



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: September 15, 2022

FROM: Carrie Craig, RLS

RE: LED Ultra Lounge & Grill, LLC
#4531 & #4551

**Statutory &
Regulation
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 04.11.510(b)(1): "if an application is denied, the notice of denial shall be furnished the applicant immediately in writing stating the reason for the denial in clear and concise language; the notice of denial must inform the applicant that the applicant is entitled to an informal conference with either the director or the board, and that, if not satisfied by the informal conference, the applicant is then entitled to a formal hearing conducted by the office of administrative hearings (AS 44.64.010); if the applicant requests a formal hearing, the office of administrative hearings shall adhere to AS 44.62.330 — 44.62.630 (Administrative Procedure Act); all interested persons may be heard at the hearing and unless waived by the applicant and the board, the formal hearing shall be held in the area for which the application is requested"

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)"

3 AAC 304.145(h): "The board may uphold a protest of an application or continued operation with a single abeyance period not to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation is approved when all other applicable requirements have been met. If the local governing body has not notified the board within the period of the abeyance that it has removed the protest, the application or continued operation is denied. The period of abeyance may not be extended or renewed."

AS 04.11.410(a): "A beverage dispensary or package store license may not be issued and the location of an existing license may not be transferred if the licensed premises would be located in a building the public entrance of which is within 200 feet of a school ground or a church building in which religious services are regularly conducted, measured by the shortest pedestrian route from the outer boundaries of the school ground or the public entrance of the church building. However, a license issued before the presence of either cause of restriction within 200 feet of the licensed premises may be renewed or transferred to a person notwithstanding this subsection."

AS 04.11.340(1): “An application requesting approval for the relocation of licensed premises shall be denied if the board finds, after review of all relevant information, that relocation of the license would not be in the best interests of the public”

AS 04.11.360(1) & (4): “An application requesting approval of a transfer of a license to another person under this title shall be denied if (1) the board finds, after review of all relevant information, that transfer of a license to another person would not be in the best interests of the public; (4) the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless (A) the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority; or (B) the transfer is under a promise given as collateral by the transferor to the transferee in the course of an earlier transfer of the license under which promise the transferor is obliged to transfer the license back to the transferee in the event of default in payment for property conveyed as part of the earlier transfer of the license”

Background: AMCO received transfer applications for licenses #4531 and #4551 on November 19, 2021 and were deemed complete on January 19, 2022.

On January 27, 2022, staff received a creditor’s objection from SBV Leasing, LLC in the amount of \$322,720.00.

On January 28, 2022, staff received a creditor’s objection from Trina Johnson in the amount of \$427,090.84.

On March 1, 2022, staff received an objection from the Anchorage School District stating that the new proposed premises in violation AS 04.11.410.

On March 12, 2022, staff received an objection from the Downtown Community Council stating that the new proposed premises in violation AS 04.11.410 and a license in this location is not the public’s best interest to summarize.

On March 19, 2022, staff received a protest from the Municipality of Anchorage due to the Special Land Use Permit application was not completed and issued and the Assembly supports the objections presented by ASD and the Downtown Community Council.

Staff Recommendation: Consider the transfer applications, the various objections and the Municipality’s protest, hold an informal hearing and deny the application with 180-day abeyance period.

Attachment:

Municipality of Anchorage Special Land Use Email

Updated measurement memos from Enforcement

Municipality of Anchorage Protest/Resolution

Downtown Community Council Objection/Resolution

Anchorage School District Letter

AMCO Enforcement Memo

Creditor’s Objection from Trina Johnson

Creditor’s Objection from SBV Leasing LLC

Email Correspondence with Mr. Alexander regarding options

4531 AB-01

AB-02

AB-03

4551 AB-01

AB-02

AB-03

From: [Wilson, Joan M \(CED\)](#)
To: [Craig, Carrie D \(CED\)](#)
Subject: FW: LED & Tri-Grill SLUP/Transfer meetings
Date: Thursday, September 15, 2022 3:55:42 PM

From: Honest, Miranda L. <miranda.honest@anchorageak.gov>
Sent: Thursday, September 15, 2022 3:52 PM
To: Wilson, Joan M (CED) <joan.wilson@alaska.gov>
Subject: LED & Tri-Grill SLUP/Transfer meetings

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Joan,

As we discussed on the phone, below are the meetings held by the Assembly regarding the license transfers or the SLUP for LED/Tri-Grill. I linked the meeting videos.

LICENSES:

3/11/2022 - [Worksession re: Conditional protest, liquor licenses for Tri-Grill, LED Ultra Lounge & Grill](#)

3/15/2022 – [Regular Assembly Meeting:](#)

Resolution No. AR 2022-80, a resolution of the Anchorage Municipal Assembly stating its **conditional protest regarding the Transfer of Ownership and Location of Beverage Dispensary, Liquor License #s 4531 and 4551 for LED Ultra Lounge and Grill, LLC DBA Tri Grill, LED Ultra Lounge & Grill** located at 420 W 3rd Avenue, Anchorage, AK 99501; pending satisfaction of municipal requirements and authorizing the Municipal Clerk to take certain action (Downtown Community Council)

Department: Assembly Chair LaFrance, Assembly Vice-Chair Constant, Public Safety Committee Co-Chairs Perez-Verdia and Kennedy

Memo No. AM:

Introduced: 3-15-2022

P.H. Date: 3-15-2022; CONTINUED TO 3-18-2022 SPECIAL MEETING

Action: **SEE AR 2022-80(S)**

Resolution No. AR 2022-80(S), a resolution of the Anchorage Municipal Assembly stating its conditional protest regarding the Transfer of Ownership and Location of Beverage Dispensary, Liquor License #s 4531 and 4551 for LED Ultra Lounge and Grill, LLC DBA Tri Grill, LED Ultra Lounge & Grill located at 420 W 3rd Avenue, Anchorage, AK 99501; pending satisfaction of municipal requirements and authorizing the Municipal Clerk to take certain action (Downtown Community Council)

Department: Assembly Vice-Chair Constant

Memo No. AM: 184-2022/AIM 49-2022/AIM 58-2022

Introduced: Laid-on-the-Table 3-15-2022

From: Honest, Miranda L.
To: [Craig, Carrie D \(CED\)](#); [Wilson, Joan M \(CED\)](#)
Cc: [Sawyer, Jane Preston \(CED\)](#)
Subject: RE: LED & Tri-Grill SLUP/Transfer meetings
Date: Thursday, September 15, 2022 4:00:48 PM

Here is the info for the 7/12/2022 meeting.

SLUP:

7/12/2022 - [Regular Assembly Meeting:](#)

Resolution No. AR 2022-122, a resolution of the Anchorage Municipal Assembly **approving an alcohol special land use permit for beverage dispensary license number 4531 and duplicate license number 4551 for LED Ultra Lounge and Grill, LLC, DBA Tri Grill, LED Ultra Lounge; in the B-2B (Central Business District, Intermediate)**; located at 420 West 3rd Avenue, within Original Anchorage Townsite, Block 24A, Lot 2A; generally located south of West 3rd Avenue, east of E Street, north of West 4th Avenue, and west of C Street, in Anchorage, (Downtown Community Council) (Case 2022-0033).

Department: Planning Department

Memo No. AM: 226-2022/AIM 61-2022/AIM 116-2022/AIM 122-2022/AIM 123-2022

Introduced: Addendum 4-12-2022

P.H. Date: 4-12-2022

Action: PUBLIC HEARING WAS CLOSED 4-12-2022. ACTION WAS POSTPONED FROM 4-12-2022. NO MOTION PENDING. POSTPONED INDEFINITELY 7-12-2022.

Thank you,
Mandy Honest
Business License Official

From: Craig, Carrie D (CED) <carrie.craig@alaska.gov>
Sent: Thursday, September 15, 2022 3:55 PM
To: Wilson, Joan M (CED) <joan.wilson@alaska.gov>; Honest, Miranda L. <miranda.honest@anchorageak.gov>
Cc: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Subject: RE: LED & Tri-Grill SLUP/Transfer meetings

[EXTERNAL EMAIL]

Will do.

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600

Anchorage, AK 99501
907-269-0350

From: Wilson, Joan M (CED)
Sent: Thursday, September 15, 2022 3:54 PM
To: Honest, Miranda L. <miranda.honest@anchorageak.gov>
Cc: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>; Craig, Carrie D (CED) <carrie.craig@alaska.gov>
Subject: RE: LED & Tri-Grill SLUP/Transfer meetings

Thank you. Jane or Carrier, would you please include this in the material going to the Board?

From: Honest, Miranda L. <miranda.honest@anchorageak.gov>
Sent: Thursday, September 15, 2022 3:52 PM
To: Wilson, Joan M (CED) <joan.wilson@alaska.gov>
Subject: LED & Tri-Grill SLUP/Transfer meetings

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Department: Assembly Vice-Chair Constant
Memo No. AM: 184-2022/AIM 49-2022/AIM 58-2022
Introduced: Laid-on-the-Table 3-15-2022
P.H. Date: 3-15-2022; CONTINUED TO 3-18-2022 SPECIAL MEETING
Action: AMENDED AND APPROVED 3-18-2022 **SEE AIM 58-2022**. CORRECTED TO REFLECT DELETION OF PARAGRAPH 3 FROM ZALETET AMENDMENT 8-31-2022.

3/18/2022 – [Special Assembly Meeting re: AR 2022-80 & 2022-80\(S\) transfer of ownership/location applications for LED Ultra Lounge & Grill, Tri-Grill \(continued from 3/15/2022\)](#)

SLUP

4/12/2022 – [Regular Assembly Meeting:](#)

Resolution No. AR 2022-122, a resolution of the Anchorage Municipal Assembly **approving an alcohol special land use permit for beverage dispensary license number 4531 and duplicate license number 4551 for LED Ultra Lounge and Grill, LLC, DBA Tri Grill, LED Ultra Lounge; in the B-2B (Central Business District, Intermediate);** located at 420 West 3rd Avenue, within Original Anchorage Townsite, Block 24A, Lot 2A; generally located south of West 3rd Avenue, east of E Street, north of West 4th Avenue, and west of C Street, in Anchorage, (Downtown Community Council) (Case 2022-0033).

Department: Planning Department
Memo No. AM: 226-2022/AIM 61-2022/AIM 116-2022/AIM 122-2022/AIM 123-2022
Introduced: Addendum 4-12-2022
P.H. Date: 4-12-2022
Action: PUBLIC HEARING WAS CLOSED 4-12-2022. ACTION WAS POSTPONED FROM 4-12-2022. NO MOTION PENDING. POSTPONED INDEFINITELY 7-12-2022.

On 9/14/2022, Mr. Alexander has submitted an appearance request. It is under review and if approved by the Chair, would be scheduled for 9/27.



Thank you,
Mandy Honest
Business License Official

Municipality of Anchorage
Municipal Clerk's Office
907-343-4316

Messages to and from this email address may be available to the public under Alaska Public Records Law.

P.H. Date: 3-15-2022; CONTINUED TO 3-18-2022 SPECIAL MEETING
Action: AMENDED AND APPROVED 3-18-2022 **SEE AIM 58-2022**. CORRECTED TO
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3/18/2022 – [Special Assembly Meeting re: AR 2022-80 & 2022-80\(S\) transfer of ownership/location applications for LED Ultra Lounge & Grill, Tri-Grill \(continued from 3/15/2022\)](#)

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Municipal Clerk's Office
907-343-4316

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THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce,
Community and Economic
Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501
Main: 907 269 0350

MEMORANDUM

TO: James Hoelscher, Enforcement Supervisor

DATE: Tuesday, July 26th, 2022

FROM: Kendrick Whiteman, Special Investigator 1

A handwritten signature in black ink, appearing to read "K. Whiteman".

RE: LED Ultra Lounge & Grill measurements.

Per your request on Tuesday, July 19, 2022, at approximately 9:15 hours, I traveled to the area of 420 W. 3rd Avenue to get a distance measurement between a new proposed transfer of a liquor license for the LED Ultra Lounge and the Step Up Program, a school operated by the Anchorage School District.

Per AS 04.11.410 and with an exception not applicable here, a beverage dispensary may not be issued and the location of an existing license may not be transferred if the licensed premises would be located in a building the public entrance of which is within 200 feet of a school ground, measured from the outer boundaries of the school ground. Because the school is in a public mall with a shared, public parking lot, AMCO has identified the outer boundary of the school grounds as the main entrance door to the Step-Up program.

I met with potential licensee Robert Alexander who wanted to be there to observe and record the measurements on his mobile phone. The resulting distance, doorway to doorway, was 233.6 feet and as such is not barred by AS 04.11.410. The Step-Up program doorway was the starting point for the measurements submitted in March of 2022.

If the school ground were to be measured from the corner of the Sunshine Mall and not the main entrance to the school, that distance is 168.1 feet.

END OF REPORT



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY


**Department of Commerce,
Community,
and Economic Development**
ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

MEMORANDUM

TO: Director Joan Wilson, AMCO

DATE: Wednesday, August 03, 2022

FROM:  James Hoelscher, Enforcement Supervisor

RE: Measurements "Step Up Program"

I assigned Investigator Whiteman the task on measuring the distance of Tri-Grill's newly placed main entrance to the Sunshine Mall building. I also asked that he measure from the Sunshine Mall's door to Tri-Grill's main entrance.

On 7-19-22, Investigator Whiteman took measurements of the two distances. He did this in the presence of Robert Alexander, owner of Tri-Grill.

Mr. Alexander emailed Investigator Whiteman and cc'd me with concerns regarding protests of other Beverage Dispensaries that had been approved by the board. He cited the Beverage Dispensaries Whisky & Ramen # 2159, Bear Paw #4157 & Tequila 61 #826 all possibly being within 200 feet of the Step-Up Program.

Considering AS 04.11.410(a), I started to review when each license was issued and when the school was established. I was informed that the school was created in 2010-2011 school year and that the program has been at the Sunshine Mall since that date.

