

Tab 5



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Transfer Protest: 907 Club, License #1034

The Matanuska-Susitna Borough (MSB) has protested the transfer of Beverage Dispensary License #1034, from Zachery and Anjanette Steer DBA Sheep Mountain Lodge, Mile 113 Glenn Highway, Palmer, to Nine OH Seven Corporation, DBA 907 Club at 2541 S Rosalie Court, Big Lake, AK per AS 04.11.480(a). Details are as follows:

Date Notification sent to MSB:	January 30, 2015
Date Protest Received:	February 11, 2015
Written Objection Received:	March 19, 2015 from Big Lake Community Council
MSB Hearing Held:	February 2, 2015 (meets 3 AAC 304.145(d) requirements)
Resolution of MSB Planning Commission received:	February 11, 2015
Basis for Protest:	Denial of conditional use permit as set forth in MSB Planning Commission Resolution Number 15-06
Inquiry for the Board:	Is the MSB protest arbitrary, capricious and unreasonable?
Recommendation:	If ABC Board determines MSB protest is not arbitrary, capricious and unreasonable, uphold MSB protest
Action on protest:	Denial of transfer of license per AS 04.11.480(a)



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

February 11, 2015

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

SUBJECT: **907 Club - License# 1034**
Transfer of ownership, location and name change - Beverage Dispensary

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

- 1) Delinquent Real Property Taxes owed:
- 2) Bed Tax owed:
- 3) Other debts owed:
- 4) The required Conditional Use Permit has not been issued: **Conditional Use Permit denied. See attached Planning Commission Resolution No. 15-06.**
- 5) There is a violation of the Conditional Use Permit:
- 6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

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

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

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

Susan Lee
Planner II

By: Mark Whisenhunt
Introduced: January 5, 2015
Public Hearing: February 2, 2015
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 15-06**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION ADOPTING FINDINGS OF FACT AND CONCLUSIONS OF LAW TO SUPPORT DENIAL OF PLANNING COMMISSION RESOLUTION 15-04.

WHEREAS, Planning Commission Resolution 15-04 was for approval of a conditional use permit for the operation of an alcoholic beverage dispensary (bar) at the 907 Club, located within Township 17 North, Range 3 West, Section 21; Tax ID# 5428000T00A, Seward Meridian; and

WHEREAS, on February 2, 2015, the Planning Commission held a public hearing on Resolution 15-04; and

WHEREAS, the Planning Commission failed to garner a majority vote on February 2, 2015 which constitutes denial of the conditional use permit; and

WHEREAS, comments received regarding the proposed alcoholic beverage dispensary (bar) raised the following concerns:

- Noise would change the character of the neighborhood/area
- Inability to mitigate noise impacts due to close proximity to residential neighborhoods
- Hours of operations (open until 5:00AM) would negatively impact neighbors
- Use is not compatible with character of area
- Use would negatively impact a State campground 700-feet from proposed conditional use
- Parking lot run-off would impact the lake waters
- Light pollution

- Concerns for bike path/ATV traffic and potential intoxicated driver from bar
- More potential drunk drivers on the road system
- Potential increase of alcohol related incidents and crimes
- General traffic increase to the area
- Vagueness / Incomplete application material
- Will have same negative impact to neighbors as "Fish Heads Bar"
- Property Value will decrease due to noise pollution
- No local police to help mitigate alcohol related incidents
- Concerns of non-compliance by the applicant, due to violation of other CUP and lack of willingness to "follow the rules"

WHEREAS, Goal LU-1 of the Borough-Wide Comprehensive Plan (2005 Update) is to *Protect and enhance the public safety, health, and welfare of Borough residents; and*

WHEREAS, Policy LU1-1 Borough-Wide Comprehensive Plan (2005 Update) is to *Provide for consistent, compatible, effective, and efficient development within the Borough; and*

WHEREAS, Goal LU-2 of the Borough-Wide Comprehensive Plan (2005 Update) is to *Protect residential neighborhoods and associated property values; and*

WHEREAS, Policy LU2-1 of the Borough-Wide Comprehensive Plan (2005 Update) is to *Develop and implement regulations that protect residential development by separating incompatible uses, while encouraging uses that support such residential uses including office, commercial and other mixed-use developments that are shown to have positive cumulative impacts to the neighborhood; and*

WHEREAS, Goal LU-3 of the Borough-Wide Comprehensive Plan (2005 Update) is to *Encourage commercial and industrial development that is compatible with residential development and local community desires*; and

WHEREAS, Policy LU3-1 of the Borough-Wide Comprehensive Plan (2005 Update) is to *Develop and implement regulations that provide for non-residential development*; and

WHEREAS, the developed properties along South Big Lake Road are predominantly commercial, but produce little to no amplified noise; and

WHEREAS, the nearest operating alcoholic beverage dispensary in the Big Lake area is Floaters on Big Lake Road, about one quarter mile from this site; and

WHEREAS, the subject parcel was originally Lots 2, 3, & 4, of Block 1 of the "Rocky Big Lake Subdivision"; and

WHEREAS, Rocky Lake Subdivision abuts the proposed conditional use; and

WHEREAS, the character of the Rocky Lake Area is known to be of a quiet and family-friendly atmosphere; and

WHEREAS, Alaska Administrative Code 11 AAC 20.922 - Use of Power Boats at Rocky Lake State Recreation Site, prohibits the use of jet skis, jet boats with inboard motors, and airboats; and

WHEREAS, Rocky Lake State Recreation Site is less than 600-

feet from the proposed conditional use; and

WHEREAS, Rocky Lake State Recreation Site has quiet hours of 10:00PM to 6:00AM; and

WHEREAS, the application material shows a 2,496-square foot bar with a 150-square foot smoking deck/beer garden; and

WHEREAS, the application material shows a 1,400-square foot "bandstand" (outdoor music stage); and

WHEREAS, the applicant indicated he was unsure of the hours of operation for the bar portion of the business, but that he could operate 21-hours a day, from 8:00AM to 5:00AM the following day; and

WHEREAS, the applicant indicated he was unsure of the hours of operation for the restaurant portion of the business, but that he could operate 23-hours a day, from 6:00AM to 5:00AM the following day; and

WHEREAS, the applicant provided little to no detail on the operation of the bandstand, such as hours of operation, number of expected attendees, parking and traffic impacts, and noise generated by the use; and

WHEREAS, the applicant did not address the noise impact to the community or adjacent neighborhood that the bar and bandstand would create; and

WHEREAS, the nearest developed residential lot is approximately 35-feet from the subject parcel; and

WHEREAS, the applicant has provided conflicting information in the application material as to noise mitigation measures. On page 2, question #6, the applicant states a berm will be installed with newly planted trees to mitigate noise, dust and traffic. The site plan shows an 8-foot tall wooden fence will be installed; and

WHEREAS, the applicant has provided conflicting information in the application material as to noise mitigation measures. On page 2, question #4, of the application, the applicant states that state of the art noise buffering material will be installed. In an email, dated January 14, 2015, the applicant states he is undecided on the installation of noise buffering material in the bar structure; and

WHEREAS, MSB 8.52.010(A) declares: "The borough hereby finds and declares that noise, volume-enhanced sounds and their concomitant vibration are significant sources of environmental pollution which represent a present and increasing threat to public peace and to the health, safety, and welfare of the residents of the borough. Loud noise and amplified sounds have

an adverse effect on the psychological and physiological well-being of persons."; and

WHEREAS, according to Rutgers Noise Technical Assistance Center, music concerts typically produce sound greater than 100-decibels (db), which falls in the "deafening" category; and

WHEREAS, according to Rutgers Noise Technical Assistance Center, a quiet to noisy home produces sound around 30-60db, which falls in the "faint" and "moderate" categories; and

WHEREAS, production of sound levels, such as 100-db adjacent to a quiet neighborhood would have an adverse impact to its residents; and

WHEREAS, without factual details of the proposed bar and bandstand, an accurate assessment of the impact to the community and adjacent neighborhood cannot be made; and

WHEREAS, the subject property is 4.96-acres in size. The proposed conditional use will occupy approximately 1.85-acres on the east side of the property, which accesses South Rosalie Court; and

WHEREAS, a Matanuska-Susitna Borough driveway permit is required but has not been obtained for access onto South Rosalie Court; and

WHEREAS, the adjacent properties to the back (north and northwest) side of this lot are developed with residential homes; and

WHEREAS, the application material shows a proposed "illuminated sign on pole" with no other details such as, size, type of illumination, or glare impact; and

WHEREAS, the application material shows 11 wall mounted lights on the exterior of the building. No details such as, size, type of illumination, or glare impact was provided in the application material; and

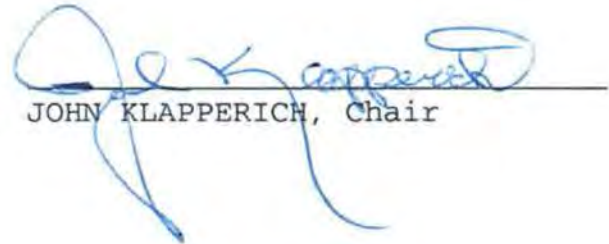
NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting denial of Planning Commission Resolution 15-04:

1. the commission finds this conditional use is not compatible with, will not preserve, and will materially detract from the value, character and integrity of the surrounding area (MSB 17.70.100(A)(1)(a)); and
2. the commission concludes this conditional use, as proposed, will be harmful to the public health, safety, convenience and welfare (MSB 17.70.100(A)(1)(b)); and

3. the commission finds sufficient setbacks, lot area, buffers or other safeguards have not been provided (MSB 17.70.100(A)(1)(c)); and
4. the commission finds there will be negative effects upon the properties in the area due to such factors as noise, obtrusive advertising and glare (MSB 17.70.100(A)(2)(a)); and
5. the commission finds measures are not in place to reduce any negative effect upon adjacent and nearby properties (MSB 17.70.100(A)(2)(c)); and
6. the commission concludes the proposed conditional use is not compatible with the character of the surrounding neighborhood (MSB 17.70.100(A)(2)(g)); and
7. the proposed conditional use, as proposed, is inconsistent with the goals and policies of the Borough-Wide Comprehensive Plan (2005 Update).

