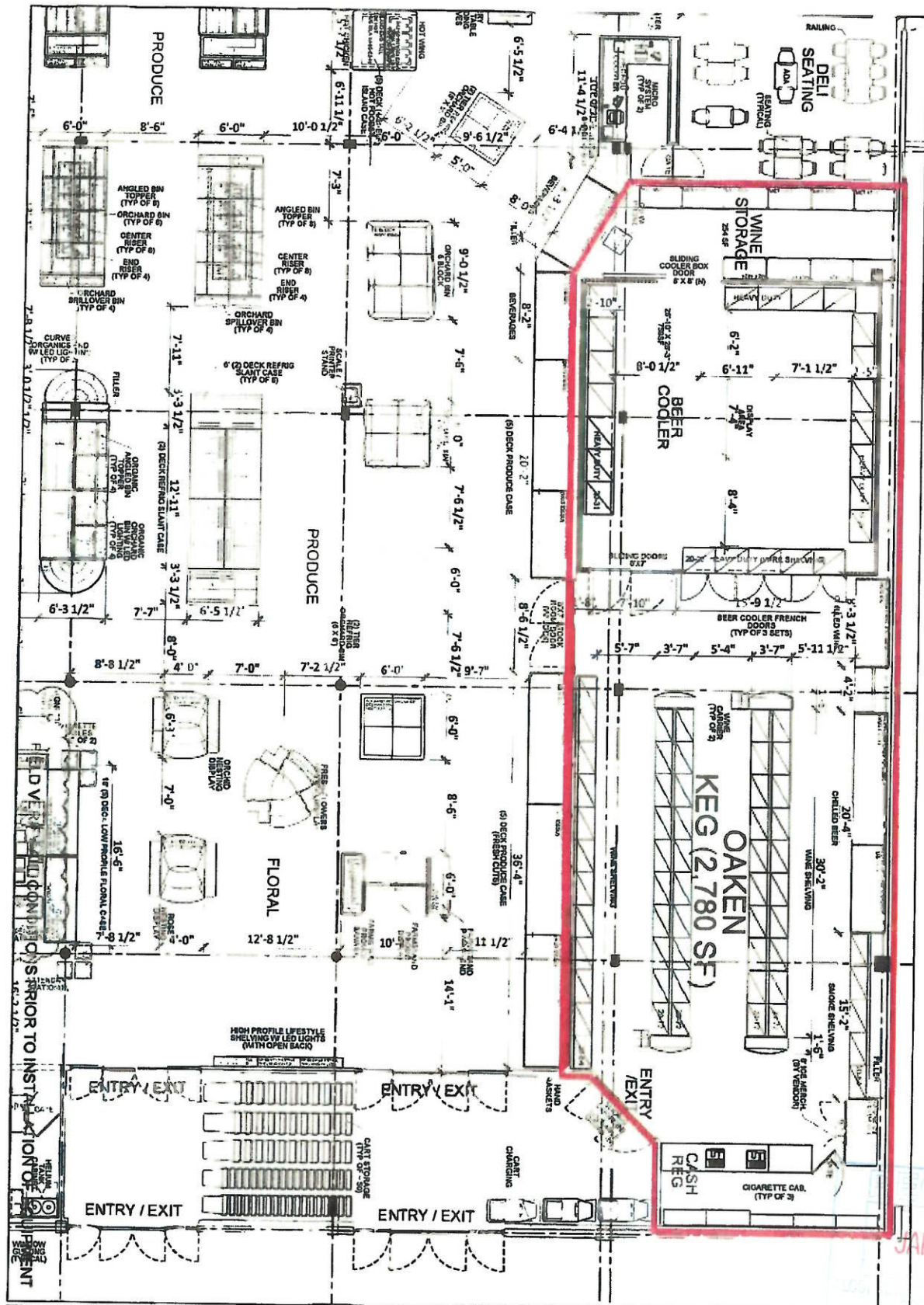
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Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