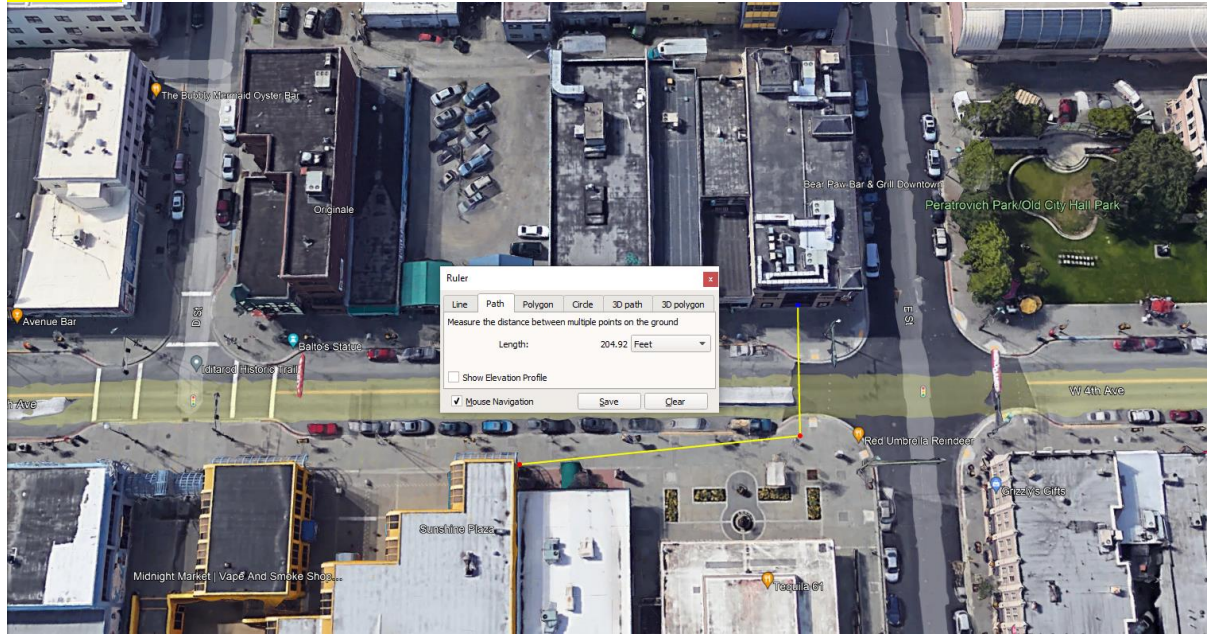
BDL's approved by the board at their current locations:

Bear Paw #4157 – 7/2021

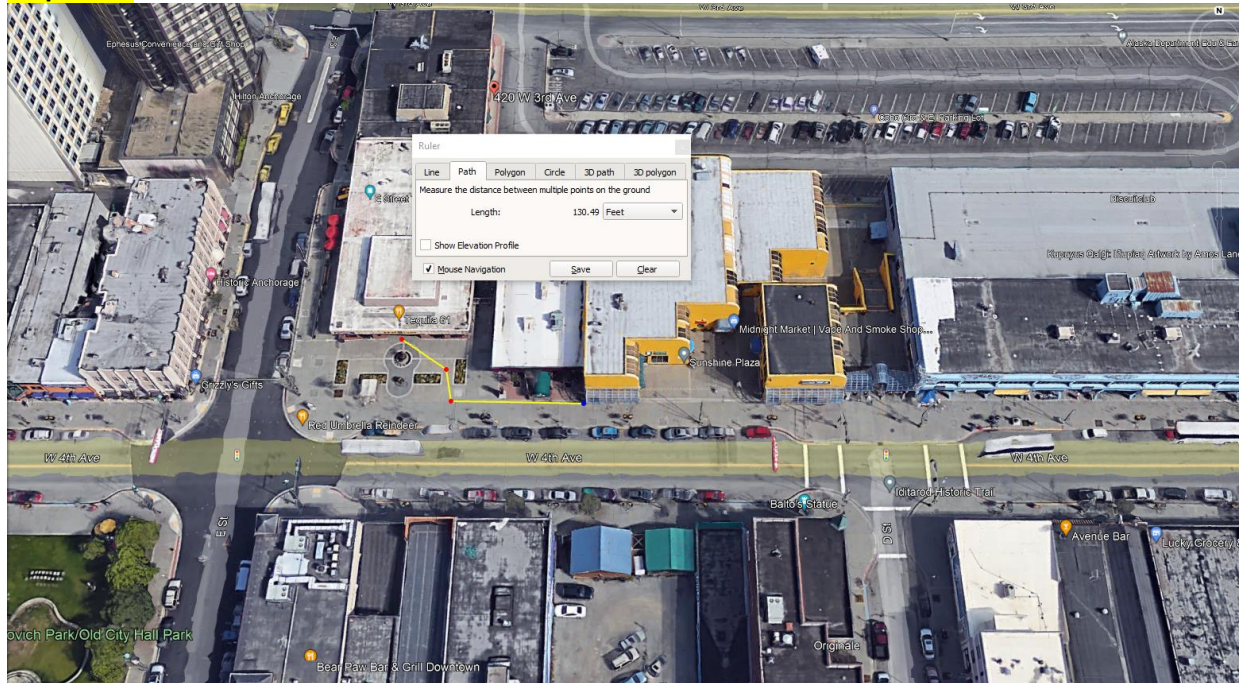
Tequila 61 #826 – 08/2015

Whisky & Ramen # 2159 – 11/2019

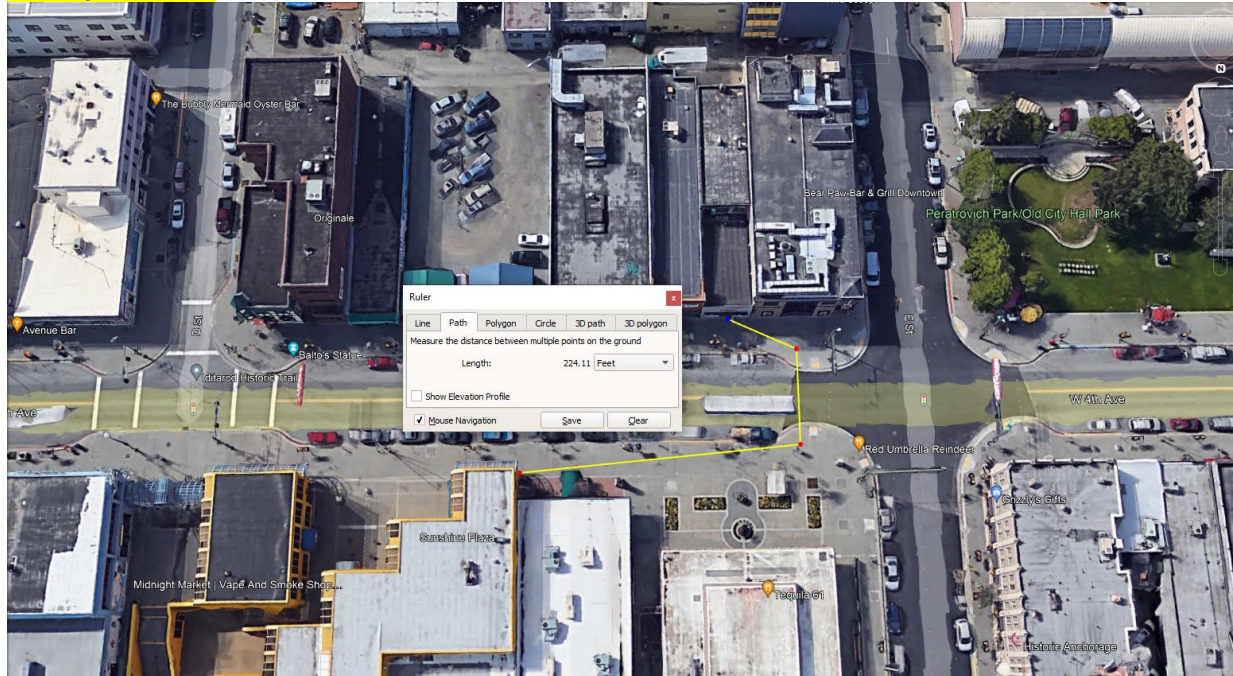
Bear Paw



Tequila 61



Whisky & Ramen



I took several measurements with a GIS mapping tool from the corner of the Sunshine mall to each main entrance of the BDL's, the results were:

Bear Paw #4157 – 204.92 feet

Tequila 61 #826 – 130.49 feet

Whisky & Ramen # 2159 – 224.11 feet

If the Anchorage School District, who objected to this license being transferred, asserts the school ground should be measured from the corner of the Sunshine Mall and not the main entrance to the school, that distance is 168.1 feet. In such a case, Tequila 61, another non-grandfathered beverage dispensary, would also be within 200 feet of the corner of the Sunshine Mall. Specifically, it is 130.49 feet from the corner of the mall. The Anchorage School District did not object to Tequila 61 being issued a license at this location. If measured from door to door, Tequila 61 is also more than 200 feet away from the entrance to the school.

ANCHORAGE, ALASKA
AR No. 2022-80(S)*, As Amended**

1 **A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY REGARDING THE**
2 **STATE OF ALASKA APPLICATIONS FOR THE TRANSFER OF OWNERSHIP AND**
3 **LOCATION OF BEVERAGE DISPENSARY LIQUOR LICENSE, #4531 FOR LED**
4 **ULTRA LOUNGE AND GRILL, LLC DBA TRI GRILL AND BEVERAGE DISPENSARY**
5 **LIQUOR LICENSE, #4551 FOR LED ULTRA LOUNGE AND GRILL, LLC DBA LED**
6 **ULTRA LOUNGE & GRILL LOCATED AT 420 W 3RD AVENUE, ANCHORAGE, AK**
7 **99501; AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

8
9 (Downtown Community Council)

10
11 **WHEREAS**, LED Ultra Lounge & Grill, LLC has made an application with the Alaska
12 Alcohol and Marijuana Control Office (AMCO), for consideration by the Alcoholic Beverage
13 Control (ABC) Board, and has paid the required fee for the transfer of ownership and
14 location of beverage dispensary LL#4531 to be used for Tri Grill; and beverage
15 dispensary LL#4551, to be used for LED Ultra Lounge & Grill, located at 420 W 3rd
16 Avenue, Anchorage, Alaska, 99501; and

17
18 **WHEREAS**, Anchorage Municipal Code (AMC) 2.30.120F. requires the Assembly to act
19 on state liquor license applications by resolution and does not require introduction of the
20 resolution and it is automatically set for public hearing; and

21
22 **WHEREAS**, the Municipal Clerk's Office prepared and submitted AR No. 2022-80,
23 regarding the transfer of ownership and location application for public hearing before the
24 Anchorage Assembly at the regular Assembly meeting of March 15, 2022. The public
25 hearing notice posting as required by Anchorage Municipal Charter Section 10.01(b) and
26 AMC 2.30.060 has been satisfied and is on the Municipal Webpage for Current Public
27 Notices; and

28
29 **WHEREAS**, on March 7, 2022, the Clerk's Office received a letter from Anchorage School
30 District (ASD), through Assembly Vice-Chair Constant, opposing the transfer of LL#4531
31 and LL#4551 citing non-compliance with Alaska Statue 04.11.410; and

32
33 **WHEREAS**, on March 9, 2022, the Downtown Community Council (DTCC) held a special
34 meeting to discuss and deliberate a proposed Council Resolution opposing the transfer
35 of LL#4531 and LL#4551, with supporting documentation including numerous
36 attachments; the signed Council Resolution was provided to the Clerk's Office on
37 March 11, 2022; and

38
39 **WHEREAS**, the Assembly must enter any protest to AMCO within 60 days following
40 receipt of the application; and

* **CLERK'S NOTE:** This S-version is presented as an original and does not show edits
from original AR, legislative drafting markup is not used.

** **CLERK'S NOTE:** This As Amended version does show edits from the S-version of the
AR presented to the Assembly on 3/18/22 and legislative drafting markup is used to
reflect the Assembly's approved amendments on that date. **AMCO Received 3/19/2022**

1
2 **WHEREAS**, the Anchorage Municipal Clerk received a copy of the applications on
3 January 19, 2022 and has determined that the last day for the Assembly to file a protest
4 is March 20, 2022; and
5

6 **WHEREAS**, Anchorage Municipal Code (AMC) 2.30.120 and 3 AAC 304.145(d) require
7 the Assembly to hold a public hearing to provide the applicant an opportunity to defend
8 their application prior to exercising or waiving the right to protest; and
9

10 **WHEREAS**, although Assembly Resolution AR 2022-80 set the public hearing on the
11 protest for March 15, 2022, this resolution – AR 2022-80(S) - sets the public hearing on
12 the protest of the transfer of ownership and location of LL#4531 and LL#4551, for March
13 18, 2022 at a special Assembly meeting; and
14

15 **WHEREAS**, the public hearing notice posting as required by AMC 2.30.060 has been
16 satisfied and is on the Municipal Webpage for Current Public Notices; and
17

18 **WHEREAS**, notice of the proposed resolution and public hearing has been given to the
19 applicant and the Downtown Community Council ten days in advance as required by AMC
20 2.30.120F. and AS 04.21.010(d); and
21

22 **WHEREAS**, the Municipal Clerk reports the following status concerning this location:
23

- 24 1. Any ABC Board violations and/or incidents on file that would lead to an ABC
25 Board violation are attached; and
- 26 2. There are no taxes owing to the Municipality of Anchorage; and
- 27 3. Special land use permit (SLUP) required by AMC 21.03.040C4.a. **has not**
28 **been approved**; and
- 29 4. Certifications from the Anchorage Health Department, the Anchorage Fire
30 Department and Building Safety Official **have been received**; and
31

32 **WHEREAS**, the Assembly has provided the liquor licensee the opportunity to defend the
33 renewal application, has considered the testimony and evidence relevant to this liquor
34 license, and has considered the options of either protesting or waiving protest and
35 requesting the ABC Board impose conditions.
36

37 **NOW, THEREFORE**, the Anchorage Assembly resolves:
38

39 **Section 1.** The Anchorage Assembly finds the applicant and the Downtown
40 Community Council were given notice and a public hearing was properly held March 15,
41 2022 and continued to a special meeting held on March 18, 2022 for purposes stated
42 herein with relevant evidence presented as indicated in the public records maintained by
43 the Municipal Clerk.
44

45 **Section 2.** Per Anchorage Municipal Code section 2.30.125, in the exercise of its
46 powers and under AS 04.11.480 and 3 AAC 304.145 to protest issue, renewal and
47 transfer of alcoholic beverage licenses within the municipality, the assembly **has[shall]**

considered whether the proposed license meets the factors and standards set forth in that section, and those potentially relevant, after~~[pending]~~ the public hearing, to the transfer application for license #4531 and for license #4551 are listed below.

A. After review of the application and all relevant information, the Assembly finds that ~~[(only check items that apply)]:~~

~~☒ **Concentration and land use.** The transfer of location or issuance of the requested license will negatively impact the community through an increase in the concentration of uses involving the sale or service of alcoholic beverages within the area affected and will not conform to the separate standards of section 21.05.020.~~

~~☐ **Training.** The applicant cannot demonstrate prospective or continued compliance with a liquor server awareness training program approved by the state alcoholic beverage control board, such as or similar to the program for techniques in alcohol management (T.A.M.). Until such plan is approved, training by a licensee's employees in the T.A.M. shall constitute compliance with this section. (This subsection is effective December 1, 1985.)~~

~~☒ **Operations procedures.** The applicant cannot demonstrate prospective or continued compliance with operations procedures for licensed premises set forth in section 10.50.035.~~

~~☒ **Public safety.** The operator cannot demonstrate the ability to maintain order and prevent unlawful conduct in licensed premises. For purposes of this section and section 10.50.035 the term "licensed premises" shall include any adjacent area under the control or management of the licensee.~~

~~☐ **Payment of taxes and debts.** Pursuant to AS 4.11.330, the applicant is delinquent in payment of taxes owed to the municipality for the payment of any debts or taxes, including any estimated taxes for the current year arising from the conduct of the licensed business.~~

~~☐ **Public health.** The operator has engaged in a pattern of practices injurious to public health or safety, such as providing alcohol to minors or intoxicated persons, committing serious violations of state law relevant to public health or safety, or other actions within the knowledge and control of the operator which place the public health or safety at risk. The assembly has considered criminal convictions, credible proof of illegal activity even if not prosecuted, police reports, testimony presented before the assembly, written comments submitted prior to or during the public hearing, and other evidence deemed to be reliable and relevant to the purpose of this subsection and this resolution.]~~

1. The SLUP for alcohol as required by AMC 21.03.040C.4.a. has not been approved for the proposed location. The processing of the application by the Planning Department and approval of the SLUP by the Assembly must be completed.

2. The Anchorage School District has provided for the review of the Assembly a letter opposing the transfer of these licenses due to the proximity of the

1 proposed location being within the 200 foot separation from a protected use,
2 as defined in Alaska Statute 04.11.410, the Step Up academic program for
3 disadvantaged students which is operated by the School District. Issuance of
4 this license would be in violation of Alaska Statute 04.11.410. Letter is attached
5 as exhibit A.

- 6 **3.** The Downtown Community Council, as of March 4, has provided for the
7 Assembly to review an unsigned draft of a Council Resolution opposing the
8 transfer of these licenses due to numerous concerns as outlined in exhibit B. It
9 is anticipated that after the special meeting of the Downtown Community
10 Council, on March 9, 2022, the Council will provide for the Assembly review a
11 signed Council Resolution regarding the transfer of these licenses as outlined
12 by exhibit B.