BE IT FURTHER RESOLVED that this is a final determination which may be appealed in accordance with MSB 15.39.140 by filing a written notice of appeal with the Borough Clerk within 21 days from the date this determination was issued. If an appeal is not filed as described in the preceding sentence, the right to appeal is forfeited.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 2nd day of February, 2015.



JOHN KLAPPERICH, Chair

ATTEST:



MARY BRODIGAN, Planning Clerk

(SEAL)

YES: *Endle, Klapperich, Walden, Kendig, and Rauchenstein*

NO: *Adams*

Big Lake Community Council

P.O. Box 520931

Big Lake, AK 99652

March 19, 2015

State of Alaska
Department of Commerce, Community, and Economic Development
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

Re: License #: 1034

Subject: Transfer of liquor license from Sheep Mountain Lodge to the 907 Club

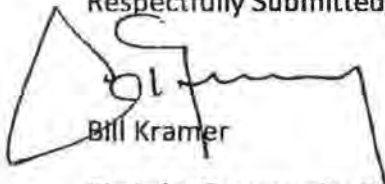
Attn: Jane Sawyer,

The Big Lake Community Council (BLCC) recently took the time to discuss the above referenced action currently in front of the Alcoholic Beverage Control Board and a motion was made to formally oppose the transfer of the license *if* the license was to be used at the location indicated in your January 30, 2015 letter, further identified as 2541 S. Rosalio Court, Big lake, AK 99623.

The motion was passed with majority consent by the voting members of the council.

This letter is written on behalf of the members of the Big lake Community Council.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Bill Kramer". The signature is written over a faint, large, irregular shape that might be a stamp or a large letter "B".

Bill Kramer
Big Lake Community Council, President

Tab 6



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Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
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Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Extension Request for License Transfer:
Akutan Roadhouse, License #1368

A family member of the above licensee, Akutan Roadhouse, Inc., has requested that the time allowed for transfer of its license be extended after the death of a controlling interest shareholder.

Date request received: February 11, 2015

Date of Triggering Event: Sometime in 2013

Triggering Event: ABC notified by Darryl Pelkey, son of Lillian Pelkey, who was a 50% shareholder of Akutan Rodahouse, Inc., that Ms. Pelkey passed away "two years ago".

Request of Licensee's Representative: Extension of time to transfer license while waiting for an attorney to designate an Executor of the estate. Ms. Pelkey's son stated that Ms. Pelkey died without a will and no Executor has been appointed.

Inquiry for the Board: Shall the board extend the time limits in AS 04.11.030(b) or forfeit the license because the statutory requirement that the application for transfer be received within 90 days of the licensee's death was not met?

Recommendation: Apply statute and forfeit license unless representative can provide expedited time frame for license transfer

Deutsch, Candy L (CED)

From: D. Pelkey <daybreakdp@hotmail.com>
Sent: Wednesday, February 11, 2015 4:39 PM
To: Deutsch, Candy L (CED)
Subject: RE: Liquor License # 1368 for Akutan Roadhouse

To; Alcoholic Beverage Control Board

I would like to apply for an extension on the application period ending February 28th to be extended to March 30th, To allow

Melina Pelkey time to hire an attorney to prepare proper shareholder transfer papers for Akutan Roadhouse ownership.

Lillian Pelkey 50% owner Akutan Roadhouse our mother died without leaving a will 2 years ago, Melina Pelkey is the youngest

of 5 surviving kids and cared for our mother for the last 15 years until her death 2 years ago.

Our family all agreed and creditors approved Melina Pelkey to take over Lillian Pelkey 50% owner share of Akutan Roadhouse,also

the mail service is very poor due to airline mail carrier break downs so the extra time would be appreciated so we could sort this all

out legally thru an attorney.

Respectfully, Darryl Pelkey /Manager President

Akutan Roadhouse Inc.

PO BOX 12

Akutan Alaska,99553

e-mail daybreak dp@hotmail.com

Phone# 907- 698- 2234 / cell# 907- 381- 1007

Tab 7



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Homestead Lounge/
Sourdough Bowl, License #2895

The Municipality of Anchorage(MOA) has protested the renewal of the above license per AS 04.11.480(a). Details are as follows:

Date Notification of license
renewal sent to MOA: January 7, 2014

Date Original Protest Received: February 25, 2014

Result of Original Protest: Former employee of ABC failed to place protect on board agenda or notify board of protest. No action taken by board to date on original protest.

MOA Assembly meeting: February 25, 2014 (meets 3 AAC 304.145(d) requirements)

Basis for Protest: Taxes owed to MOA per 3AAC 304.145(g)(1)

Inquiry for the Board: Is the MOA protest arbitrary, capricious and unreasonable?

Recommendation: If ABC Board determines MOA protest is not arbitrary, capricious and unreasonable, uphold the protest per AS 04.11.480(a)

Action on protest: Denial of renewal of license per AS 04.11.330(b)

Oates, Sarah D (CED)

From: Heinz, Jamie L <HeinzJL@ci.anchorage.ak.us>
Sent: Wednesday, April 15, 2015 10:57 AM
To: Oates, Sarah D (CED)
Subject: Homestead Loune LL#2895
Attachments: ABC Action Ltr02.25.14.pdf

Hi Sarah,

Can you tell me the status of Homestead Lounge in Eagle River? I show that we protested them 2/2014 for non-payment of over \$86,000 in taxes and I'm being told that they are still serving.

Thanks for your help,
Jamie Heinz, CMC
Business License Official

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





Office of the Municipal Clerk Licensing

February 25, 2014

Ms. Christine Lambert
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Lambert:

Liquor Licenses

The Anchorage Municipal Assembly at its regular meeting on **February 25, 2014** took the following final action:

PROTESTED

Renew

- **Restaurant/Eating Place**
-Urban Sushi LL#4993
- Pending approvals from Anchorage Finance Department

Renew

- **Beverage Dispensary**
-Homestead Lounge/Sourdough Bowl LL#2895
- Pending approvals from Anchorage Finance Department

NON-OBJECTION

New

- **Restaurant Designation Permit**
-Humpy's Great Alaskan Alehouse LL#3427

Transfer of Ownership/Location/DBA Name Change

- **Beverage Dispensary**
-Brews Brothers LL#3607

New

- **Beverage Dispensary/Tourism**
-Anchorage City Limits Lofts LL#5282
-Conditional non-objection for 180 days pending confirmation of the conditional use permit.

Renew

- **Package Store**
-Brown Jug-Mountain View LL#759
-Conditional non-objection for 180 days pending confirmation of the conditional use permit.

Renew

- **Package Store**
-Brown Jug-West Mountain View LL#1561
-Conditional non-objection for 180 days pending confirmation of the conditional use permit.

Renew

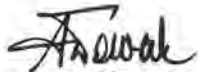
- **Restaurant/Eating Place LL#4573**
-Sizzlin Café LL#4573

Renew

- **Beverage Dispensary**
-Applebee's Neighborhood Grill LL#4746

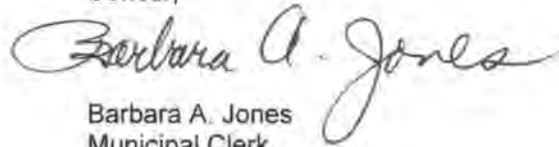
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Anna Nowak
Business Licensing Official

Concur,



Barbara A. Jones
Municipal Clerk

Tab 8



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Spirits of Alaska #1,
License #3556

The Municipality of Anchorage(MOA) has protested renewal of the above license per AS 04.11.480(a). Details are as follows:

Date Notification sent to MOA:	January 8, 2015
Date Protest Received:	March 5, 2015
MOA Hearing Held:	April 14, 2015 (meets 3 AAC 304.145(d) requirements)
Resolution of Assembly received:	April 15, 2015
Basis for Protest:	Three (3) independent grounds for protest set forth in MOA Assembly Resolution Number 2015-67(S)
Inquiry for the Board:	Is the MOA protest arbitrary, capricious and unreasonable?
Recommendation:	If ABC Board determines MOA protest is not arbitrary, capricious and unreasonable, uphold MOA protest
Action on protest:	Denial of renewal of license per AS 04.11.480(a)



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

March 5, 2015

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

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

Dear Ms. Oates:

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

APPROVAL/NON -OBJECTION Renewal

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

New

- Restaurant/Eating Place
-Jimmy Sushi LL#5370

PROTEST Renewal

- Restaurant/Eating Place
-Kansha Restaurant LL#4688
-Pending payment of unpaid taxes.
-Ling & Louie's Asian Bar & Grill LL#5038
-Pending payment of unpaid taxes.

- Package Store
→ -Spirits of Alaska #1 LL#3556

-Conditional protest to allow for notice and opportunity for the licensee to be heard before the Assembly at a public hearing, prior to the exercise of additional protest or non-objection.

Transfer of Ownership

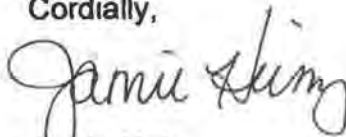
- **Restaurant/Eating Place**
-Jimmy Sushi LL#5033
-Pending receipt of fire department approval.
- **Beverage Dispensary**
-South Restaurant + Coffee House LL# 4923
-Pending receipt of Administrative Site Plan Review approval.

New

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

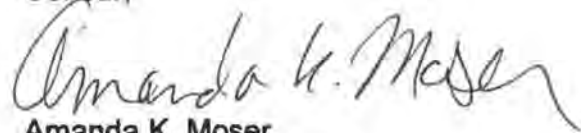
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Jamie Heinz
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

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



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

April 15, 2015

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **April 14, 2015** decided to protest the renewal of Spirits of Alaska #1 package store liquor licenses#3556. The resolution is enclosed.