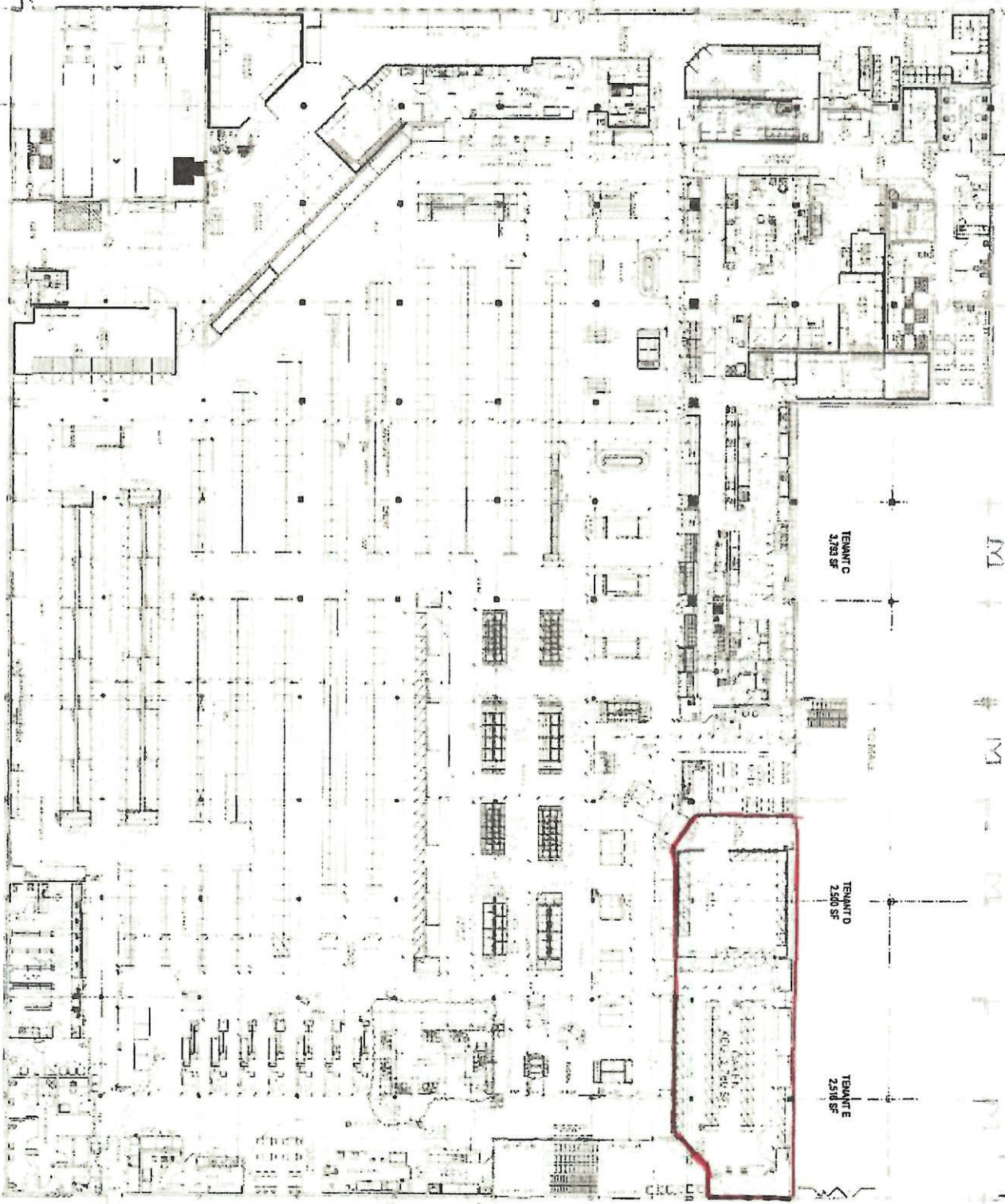


RECEIVED
 JAN 02 2019
 OFFICE

F1.1 SHEET NO.	CARRS SEAR'S MALL 700 E NORTHERN LIGHTS BLVD ANCHORAGE, AK	STORE PLANNER: S.K. LIU ISSUE DATE: 07-30-2018 BUILDING SIZE: 65,643 SF SALESFLOOR SIZE: 42,960 SF DRAWING SCALE: 1/8"=1'-0"	SHEET TITLE: OAKEN KEG FIXTURE PLAN STORE: 27-00720
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MALL

MAIL CONCOURSE (8,796 SF)



RECEIVED
JAN 02 2019

FIELD VERIFY ALL CONDITIONS PRIOR TO INSTALLATION

D
V
I
B
N
O
S
N
E
B

TO STORE

TO MALL

Old Seward Hwy.

CARRS

SEAR'S MALL

100 E NORTHERN LIGHTS BLVD

21-00720

PICTURE
PLAN

F1.1