13
14 **Section 3.** Per AMC subsection 2.30.120F., in the exercise of its rights under AS
15 04.11.480(c), based on the evidence and information provided, and based
16 on the findings in Section 2, the Assembly respectfully requests that the
17 Alcoholic Beverage Control Board deny the application for transfer of
18 beverage dispensary liquor licenses #4531 and #4551.

19
20 **Section 4.** The Municipal Clerk shall provide a copy of this Assembly Resolution to
21 AMCO as proof that the Anchorage Assembly, as the local governing body,
22 has stated its **protest** of the transfer of beverage dispensary liquor license,
23 #4531 and beverage dispensary liquor license #4551.

24
25 PASSED AND APPROVED by the Anchorage Assembly this 18 day of March, 2022.

26
27
28
29 _____
Chair

30 ATTEST:

31
32
33 _____
34 Municipal Clerk



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 184-2022

Meeting Date: March 15, 2022

From: ASSEMBLY VICE-CHAIR CONSTANT

Subject: ASSEMBLY RESOLUTION AR 2022-80(S), A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY REGARDING THE STATE OF ALASKA APPLICATIONS FOR THE TRANSFER OF OWNERSHIP AND LOCATION OF BEVERAGE DISPENSARY LIQUOR LICENSE, #4531 FOR LED ULTRA LOUNGE AND GRILL, LLC DBA TRI GRILL AND BEVERAGE DISPENSARY LIQUOR LICENSE, #4551 FOR LED ULTRA LOUNGE AND GRILL, LLC DBA LED ULTRA LOUNGE & GRILL LOCATED AT 420 W 3RD AVENUE, ANCHORAGE, AK 99501; AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

On March 11, 2022, a worksession regarding AR 2022-80, (a conditional protest of the transfer applications) was held by the Assembly to discuss concerns raised by the Anchorage School District and the Downtown Community Council regarding the transfer of beverage dispensary licenses held by Robert Alexander for LED Ultra Lounge and Grill and Tri-Grill.

Proposed AR 2022-80(S) was drafted to protest the application for transfer of ownership and location of the above referenced licenses. This was discussed at the worksession and found that the concerns pertained to the transfer of location only for these licenses. The Assembly has no issue with the transfer of ownership from Mr. Alexander to Mr. Alexander DBA LED Ultra Lounge and Grill, LLC and the Assembly has no objection to the Board allowing for a transfer to a no premises and a transfer of ownership.

Concerns regarding the transfer of the above referenced licenses to the proposed location has been raised to the Assembly and although the Assembly does not wish for the licensee to be denied the ownership transfer, the transfer of location is cause for protest as outlined in AR 2022-80(S) under Section 2.

Upon review of the transfer applications, a protest of the transfer applications is in order due to the following:

1. A special land use permit (SLUP) for alcohol must be approved for the location at which the alcohol licenses will be operated. Although a separate application process, the SLUP and alcohol license applications run parallel and the operation of the licenses must be tied to a specific location with the Assembly's separate approval.
2. Per Alaska Statute (AS) 04.11.410, alcohol licenses may not be located

AMCO Received 3/19/2022

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within 200 feet of a protected use. The Step Up academic program operated by ASD is located within the 200 foot buffer.
3. The Downtown Community Council has provided a Council Resolution which details concerns and non-compliance with Anchorage Municipal Code and Alaska Statute along with public safety concerns as outlined in Exhibit B of AR 2022-80(S).

Prepared by: Mandy Honest, Business License Official, Clerk’s Office
Approved by: Barbara Jones, Municipal Clerk
Concur: Sean Halloran, Municipal Legal Department
Concur: Dean Gates, Assembly Counsel
Respectfully submitted: Christopher Constant, Assembly Vice-Chair
District 1, Downtown Anchorage



Municipality of Anchorage

Assembly Information Memorandum

No. AIM 49-2022

Meeting Date: March 18, 2022

1 **From:** VICE CHAIR CONSTANT

2
3 **Subject:** AR 2022-80(S): A resolution of the Anchorage Municipal
4 Assembly regarding the State of Alaska applications for the transfer of
5 ownership and location of beverage dispensary liquor license, #4531 for LED
6 Ultra Lounge and Grill, LLC DBA Tri-grill and beverage dispensary liquor
7 license, #4551 for LED Ultra Lounge and Grill, LLC DBA LED Ultra Lounge &
8 Grill located at 420 W 3rd Avenue, Anchorage, AK 99501; and authorizing the
9 municipal clerk to take certain action.

10
11
12 For the Assembly's review, a link with additional documents, images and videos was
13 provided by the applicant, LED Ultra Lounge and Grill, LLC, and forwarded to the
14 Assembly and other involved parties and is listed below. This link is available on the
15 Municipal website under the public notice for the Special Meeting.

16
17 <https://drive.google.com/drive/folders/1UIJwEfe5taSoidjiBbX4Fk5zIXIzRtAB>
18
19
20

21 Prepared by: Mandy Honest, Business License Official, Clerk's Office
22 Approved by: Barbara A. Jones, Municipal Clerk
23 Respectfully submitted: Christopher Constant, Assembly Vice-Chair

A RESOLUTION TO OPPOSE THE TRANSFER OF LICENSE OF LED LOUNGE TO THE PROPOSED LOCATION ON 3RD AND E STREET.

(Substitute Version) March 4, 2022

1 **WHEREAS**, the Downtown Community Council (DTCC) is in receipt of applications from the
2 Alcoholic Beverage Control (ABC) Board for transfer of ownership and transfer of location from
3 Robert Alexander to LED Ultra Lounge and Tri Grill LLC (LED) of beverage dispensary license
4 #4531 (Exhibit A) and duplicate licenses #4551 (Exhibit B) to the proposed premise located at
5 420 W 3rd Ave., Anchorage, Alaska; and
6

7 **WHEREAS**, Anchorage Municipal Code (AMC) 2.40.050(e)(1) determines an advisory function of
8 the Downtown Community Council is to receive and review alcohol beverage control board
9 applications; and
10

11 **WHEREAS**, AMC 2.30.120 and Alaska State Statute (AS) 04.11.480 provide the Anchorage
12 Assembly the opportunity to protest a license transfer upon facts that render the particular
13 application objectionable to the local governing body, or may be based on general public policy
14 with a reasonable basis in fact, not contrary to law, and not patently inapplicable to the
15 particular application; and
16

17 **WHEREAS**, the transfer of location from 901 W 6th Ave. to 420 W 3rd Ave. materially changes the
18 environmental conditions in which the business could create a significant impact on the use and
19 enjoyment of adjacent properties by property owners and occupants; and
20

21 **WHEREAS**, the Downtown Community Council and the Municipality of Anchorage face
22 increasing public safety challenges in the downtown business district area of 3rd Ave. and E st.
23 due to the density of residential homeowners and hotel beds; and
24

25 **WHEREAS**, within the most recent 23-year period, the Anchorage Assembly has protested
26 multiple beverage dispensary license transfers based on operators control of noise and placed
27 specific conditions to alleviate noise problems on other locations within close proximity of the
28 proposed premise, due to the densely populated residential units and hotel beds (Exhibit C);
29 and
30

31 **WHEREAS**, AR 2004-010 highlights the mediation between the previous Woodshed Lounge,
32 located at 535 W 3rd Ave, and the Turnagain Arm Homeowners Association in regards to noise
33 levels, agreeing that entertainment would end by 10:00pm each night and after 10:00pm noise
34 levels would not exceed levels allowed under AMC code (Exhibit D); and
35

1 **WHEREAS**, the previous Woodshed Lounge location is now occupied by Matanuska Brewing
2 Downtown Beverage Dispensary license #1244, d.b.a. The Broken Blender, located at 535 W 3rd
3 Ave.; and
4

5 **WHEREAS**, per AR 2019-328 (Exhibit E), due to the history of continual noise complaints from
6 residents in close proximity to the location, The Broken Blender has the same conditional use
7 provision for their deck that prohibits entertainment after 10:00pm each night and has been
8 successful abiding by the noise ordinances, setting the precedent that a bona fide restaurant
9 can operate effectively in the immediate area with minimal complaints; and
10

11 **WHEREAS**, per AR 2012-298(s) (Exhibit F) and AR 2015-1 (Exhibit G) the precedent has been set
12 by both the DTCC and the Anchorage Assembly that the downtown business district requires
13 more careful scrutiny of certain uses to the negative impacts resulting from a similar club
14 profile business that offers recorded music, live music, and patron dancing, open until 2:30am
15 on weeknights, and 3:00am on weekends operating near a residential area; and
16

17 **WHEREAS**, Exhibit A, page 14 and Exhibit B, page 14, the licensee LED Ultra Lounge & Grill, LLC.
18 completed Form AB-03: Restaurant Designation Permit Application for both license #4531 and
19 #4551 and entered hours of operation as "Monday thru Sunday: each day 11 am – 5am; and
20

21 **WHEREAS**, the licensee is in violation of AMC 10.50.010, "Premises licensed under AS 4.11.080
22 for the service and consumption of alcoholic beverages shall be closed for the sale, service and
23 consumption of alcoholic beverages between the hours of 2:30am and 10:00am Monday
24 through Friday, and between the hours of 3:00am and 10:00am on Saturday or Sunday or on a
25 legal holiday recognized by the state under AS 44.12.010, except that the following premises
26 may remain open between the hours of 3:00am and 4:00am on Saturday or Sunday or on a
27 legal holiday recognized by the state under AS 44.12.010 ("bar safety hour"); and
28

29 **WHEREAS**, LED Ultra Lounge and Grill meets the definition of a night club, per AMC
30 21.05.020(8), defined as an enterprise, that, for consideration, provides entertainment to its
31 patrons in the form of floorshows; dance revues; live, recorded, or electronically enhanced
32 music; patron dancing; or performances by live or recorded professional or amateur
33 entertainers. Discotheques, nightclubs, bars, lounges, dance halls, bistros, teen clubs, and any
34 facility that meets the terms of this definition are often, but not exclusively, open during one or
35 more of the hours between 11:00pm and 3:00am; and
36

37 **WHEREAS**, LED has a long standing demonstrated history of events with entertainment
38 between the hours of 11:00pm and 3am, in fact, the majority of previous LED events state that
39 the doors open at 10:00pm, see social media posts and flyers (Exhibit H); and
40

41 **WHEREAS**, Mr. Alexander intends to operate the business the same at the new 420 W 3rd Ave.
42 premise evidenced by his eight caterer's permit applications that were denied for events
43 between October 9 and November 27, 2021, with the same event name "LED opening event"
44 where the permit was "to cater a typical event with both alcohol and food the same as what I

1 have done at location 901 W. 6th Ave for the past 7 years. Approx 200-300 people, 21+ only,
2 between the hours 12:00pm and 3:00am" (Exhibit I); and
3

4 **WHEREAS**, the LED Facebook social media page lists LED Ultra Lounge and Grill 2.0 as a Dance &
5 Night Club with 420 W 3rd Ave. as their premise location (Exhibit J); and
6

7 **WHEREAS**, during the periods 2018-2019 there were numerous documented complaints by the
8 neighbors attributed to the LED operation, located at 901 W 6th Ave., and the community
9 outreach flagged the need for the DTCC Alcohol & Marijuana Committee to conduct a
10 mediation on 7/31/2019 between LED and many surrounding neighbors (Exhibit K); and
11

12 **WHEREAS**, AR No. 2020-103 and AR No. 2020-104 (Exhibit L), during the license renewal period
13 in 2020, objections were raised by the Assembly and property owners due to the impact of
14 operations of LED; and
15

16 **WHEREAS**, the commercial lease agreement between Gallo Limited Partnership and the LED
17 Ultra Lounge & Grill for the location 420 W 3rd Ave. identifies the permitted use of premises as
18 restaurant, bar, and night club (Exhibit M); and
19

20 **WHEREAS**, on 2/24/22 Mr. Alexander submitted an application for administrative permit for an
21 unlicensed nightclub to the Municipality of Anchorage Planning Department/ Land Use (Exhibit
22 N); and
23

24 **WHEREAS**, per AMC 21.05.050D.8 in the description of nightclubs, certain types of enterprises
25 have been determined to produce secondary impacts on surrounding land uses. The impacts
26 include a perceived decline in property values, and an increase in the level of criminal activity,
27 including unlawful sales and use of drugs and consumption of alcoholic beverages, and noise
28 conflicts in the vicinity of these types of enterprises; and
29

30 **WHEREAS**, the Hilton Downtown Anchorage located at 500 W 3rd Ave., with 606 beds, is the
31 number two hotel based on assessed value in Downtown Anchorage and is a major economic
32 driver for the municipal government for both bed tax and property tax, paying \$830,298.53 in
33 property tax 2021, not included in this number is substantial bed tax as well (Exhibit O); and
34

35 **WHEREAS**, the Hilton Downtown Anchorage opposes the transfer of LED to 420 W 3rd Ave
36 (Exhibit P); and
37

38 **WHEREAS**, per AMC 21.05.050ii, Minimum Distance from Certain Uses, "Except for teen
39 nightclubs and underage dances permitted under AMC chapter 10.55, an unlicensed nightclub
40 shall be located so that all portions of the lot on which the unlicensed nightclub is located shall
41 be 300 feet or more from the lot line of property on which is located: (A) A school or
42 instructional service serving any combination of grades kindergarten through 12; (B) A childcare
43 center; (C) Property zoned residential; or (D) TA-zoned property designated as residential in the
44 Turnagain Arm Comprehensive Plan; and

1 **WHEREAS**, the Turnagain Arms Residential Condo Building, located at 525 W 3rd Ave., is
2 occupied as residential property with 69 residential units; and
3

4 **WHEREAS**, the proposed location of 420 W 3rd Ave. is within 300 feet of the Turnagain Arms
5 Residential Condo Building and is in violation of the spirit of AMC 21.05.050ii (Exhibit Q); and
6

7 **WHEREAS**, per AS 04.11.410, Alcoholic beverages restriction of location near churches and
8 schools a) a beverage dispensary or package store license may not be issued and the location of
9 an existing license may not be transferred if the licensed premises would be located in a
10 building the public entrance of which is within 200 feet of a school ground or a church building
11 in which religious services are regularly conducted, measured by the shortest pedestrian route
12 from the outer boundaries of the school ground or the public entrance of the church building;
13 and
14

15 **WHEREAS**, the Anchorage School District Step Up Secondary Alternative school in which classes
16 are regularly conducted is located at 411 W 3rd Ave. (Exhibit R); and
17

18 **WHEREAS**, Exhibit A, page 9 and Exhibit B, page 9, Forms AB-02 the applicant identifies the
19 main public entrance for both applications as the northeast doors opening to the COHO parking
20 lot on W 3rd Ave.; and
21

22 **WHEREAS**, Exhibit N, page 5, the applicant identifies the main public entrance for the nightclub
23 as the northeast doors opening to the COHO parking lot on W 3rd Ave.; and
24

25 **WHEREAS**, in violation of AS 04.11.410, the proposed main entrance, when measured by the
26 shortest pedestrian route from the outer boundary of school ground, is within 200 feet of a
27 school (Exhibit S); and
28

29 **WHEREAS**, in violation of AMC 21.05.050ii, Exhibit S further demonstrates all other entrances
30 and exits of the proposed location of 420 W 3rd Ave. are within 300 feet of a school or
31 instructional service serving any combination of grades kindergarten through 12; and
32

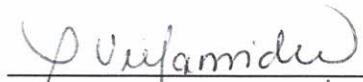
33 **WHEREAS**, per AS 04.11.410, the Anchorage School District (ASD) is officially opposing the
34 transfer of LED to 420 W 3rd Ave. (Exhibit ; and
35

36 **NOW THEREFORE IT BE RESOLVED**, that the Downtown Community Council hereby requests
37 the Assembly to PROTEST the transfer of beverage dispensary licenses #4351 and #4551 to the
38 proposed premise located at 420 W 3rd Ave., Anchorage, Alaska for the following reasons:
39
40

- 41 1. The application violates AS 04.11.410, where the main entrance is within 200 feet of a
42 school boundary and ASD is opposing it.
- 43 2. The application violates AMC 21.05.050ii and creates a special land use conflict, as all
44 entrances and exits are within 300 feet of a school.