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

Cordially,

Jamie Heinz
Business License Official

Concur,

Amanda K. Moser
Deputy Municipal Clerk

Enclosure

Municipal Clerk's Office
Amended and Approved
Date: 04/14/2015

Submitted by: ASSEMBLY MEMBER FLYNN
ASSEMBLY CHAIR TRAINI
ASSEMBLY MEMBER HONEMAN
Prepared by: Municipal Clerk's Office
Reviewed by: Dept. of Law
For reading: March 3, 2015

ANCHORAGE, ALASKA
AR NO. 2015-67(S), As Amended

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
2 PROTEST REGARDING RENEWAL OF A PACKAGE STORE LIQUOR LICENSE #3556
3 FOR T&M ENTERPRISES, INC. dba SPIRITS OF ALASKA, LOCATED AT 1149
4 GAMBELL STREET, ANCHORAGE, ALASKA; GIVING NOTICE OF REASONS FOR
5 PROTEST; AND FURTHER PROVIDING FOR PUBLIC HEARING BEFORE THE
6 ASSEMBLY ON THE EXERCISE OR WAIVER OF THIS PROTEST.

7
8 WHEREAS, T&M Enterprises, Inc. has made application with the Alcoholic Beverage
9 Control (ABC) Board and has paid the required fee for renewal of Package Store Liquor
10 License #3556 for Spirits of Alaska, located at 1149 Gambell Street, Anchorage, Alaska
11 (Exhibit A);

12
13 WHEREAS, standards governing Assembly protests to the ABC Board in AMC
14 2.30.125 and 3 AAC 304.180 include:

- 15
16 • Land use consideration – Is there a permanent negative impact greater than that
17 anticipated from permitted development on pedestrian and vehicular traffic circulation
18 and safety; the demand for and availability of public services and facilities; noise, air,
19 water or other forms of environmental pollution; maintenance of compatible and
20 efficient development patterns and land use intensities?
21
22 • Training – Does the applicant demonstrate prospective compliance with a program for
23 techniques in alcohol management (T.A.M.)?
24
25 • Operations procedures – Does the applicant demonstrate prospective compliance with
26 operations procedures for licensed premises described in AMC 10.50.035?
27
28 • Public safety considerations -- Does the applicant demonstrate the ability to maintain
29 order and prevent unlawful conduct in licensed premises, including any adjacent area
30 under the control or management of the licensee?
31
32 • Public health – Has the operator engaged in a pattern of practices injurious to public
33 health or safety or other actions within the knowledge and control of the operator
34 which place the public health or safety at risk?
35

36 WHEREAS, Anchorage Municipal Code and state law provide the Anchorage
37 Assembly the opportunity to protest a license renewal upon facts that render the particular

1 application objectionable to the local governing body, or may be based upon a general public
2 policy with a reasonable basis in fact, not contrary to law, and not patently inapplicable to the
3 particular application;

4
5 WHEREAS, the Municipality of Anchorage has faced increasing public safety
6 challenges in the Fairview community related to chronic inebriates;

7
8 WHEREAS, T&M Enterprises, Inc. dba Spirits of Alaska located at 1149 Gambell
9 Street has been in operation as a package liquor store since 1995. In 1995, the Anchorage
10 Assembly took special measures to accomplish package liquor store compatibility with the
11 local community. (Exhibit B);

12
13 WHEREAS, in the 1995 approval, public safety considerations were addressed by on-
14 site surveillance cameras; provision for security staff to monitor the area, and T.A.M. training
15 for all employees (Exhibit B);

16
17 WHEREAS, licensee implementation of these public safety, use, and mitigation
18 considerations proved insufficient for public health and safety and at least three (3) ABC
19 Board Notices of Violation were issued against the licensed premises at this location between
20 2009 and 2012 (Exhibit C).

21
22 WHEREAS, since March 2014 the Fairview Community Council has attempted
23 to work collaboratively with Bridget Thompson owner of T&M Enterprises, Inc. dba Spirits of
24 Alaska and the Anchorage Police Department to develop and implement an action plan to
25 reduce loitering of chronic inebriates and associated undesirable behaviors that negatively
26 impact the livelihoods of nearby property owners and the quality of life of other users of the
27 public space (Exhibit D) & (Exhibit G);

28
29 WHEREAS, on February 12, 2015 the Fairview Community Council voted to oppose
30 continuation of the conditional use permit associated with this premises and asked the
31 Assembly to rescind the conditional use permit currently in place and to protest renewal of
32 the liquor license for this establishment (Exhibit D);

33
34 WHEREAS, the Anchorage Assembly and Municipal Clerk's Office has received
35 written comments from individuals and entities concerning the renewal of package store
36 liquor licenses #3556 (Exhibit E);

37
38 WHEREAS, the Municipal Clerk reports there are taxes owing to the Municipality of
39 Anchorage in the amount of **\$2083.58** (Exhibit F);

40
41 WHEREAS, public hearing on the exercise or waiver of protest has been duly
42 scheduled for **April 14, 2015**~~[March 24, 2015]~~;

43
44 WHEREAS, the proposed findings in Section 1 of this Assembly Resolution state the
45 reasons for the protest and a copy of this Assembly Resolution and the accompanying
46 Assembly Memorandum of Exhibits have been provided to the applicants and representatives
47 by no later than 21 days in advance of public hearing on **April 14, 2015**~~[March 24, 2015]~~;

48

1 WHEREAS, on April 14, 2015~~[March 24, 2015]~~, the Assembly having reviewed the
2 standards for protest and the exhibits, held public hearing, reviewed and deliberated the
3 proposed findings in support of protest;

4
5 NOW, THEREFORE, THE ANCHORAGE ASSEMBLY hereby enters its protest
6 regarding the renewal of package store liquor license #3556; and further resolves:

7
8 **Section 1:** The Anchorage Assembly makes the following findings in support of the protest.
9 Each finding, taken alone, is considered by the Anchorage Assembly as independent
10 grounds for protest:

11
12 Finding 1. Historical experience with this location and with one or more other
13 locations, demonstrates to the Anchorage Assembly as a matter of
14 general public policy, there is a permanent negative impact greater than
15 that anticipated from permitted development, on a) pedestrian and
16 vehicular traffic circulation and safety; b) the demand for and availability
17 of public services and facilities; and c) noise and public litter, when the
18 licensed premises is operated under an operating plan such as the one
19 currently utilized by T&M Enterprises, Inc.

20
21 Finding 2. Written comments (Exhibit E) and surveillance images (Exhibit G) taken
22 together with Alcoholic Beverage Control Board Notices of Violations
23 (Exhibit C) is insufficient to demonstrate prospective compliance with
24 alcohol management training and requisite operational procedures.

25
26 Finding 3. The current operating plan utilized by T&M Enterprises, Inc. is insufficient
27 to overcome concerns by the Anchorage Assembly about the ability of
28 T&M Enterprises, Inc. to demonstrate the trustworthiness and fitness to
29 responsibly conduct a licensed package liquor store without potential
30 harm to the public interest in areas of a) alcohol management training in
31 light of written comment (Exhibit E) and b) record keeping and financial
32 management practices (Exhibits F).

33
34 **Section 2.** A copy of this Assembly Resolution may be presented to the Alcoholic
35 Beverage Control Board as proof that the Anchorage Assembly, as the local
36 governing body, has stated its protest after public hearing on April 14,
37 2015~~[March 24, 2015]~~.

38
39
40 PASSED AND APPROVED by the Anchorage Assembly this 14th day of
41 April, 2015.

42
43
44
45 ATTEST: Barbara A. Jones
46
47 Municipal Clerk

Dick
Chair



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
No. 139-2015(A-1)

Meeting Date: March 3, 2015

1 **From:** ASSEMBLY MEMBER FLYNN
2 **Subject:** AR 2015-67(S) — A RESOLUTION OF THE ANCHORAGE MUNICIPAL
3 ASSEMBLY STATING ITS PROTEST REGARDING RENEWAL OF A
4 PACKAGE STORE LIQUOR LICENSE #3556 FOR T&M ENTERPRISES,
5 INC. dba SPIRITS OF ALASKA, LOCATED AT 1149 GAMBELL STREET,
6 ANCHORAGE, ALASKA; GIVING NOTICE OF REASONS FOR PROTEST;
7 AND FURTHER PROVIDING FOR PUBLIC HEARING BEFORE THE
8 ASSEMBLY ON THE EXERCISE OR WAIVER OF THIS PROTEST.
9

10 AR 2015-67(S) references the following Exhibits, as attached to this Assembly Memorandum
11 for ease of tracking and reference:
12

- 13 Exhibit A: Renewal application for renewal of package store liquor license #3556.
14
15 Exhibit B: AR 1995-198, Conditional Use-Alcohol Sales, for 1149 Gambell Street
16 land use (*dba* Spirits of Alaska).
17
18 Exhibit C: Notice of Violation history at 1149 Gambell Street (*dba* Spirits of Alaska).
19
20 Exhibit D: Fairview Community Council's report of efforts to work collaboratively
21 with Bridget Thompson and the managers Spirits of Alaska located at
22 1149 Gambell Street and subsequent request to the Assembly to protest
23 the renewal of the package store license.
24
25 Exhibit E: Public Comment received by the Assembly and the Municipal Clerk's
26 Office related to the renewal of package store liquor license #3556 (*dba*
27 Spirits of Alaska).
28
29 Exhibit F: Results of the Municipality of Anchorage's Finance department review of
30 taxes owed by the licensee, T&M Enterprises, Inc..
31
32 Exhibit G: DVD of Anchorage Police Department surveillance photos and videos
33 taken of Spirits of Alaska and the immediate area adjacent to the
34 licensed establishment and associated outline.
35
36 Exhibit H: Alcoholic Beverage Control (ABC) Board licensing file.
37

38 Public hearing on the exercise or waiver of protest is scheduled for **April 14, 2015**[~~March 24,~~
39 ~~2014~~].
40

41
42 Respectfully submitted:
43

44 Patrick Flynn,
45 Assembly Member District 1



Municipality of Anchorage

P.O. Box 198650 • Anchorage, Alaska 99519-0650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

March 25, 2015

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **March 24, 2015** postponed to April 14, 2015, at licensee T&M Enterprises request, through its President Bridget Thompson, the public hearing relating to the exercise of additional protest or non-objection for the renewal of package store liquor licenses #3556. Please see the enclosed resolution.

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

Cordially,

Jamie Heinz
Business License Official

Concur,

Amanda K. Moser
Deputy Municipal Clerk

Enclosure

Submitted by: ASSEMBLY CHAIR TRAINI
ASSEMBLY MEMBER FLYNN
ASSEMBLY MEMBER HONEMAN
Prepared by: Municipal Clerk's Office
For reading: March 24, 2015

APPROVED
3-24-15

ANCHORAGE, ALASKA
AR NO. 2015-116

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY TO CONFIRM RESCHEDULING OF PUBLIC HEARING BEFORE THE ASSEMBLY ON THE EXERCISE OR WAIVER OF PROTEST REGARDING RENEWAL OF PACKAGE STORE LIQUOR LICENSE #3556 TO APRIL 14, 2015, AT THE REQUEST OF LICENSEE T&M ENTERPRISES, THROUGH ITS PRESIDENT BRIDGET THOMPSON.

1
2 WHEREAS, by Assembly Resolution 2015-54, the Anchorage Assembly entered a
3 CONDITIONAL PROTEST for renewal of Package Store liquor license #3556 to allow the
4 licensee the opportunity to meet with the Assembly on March 24, 2015, upon at least 21-day
5 notice as required by Anchorage Municipal Code 2.30.120, with the opportunity to attend and
6 be heard at public hearing on the Assembly's exercise or waiver of protest; and
7

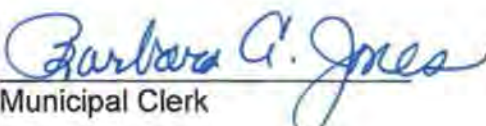
8 WHEREAS, on March 20, 2015, licensee T&M Enterprises, through its president
9 Bridget Thompson, requested the hearing be rescheduled to allow time to prepare a
10 response.
11

12 NOW, THEREFORE BE IT RESOLVED that this matter has been rescheduled at the
13 request of the applicant and shall come before the Anchorage Assembly on April 14, 2015.
14 Except for the change in hearing date, AR 2014-324 shall remain in force and effect.
15

16 PASSED AND APPROVED by the Anchorage Assembly this 24th day of
17 March 2015.
18

19
20 
21 Chair of the Assembly

22 ATTEST:

23
24 
25 Municipal Clerk
26

T & M Enterprises, Inc

1139 Gambell Street
Anchorage, Alaska 99501

Ph: (907) 274-2818
Fax: (907) 274-5707

April 27, 2015

Via fax and email: (907) 334-2285
sarah.oates@alaska.gov

Alcohol Beverage and control Board
Attention: Chairman Bob Klein
2400 Viking Drive
Anchorage, AK 99501

Re: Licensee: T & M Enterprises Inc.
License #: 3556
Location: 1149 Gambel Street
License renewal Protest from Municipality of Anchorage

Dear Chairman Klein:

This letter is provided as an objection to the Municipality of Anchorage's ("MOA") Resolution AR 2015-067 that protests renewal of License No. 3556. T & M Enterprises, Inc. ("Licensee") was informed Friday afternoon, April 23, 2015, that it had an opportunity to submit something in writing as long as it was provided before 8:00 am on Monday, April 27, 2015. In light of the shortness of time, this response will be brief, and will likely be supplemented during your Board hearing to be held on April 29, 2015. Licensee appreciates the opportunity to briefly set out the objections to the protest and request that the license be renewed despite the protest because the MOA's decision is arbitrary and capricious.

Licensee has operated under this liquor license since 1994, and conducted business at the above location since 1995. When it moved into this current location, it entered into the most comprehensive conditions of any conditional use permit approved by the

ABC Board
April 27, 2015
Re: MOA Protest, License No. 3556
Page 1 of 6

Municipality of Anchorage. In the almost 20-years of operating under that use permit, Licensee has never received notice of violation of any of the conditions of the conditional use permit. Additionally, there has never been a finding of a violation of any of the conditions of the conditional use permit. This conditional use permit is a matter of public record and a copy is attached for your convenience.

The file maintained by the Board on License No. 3556 demonstrates that Licensee has had a total four (4) notices of violations issued during nearly 20-years of operation. One notice was issued in 2009 for furnishing liquor to an underage person and for allegedly not having the proper signs posted. Licensee promptly investigated both claims, and upon a review of the facts and circumstances surrounding the sales allegation, the individual followed proper procedure and checked the identification, but made the choice to sell to a "fellow military person." That individual was immediately terminated. Licensee disputed the sign posting issue and pointed out that the one set of required signs were posted in their correct dimensions, and an additional set of signs had been trimmed.

Licensee also received one (1) notice of violation in 2010 for a sale to an inebriated person. Licensee reviewed the tape with the clerk, and although it was not clear from the tape if the individual was visibly intoxicated, the clerk decided to take responsibility for this event, accepted a one year suspended imposition of sentence, complied with all conditions of probation and has since had the conviction set aside.

Licensee received two (2) notices of violations in 2012 - the first in January 2012, and the second in May of 2012. Both of these violations were for furnishing liquor to an underage person and for allegedly not having the proper signs posted. Licensee promptly investigated both claims, and upon a review of the facts and circumstances surrounding these sales, including a review of the tapes and both of the clerks were terminated. The Board chose to not take formal action against the licensee under the provisions of AS 44.62.330-AS 44.62.630. No notices of violation have been issued in the last three (3) years of operation and licensee has passed each and every random compliance check made by the Board.

In spite of the fact that Licensee has taken appropriate action each and every time a notice of violation was issued, and in spite of the fact that Licensee has had no violations of the conditional use permit, the MOA ultimately decided to protest renewal of the license. Licensee believes that, unbeknownst to Licensee, the decision to protest renewal began in late 2013 or early 2014 when the Fairview Community Council ("FVCC") was preparing to submit a proposal to the Anchorage Assembly to have a 65-block area known as the Fairview Business District designated as a "deteriorated

ABC Board

April 27, 2015

Re: MOA Protest, License No. 3556

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area" thus making the area eligible for revitalization tax breaks and other opportunities allowed under Anchorage's revitalization program. In fact, in July 2014, Assembly Member, Patrick Flynn, who represents the Fairview area, was successful in securing a "deteriorated area" designation on behalf of the FVCC.

Beginning in late 2013, early 2014, Licensee and The Oaken Keg Spirit Shop located approximately one block from Licensee began a dialogue with the FVCC regarding the Council's concerns with the operation of both stores in the neighborhood. Several meetings were held with the FVCC and its public safety committee. The parties were in active discussion to revisit and perhaps revise/update the "conditions" of each store's conditional use permits. Licensee's conditional use permit was and remains by far the most restrictive. During the initial meeting with FVCC, Licensee was shown a video clip allegedly depicting inebriated individuals to the far north side of Licensee's building. There was no indication or suggestion that these two individuals were sold alcohol by Sprits of Alaska. In fact, the white plastic bag they were holding makes clear they did not purchase anything from Sprits of Alaska as it contained an orange juice bottle not sold by Licensee.

Contrary to the representations later reflected in an exhibit submitted to the Anchorage Assembly in support of the current protect (See Exhibit G), these two individuals were NOT outside the front doors of Sprits of Alaska; rather, they were located on the north of the entrance of the store just north of the doors to the vacant space. It was not clear if the Community Action Policing ("CAPS") officer called CPS to come render aid, or if they merely video-taped the event to later be used as evidence. Because this was shown to the Licensee much later in time, with no specific date and time indicated, it was impossible to pull the store tapes to see if they even entered and were denied service, or to pull the written log required to be kept under its conditional use permit to see if CPS was called by staff. This video clip was taken before the store installed video surveillance facing that direction. Additional clips were shown of the front and side south side of Licensee's building allegedly showing a clerk who was fired prior to having been shown the video, and patrons who had been permanently trespassed. What was clearly shown was individuals on the south side of the building loitering, and it was in a blind spot in Licensee's camera system.

Ultimately, Licensee and Oaken Keg were asked to do certain things. Licensee agreed to upgrade and add security cameras at locations to be suggested by Officer Jones of the Anchorage Police Department, CAPS team. Licensee was also asked to add lighting to the south side of the building. Licensee complied with all requests. The details of the discussion relating the scope of the proposed conditions will be discussed with the Board, but in the end there were only two things that Licensee could not agree

ABC Board

April 27, 2015

Re: MOA Protest, License No. 3556

Page 3 of 6

to: (1) hiring a \$70,000.00 a year security guard, and (2) honoring a "trespass" or "no sale list." Licensee has, however, a designated night person as their security person, and simply cannot afford to hire another. Regarding the "no sale list," Licensee did not refuse to follow such a list. Instead, based on experience gained from being an Attorney who worked for the Anchorage Equal Rights Commission, Licensee simply ask if such a list would be legal. Licensee wanted to know if the Municipal Attorney would sign off on the list. Licensee was rightly concerned about a list compiled that may, in all likelihood would be dominated by a certain race or ethnic group and which might result in complaints of racial discrimination or racial profiling. In light of that concern, Licensee simply ask the FVCC if the Municipal attorney would sign off on the list so the MOA or the FVCC could defend Licensee if racial complaints were made against it. Licensee also made clear that such a list is already created by the State and that Licensee complied with Red Strip law which prohibits those who have a red strip on their identification as ordered by a court after a due process hearing.

After a public hearing on March 24, 2015, the Anchorage Assembly made the following findings in support of the MOA's protest:

Finding 1. Historical experience with this location and with one or more other locations, demonstrates to the Anchorage Assembly as a matter of general public policy, there is a permanent negative impact greater than that anticipated 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, when the licensed premises is operated under an operating plan such as the one currently utilized by T&M Enterprises, Inc.

Finding 2. Written comments (Exhibit E) and surveillance images (Exhibit G) taken together with Alcoholic Beverage Control Board Notices of Violations (Exhibit C) is insufficient to demonstrate prospective compliance with alcohol management training and requisite operational procedures.