3. The application violates the spirit of AMC 21.05.050ii and creates a special land use conflict, as all entrances and exits are within 300 feet of a building occupied as residential property.
4. Based on more than 20 years of history experienced by the Municipality at the proposed location and close vicinity, it has been established that there is a permanent negative impact greater than emancipated from permitted development, on a) pedestrian and vehicular traffic circulation and safety; b) the demand for and availability of public services and facilities; and c) noise and public litter concerns of a nightclub profile.
5. The application presented by LED is inconsistent with State law and Municipal code on numerous counts.

PASSED and APPROVED by the Downtown Community Council this 9th day of March, 2022.


Signed: S. Villamides
Its: President
Downtown Community Council



Anchorage School District

Education Center

5530 E. Northern Lights Blvd. • Anchorage, AK 99504 • 907-742-4000 • www.asdk12.org

February 25, 2022

Alaska Alcoholic Beverage Control Board
550 West Seventh Avenue, Suite 1600
Anchorage, Alaska 99501

To Whom It May Concern,

The Anchorage School District opposes a request to transfer the liquor license of LED Ultra Lounge to a location on or in the immediate vicinity of Third Avenue and E Street in Anchorage due to its proximity to the District's Step Up academic program for disadvantaged students. Step Up operates within the Sunshine Mall located at 411 West Fourth Avenue. The District respectfully requests the Alaska Alcoholic Beverage Control Board disapprove the license transfer request.

The District believes the proposed, new location for the LED Ultra Lounge is within 200 feet of the Step Up program as defined in Alaska Statute 04.11.410 and is in violation of the statute. As is stated in the statute:

"A beverage dispensary or package store license may not be issued and the location of an existing license may not be transferred if the licensed premises would be located in a building the public entrance of which is within 200 feet of a school ground or a church building in which religious services are regularly conducted, measured by the shortest pedestrian route from the outer boundaries of the school ground or the public entrance of the church building..."

Thank you for your consideration of this request.

Respectfully,

Thomas J. Roth
Chief Operating Officer
Anchorage School District



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

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

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, Alaska 99501
Main: 907.269.0350

MEMORANDUM

TO: James Hoelscher, Enforcement Supervisor

DATE: Wednesday, March 16, 2022

FROM: Kendrick Whiteman, Special Investigator 1

RE: LED Ultra Lounge & Grill measurements.

A handwritten signature in black ink, appearing to read "KWhiteman".

Per your request on Thursday, March 10th 2022, at approximately 10:30 hours, Criminal Justice Technician Jason Davies and I traveled to the area of 420 W. 3rd Avenue to get a distance measurement between a new proposed transfer of a liquor license for the LED Ultra Lounge and a property operated by the Anchorage School District's Step Up program.

Per AS 04.11.410. Restriction of location near churches and schools, the distance was measured by the shortest pedestrian route from the outer boundaries of the school ground to the entrance of the proposed premises. The outer boundary of the school grounds was identified as the main entrance to the mall in which the school is housed.

This distance was 193 feet from the entrance of 420 W. 3rd to the entrance to the Step Up program. This being the shortest pedestrian route, using the restrictions listed in AS 04.11.410.

As a standard practice, Enforcement took several measurements, four other different measurements were taken between 420 and 411 W. 3rd Avenue, with the longest being 324 feet from the entrance to proposed liquor license to the entrance to the Step up program.

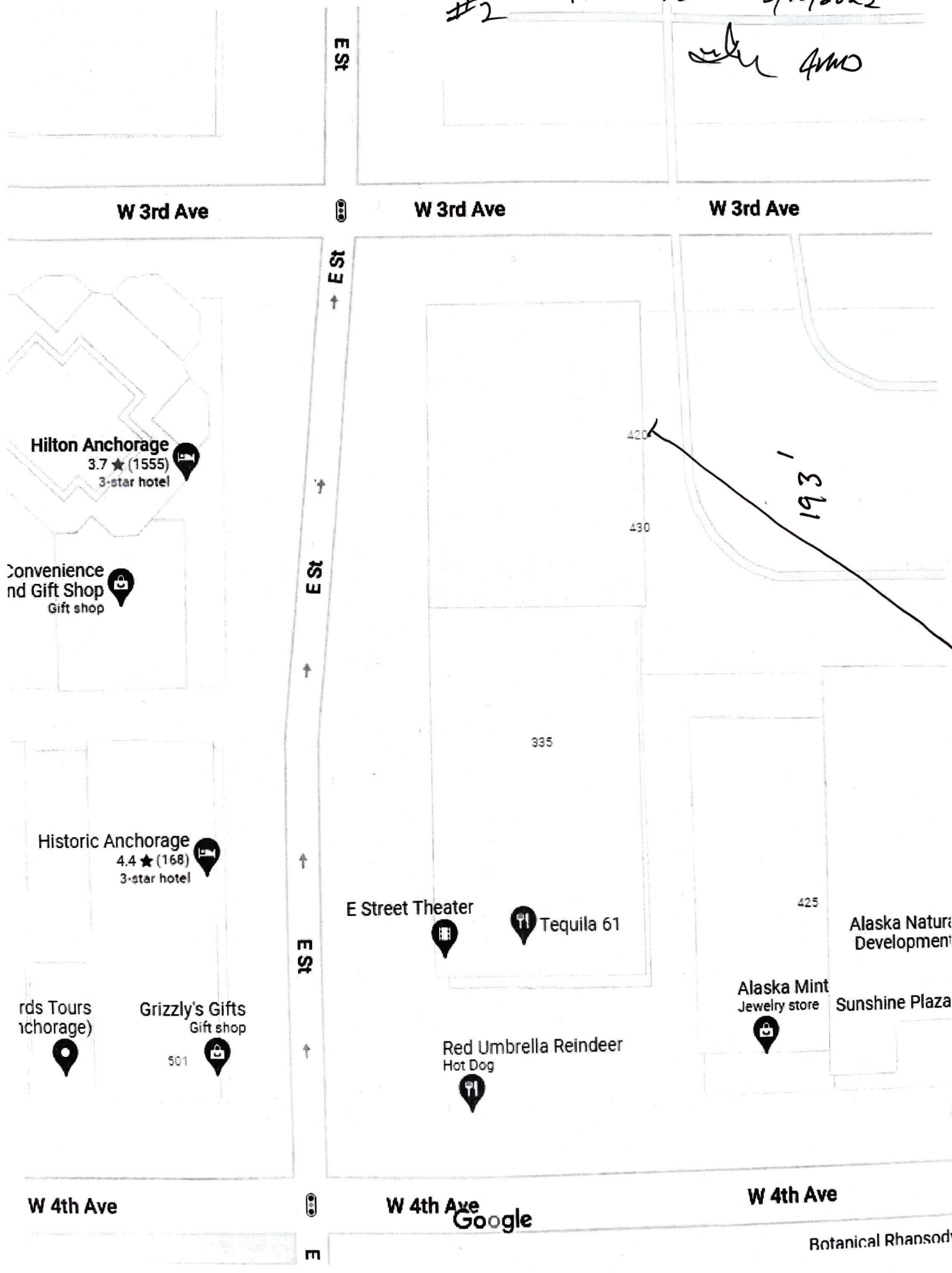
I have attached the diagrams with measurements.

#2

10:35 am

3/10/2022

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#1

W 4m

3/10/2012

10:33 am

247' Total

420

430

149'

335

#3

10:41 AM

3/10/2022

QMO

W 3rd Ave

W 3rd Ave

W 3rd Ave

Est

Est

Est

Est

E

Benson Hill?

420

430

193' Total

149'

335

425

Alaska Natural Development

Sunshine Plaza

Alaska Mint Jewelry store

Red Umbrella Reindeer Hot Dog

Tequila 61

E Street Theater

Grizzly's Gifts Gift shop

501

Arctic Tours (Anchorage)

Historic Anchorage 4.4 ★ (168) 3-star hotel

Convenience and Gift Shop Gift shop

Hilton Anchorage 3.7 ★ (1555) 3-star hotel

W 4th Ave

W 4th Ave

W 4th Ave

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#4
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2/10/2022

10:45 AM -

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W 3rd Ave

W 3rd Ave

W 3rd Ave

Hilton Anchorage
3.7 ★ (1555)
3-star hotel

Convenience
and Gift Shop
Gift shop

Historic Anchorage
4.4 ★ (168)
3-star hotel

Arctic Tours
(Anchorage)

Grizzly's Gifts
Gift shop

501

E Street Theater

Tequila 61

Red Umbrella Reindeer
Hot Dog

Alaska Mint
Jewelry store

Sunshine Plaza

Alaska Natural
Development

425

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3/10/2022

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W 3rd Ave

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Hilton Anchorage
3.7 ★ (1555)
3-star hotel

Convenience
and Gift Shop
Gift shop

Historic Anchorage
4.4 ★ (168)
3-star hotel

Guided Tours
(Anchorage)

Grizzly's Gifts
Gift shop

501

E Street Theater

Tequila 61

Red Umbrella Reindeer
Hot Dog

425

Alaska Mint
Jewelry store

Sunshine Plaza

Alaska Natural
Development

W 4th Ave

W 4th Ave
Google

W 4th Ave

Botanical Rhansodh

420

430

324'

335







THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

January 19, 2022

La Mexicana, Inc.
trina@mac.com

License Number:	4531
License Type:	Beverage Dispensary
Transferor:	Robert Alexander
Transferor Doing Business As:	Tri Grill

☒ Transfer of Ownership Application

☐ Transfer of Controlling Interest

AS 04.11.360(4) requires that the board deny an application for transfer of a license to another person if the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority. Our records indicate that you are listed as a creditor or taxing authority for the above license.

We have received an application for transfer of ownership for the above liquor license. For the purposes of AS 04.11.360(4) and in compliance with AS 04.11.280(b), this letter serves to provide written notice and request for status from the above referenced entity regarding the above application (see attached application documents for more information).

Please complete and return this form to the AMCO office at alcohol.licensing@alaska.gov.

NAME: Trina Johnson

PHONE: (907) 952-3406

Do you have an objection to the transfer of this license?

☒ Yes ☐ No

AMOUNT OWED: \$420,090.84

DATE: 1/28/2022

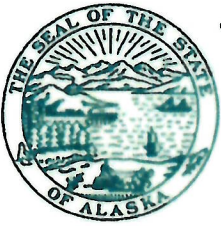
COMMENTS: See attached secured note plus \$7,000 in unpaid Enstar billing, if paid no objection

If you have any questions, please send them to alcohol.licensing@alaska.gov.

Sincerely,

Glen Klinkhart
Director, ABC Board

AMCO RECEIVED 1/28/22



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

January 19, 2022

La Mexicana, Inc.
trina@mac.com

License Number:	4551
License Type:	Beverage Dispensary - Duplicate
Transferor:	Robert Alexander
Transferor Doing Business As:	LED Ultra lounge & Grill

☒ Transfer of Ownership Application

☐ Transfer of Controlling Interest

AS 04.11.360(4) requires that the board deny an application for transfer of a license to another person if the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority. Our records indicate that you are listed as a creditor or taxing authority for the above license.

We have received an application for transfer of ownership for the above liquor license. For the purposes of AS 04.11.360(4) and in compliance with AS 04.11.280(b), this letter serves to provide written notice and request for status from the above referenced entity regarding the above application (see attached application documents for more information).

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PHONE: (907) 952-3406

Do you have an objection to the transfer of this license?

☒ Yes ☐ No

AMOUNT OWED: \$420,090.84

DATE: 1/28/2022

COMMENTS: See attached secured note plus \$?,000 in unpaid Enstar billing, if paid no objection

If you have any questions, please send them to alcohol.licensing@alaska.gov.

Sincerely,

Glen Klinkhart
Director, ABC Board

AMCO RECEIVED 1/28/22



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: April 6, 2022

FROM: Carrie Craig, RLS

RE: LED Ultra Lounge & Grill, LLC
#4531 & #4551

**Statutory &
Regulation
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 04.11.510(b)(1): "if an application is denied, the notice of denial shall be furnished the applicant immediately in writing stating the reason for the denial in clear and concise language; the notice of denial must inform the applicant that the applicant is entitled to an informal conference with either the director or the board, and that, if not satisfied by the informal conference, the applicant is then entitled to a formal hearing conducted by the office of administrative hearings (AS 44.64.010); if the applicant requests a formal hearing, the office of administrative hearings shall adhere to AS 44.62.330 — 44.62.630 (Administrative Procedure Act); all interested persons may be heard at the hearing and unless waived by the applicant and the board, the formal hearing shall be held in the area for which the application is requested"

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)"

3 AAC 304.145(h): "The board may uphold a protest of an application or continued operation with a single abeyance period not to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation is approved when all other applicable requirements have been met. If the local governing body has not notified the board within the period of the abeyance that it has removed the protest, the application or continued operation is denied. The period of abeyance may not be extended or renewed."

AS 04.11.410(a): "A beverage dispensary or package store license may not be issued and the location of an existing license may not be transferred if the licensed premises would be located in a building the public entrance of which is within 200 feet of a school ground or a church building in which religious services are regularly conducted, measured by the shortest pedestrian route from the outer boundaries of the school ground or the public entrance of the church building. However, a license issued before the presence of either cause of restriction within 200 feet of the licensed premises may be renewed or transferred to a person notwithstanding this subsection."

AS 04.11.340(1): “An application requesting approval for the relocation of licensed premises shall be denied if the board finds, after review of all relevant information, that relocation of the license would not be in the best interests of the public”

AS 04.11.360(1) & (4): “An application requesting approval of a transfer of a license to another person under this title shall be denied if (1) the board finds, after review of all relevant information, that transfer of a license to another person would not be in the best interests of the public; (4) the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless (A) the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority; or (B) the transfer is under a promise given as collateral by the transferor to the transferee in the course of an earlier transfer of the license under which promise the transferor is obliged to transfer the license back to the transferee in the event of default in payment for property conveyed as part of the earlier transfer of the license”

Background: AMCO received transfer applications for licenses #4531 and #4551 on November 19, 2021 and were deemed complete on January 19, 2022.

On January 27, 2022, staff received a creditor’s objection from SBV Leasing, LLC in the amount of \$322,720.00.

On January 28, 2022, staff received a creditor’s objection from Trina Johnson in the amount of \$427,090.84.

On March 1, 2022, staff received an objection from the Anchorage School District stating that the new proposed premises in violation AS 04.11.410.

On March 12, 2022, staff received an objection from the Downtown Community Council stating that the new proposed premises in violation AS 04.11.410 and a license in this location is not the public’s best interest to summarize.

On March 19, 2022, staff received a protest from the Municipality of Anchorage due to the Special Land Use Permit application was not completed and issued and the Assembly supports the objections presented by ASD and the Downtown Community Council.

Staff Recommendation: Consider the transfer applications, the various objections and the Municipality’s protest, hold an informal hearing and deny the application with 180-day abeyance period.