Finding 3. The current operating plan utilized by T&M Enterprises, Inc. is insufficient to overcome concerns by the Anchorage Assembly about the ability of T&M Enterprises, Inc. to demonstrate the trustworthiness and fitness to responsibly conduct a licensed package liquor store without potential harm to the public interest in areas of a) alcohol management training in light of written comment (Exhibit E) and b) record keeping and financial management practices (Exhibits F).

Licensee submits that the MOA's decision was arbitrary and capricious because Licensee was denied a fair and impartial hearing before the Anchorage Assembly. See Public Safety Employees Ass'n v. Alaska 902 P 2d 1334 (Alaska 1995). As this case instructs, a decision is arbitrary and capricious if the decision was rendered without consideration of mandated provisions or if the decision was made on unreasonable grounds or without any proper consideration of current circumstances.

AS 04.11.480 provides that a local governing body may protest, among other actions, a liquor license renewal application. Pursuant to this enabling legislation, the ABC Board has adopted regulations among them 3 AAC 304.145 and 150. Under 3 AAC 304.145(d), it is required that "a local governing body that protests an application shall allow a reasonable opportunity to defend the application before a meeting of the local governing body". The statute and regulations do not specifically define what process must be afforded an applicant, only that there must be that "reasonable opportunity to defend". However, the MOA, through the adoption of its own ordinances, has established certain rights for an applicant to be able to be afforded that meaningful "due process" opportunity to defend its application. Chief among them is the right to have an opportunity to engage in an ex parte communication with the assembly members, clearly adopted in recognition of the importance of the property right at stake in any renewal process. MCA §2.30120(H). However, contrary to the mandate that an applicant be afforded that reasonable opportunity to defend as required by 3 AAC 304.145(d), and specifically defined by the MOA under its governing ordinances, Licensee was specifically denied its "meaningful opportunity to defend". An email was sent from the MOA Attorney Dennis Wheeler to the entire Assembly which indicated that they were prohibited from having any "ex parte communications" with Licensee, contrary to the clear right so engage. However, an Article in the Alaska Dispatch News dated March 2, 2015 makes clear that the FVCC had ex parte communication with Assembly members.

Members of the Assembly would not talk to or meet with Licensee and there was no ability to engage in any ex parte communication as allowed under MCA §2.30.120(H). Refusing to allow an applicant to participate in the opportunity to defend its application in a manner allowed by the local governing body's own established local laws is a clear demonstration that the ultimate decision made by the local governing body was in violation of due process and was in violation of 3AAC 304.145(d). Even one Assembly member, Assemblyman Evans, stated that the process used to consider this protest did not comply with the process used in past protest actions. Any "protest" that denies an applicant the meaningful opportunity to defend, as required by law and regulation is necessarily arbitrary, capricious and unreasonable. As indicated by

Public Safety Employees Ass'n v. Alaska 902 P 2d 1334 (Alaska 1995) a single failure to follow the law or process can support an arbitrary and capricious finding.

Not only did the MOA deny certain rights to Licensee, it considered information that was irrelevant to Licensee's business practices and that are completely beyond the control of Licensee and this Board. Exhibit G relied on by the MOA clearly blames Licensee for the crimes committed in the neighborhood, that are committed in areas where Licensee has no authority or control. They apparently even blame the Licensee for calls of intoxicated drivers on Gambell Street, individuals driving on a suspended license, assaults, and other crimes that were not committed on the Licensee's premises. The FVCC and the MOA clearly relied on circumstances that were not within the control of Licensee and therefore the MOA's decision was arbitrary and capricious as a matter of law.

In closing, Licensee requests that the ABC Board look closing at the underpinnings of the MOA protest decision. Licensee is confident that close scrutiny of the exhibits and evidence relied on by the MOA will show that there are no allegations of unlawful conduct on the part of Licensee and the overwhelming majority of the conduct and problems experienced by the local community are outside the ability of Licensee to manage and correct. The Licensee will not have its employees break up drug deals in Fairview or assaults in Fairview, as that is dangerous and irresponsible and should be left to the professionals, the police. It is clearly arbitrary to single out this location, and not look to both package stores in Fairview that are within one block of each other. Although APD has video of Oaken Keg, it never provided that the Licensee or the Assembly with such video to serve as a point of comparison or contrast, nor did it compare "police calls" within 100 feet of Carr's property. There is no causal connection established between any such calls and the operations of the Licensee, the two years APD looked to actually demonstrate a significant drop (26%) in such calls, and it is arbitrary and unreasonable to attribute such calls to the management and operational procedures of the Licensee. Each time Licensee has had a problem within its jurisdiction, it has taken immediate corrective action. Licensee does not have the jurisdiction or ability to correct community wide problems and therefore should not be deprived of a valuable property right based on circumstances that are not within the boundaries of its licensed premises.

Sincerely;

/s/

Bridget Thompson,
President, T & M Enterprises, Inc.

ABC Board
April 27, 2015
Re: MOA Protest, License No. 3556
Page 6 of 6

Tab 9



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Extension Request for License Transfer;
Tundra Lodge & R/V Park, License #1176

The remaining co-owner of Tundra Lodge & R/V Park's license has requested that the time allowed for transfer of her license be extended.

Date request received: February 25, 2015

Date of Triggering Event: January 3, 2014

Triggering Event: ABC notified by Barbara Abbott, wife of Donald Abbott, that Mr. Abbott passed away in January of 2014. The Abbotts co-owned the beverage dispensary license for Tundra Lodge & R/V Park.

Request of Licensee: Extension of time to transfer license while waiting for probate of the estate. Ms. Abbott has not given staff a timeline for when probate may be complete.

Inquiry for the Board: Shall the board extend the time limits in AS 04.11.030(b) or forfeit the license because the statutory requirement that the application for transfer be received within 90 days of the licensee's death was not met?

Recommendation: Apply statute and forfeit license unless representative can provide expedited time frame for license transfer

Deutsch, Candy L (CED)

From: Barbara <tundrarv@aptalaska.net>
Sent: Wednesday, February 25, 2015 10:26 PM
To: Deutsch, Candy L (CED)
Subject: Extension Request

ABC Board

2400 Viking Drive

Anchorage, AK 99501

Jundra Lodge + RV Park

Dear ABC Board Members:

I just learned that the matter of transfer of ownership should have take place within 90 days of my husband's death. As I went through the difficult time after his death it didn't occur that this needed to be done... I am sorry as this was my ignorance of the law. It was not until it was time to renew the license & my correspondence with Candy Deutsch that I learned of this.

The paper work should be completed next week & I shall get the postings done at that time.

Please let me know what else I need to do to process this.

Thank you.

Barbara Abbott

PO Box 8

Tok, AK 99780

Oates, Sarah D (CED)

From: Barbara [<mailto:tundrarv@aptalaska.net>]
Sent: Wednesday, February 25, 2015 12:54 PM
To: Deutsch, Candy L (CED)
Subject: Extension Request

ABC Board

2400 Viking Drive

Anchorage, AK 99501

Dear ABC Board Members,

I am writing this letter to request an extension of the renewal of liquor license #1176 due to the death of my husband. Donald E Abbott & I are the co-names on the license & I need to finish completion of the transfer of ownership.

Thank you.

Barbara A Abbott

PO Box 8

Tok, AK 99789

Tab 10



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: King Ko Inn,
License #610

The Bristol Bay Borough (BBB) has protested renewal of the above license per AS 04.11.480(a).
Details are as follows:

Date Notification sent to BBB: February 09, 2015

Date Protest Received: March 06, 2015

Basis for Protest: Past due wastewater utility bill

3 AAC 304.145(d) Letter Sent
to applicant: April 23, 2015

Inquiry for the Board: Did BBB allow the applicant a reasonable opportunity to
defend the application before a meeting of the local
governing body per 3 AAC 304.145(d)?

Recommendation: If the board finds that the BBB met the requirement
above, and unless the board determines that the protest
is arbitrary, capricious, and unreasonable, uphold the
protest

Action on protest: Denial of renewal of license per AS 04.11.480(a)

Wz 610

P.O. Box 189
NAKNEK, ALASKA 99633
www.bristolbayboroughak.us



TELEPHONE
(907) 246-4224
FAX
(907) 246-6633

Bristol Bay Borough

March 6, 2015

Alcohol Beverage Control Board
Sarah Daulton Oates
2400 Viking Drive
Anchorage, AK 99501

Dear Sarah,

At the Bristol Bay Borough Assembly meeting held Monday, March 2, 2015, the Assembly objected unanimously to renewing King Ko Inn's liquor license for year 2015. The reason being King Ko Inn's past due waste water utility bill which is over one year behind in payments. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to be "John Fulton", written over a printed name.

John Fulton
Borough Manager

P.O. Box 189
NAKNEK, ALASKA 99633
www.bristolbayboroughak.us



TELEPHONE
(907) 246-4224
FAX
(907) 246-6633

Bristol Bay Borough

April 23, 2015

Arcadia Corporation
P.O. Box 111830
Anchorage, AK 99511

Re: Liquor License Renewal

Dear Mr. Koval,

The Bristol Bay Borough Assembly at the regular monthly meeting held March 2, 2015 objected to the renewal of your establishment's liquor license for the Arcadia Corporation doing business as the King Ko Inn for failure to pay your sewer bill which is in arrears over one year. The State of Alaska Alcohol Beverage Control Board has been notified of this as well and pursuant to regulation 3AAC304.145(d) the Borough must provide you opportunity to speak to your situation before the local governing body or the Borough Manager, Finance Director or both. Please contact Borough Manager John Fulton at 907.246.4224 ext. 307 at your earliest convenience.

Sincerely,

Tani Schoneman
Borough Clerk

Tab 11



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Frontier Club,
License #426

The City of Fairbanks (FBX) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to FBX: January 29, 2015

Date Protest Received: March 10, 2015

Basis for Protest: Past due city alcohol taxes

Requirements Met: Emails from FBX dated March 10-13, 2015 indicate that FBX met the requirement to allow the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d)

Recommendation: Unless the board determines that the protest is arbitrary, capricious, and unreasonable, uphold the protest

Action on protest: Denial of renewal of license per AS 04.11.480(a) and AS 04.11.330(b)



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6702
Fax (907)459-6710

March 10, 2015

Sarah Oates
Licensing & Records Supervisor
Alcohol Beverage Control Board
2400 Viking Drive
Anchorage, Alaska 99501

Re: Liquor License Renewals

At the Regular Meeting of March 9, 2015, the Fairbanks City Council voted to WAIVE PROTEST on the follow Liquor License RENEWAL applications:

Lic #	Establishment Name	License Type	Premise Location	Owner Name
77	300 Club	Beverage Dispensary	940 Cowles St	Karen A. Meadows-Sours
617	K & L Distributors	Wholesale General	945 Elizabeth St	K & L Distributors, Inc.
1377	Rock N Rodeo Bar & Grill	Beverage Dispensary	600 Old Steese Hwy	Scruff-N-Pork's, Inc.
1912	Gold Rush Saloon	Beverage Dispensary	3399 Peger Rd	Downriver, Inc.
1966	Loyal Order of Moose #1392	Club	98 Tenth Ave	Fairbanks Lodge #1392
2124	Los Amigos	Beverage Dispensary	636 28 th Ave (upstairs)	Two Amigos, LLC
2512	2 Go Mart #114	Package Store	2110 Peger Rd	Tesoro Northstore Company
2847	Bojangles	Beverage Dispensary	1351 Cushman St	Scruff-N-Pork's, Inc.
3050	Gambardella's Pasta Bella	Restaurant / Eating Place	706 2 nd Ave	Gambardella's II, Inc.
3965	K & L Beverage Company	Wholesale General	945 Elizabeth St	K & L Beverage Company, LLC
4216	2 Go Mart #115	Package Store	99 College Rd	Tesoro Northstore Company
4314	Gallo's Mexican Restaurant	Beverage Dispensary	60 College Rd	Northern Lights Business, Inc.
4465	Roundup Steak House	Beverage Dispensary	2701 S Cushman St	The Last Roundup, LLC
4504	Gold Rush Deli	Beverage Dispensary	3399 Peger Rd #C	Upriver, Inc.
4547	Chili's Grill & Bar	Beverage Dispensary	No Premises	Duke Investments, LLC
4548	Brewsters	Beverage Dispensary	354 Old Steese Hwy	Restaurant Concepts, LLC
4565	2 Go Tesoro	Package Store	3569 S Cushman St	Tesoro Northstore Company
4763	Bobby's Downtown	Beverage Dispensary	609 Second Ave	Delta Epsilon, Inc.

Sarah Oates
 ABC Records & Licensing Supervisor
 Liquor License Renewals
 March 10, 2015
 Page 2 of 2

Lic #	Establishment Name	License Type	Premise Location	Owner Name
4880	Friar Tuck's Hoagie House	Restaurant / Eating Place	427 Merhar Ave, Unit 2	Joshua Roach & Stafford Roach
5262	Aha Oriental Kitchen	Restaurant / Eating Place	996 Blair Road	Moonstone, LLC

The Council voted to PROTEST the following liquor license renewal at the Finance Department's recommendation until such time that past due City alcohol taxes are paid in full. The Council authorized lifting the protest administratively when the outstanding taxes are paid in full.

Lic #	Establishment Name	License Type	Premise Location	Owner Name
426	Frontier Club	Beverage Dispensary	No Premises	Boulder Investments, Inc.

The Council voted to POSTPONE consideration of the following liquor license renewal until the Regular City Council Meeting of March 23, 2015.

Lic #	Establishment Name	License Type	Premise Location	Owner Name
3336	Soapy Smith's Pioneer Restaurant	Restaurant / Eating Place	543 2 nd Ave	Nicholas V. Stepovich

Alaska Statutes section 04.11.480(c) provides that "A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. . . . If the local governing body recommends conditions, the board shall impose the conditions unless the recommended conditions are arbitrary, capricious, or unreasonable."

If you have any questions or would like further information please contact me at 907-459-6774.

Sincerely,



D. Danyielle Snider, CMC
 Fairbanks City Clerk

cc: Files
 Finance Department

Oates, Sarah D (CED)

From: Danyielle Snider <ddsnider@ci.fairbanks.ak.us>
Sent: Friday, March 13, 2015 1:07 PM
To: James N. Soileau
Cc: Paul J. Ewers
Subject: RE: Notice of Action - 03/09/15

FYI—Darrin with the Frontier Club called and stopped by this afternoon and said that he will not be requesting another hearing with the Council for his liquor license. So the response I sent to the ABC Board still stands.

Dani

From: James N. Soileau
Sent: Wednesday, March 11, 2015 10:09 AM
To: Danyielle Snider
Cc: Paul J. Ewers
Subject: Re: Notice of Action - 03/09/15

Check with Paul about Fronter. We may have an issue

Sent from my iPhone

On Mar 11, 2015, at 11:06 AM, Danyielle Snider <ddsnider@ci.fairbanks.ak.us> wrote:

Sarah,

Please see the attached notice of action on liquor license renewals by the City Council on March 9, 2015.

If you have any questions, please feel free to contact me.

D. Danyielle Snider, CMC
City Clerk | City of Fairbanks
800 Cushman Street | Fairbanks, AK 99701
P (907) 459-6774 | F (907) 459-6710
ddsnider@ci.fairbanks.ak.us

<SIGNED Notice of Action to ABC - 03 09 15 Renewals.PDF>

Oates, Sarah D (CED)

From: Danyielle Snider <ddsnider@ci.fairbanks.ak.us>
Sent: Wednesday, March 11, 2015 12:59 PM
To: darrinlem
Subject: RE: Liquor License Renewal

Monday, March 23 @ 7 p.m.

Dani

From: darrinlem [<mailto:darrinlem@Yahoo.com>]
Sent: Wednesday, March 11, 2015 12:52 PM
To: Danyielle Snider
Subject: RE: Liquor License Renewal

When's the next meeting ?

Sent via the Samsung Galaxy Note® 4, an AT&T 4G LTE smartphone

----- Original message -----

From: Danyielle Snider <ddsnider@ci.fairbanks.ak.us>
Date: 03/11/2015 10:55 AM (GMT-09:00)
To: darrinlem@Yahoo.com
Cc: pjewers@ci.fairbanks.ak.us, "James N. Soileau" <jnsoileau@ci.fairbanks.ak.us>
Subject: Liquor License Renewal

Darrin,

Due to the problem with the doors on Monday evening, we would like to give you the opportunity to have your liquor license application for renewal heard again by the City Council.

Please let me know as soon as possible if you elect to do this as I have a deadline early next week for the next Council agenda.

Thank you,

D. Danyielle Snider, CMC

Oates, Sarah D (CED)

From: Danyielle Snider <ddsnider@ci.fairbanks.ak.us>
Sent: Tuesday, March 10, 2015 2:12 PM
To: Paul J. Ewers; Jim Williams; Carmen G. Randle
Cc: Shannon Kumpula; JB Brainerd; John Eberhart
Subject: RE: Ordinances; finance committee; ABC Board protests

FYI—I did speak with Mr. Lemons both on the phone this morning and face-to-face when he came by to make a payment.

I set the doors last night to lock at 9 (I estimate this based on how long I think the regular meeting might last), but apparently they locked at 8. When I saw Mr. Lemons' email this morning, I immediately checked with IT to see if Daylight Savings Time could have affected the doors. Ben assured me that the doors were automatically programmed according to DST, so if that's really the case, I have no explanation as to why the doors were locked at 8.

I apologized to Mr. Lemons and he was very understanding. He indicated that he has not received the correspondence from our Finance Dept., only the phone call from Howard yesterday. He wanted to make sure the Council understood that and also make them aware that he is making payments on the back taxes.

Dani

From: Paul J. Ewers
Sent: Tuesday, March 10, 2015 1:58 PM
To: Danyielle Snider; Jim Williams; Carmen G. Randle
Cc: Shannon Kumpula; JB Brainerd; John Eberhart
Subject: Ordinances; finance committee; ABC Board protests

Dear all,

Just a heads up that the Engineering folks, through Shannon, are requesting a change (increase) to the "change order" limits (the current limits have been in the code for many years). We are working on a draft that should go on the agenda for the Finance Committee and be ready for the next council meeting.

Also, I received a copy of an email from Darrin Lemons (communications to council). He is the owner of the Frontier Club (liquor license protest as last night's meeting). He says City Hall was locked when he tried to get in last night. Jim Soileau confirms that he saw and talked to Lemons outside the building and confirmed that the door lock light was red. He offered to let Lemons in, but he declined. In any case, we may want to consider offering to putting that protest back on the agenda for 3/23 if Lemons so requests.

Paul

Paul J. Ewers
City Attorney
City of Fairbanks
800 Cushman Street
Fairbanks, Alaska 99701
907 459-6754
pjewers@ci.fairbanks.ak.us

Tab 12



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Canton House,
License #2185

The City and Borough of Juneau (CBJ) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to CBJ: December 17, 2014

Date Protest Received: February 5, 2015

Basis for Protest: Outstanding tax balance

Requirements Met: Letter from CBJ dated January 23, 2015 to Canton House, LLC, meets requirement that CBJ allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d)

Recommendation: Unless the board determines that the protest is arbitrary, capricious, and unreasonable, uphold the protest

Action on protest: Denial of renewal of license per AS 04.11.480(a) and AS 04.11.330(b)



OFFICE OF THE MUNICIPAL CLERK

Ph: (907)586-0203 Fax: (907)586-4552

e-mail: Beth.McEwen@juneau.org

February 5, 2015

Sent via e-mail & USPS

Sarah Daulton Oates, Records & Licensing Supervisor
State of AK Alcohol Beverage Control
2400 Viking Drive
Anchorage, AK 99501

Re: CBJ Assembly Action on Liquor Licenses

Dear Sarah:

At its meeting on Monday, February 2, 2015 the City and Borough of Juneau Assembly took action on two liquor license renewals as listed below:

The Assembly waived its right to protest the renewal of the Beverage Dispensary Tourism License #586 for **Coho's Bar & Grill, LLC d/b/a Coho's Bar & Grill** located at 51 Egan Drive.