Attachment:

Municipality of Anchorage Protest/Resolution, pages 1-7

Downtown Community Council Objection/Resolution, pages 8-12

Anchorage School District Letter, page 13

AMCO Enforcement Memo, pages 14-25

Creditor’s Objection from Trina Johnson, pages 26-34

Creditor’s Objection from SBV Leasing LLC, pages 35-44

Email Correspondence with Mr. Alexander regarding options, pages 45-50

4531 AB-01, pages 51-57

AB-02, pages 58-60

AB-03, pages 61-66

4551 AB-01, pages 67-73

AB-02, pages 74-76

AB-03, pages 77-82

1-1-22

PROMISSORY NOTE MODIFICATION
AND INVOLUTARY RE-TRANSFER AND FORECLOSURE FORBEARANCE
AGREEMENT

THIS PROMISSORY NOTE MODIFICATION AND INVOLUNTARY RETRANSFER AND FORECLOSURE FORBEARANCE AGREEMENT (herein after "Modified Note") is made and entered into on September 26, 2021, by and among ROBERT ALEXANDER, individually, ("Borrower") and LA MEXICANA, INC., an Alaskan corporation, ("Lender") as follows:

WHEREAS, Lender agreed to lend to Borrower an amount of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) ("Loan"), which Loan was evidenced by a certain Promissory Note dated February 24th, 2015 in the face amount of Two Hundred Thousand and 00/100 Dollars (\$200,000.00) (as extended, amended or otherwise modified to date, the "Note"), and the debt evidenced by said note was secured by that of a Security Agreement which included as security goods, equipment, inventory, general tangibles, located at Borrower's place of business then located at 901 West 6th Avenue, Anchorage, Alaska 99501, including that certain full Beverage Dispensary Liquor License, No.: 4531, ("Liquor License") which security interest was perfected by recording of a UCC 1 Financing statements in the Alaska Central UCC filing at recordation numbers 2015-002912-8, and 2020-006713-1, which UCC1s list the collateral securing the loan obligation, ("Collateral");

WHEREAS, Borrower also secured his obligation to pay his obligation under that Lease Agreement ("Lease") wherein he leased Lender's building located at 901 West 6th Avenue, Anchorage, Alaska 99501 with the above referenced Collateral;

WHEREAS, Borrower is in default of the terms and conditions of the Note and the Lease, with an agreed total amount due and owing of **\$361,732.00**, which amount already accounts for \$50,000.00 security deposit which Borrower has on deposit with Lender, and which the parties agree shall be forfeited to Lender, and Lender anticipated to commence an involuntary

retransfer of the liquor license and foreclosure of the remaining collateral and seek a deficiency judgment as against Borrower;

WHEREAS the parties hereto desire to mutually terminate the aforementioned lease, and modify the Note as hereinafter provided, provide for monthly installments and delay any involuntary re-transfer of the liquor license and foreclosure on the remaining Collateral and in seeking any deficiency judgment provided Borrower is in compliance with the terms and conditions of this Loan Modification;

NOW, THEREFORE, in consideration of the foregoing promises and the covenants contained herein, the parties hereto agree as follows:

1. **Forfeit of Security Deposit and Liability of Borrower.** Borrower hereby forfeits any interest he may have in that certain security deposit in the amount of \$50,000.00 and further hereby ratifies and reconfirms Borrower's obligations and all liability to Lender under the terms and conditions of the Note and amounts due on the lease, after credit for the security deposit, in the total amount of \$361,732.00, and acknowledges that Borrower has no defenses to or rights of set-off against Borrower's obligations and all liability to Lender thereunder. Borrower further acknowledges that Lender has performed all of Lender's obligations under the Loan Documents.
2. **Down Payment and Modified Note Amount Due.** Borrower agrees to make a down payment of \$150,000.00, in the form of a cashier's check, at time of execution of this agreement, and the parties agree that the remaining amount due on this Modified Note is \$211,732.00.
3. **Modified Payments Structure and Terms.**
 - (a) The note is hereby modified to the new net amount due of \$211,732.00 as set forth above and shall bear interest at Five Percent (5%) per annum, with interest to begin accruing on the 1st day of September, 2021, and Borrower shall pay to Lender equal monthly installment payments of \$3,995.00 per month, commencing on the 15th of December 2021, and continuing on the Fifteenth of each month

thereafter until November 15, 2026, ("Due Date") at which time all unpaid principal and accrued interest shall be due and payment. If any installment is not paid when due, the remaining unpaid balance and accrued interest shall become due immediately at the option of the Lender. However, Borrower shall have Thirty (30) days within which to cure any late payment before the Lender may declare the Modified Note as accelerated and due in full, and so long as Borrower cures the late payment (to include any applicable late fee) within that Thirty (30) days, the Lender not may foreclosure on any security and the Lender may not seek to involuntarily seek to retransfer the Liquor License with AMCO.

(b) The Borrower waives presentment for payment, protest, and notice of protest and nonpayment of this Modified Note.

(c) If this Modified Note is not paid by Due Date, or if an installment is not paid when due, the Borrower promises to pay all costs of collection, including reasonable attorney fees, whether or not a lawsuit is commenced as part of the collection process.

(d) The Borrower reserves the right to prepay this Note in whole or in part prior to the Due Date with no prepayment penalty.

(e) If any of the following events of default occur, this Note and any other obligations of the Borrower to the Lender, shall become due immediately, without demand or notice: (1) failure of the Borrower to pay the principal and any accrued interest in full on or before the Due Date; (2) filing of a voluntary bankruptcy by the Borrower or an involuntary bankruptcy against the Borrower; (3) application for the appointment of a receiver for making of a general assignment for the benefit of creditors by, or insolvency of Borrower; (4) misrepresentation by the Borrower to the Lender for the purpose of obtaining or extending credit; (5) sale, transfer, assignment, except in the ordinary course of business, or any other disposition of any assets pledged as security for the payment of this Modified Note; or (6) the occurrence of any default in any security

agreement which secures this Modified Note.

(f) This Modified Note continues to be secured by that certain SECURITY AGREEMENT, dated February 24, 2015, but the Lender is not required to first take action as against the security, and may proceed as against the Borrower personally in the event of a default on the Modified Note.

(g) No renewal or extension of this Modified Note, delay in enforcing any right of Lender under this Note, or assignment by Lender of this Note shall affect the liability of the Borrower. All rights of the Lender under this Modified Note are cumulative and may be exercised concurrently or consecutively at the Lender's option.

(h) Borrower also understands that he will be responsible for a late fee of \$500.00 for any payment is made after the 25th of each month, and shall be responsible for any and all fees associated with an escrow set up at First National Bank of Alaska or other escrow company selected by the parties

(i) This Modified Note shall continue to be construed in accordance with the laws of the State of Alaska.

(j) If any one or more of the provisions of this Modified Note are deemed to be unenforceable, in whole or in part, for any reason, the remaining provisions shall remain fully operational.

(k) All payments of the principal and interest on this Note shall be paid in the legal currency of the United States.

(l) In consideration for the timely payment of the monthly installments as set forth above, Lender agrees that any involuntary retransfer of the liquor license will be delayed so long as the Borrower is not in default, and Lender further agrees there will be no foreclosure and sale of the remaining Collateral nor will any action be taken against Borrower for any deficiency judgment.

(m) In the event of a default of any of the terms and conditions of this

Modified Note Agreement, Borrower shall have 30 days to arrange a sale of the Liquor License before Lender initiates the involuntary re-transfer process with the AMCO Board, however, Borrower and any potential buyer of the Liquor License shall provide proof of funds to Lender within seven (7) days of execution of Purchase and Sale Agreement, and said funds must be deposited into escrow at First National Bank of Alaska, and Lender must be cashed out of the amount due to Lender within 90 days. Interest shall continue to accrue until note is paid in full and terms are satisfied.

4. **Ratification of Loan Documents.** The Note and Lease, although terminated by entering in this agreement and tendering the \$150,000.00 down payment, in the form of a cashier's check, are in all respects ratified and confirmed by the parties hereto and incorporated by reference. The original Note and Lease Documents and this Modification shall be read, taken and construed as one and the same instrument. Capitalized terms used herein and not otherwise defined shall have the meanings given to them in the Note, and the Lender reserves all rights and remedies contained in the Note, as modified herein. The statements made in the above recitals are incorporated by reference herein as though fully set forth. In the event of any conflict between the terms and provisions of this Modification and the terms and provisions of the Note, the terms and provisions of this Modified Note shall control.

5. **Mutual Termination of Lease** Provided Borrower: (1) leaves the premises in proper shape, less reasonable wear and tear; (2) pays all utilities due on Leased Property up to date of vacating; and (3) pays all pro rata property taxes due as of date of vacating the Leased property, then Borrower and Lender agree the Lease and, all obligations regarding said Lease shall terminate upon Borrower vacating the Leased Property, which will occur no later than the 30 day of September, 2021. If Borrower fails to pay the utility bills or his share of the property taxes, and Lender is required to pay same, those amounts paid by Lender for Borrower's utility bills or property taxes shall

be added to the principle amount due on the Modified Note, and Borrower shall also be assessed an additional \$500.00 which shall be added to the principle amount due on the Modified Note.

6. **Execution:** The parties represent the individuals executing this Loan Modification are empowered to act on behalf of themselves and the companies they represent. It is further agreed that this Loan Modification may be signed in two or more counterparts, all of which together will constitute one and the same document. The exchange of copies of this Loan Modification and of signature pages by facsimile transmission or by any other electronic means may be used in lieu of the original Loan Modification for all purposes. Signatures of the Parties transmitted by facsimile or electronic means shall be deemed to be their original signatures for all purposes.

IN WITNESS WHEREOF, the undersigned have caused this Loan Modification to be executed as of the day and year first above written.

Lender:

La Mexicana, Inc.

By: Trina Johnson

Its: President

9/26/21
Dated

Borrower:

ROBERT ALEXANDER

Robert Alexander
Robert Alexander

9/26/21
Dated

Button, Colleen R (CED)

From: Pennelopy Lawson <accounting@akdltlaw.com>
Sent: Friday, January 28, 2022 9:49 AM
To: Alcohol Licensing, CED ABC (CED sponsored)
Cc: Darryl Thompson
Subject: Re: License # 4531 and # 4551
Attachments: #4551 Creditor Letter LaMexicana.pdf; #4531 Creditor Letter LaMexicana.pdf; Executed Modified Note Agreement.pdf

Categories: Colleen

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear AMCO,

Please see the attached responses to Robert Alexander's transfer of ownership applications # 4531 and # 4551. Mr. Alexander owes our client, Trina Johnson of La Mexicana \$218,623.57, which includes the balance of the secured note as well as \$7,000 unpaid Enstar billing. If Mr. Alexander pays the balance, our client will not object to the transfer.

Thank you,

Pennelopy Lawson, Paralegal

Thompson Law Group
880 N STREET, SUITE 101, ANCHORAGE, ALASKA 99501
T: 907-272-9322 | F: 907-277-1373



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

January 19, 2022

Landye Bennett Blumstein LLP
701 W 8th Avenue #1100 Anchorage, AK 99501

License Number:	4531
License Type:	Beverage Dispensary
Transferor:	Robert Alexander
Transferor Doing Business As:	Tri Grill

☒ Transfer of Ownership Application

☐ Transfer of Controlling Interest

AS 04.11.360(4) requires that the board deny an application for transfer of a license to another person if the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority. Our records indicate that you are listed as a creditor or taxing authority for the above license.

We have received an application for transfer of ownership for the above liquor license. For the purposes of AS 04.11.360(4) and in compliance with AS 04.11.280(b), this letter serves to provide written notice and request for status from the above referenced entity regarding the above application (see attached application documents for more information).

Please complete and return this form to the AMCO office at alcohol.licensing@alaska.gov.

NAME: Michelle Boutin, Attorney
for SBV Leasing, LLC

PHONE: 907-868-9227

Do you have an objection to the transfer of this license?

☒ Yes ☐ No

AMOUNT OWED: \$263,065.32 322,720.00

DATE: 1-27-2022

COMMENTS: See letter and Judgment attached

If you have any questions, please send them to alcohol.licensing@alaska.gov.

Sincerely,

Glen Klinkhart
Director, ABC Board

AMCO RECEIVED 1/27/22



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

January 19, 2022

Landye Bennett Blumstein LLP
701 W 8th Avenue #1100 Anchorage, AK 99501

License Number:	4551
License Type:	Beverage Dispensary - Duplicate
Transferor:	Robert Alexander
Transferor Doing Business As:	LED Ultra Lounge & Grill

☒ Transfer of Ownership Application

☐ Transfer of Controlling Interest

AS 04.11.360(4) requires that the board deny an application for transfer of a license to another person if the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority. Our records indicate that you are listed as a creditor or taxing authority for the above license.

We have received an application for transfer of ownership for the above liquor license. For the purposes of AS 04.11.360(4) and in compliance with AS 04.11.280(b), this letter serves to provide written notice and request for status from the above referenced entity regarding the above application (see attached application documents for more information).

Please complete and return this form to the AMCO office at alcohol.licensing@alaska.gov.

NAME: Michelle Boutin, Attorney
for SBU Leasing, LLC

PHONE: 907-868-9227

Do you have an objection to the transfer of this license?

☒ Yes ☐ No

AMOUNT OWED: \$263,065.32

DATE: 1-27-2022

COMMENTS: see letter and judgment attached

If you have any questions, please send them to alcohol.licensing@alaska.gov.

Sincerely,

Glen Klinkhart
Director, ABC Board

AMCO RECEIVED 1/27/22

July 30, 2021
hand-delivered

Alcohol & Marijuana Control Office
Department of Commerce, Community, and Economic Development
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501

**Re: LICENSE NO. 4531 AND ASSERTION OF A "HOLD" FOR MONIES
OWING TO CREDITOR LANDLORD**

Tri-Grill, now associated with property at 901 W. 6th Avenue, Anchorage 99501
Our File No. 15867-001

Dear ABC Board:

I am the attorney for SBV Leasing, LLC ("SBV Leasing"), owner of the real property located at 1041 E. 76th Avenue. Robert Alexander ("Alexander") operated beverage dispensary license number 4531 at that location. Current records of the ABC Board indicate the service location to be 901 W. 6th Avenue. Alexander entered into a lease of the Tri-Grill space with my client on July 8, 2014, and entered into a first amendment to lease of Bingo South at the same location also on July 8, 2014. Alexander defaulted on his obligation to pay rent for the location where the liquor license was operated. A suit was commenced for collection of the rent on November 14, 2018, *SBV Leasing, LLC, by and through its property manager GTK Commercial Real Estate, LLC vs. Robert B. Alexander and Chu Cha Kim, individually*, Case No. 3AN-18-10455CI.

Alexander owes rent to SBV Leasing in the amount of \$5,088.38 principal, plus interest to date in the amount of \$2,064.92 (computed at the rate of 15% per annum from and after November 14, 2018, to present date) for a total of \$7,153.30 on the Tri-Grill lease, and Alexander owes \$204,842.48 principal, plus interest to date in the amount of \$58,222.84 (computed at the rate of 10.5% per annum from and after November 14, 2018, to present date) for a total of \$263,065.32 on the Bingo South lease. These sums are due and outstanding and have not been paid.



Please accept this letter and assertion of a hold on beverage dispensary license number 4531 for all sums due by Robert Alexander to SBV Leasing, in the amounts shown above. Interest, costs and fees are ongoing. I can be contacted at (907) 868-9227 or at the address noted below.

Very truly yours,

LANDYE BENNETT BLUMSTEIN LLP



Michelle L. Boutin

A
L
A
S
K
A

2021-061288-0

Recording Dist: 301 - Anchorage

11/10/2021 03:22 PM Pages: 1 of 6



**RECORD IN THE ANCHORAGE RECORDING DISTRICT
AFTER RECORDING RETURN TO:**

**LANDYE BENNETT BLUMSTEIN LLP
ATTN: MICHELLE L. BOUTIN
701 W. 8th AVE., STE. 1100
ANCHORAGE, AK 99501**

**THIS COVER SHEET HAS BEEN ADDED TO THIS
DOCUMENT TO PROVIDE SPACE FOR THE
RECORDING DATA. THIS COVER SHEET APPEARS
AS THE FIRST PAGE OF THE DOCUMENT IN THE
OFFICIAL PUBLIC RECORD**

DO NOT DETACH

42

LANDYE BENNETT BLUMSTEIN LLP
701 WEST EIGHTH AVENUE, SUITE 1100
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 276-5152, FAX (907) 276-8433

JUL 26 2021

Michelle L. Boutin
Landye Bennett Blumstein LLP
701 W. 8th Avenue, Suite 1100
Anchorage, Alaska 99501
(907) 276-5152
(907) 276-8433 fax
michelleb@lbblawyers.com
Attorneys for Plaintiff

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

SBV LEASING, LLC, by and through its property
manager GTK COMMERCIAL REAL ESTATE,
LLC,

Plaintiff,

vs.

ROBERT B. ALEXANDER, and CHU CHA KIM,
individually,

Defendants.

ROBERT B. ALEXANDER and CHU CHA KIM,
Counterclaim Plaintiffs,

vs.

GTK COMMERCIAL REAL ESTATE, LLC,
Counterclaim Defendant.

ROBERT B. ALEXANDER,
Third Party Plaintiff,

vs.

BINGO SOUTH; FIRST LMS SAMOAN
CONGREGATIONAL CHURCH OF ALASKA;
THE MOST WORSHIPFUL PRINCE GRAND
LODGE F. & A.M. STATE OF ALASKA AND
JURISDICTION, dba ALPHA LODGE NO. 1;
MUSICIANS and THEATRICAL ASSOCIATION
OF ALASKA; AMERICAN LEGION POST #34
DANIEL CHAPPIE JAMES CHAPTER;
NORTHLAND POST NO. 10252, VETERANS
OF FOREIGN WARS POST OF UNITED
STATES; ANICIA VO d/b/a WING IT,
Third-Party Defendants.

Case No. 3AN-18-10455CI

~~proposed~~ FINAL JUDGMENT

SBV Leasing, LLC, by and through its property manager GTK Commercial Real Estate, LLC, v.
Robert B. Alexander and Chu Cha Kim, Case No. 3AN-18-10455CI

Page 1 of 4



LANDYE BENNETT BLUMSTEIN LLP
701 WEST EIGHTH AVENUE, SUITE 1100
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 276-5152, FAX (907) 276-8433

~~[proposed]~~
FINAL JUDGMENT #34
[Alaska R. of Civ. Pro. 55(b)]

On July 20, 2021, an "Order Granting and Approving Plaintiff SBV Leasing, LLC's Application for Final Judgment Against Robert Alexander Pursuant to Rule 54(b)" was entered. All claims asserted against defendant Robert B. Alexander have been adjudicated. Therefore,

IT IS ORDERED that Final Judgment is entered granting Plaintiff SBV Leasing, LLC the relief requested in its Complaint for Breach of Lease Contract and Money Judgment for Rent and Damages, as follows:

Plaintiff SBV Leasing, LLC shall recover from and have judgment against defendant Robert B. Alexander, as follows:

Count One – Tri Grill Lease

a.	Principal Amount	\$ 5,088.38
b.	Prejudgment Interest on \$5,088.38 from November 14, 2018 through date of judgment at 15.0%	\$ <u>2,283.50</u>
c.	Sub-Total:	\$ <u>7,371.88</u>
d.	Attorney's Fees:	\$ <u>915.66</u>
	Date Awarded: <u>11/9/21</u>	
	Judge: <u>Yvonne Samouruck</u>	
e.	Costs:	\$ <u>0</u>
	Date Awarded: _____	
	Clerk: _____	
f.	TOTAL FINAL JUDGMENT	\$ <u>8,287.54</u>
g.	Post-Judgment Interest Rate:	<u>15.00% per annum</u>

~~[proposed]~~ FINAL JUDGMENT
SBV Leasing, LLC, by and through its property manager GTK Commercial Real Estate, LLC, v. Robert B. Alexander and Chu Cha Kim, Case No. 3AN-18-10455CI

Page 2 of 4



LANDYE BENNETT BLUMSTEIN LLP
701 WEST EIGHTH AVENUE, SUITE 1100
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 276-5152, FAX (907) 276-8433

Count Two – Bingo South Lease

- a. Principal Amount \$204,842.48
- b. Prejudgment Interest on \$204,842.48
from November 14, 2018 through
date of judgment at 10.5% \$ 64,348.60
- c. Sub-Total: \$ 269,191.08
- d. Attorney's Fees: \$ 44,867.34
Date Awarded: 11/9/21
Judge: Yvonne Lamoureux
- e. Costs: \$ 375.00
Date Awarded: 11/10/21
Clerk: S. Adams
- f. **TOTAL FINAL JUDGMENT** \$ 314,433.42
- g. Post-Judgment Interest Rate: 10.5% per annum

LET EXECUTION ISSUE FORTHWITH.

DATED this 9th day of November, 2021.

Yvonne Lamoureux
HONORABLE YVONNE LAMOUREUX
SUPERIOR COURT JUDGE

//

//

//

//

[Proposed] FINAL JUDGMENT

SBV Leasing, LLC, by and through its property manager GTK Commercial Real Estate, LLC, v.
Robert B. Alexander and Chu Cha Kim, Case No. 3AN-18-10455CI

Page 3 of 4



LANDYE BENNETT BLUMSTEIN LLP
701 WEST EIGHTH AVENUE, SUITE 1100
ANCHORAGE, ALASKA 99501
TELEPHONE (907) 276-5152, FAX (907) 276-8433

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 26th day of July, 2021, a true and correct copy of the foregoing was served via U.S. Mail, postage prepaid, and email upon the following:

Clayton Walker, Jr.
Alaska Law Offices, Inc.
Attorney for Defendants
240 E. Tudor Road, Suite 230
Anchorage, AK 99503
chwalker@aloinc.com

Lynn Freeman, Esq.
Law Office of Lynn Freeman
737 M Street
Anchorage, AK 99501
Freemanlaw@eci.net

Kenneth P. Jacobus
Kenneth P. Jacobus, P.C.
310 K Street, Ste. 200
Anchorage, AK 99501-2064
jacobuskenneth@gmail.com

Betty Keao
Northland Post No. 10252 Veterans of Foreign Wars
3105 Mountainview Drive
Anchorage, AK 99508

James B. Wright
James B. Wright & Associates, P.C.
500 L St., Ste. 101
Anchorage, AK 99501
jimw@wrightlaw.org

J. Robert Woofler Jr. Esq.
AGLIETTI, OFFRET & WOOFER, LLC
1016 W 6th Ave., Ste. 201
Anchorage, AK 99501
jrwoofler@eci.net

By: 
Dana Cupp, Legal Assistant
Landye Bennett Blumstein LLP

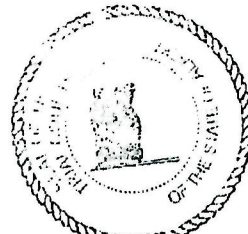
[proposed] FINAL JUDGMENT
SBV Leasing, LLC, by and through its property manager GTK Commercial Real Estate, LLC, v.
Robert B. Alexander and Chu Cha Kim, Case No. 3AN-18-10455CI

I hereby certify that this is a true and correct copy of the original on file in my office

ATTEST: Clerk of the Trial Courts

By:  Deputy

Date: 11/10/2021



Page 4 of 4



I certify that on 11-9-21 a copy of the
above and foregoing was delivered to:

M. Boutin
C. Walker
J. R. Woofter
K. Jacobus / L. Freeman
MTAA
J. R. Woofter
Northland VFW Post 10252
J. Wright
E. Groves

*resent
11/16/21*

B. Cavanaugh
B. Cavanaugh, Judicial Assistant



From: [Alcohol Licensing, CED ABC \(CED sponsored\)](#)
To: [Robert Alexander; Alcohol Licensing, CED ABC \(CED sponsored\)](#)
Cc: [Trina Johnson; Klinkhart, Glen Edward \(CED\); CED AMCO Enforcement \(CED sponsored\)](#)
Subject: RE: LED withdrawal for change of ownership
Date: Friday, March 25, 2022 1:04:41 PM

Mr. Alexander,

I have listed the three options, in great detail, that are available to you in my earlier email and you have chosen to pursue the transfers ~~as is~~ with an updated premises diagram.

Any additional changes to the ownership structure (changing it back to your name and not the LLC) will require the 3 week re-publishing, the 10 day re-posting, form corrections and the dissolution of the LLC which will push the transfers to the June 28 meeting or possibly later.

Respectfully,

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0350

From: Robert Alexander [mailto:roba0809@hotmail.com]
Sent: Friday, March 25, 2022 12:54 PM
To: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Cc: Trina Johnson <trinaj@mac.com>; Klinkhart, Glen Edward (CED) <glen.klinkhart@alaska.gov>; CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>
Subject: Re: LED withdrawal for change of ownership

Some people who received this message don't often get email from roba0809@hotmail.com. [Learn why this is important](#)

I am now concerned if both transfer done in one vote and the transfer of ownership is denied it appears that the transfer of location will be denied also. Without having to wait until June's meeting and knowing my situation what would be the best options if the transfer of ownership was taking care of with the publication affidavit asap?

On Mar 25, 2022, at 12:47 PM, Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov> wrote:

Good afternoon,

Thank you for your email. The transfers that are going before the board are transfers of ownership to the LLC and location – combined, not separate. They will be considering the transfer of ownership and location for license #4531 in one vote. Then they will consider the transfer of ownership and location for license #4551 in one vote.

Typically what the board does with an application that is protested by a local governing body is they will “deny the application with a 180-day abeyance”. Which means the applicant has 180 days to complete whatever the local governing body is asking for so the local governing body could send a “lifted protest” notice to our office and we would be able to move forward with effectuating the transfers, if all other

delegations are complete and satisfactory and all objections have been cleared up.

If you wish to transfer the ownership back to yourself as a sole proprietor after the current transfers are effectuated and finalized, you would need to go through the steps I listed below in Option 2.

Thanks again and have a good weekend.

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0350

From: Robert Alexander [<mailto:roba0809@hotmail.com>]

Sent: Friday, March 25, 2022 11:33 AM

To: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>

Cc: Trina Johnson <trinaj@mac.com>; Klinkhart, Glen Edward (CED) <glen.klinkhart@alaska.gov>; CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>

Subject: Re: LED withdrawal for change of ownership

Some people who received this message don't often get email from roba0809@hotmail.com. [Learn why this is important](#)

Thank you for the response. I will take option number three and continue the transfers as they were submitted previously. If the transfer of location is approved and not the transfer of ownership, is it possible that the board could make the approval at the April 12th meeting once the additional publication and affidavit is completed without having to re-appear at Amco's meeting in June.

On Mar 25, 2022, at 10:35 AM, Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov> wrote:

Good morning, Mr. Alexander

Thank you for the information. Regarding your question if Enforcement measured the distances, they have measured but for additional information you will need to contact Enforcement at amco.enforcement@alaska.gov or call 907-269-0350 and follow the prompts.

After discussing your transfer of ownership with Director Klinkhart, we determined **you have the following 3 options available to you:**

1. If you are desiring to continue with the transfers of location, but reverting the ownership to yourself as the sole proprietor and not the LLC and updating the premises diagram all of the following must occur:
 - Submit proof of the dissolution of LED Ultra Lounge & Grill LLC with the Division of Corporations, Business and Professional Licensing (CBPL) by filing the form Articles of Dissolution (available here: <https://www.commerce.alaska.gov/web/cbpl/Corporations/CorpFormsFees/FormsbyEntity.aspx>).Please note that the transfers would **not** be deemed complete until our office can

verify with CBPL that the LLC is dissolved. If you recall in a previous conversation you and I had in AMCO's office, I explained in great detail why you were required to change the ownership to the LLC. If the LLC's name is on the check you are signing to pay for payroll or anything to do with the operation of the business, the LLC **must** be the licensee/owner of the liquor license.

- You will be required to re-publish a new public notice once a week for three consecutive weeks. Once the publications are complete, you will need to provide a new Publisher's Affidavit.
- You will be required to re-post a corrected copy of the AB-01 at the proposed premises and in one other conspicuous location for 10 consecutive days. Once this requirement is met, complete the updated AB-07.
- All the application forms will need to be corrected.
- After all of the above has been completed and the examiner deems the corrected applications complete, we will re-notify the Municipality and the Downtown Community Council and reschedule for whichever ABC board meeting is upcoming at that time.
- Upcoming board meeting dates: June 28, 2022 (deadline is close of business June 10, 2022).

September 20, 2022 (deadline is close of business September 2, 2022).

December 13, 2022 (deadline is close of business November 25, 2022).

2. Or you could withdraw these current transfers of ownership and location, and start fresh with new transfer applications. If you chose this route, the following would need to occur:

- Pay the non-refundable Transfer Application fee of \$500.00 for each license.
- Pay the Restaurant Designation Permit fee of \$50.00 for each license.
- Submit proof of the dissolution of LED Ultra Lounge & Grill LLC with the Division of Corporations, Business and Professional Licensing (CBPL) by filing the form Articles of Dissolution (available here: <https://www.commerce.alaska.gov/web/cbpl/Corporations/CorpFormsFees/FormsbyEntity.aspx>). Please note that the transfers would **not** be deemed complete until our office can verify with CBPL that the LLC is dissolved.
- Publish a the public notice once a week for three consecutive weeks. Once the publications are complete, you will need to provide a Publisher's Affidavit.
- Post a copy of the AB-01 at the proposed premises and in one other conspicuous location for 10 consecutive days. Once this requirement is met, complete the AB-07.
- All other forms are required: AB-02, AB-03, AB-09, etc.

- After the examiner deems the corrected applications complete, we will notify the Municipality and the Downtown Community Council and schedule for whichever ABC board meeting is upcoming at that time.
- Upcoming board meeting dates: June 28, 2022 (deadline is close of business June 10, 2022).

September 20, 2022 (deadline is close of business September 2, 2022).

December 13, 2022 (deadline is close of business November 25, 2022).

3. Or you can continue with the current transfers as is with an updated premises diagram for the April 12, 2022 ABC board meeting. Please note, with the updated diagram we are required to forward that to the Municipality and the Downtown Community Council for their consideration.

Please notify me at alcohol.licensing@alaska.gov as soon as possible before 4:00 pm today with your decision on how you wish to proceed with the transfers of licenses #4531 and #4551.

Respectfully,

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0350

From: Robert Alexander [<mailto:roba0809@hotmail.com>]

Sent: Thursday, March 24, 2022 3:49 PM

To: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>; Trina Johnson <trinaj@mac.com>; Klinkhart, Glen Edward (CED) <glen.klinkhart@alaska.gov>

Subject: LED withdrawal for change of ownership

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Alcohol Licensing, CED ABC \(CED sponsored\)](#)
To: [Craig, Carrie D \(CED\)](#)
Subject: FW: Liquor License # 4531 and duplicates
Date: Tuesday, March 22, 2022 10:52:28 AM

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0350

From: Klinkhart, Glen Edward (CED)
Sent: Tuesday, March 22, 2022 10:41 AM
To: roba0809@hotmail.com
Cc: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Subject: FW: Liquor License # 4531 and duplicates

Mr. Alexander,

I checked with our enforcement and our licensing departments and we all agree you can alter your floor plan if you wish and if you think it will assist you with issues from the city and/or the Anchorage School District. To do so you will need to complete a new AB-02 form <https://www.commerce.alaska.gov/web/Portals/9/pub/ABC/AlcoholLicenseApplicationForms/AB-02.pdf>) and resubmit it to AMCO licensing at alcohol.licensing@alaska.gov however the deadline to make any adjustments to your application and the updated information to be deemed complete is the close of business on this Friday, March 25th, 2022 in order to have those changes included in the board packet for the April 12, 2022 board meeting. In either case your application will move forward to the ABC board for their review. Please be advised we at AMCO are not the experts in the proper permitting for entrances and egress for municipal commercial buildings so your updated AB-02 will need at some point have to be approved by the city via code enforcement, fire department, etc., so depending on your building, floor plan changes may or may not help your situation. You may want to speak with the City Code and Fire to get their input and before you put a great deal of more time redoing your internal floor plan.