The Assembly adopted a motion to protest the renewal of the Restaurant Eating Place License #2185 for **Canton House LLC d/b/a Canton House** located at **8585 Old Dairy Road** due to outstanding **tax balance of \$62,171.20** as of January 23, 2015 along with any associated penalties and interest owing until the balance is paid in full. A copy of the letter sent to the licensee dated January 23, 2015 is attached for your records.

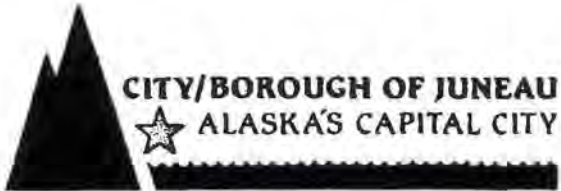
Thank you for the opportunity to comment. If you have any questions, please send an e-mail or call me at 907-586-0203.

Sincerely,

Beth McEwen, MMC
Deputy Clerk

Attachments

cc: Licensees
cc via email: CBJ Staff Liquor License Reviewers



OFFICE OF THE MUNICIPAL CLERK
Ph: (907)586-5278 Fax: (907)586-4552
e-mail: Beth.McEwen@juneau.org

January 23, 2015

Via certified & regular mail

Attn: Thuy Kwong
Canton House, LLC
d/b/a Canton House
8585 Old Dairy Road, Suite 105
Juneau AK 99801

Re: Restaurant/Eating Place Liquor License #2185 Renewal Protest

Dear Mr. Kwong,

The State of Alaska Alcohol Beverage Control staff has notified the City and Borough of Juneau of your liquor license renewal for 2015-2016 and submitted the renewal for comment before the local governing body.

As is our practice in these matters, the staff from the Fire, Finance, Police, and Community Development Departments reviewed your establishment to insure compliance with city code. **The Finance Department is recommending the Assembly protest this license renewal due to a total balance owing of \$62,171.20 as of January 23, 2015.**

Please note that while payment plans are available and encouraged if you are unable to pay the full amount due, entering into a payment plan, ie: Confession of Judgment and Stipulation, will not put the business in good standing with the CBJ Finance department for purposes of liquor license protest. Only when the all returns are filed and full payment of the outstanding balance, interest, and penalties are received, will the Finance Department withdraw its recommendation to protest the license.

CBJ Code 20.25.025 provides you with the right to an informal hearing before the Assembly to address this issue. This matter will initially be considered at the Monday, February 2, 2015 Assembly Human Resources Committee (HRC) meeting at 5:30p.m. in the Assembly Chambers and the HRC will then forward a recommendation to the Assembly for action at its regular meeting that same evening at 7:00p.m. in the Assembly Chambers. At that meeting will be your opportunity to participate in an informal hearing before the Assembly if you wish to do so.

Copies of the CBJ Code and Alaska Statutes pertaining to the protest process are enclosed for your reference.

January 23, 2015

Page 2 of 2

Letter to Canton House re: Liquor License Renewal Protest

In the meantime, I would urge you work with CBJ Sales Tax staff to try to resolve the outstanding balances owing on your account. Sales Tax Administrator Clinton Singletary can be reached at 586-5265.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth McEwen". The signature is fluid and cursive, with the first name "Beth" written in a larger, more prominent script than the last name "McEwen".

Beth McEwen
Deputy Clerk

Enclosures

cc via email:

Assembly Human Resources Committee & Assembly
Liquor License Staff Reviewers

Tab 13



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Del Rois Bar & Liquor,
License #301

The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MSB: February 10, 2015

Date Protest Received: March 27, 2015

Basis for Protest: Delinquent real property taxes owed; Other debts owed

Requirements Not Met: MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).

Recommendation: Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)

Action on protest: Tabled



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

March 27, 2015

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

**SUBJECT: Del Rois Bar & Liquor – License# 301
Renewal – Beverage Dispensary**

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed: \$3,446.34 due by April 16, 2015.

2) Bed Tax owed:

3) Other debts owed: \$100 Review Processing Fee not paid; see copy of attached letter.

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

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

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

Susan Lee
Planner II



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Del Rois Bar & Liquor,
License #302

The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MSB: February 10, 2015

Date Protest Received: March 27, 2015

Basis for Protest: Delinquent real property taxes owed; Other debts owed

Requirements Not Met: MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).

Recommendation: Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)

Action on protest: Tabled



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

March 27, 2015

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

SUBJECT: **Del Rois Bar & Liquor – License# 302**
Renewal – Package Store

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed: \$3,446.34 due by April 16, 2015.

2) Bed Tax owed:

3) Other debts owed: \$100 Review Processing Fee not paid; see copy of attached letter.

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

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

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

Susan Lee
Planner II



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Hangar Lounge,
License #3123

The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a). Details are as follows:

Date Notification sent to MSB: December 17, 2014

Date Protest Received: February 5, 2015

Basis for Protest: Other debts owed

Requirements Not Met: MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).

Recommendation: Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)

Action on protest: Tabled



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

February 5, 2015

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

SUBJECT: **Hangar Lounge- License# 3123 3234**
Renewal – Beverage Dispensary/Seasonal

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed:

2) Bed Tax owed:

3) Other debts owed: **Have not paid \$100 review processing fee. See attached letter dated December 29, 2014.**

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

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

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

A handwritten signature in cursive script that reads "Susan Lee".

Susan Lee
Planner II



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Knik Bar & Grill,
License #597

The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a). Details are as follows:

Date Notification sent to MSB:	February 23, 2015
Date Protest Received:	March 27, 2015
Basis for Protest:	MSB Business license expired; Tobacco Tax License expired
Requirements Not Met:	MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).
Recommendation:	Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)
Action on protest:	Tabled



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

March 27, 2015

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

SUBJECT: **Knik Bar & Grill- License# 597**
Renewal – Beverage Dispensary

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed:

2) Bed Tax owed:

3) Other debts owed: \$100 Review Processing Fee not paid; see copy of attached letter. Expired MSB Business License; contact Marcia vonEhr at 861-8632. Expired Tobacco Tax License; contact Katie Robinson at 745-9503.

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

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

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

Susan Lee
Planner II



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Knik Liquor Store,
License #596

The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a). Details are as follows:

Date Notification sent to MSB: February 23, 2015

Date Protest Received: March 27, 2015

Basis for Protest: MSB Business license expired; Tobacco Tax License expired

Requirements Not Met: MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).

Recommendation: Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)

Action on protest: Tabled



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

March 27, 2015

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

SUBJECT: **Knik Liquor Store—License# 596**
Renewal – Package Store

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed:

2) Bed Tax owed:

3) Other debts owed: \$100 Review Processing Fee not paid; see copy of attached letter. Expired MSB Business License; contact Marcia vonEhr at 861-8632. Expired Tobacco Tax License; contact Katie Robinson at 745-9503.

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

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

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

Susan Lee
Planner II



MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Silver Fox Inn,
License #1962

Issues with license renewal:

1. The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MSB: February 10, 2015

Date Protest Received: March 24, 2015

Basis for Protest: Delinquent real property taxes owed

Requirements Not Met: MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).

Recommendation: Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)

2. The application for renewal is incomplete per AS 04.11.540

Date application received: January 5, 2015 but postmarked December 31, 2015.

Basis for incomplete application: Renewal fee payment returned for insufficient funds; late fee penalty not received

Action taken by agency: Letter sent February 10, 2015 informing licensee that check for fees was returned and informing licensee of late fee owing; no response from licensee



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

March 24, 2015

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

SUBJECT: **Silver Fox Inn – License# 1962**
Renewal – Beverage Dispensary/Tourism

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

- 1) Delinquent Real Property Taxes owed: \$15,436.97 owed by April 16, 2015
- 2) Bed Tax owed:
- 3) Other debts owed:
- 4) The required Conditional Use Permit has not been issued:
- 5) There is a violation of the Conditional Use Permit:
- 6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

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

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

A handwritten signature in blue ink that reads "Susan Lee".

Susan Lee
Planner II

Oates, Sarah D (CED)

From: Susan Lee [<mailto:Susan.Lee@matsugov.us>]

Sent: Monday, April 20, 2015 2:22 PM

To: Sawyer, Jane Preston (CED)

Subject: RE: List of protested renewals

Hi Jane:

This is what I have so far. If things change I will let you know.

#1962 – Silver Fox Inn – A portion of the delinquent property taxes were paid; however, \$7,752.34 is still owed by April 30, 2015.

Susan Lee

Planner II

Matanuska-Susitna Borough

907-861-7862 (Direct Line)

907-861-7876 (FAX)

Return Item Image

Maker Name:
 Miscellaneous:
 Driver's License:
 Maker Account Number: 4166204315
 Maker Routing Number: 125200934
 Check Number: 6956
 Check Amount: \$2,700.00
 Return Reason: NSF 2nd time
 Item Type: Chargeback

[return item report](#)

[main page](#)

[view detail](#)

Image Control: 50%, 100%, 200%, Fit to Window, Custom: 50 % [resize](#)



(To save image, right click on image and choose "save picture/image as...")



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THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Skwentna Roadhouse,
License #5026

The Matanuska-Susitna Borough (MSB) has protested renewal of the above license per AS 04.11.480(a). Details are as follows:

Date Notification sent to MSB: December 17, 2014

Date Protest Received: February 5, 2015

Basis for Protest: MSB Business license expired; has not obtained Tobacco Tax License

Requirements Not Met: MSB has not yet allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d).