Regards,

Glen Klinkhart
Director
Alcohol Marijuana Control Office (AMCO)
550 West 7th Avenue, Suite 1600

Anchorage, Alaska 99501
Email: glen.klinkhart@alaska.gov
Phone: 907-269-0350

From: Robert Alexander <roba0809@hotmail.com>
Sent: Monday, March 21, 2022 2:25 PM
To: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Subject: Re: Liquor License # 4531 and duplicates

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Mr. Hoelscher I'm assuming you're aware of the protest with the Anchorage School District and their unit that resigns within the Sunshine Mall. I would like to meet with you next week sometime to see if my floor plan may need to be adjusted for the public entrance or not. I'm super flexible and can meet you at your office or the site. Thank you!



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:	Robert Alexander	License #:	4531		
License Type:	Beverage Dispensary	Statutory Reference:	24.11.090		
Doing Business As:	Tri Grill				
Premises Address:	901 W 6 th Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501
Local Governing Body:	MOA				

Transfer Type:

- ☒ Regular transfer
☐ Transfer with security interest
☐ Involuntary retransfer

OFFICE USE ONLY			
Complete Date:		Transaction #:	100305224
Board Meeting Date:		License Years:	20/21
Issue Date:		BRE:	CRB



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:	LED Ultra Lounge & Grill LLC				
Doing Business As:	Tri Grill, LED Ultra Lounge & Grill				
Premises Address:	420 W 3rd Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501
Community Council:	Downtown				

Mailing Address:	8100 Sky Mt Ln				
City:	Anchorage	State:	Alaska	ZIP:	99502

Designated Licensee:	Robert Alexander		
Contact Phone:	Robert Alexander	Business Phone:	907-229-2053
Contact Email:	roba0809@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.

0.8 mile

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.

0.3 mile



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:	Robert Alexander				
Title(s):	Member / Manager	Phone:	907 2292053	% Owned:	95 -
Address:	8100 Sky Mt Ln				
City:	Anch	State:	AK	ZIP:	99502

AMCO



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

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

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 #:	10131006	AK Formed Date:	4/29/2020	Home State:	AK
Registered Agent:	Robert Alexander	Agent's Phone:	907 229-2053		
Agent's Mailing Address:	8100 Sky Mountain Ln				
City:	Anchorage	State:	AK	ZIP:	99502

Residency of Agent:

Yes No

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

☒ ☐



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):

4551 4552,
BBL Duplexes
LED Ultra Lounge & Grill
Robert Alexander

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:



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

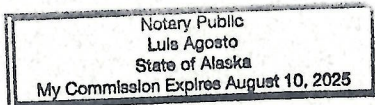
Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

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 Alexander
Signature of transferor

Robert Alexander
Printed name of transferor

Subscribed and sworn to before me this 01 day of November, 2021.



[Signature]
Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: August 10, 2025

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.

RA

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

RA

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.

RA

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.

RA

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

RA

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.

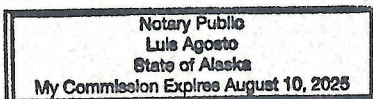
Robert Alexander

Signature of transferee

Robert Alexander

Printed name

Subscribed and sworn to before me this 01 day of November, 2021.



L. Agosto

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: August 10, 2025



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.

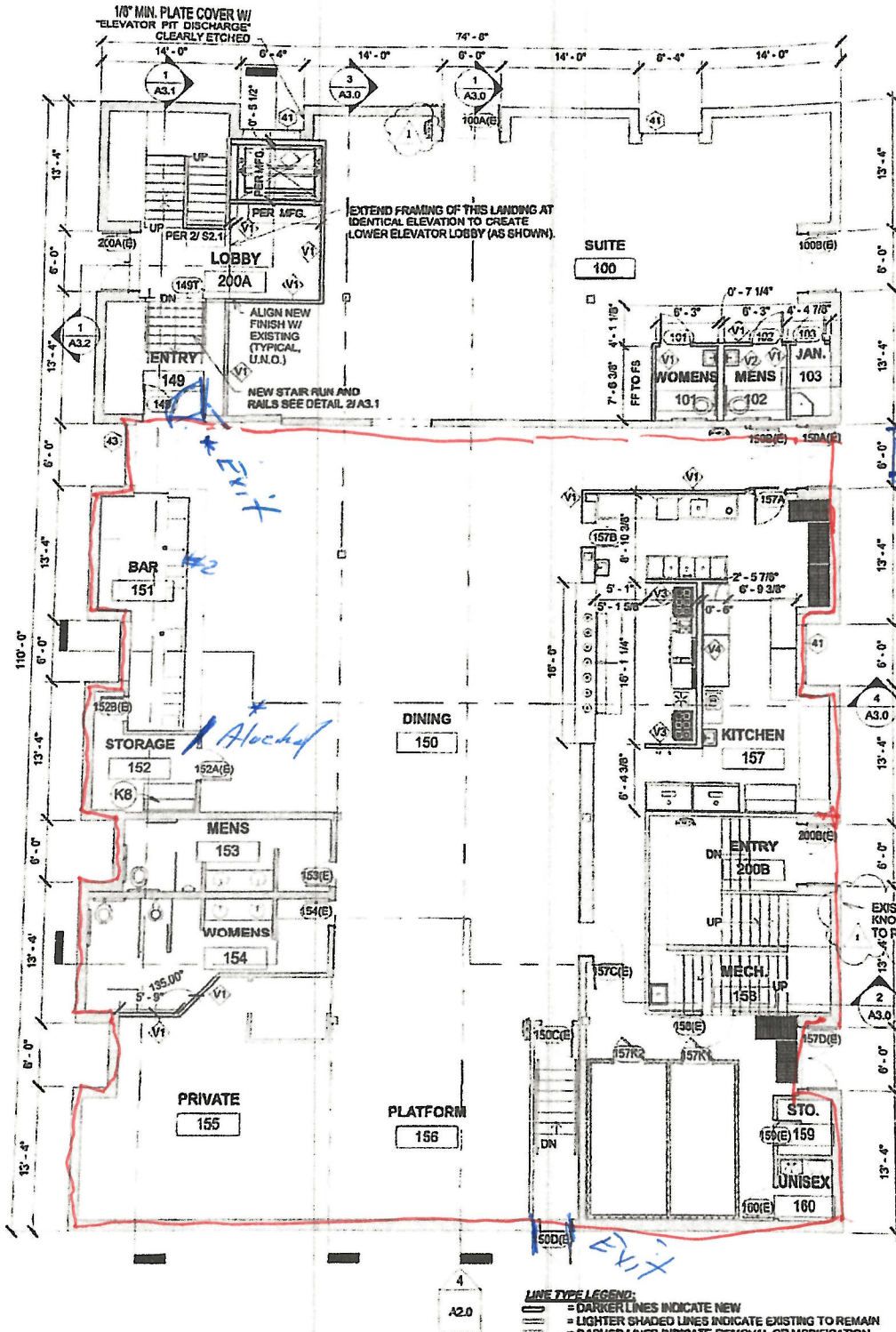
Licensee:	LED Ultra Lounge Grill LLC	License Number:	4531
License Type:	Beverage Dispensary		
Doing Business As:	Tri Grill, LED Ultra Lounge & Grill		
Premises Address:	420 W 3rd Ave		
City:	Anchorage	State:	AK
		ZIP:	99501

LINE TYPE LEGEND:

- = DARKER LINES INDICATE NEW
- = LIGHTER SHADED LINES INDICATE EXISTING TO REMAIN
- = DASHED LINES INDICATE REMOVAL OR MODIFICATION

Municipality of Anchorage
Development Services Department
REVIEWED FOR CODE COMPLIANCE
Permit # C20-2101 Date: 05/11/21

REVIEWED FOR: Permit # C20-2191 Date: 05/11/21 No modifications
Corrosion shall be in accordance with these plans. The issuance of a permit shall not be prior approval of the building department. The issuance of a permit shall not be construed to grant approval of any violation of Anchorage Municipal Code. Non-compliant corrosion resulting from errors or omissions shall be corrected prior to issuance of the Certificate of Occupancy. Any change to the building or occupancy shall be done in accordance with Anchorage Municipal Code.



② FIRST FLOOR PLAN - RENOVATION
1/8" = 1'-0"

AMCO

NOV 19 2021

You are currently running an experimental version of Earth.

[Learn more](#)

[Send feedback](#)



Google Earth

50 m

Camera: 416 m 61°13'12"N 149°53'26"W

26 m

AMCO Received 3/19/2022



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

What is this form?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A menu or expected menu listing the meals, including entrees prepared onsite and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

Section 1 – Establishment Information

Enter information for licensed establishment.

Licensee:	LED Ultra Lounge & Grill LLC				
License Type:	Beverage Dispensary	License Number:	4531		
Doing Business As:	Tri Grill, LED Ultra Lounge & Grill LLC				
Premises Address:	420 W 3rd Ave				
City:	Anchorage	State:	AK	ZIP:	99501
Contact Name:	Robert Alexander	Contact Phone:	907-229-2053		

Section 2 – Type of Designation Requested

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

- ☒ Dining after standard closing hours: AS 04.16.010(c)
- ☐ Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
- ☒ Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- ☐ Employment for persons 16 or 17 years of age: AS 04.16.049(c)
NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY

Transaction #:	100305824	Initials:	CRB
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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 3 – Minor Access

Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

*Minors not allowed in kitchen, or seated at the bar.
Minors are allowed in dining room only*

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

*All be required to show proper ID at the door or before served any type of service.
All staff is required to have alcohol training that covers serving minors. All minors should have legal guardian before entry to the building.*

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

Yes ☒ No ☐

Section 4 – DEC Food Service Permit

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/fss/food/>

Please follow this link to the Municipality Food Safety Website:

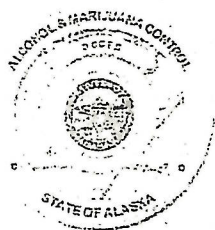
<http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx>

IF you are unable to certify the below statement, please discuss the matter with the AMCO office:

Initials

I have attached a copy of the current food service permit for this premises OR the plan review approval.

*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Hours of Operation

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

Monday thru Sunday : each day 11am - 5am

Section 6 – Entertainment & Service

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes ☒ No ☐

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

Live music, DJ possibly every nite
entertainment will vary from day to day and the
time may change from time to time from the
hours between 11am - 3am

Food and beverage service offered or anticipated is:

☒ table service

☒ buffet service

☒ counter service

☐ other

If "other", describe the manner of food and beverage service offered or anticipated:



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 7 – Certifications and Approvals

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

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.



I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons.
This menu includes entrees that are regularly sold and prepared by the licensee at the licensed premises.



I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.



I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted.
(AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)



I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

Robert Alexander
Signature of licensee

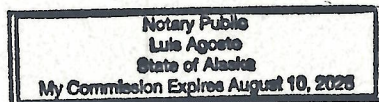
[Signature]
Signature of Notary Public

Robert Alexander
Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: August 10, 2025

Subscribed and sworn to before me this 01 day of November, 2021



Local Government Review (to be completed by an appropriate local government official):

Approved

Denied

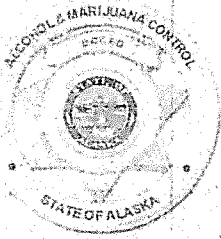


Signature of local government official

Date

Printed name of local government official

Title



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-03: Restaurant Designation Permit Application

AMCO Enforcement Review:

Enforcement Recommendation:

Approve

Deny

☐☐

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Date

Enforcement Recommendations:

AMCO Director Review:

Approved

Denied

☐☐

Signature of AMCO Director

Printed name of AMCO Director

Date

Limitations:

NOV 19 2021

AMCO Received 3/19/2022

Subject to Change at anytime

TRI-GRILL FAMILY FUN COMBINATION

Served with Spring Roll, Pork fried Rice, Sweet & Sour Pork or Chicken
AND Your Choice of Entrée from the TRI GRILL A La Carte
(Please add 3.00 per Seafood entrée)

Family Fun with 2 Entrees	\$ 30.95
Family Fun with 3 Entrees	\$ 40.95
Family Fun with 4 Entrees	\$ 50.95

TRI GRILL A LA CARTE

CHOW MEIN OR CHOP SUEY

Vegetable	\$ 8.95
Chicken	\$ 10.95
Pork	\$ 10.95
Beef	\$ 10.95
Shrimp	\$ 11.95
Tri Grill Combination	\$ 12.95

VEGETABLE

Vegetable with tofu	\$ 9.95
Snow Peas & Mushrooms	\$ 9.95
Broccoli with Oyster Sauce	\$ 9.95
* Hot Been Curd	\$ 9.95
Tri Grill Vegetable Deluxe	\$ 10.95

CHICKEN

Sweet & Sour Chicken	\$ 10.95
Almond Chicken	\$ 10.95
Cashew Chicken	\$ 10.95
Sesame Chicken or General	\$ 10.95
Vegetable Chicken	\$ 10.95
Garlic Chicken	\$ 10.95
Snow Pea Chicken	\$ 10.95
* Kung Pao Chicken	\$ 10.95
Orange Chicken	\$ 10.95
* Szechwan Chicken	\$ 10.95
Chicken with Broccoli	\$ 10.95
* Curry Chicken	\$ 10.95
Moo Goo Gai Pan	\$ 10.95

NOV 19 2021

AMCO

BEEF

Mongolian Beef	\$ 11.95
Beef with Vegetable	\$ 11.95
* Kung Pao Beef	\$ 11.95
Beef with Snow Pea or Broccoli	\$ 11.95
* Hunan Beef	\$ 11.95

SEAFOOD

Sweet & Sour Shrimp	\$ 12.95
Shrimp with Lobster Sauce	\$ 12.95
Shrimp with Snow Peas	\$ 12.95
Shrimp with Broccoli	\$ 12.95
* Kung Pao Shrimp	\$ 12.95
Shrimp with Vegetables	\$ 12.95
Garlic Shrimp	\$ 12.95
Sizzling Rice Shrimp	\$ 12.95
* Curry Shrimp	\$ 12.95
* Scallop with Spicy Garlic Sauce	\$ 12.95
* Spicy Squid	\$ 12.95

PORK

Sweet & Sour Pork	\$ 11.95
* Spicy Pork with Vegetable	\$ 11.95
* Twice Cooked Pork	\$ 11.95
* Ma Po Tofu	\$ 11.95
Spicy Pork with Garlic Sauce	\$ 11.95
Szechwan Pork	\$ 11.95
Pork with Vegetables	\$ 11.95
Hot Pepper Pork	\$ 11.95
Mushroom Pork	\$ 11.95

Drinks – free refills

* HOT& SPICY

SOUTHERN CUISINE

APPETIZERS

Fried Red Tomato	\$ 6.95
Fried Dill Pickles	\$ 3.50
Pickled Shrimp	\$ 5.95
Buffalo Wings (12)	\$ 8.95
Fried okra	\$ 4.95
Chicken Strips	\$ 7.95
Hush-puppies	\$ 4.95

Entrée

**Carmaro's Chicken & Dumplings	\$12.95
**Grandma Jo's Fried Chicken with Gravy & Biscuit	\$ 9.95
*Ayana's Cat Fish Po'boy & Spicy Cole Slaw or Beer Battered Onion Rings	12.50
**Ceasar's Cajun Shrimp & Fries	\$11.50
**Robert's Famous Red Hot Fried Ribs (1/2 rack) & Spicy Cole Slaw	\$14.50
**Nia's Deep Fried Whole Cornish Game Hen with Fries	\$ 12.50
(Cornish Game Hen soaked in our house brine then fried to a golden crisp and brushed with a herb butter sauce & served w/ Fries)	
**Brisket Sandwich with Spicy Cole Slaw	\$ 12.50
**Frank's Pulled Pork Sandwich with Cole Slaw & Fries	\$ 12.50

SIDES - all sides \$3.95

Pop's Spicy Cole Slaw
Collard Greens
Serena's Famous biscuit
Biscuit & Gravy
Candied Yam's
Southern Black Eyed Peas
Johnny's Favorite Macaroni & Cheese
Baked Beans

Drinks – free refills

\$ 2.50

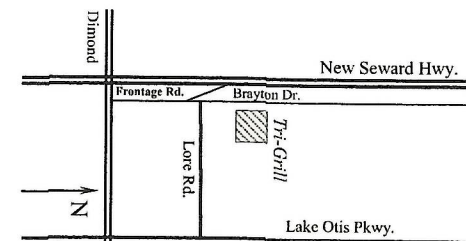


Hours of Operation
Delivery • Dine In • Carry Out
Tues - Sun 11:30am - 8:00pm

CLOSED
Mondays & 3pm-4pm daily

677-8797

7521 Brayton Drive
Anchorage, AK 99507



AMCO Received 3/19/2022



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:	Robert Alexander	License #:	4551		
License Type:	Beverage Dispensary ^{Duplicate}	Statutory Reference:	04.11.090		
Doing Business As:	LED Ultra Lounge & Grill LLC				
Premises Address:	901 W 6th Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501
Local Governing Body:	MOA				

Transfer Type:



Regular transfer



Transfer with security interest



Involuntary retransfer

OFFICE USE ONLY

Complete Date:		Transaction #:	100305224
Board Meeting Date:		License Years:	20/21
Issue Date:		BRE:	CRB



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:	LED Ultra Lounge & Grill LLC				
Doing Business As:	Tri Grill, LED Ultra Lounge & Grill				
Premises Address:	420 W 3rd Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501
Community Council:	Downtown				

Mailing Address:	8100 Sky Mt Ln				
City:	Anchorage	State:	Alaska	ZIP:	99502

Designated Licensee:	Robert Alexander		
Contact Phone:	Robert Alexander	Business Phone:	907-229-2053
Contact Email:	roba0809@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.

0.8 mile

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.

0.3 mile



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:	

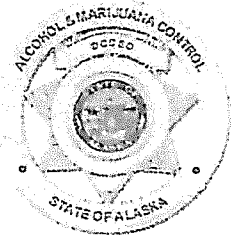
Section 5 – Entity Ownership Information

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:	Robert Alexander				
Title(s):	Member / Manager	Phone:	907 229 2053	% Owned:	95%
Address:	8100 Sky Mt Ln				
City:	Anch	State:	AK	ZIP:	99502

AMCO



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

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

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.

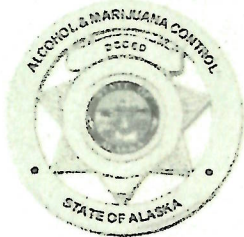
DOC Entity #:	10131006	AK Formed Date:	4/29/20	Home State:	AK
Registered Agent:	Robert Alexander	Agent's Phone:	907 229-2053		
Agent's Mailing Address:	8100 Sky Mountain Ln				
City:	Anchorage	State:	AK	ZIP:	99502

Residency of Agent:

Yes No

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

☒ ☐



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):

Master: 4531, 4552,
BBL Duplexes
LED Ultra Lounge & Grill
Robert Alexander

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:



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

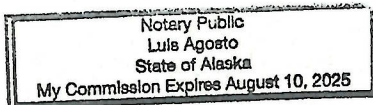
Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

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 Alexander
Signature of transferor

Robert Alexander
Printed name of transferor

Subscribed and sworn to before me this 01 day of November, 2021.



[Signature]
Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: August 10, 2025

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.

RA

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

AA

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.

RA

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.

RA

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

RA

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.

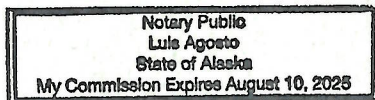
Robert Alexander

Signature of transferee

Robert Alexander

Printed name

Subscribed and sworn to before me this 01 day of November, 2021.



[Signature]

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: August 10, 2025



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.

☒ ☐

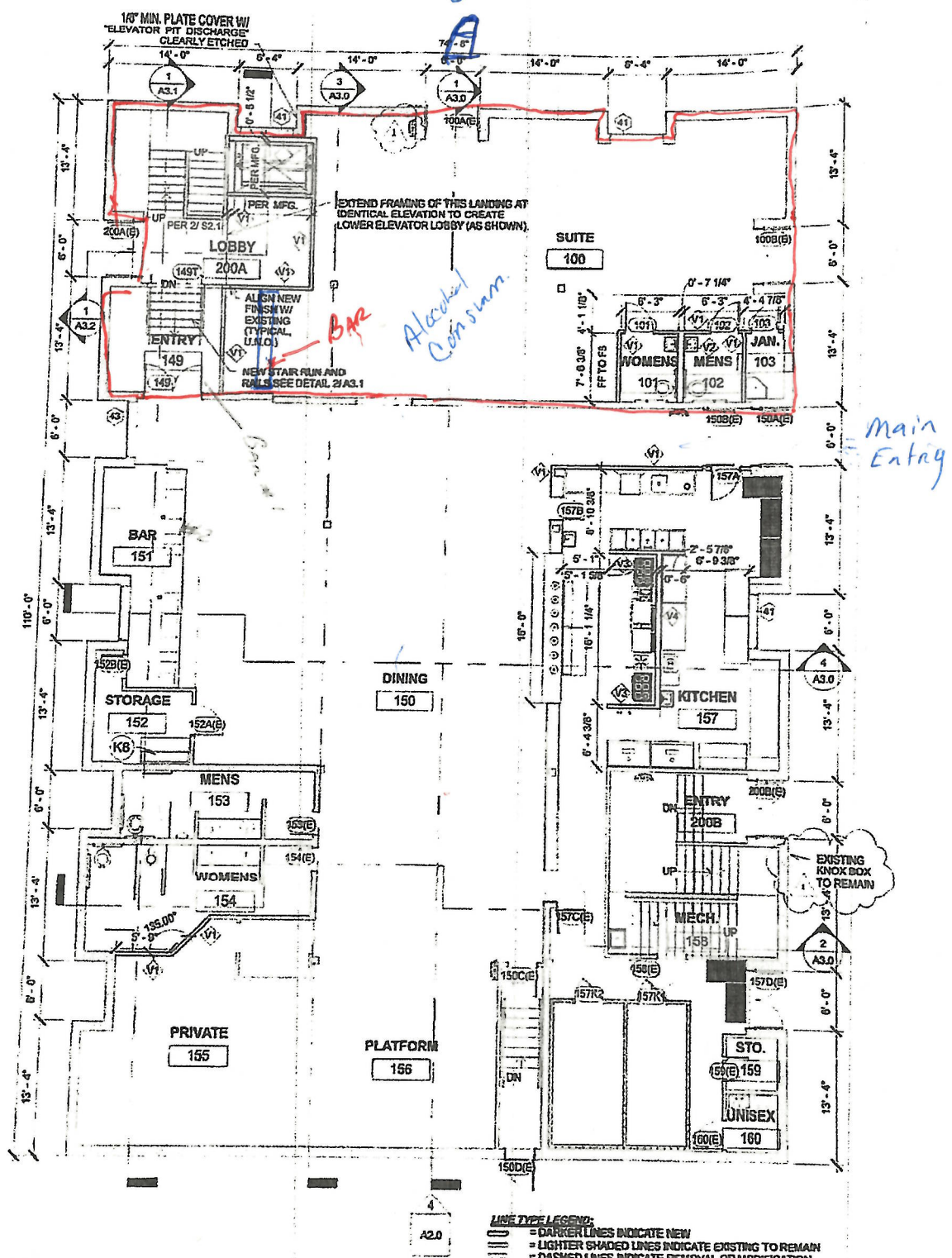
Section 1 – Establishment Information

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

Licensee:	LED Ultra Lounge Grill	License Number:	4551
License Type:	Beverage Dispensary Duplicate		
Doing Business As:	Tri Grill, LED Ultra Lounge & Grill		
Premises Address:	420 W 3rd Ave		
City:	Anchorage	State:	AK
		ZIP:	99501

North
 ↑
 3rd Ave
 E Street

Municipality of Anchorage
 Development Services Department
REVIEWED FOR CODE COMPLIANCE
 Permit # C20-2101 Date: 05/11/21
 Construction shall be in accordance with these plans. No modifications to be made without prior approval of the building official. The issuance of a permit shall not be construed to grant approval of any violation of Anchorage Building Code. Non-compliant construction resulting from errors or omissions shall be corrected prior to issuance of the Certificate of Occupancy. Any change or occupancy shall be done in accordance with Anchorage Municipal Code.



21 FIRST FLOOR PLAN - RENOVATION
 1/8" = 1'-0"

You are currently running an experimental version of Earth.

[Learn more](#)

[Send feedback](#)



William A. Egan Civic
& Convention Center

Upper Floor
Separate
Entrant

Main
Entrant

Entry

Using
1st Floor

Jade Lady Meditation

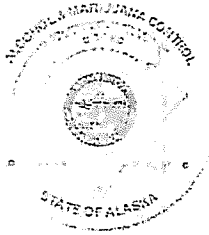
Google Earth

50 m

Camera: 416 m 61°13'12"N 149°53'26"W

26 m

AMCO Received 3/19/2022



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

What is this form?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A menu or expected menu listing the meals, including entrees prepared onsite and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

Section 1 – Establishment Information

Enter information for licensed establishment.

Licensee:	LED Ultra Lounge & Grill LLC		
License Type:	Beverage Dispensary ^{Duplicate}	License Number:	4551
Doing Business As:	Tri Grill, LED Ultra Lounge & Grill LLC		
Premises Address:	420 W 3rd Ave		
City:	Anchorage	State:	AK
		ZIP:	99501
Contact Name:	Robert Alexander	Contact Phone:	907-229-2053

Section 2 – Type of Designation Requested

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

1. ☒ Dining after standard closing hours: AS 04.16.010(c)
 2. ☐ Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
 3. ☒ Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
 4. ☐ Employment for persons 16 or 17 years of age: AS 04.16.049(c)
- NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY			
Transaction #:	100305224	Initials:	CRB



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-03: Restaurant Designation Permit Application

Section 3 – Minor Access

Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

Minor not allowed in Kitchen, or seated at the bar.
Minors are allowed in dining room only

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

All be required to show proper ID at the door or before served any type of service.
All staff is required to have alcohol training that covers serving minors. All minors should have legal guardian before entry to the building.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

Yes ☒ No ☐

Section 4 – DEC Food Service Permit

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/fss/food/>

Please follow this link to the Municipality Food Safety Website:

<http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx>

IF you are unable to certify the below statement, please discuss the matter with the AMCO office:

Initials

I have attached a copy of the current food service permit for this premises OR the plan review approval.

*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Hours of Operation

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

Monday thru Sunday : each day 11am - 5am

Section 6 – Entertainment & Service

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes ☒ No ☐

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

Live music, DJ possibly every nite
entertainment will vary from day to day and the
time may change from time to time from the
hours between 11am - 3am

Food and beverage service offered or anticipated is:

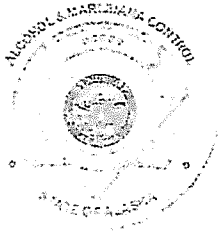
☒ table service

☒ buffet service

☒ counter service

☐ other

If "other", describe the manner of food and beverage service offered or anticipated:



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application**Section 7 – Certifications and Approvals**

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

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons.
This menu includes entrees that are regularly sold and prepared by the licensee at the licensed premises.

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.

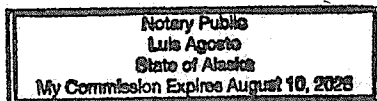
I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted.
(AB-03 applications that accompany a new or transfer license application will
not be required to submit an additional copy of their premises diagram.)

I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

Signature of Notary Public

Printed name of licensee

Notary Public in and for the State of AlaskaMy commission expires: August 10, 2025Subscribed and sworn to before me this 01 day of November, 2021.

Local Government Review (to be completed by an appropriate local government official):

Approved

Denied



Signature of local government official

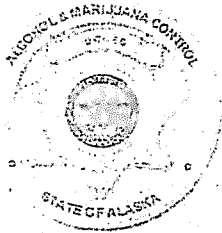
Date

Printed name of local government official

Title

NOV 1 8 2021

AMCO Received 3/19/2022



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review:

Enforcement Recommendation:

Approve

Deny

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

☐☐

Date

Enforcement Recommendations:

AMCO Director Review:

Approved

Denied

Signature of AMCO Director

Printed name of AMCO Director

☐☐

Date

Limitations:

Subject to Change at anytime

TRI-GRILL FAMILY FUN COMBINATION

Served with Spring Roll, Pork fried Rice, Sweet & Sour Pork or Chicken
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Mushroom Pork	\$ 11.95

Drinks – free refills \$ 2.50

*** HOT & SPICY**

SOUTHERN CUISINE

APPETIZERS

Fried Red Tomato	\$ 6.95
Fried Dill Pickles	\$ 3.50
Pickled Shrimp	\$ 5.95
Buffalo Wings (12)	\$ 8.95
Fried okra	\$ 4.95
Chicken Strips	\$ 7.95
Hush-puppies	\$ 4.95

Entrée

**Carmaro's Chicken & Dumplings	\$12.95
**Grandma Jo's Fried Chicken with Gravy & Biscuit	\$ 9.95
*Ayana's Cat Fish Po'boy & Spicy Cole Slaw or Beer Battered Onion Rings	12.50
**Ceasar's Cajun Shrimp & Fries	\$11.50
**Robert's Famous Red Hot Fried Ribs (1/2 rack) & Spicy Cole Slaw	\$14.50
**Nia's Deep Fried Whole Cornish Game Hen with Fries	\$ 12.50
(Cornish Game Hen soaked in our house brine then fried to a golden crisp and brushed with a herb butter sauce & served w/ Fries)	
**Brisket Sandwich with Spicy Cole Slaw	\$ 12.50
**Frank's Pulled Pork Sandwich with Cole Slaw & Fries	\$ 12.50

SIDES – all sides \$3.95

Pop's Spicy Cole Slaw
Collard Greens
Serena's Famous biscuit
Biscuit & Gravy
Candied Yam's
Southern Black Eyed Peas
Johnny's Favorite Macaroni & Cheese
Baked Beans

Drinks – free refills \$ 2.50

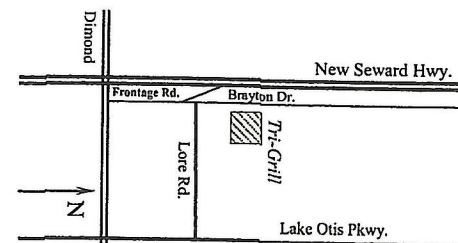


Hours of Operation
Delivery • Dine In • Carry Out
Tues - Sun 11:30am - 8:00pm

CLOSED
Mondays & 3pm-4pm daily

677-8797

7521 Brayton Drive
Anchorage, AK 99507



AMCO Received 3/19/2022