Recommendation: Table until July 1, 2015 meeting to allow MSB to meet requirements of 3 AAC 304.145(d)

Action on protest: Tabled



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

February 5, 2015

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

SUBJECT: **Skwentna Roadhouse- License# 5026**
Renewal - Lodge

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed:

2) Bed Tax owed:

3) Other debts owed: **Have not paid \$100 review processing fee. See attached letter dated December 29, 2014. Have not obtained a Tobacco Tax License and MSB Business License has expired.**

4) The required Conditional Use Permit has not been issued:

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

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

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

Susan Lee
Planner II

Tab 14



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Bare Distillery,
License #4985

The Municipality of Anchorage(MOA) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MOA: December 23, 2014

Date Protest Received: February 20, 2015

Basis for Protest: Pending payment of unpaid taxes

Requirements Met: Letter from MOA dated February 2, 2015 to Bare Distillery Alaska, LLC, meets requirement that MOA allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d)

Recommendation: Unless the board determines that the protest is arbitrary, capricious, and unreasonable, uphold the protest

Action on protest: Denial of renewal of license per AS 04.11.480(a) and AS 04.11.330(b)



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

February 20, 2015

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **February 17, 2015** took the following final action:

APPROVAL/NON -OBJECTION **Transfer of Ownership**

- **Beverage Dispensary**
 - Tap Root LL#2097
 - Office Cocktail Lounge LL#806
- **Restaurant/Eating Place**
 - El Dorado LL#4930

New

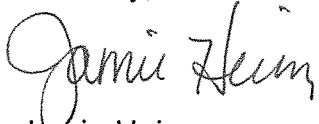
- **Restaurant/Eating Place**
 - Serrano's Mexican Grill LL#5364

PROTEST **Renewal**

- **Restaurant/Eating Place**
 - Yes International Bistro LL#4528
 - Pending payment of unpaid taxes.
 - Dish LL#4685
 - Pending payment of unpaid taxes.
- **Distillery**
 - Bare Distillery LL#4985
 - Pending payment of unpaid taxes.

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

Cordially,



Jamie Heinz
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

CC: Tap Root
Office Cocktail Lounge
El Dorado
Serrano's Mexican Grill
Yes International Bistro
Dish
Bare Distillery

CLERK'S OFFICE

APPROVED

Date: 2/17/2015

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

Prepared by: Municipal Clerk's Office

For reading: February 17, 2015

ANCHORAGE, ALASKA

AR NO. 2015-46

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A RENEWAL OF A DISTILLERY LIQUOR LICENSE #4985 FOR BARE DISTILLERY, LLC DBA BARE DISTILLERY LOCATED AT 6310 A STREET, ANCHORAGE AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Bare Distillery, LLC has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a renewal of a Distillery Liquor License #4985 be used for Bare Distillery, located at 6310 A Street, Anchorage, Alaska; and

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

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on December 23, 2014 and has determined that the last day for the Assembly to file a protest is February 20, 2015; and

WHEREAS, the Assembly Meeting on February 17, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

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

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$27,094.85**;

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

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for renewal of a Distillery Liquor License #4985 until this condition is met:

- Taxes owing to the Municipality of Anchorage in the amount of \$27,094.85 are paid in full.

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4 Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic
5 Beverage Control Board as proof that the Anchorage Assembly, as the
6 local governing body, has stated its protest in order to allow the Director
7 of the Alcoholic Beverage Control Board to hold processing renewal of a
8 Distillery Liquor License #4985 under local protest, until receipt by the
9 Director of confirmation from the Municipal Clerk that the condition in
10 Section 1 has been met, and this protest is lifted as authorized by this
11 Assembly Resolution.
12

13 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon
14 Municipal Clerk confirmation that all conditions in Section 1 have been
15 met, to provide written notification to the Alcoholic Beverage Control
16 Board that this protest by the Anchorage Assembly is lifted, without
17 further action by the Assembly.
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19
20 PASSED AND APPROVED by the Anchorage Assembly this 17th ^{February} day of, 2015.
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22
23 Dick Z...
24 Chair
25

26 ATTEST:

27 Barbara A. Jones
28
29 Municipal Clerk
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Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

February 2, 2015

Bare Distillery Alaska, LLC
dba Bare Distillery
6310 A Street
Anchorage, AK 99518

Subject: DBA Bare Distillery
Taxes Owed

To Whom It May Concern:

The Anchorage Municipal Clerk's Office received application for a Renewal of a Distillery liquor license #4985 on December 23, 2014. Upon review it has been determined you owe taxes to the Municipality of Anchorage. **Payment for taxes owed must be received in full, with cash or certified funds prior to action before the Anchorage Assembly or it will result in a protest of the liquor license.**

I have enclosed the transmittal from Finance detailing the information about the amount of taxes owed.

You must go to Municipal Cashier's Office in room 330 at the City Hall (632 W. 6th Avenue) to pay the taxes. If you have any questions concerning payment of taxes please contact **Diana Flavin in the Finance Department at 343-6946.**

You may also contact me at 343-4316, if you have additional licensing questions.

Respectfully,

Jamie Heinz
Business Licensing Official

Enc. Copy of the transmittal from Finance

MUST BE PAID IN CERTIFIED FUNDS

Business Licensing Official
343-4316

Fax line
249-7533

LL

Municipality of Anchorage

Business License Review

Finance - Business Personal Property Taxes

To: Daisy Van Nortwick/Diana Flavin

Phone: 343-6940/343-6946

Fax: 343-6677

Liquor License

4985

Sent: 2/2/15

Renew

Due: 02-03-2015

Previous License

Current Application

Owner:

Owner:

Bare Distillery Alaska, LLC

Business:

Business:

Bare Distillery

Address:

Address:

6310 A Street

Anchorage, AK

Anchorage, AK 99518

BARE DISTILLERY

License is not protested

Date: _____

License is protested for taxes

Date: 2/2/15

PERSONAL Property Taxes 33-540283001-33

\$ 7,095.81

PERSONAL Property Taxes 34-540283001-56

\$ 19,999.04

PERSONAL Property Taxes _____

\$ _____

REAL Property Taxes: _____

\$ _____

Hotel/Motel: _____

\$ _____

Reviewed By: _____

Date: _____

Collections: _____

Date: 2/2/15

Comments: _____

Protest Released - TAXES PAID IN FULL

Date: _____

Signed/Title: _____



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Bombay Deluxe Indian
Restaurant, License #4158

The Municipality of Anchorage(MOA) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MOA: January 29, 2015

Date Protest Received: March 25, 2015

Basis for Protest: Pending payment of unpaid taxes

Requirements Met: Letter from MOA dated March 16, 2015 to Bombay Deluxe, Inc., meets requirement that MOA allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d)

Recommendation: Unless the board determines that the protest is arbitrary, capricious, and unreasonable, uphold the protest

Action on protest: Denial of renewal of license per AS 04.11.480(a) and AS 04.11.330(b)



Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 843-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

March 25, 2015

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **March 24, 2015** took the following final action:

APPROVAL/NON -OBJECTION Transfer of Ownership

- Restaurant/Eating Place
 - Agave LL#5213

- Package Store
 - 2 Go Mart #2 LL#2803
 - 2 Go Mart #10 LL#2614
 - 2 Go Mart #54 LL#664
 - 2 Go Mart #15 LL#4054
 - 2 Go Mart #7 LL#2553
 - 2 Go Mart #3 LL#2278
 - 2 Go Mart #71 LL#3732

PROTEST Renewal

- Restaurant/Eating Place
 - KOGI LL#5107
 - Pending payment of unpaid taxes.
 - **Bombay Deluxe Indian Restaurant LL#4158**
 - Pending payment of unpaid taxes.**

- Beverage Dispensary-Tourism
 - Spenard Paradise Inn & Lounge LL#1139
 - Pending payment of unpaid taxes.

Transfer of Ownership

• **Package Store**

-2 Go Mart #55 LL#1596

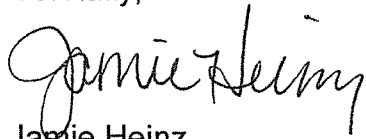
-Pending receipt of fire department approval.

-2 Go Mart #73 LL#3991

-Pending receipt of Fire Marshall approval.

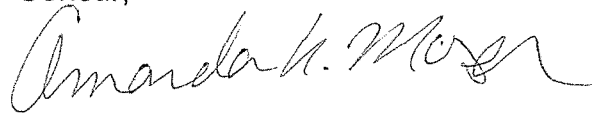
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Jamie Heinz
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

CC: Raul Arriaga

AK, Inc.

Hyun Ju Song & Kyong Teak Song

Sushi Garden, Inc.

Bombay Deluxe, Inc.

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

Prepared by: Municipal Clerk's Office
For reading: March 24, 2015

3-24-15
ANCHORAGE, ALASKA
AR NO. 2015-99

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A RENEWAL OF A RESTAURANT/EATING PLACE LIQUOR LICENSE #4158 FOR BOMBAY DELUXE, INC. DBA BOMBAY DELUXE INDIAN RESTAURANT LOCATED AT 555 WEST NORTHERN LIGHTS BOULEVARD, ANCHORAGE AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Bombay Deluxe, Inc. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a renewal of a Restaurant/Eating Place Liquor License #4158 be used for Bombay Deluxe Indian Restaurant, located at 555 West Northern Lights Boulevard, Anchorage, Alaska; and

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

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on January 29, 2015 and has determined that the last day for the Assembly to file a protest is March 30, 2015; and

WHEREAS, the Assembly Meeting on March 24, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

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

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$366.01**;

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

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

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Section 1. The Anchorage Assembly hereby enters its **PROTEST** for renewal of a Restaurant/Eating Place Liquor License #4158 until this condition is met:

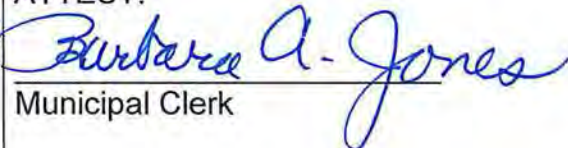
- Taxes owing to the Municipality of Anchorage in the amount of **\$366.01** are paid in full.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing renewal of a Restaurant/Eating Place Liquor License #4158 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the condition in Section 1 has been met, and this protest is lifted as authorized by this Assembly Resolution.

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

PASSED AND APPROVED by the Anchorage Assembly this 24th day of March, 2015.


Chair of the Assembly

ATTEST:

Municipal Clerk



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

March 16, 2015

Bombay Deluxe, Inc.
dba Bombay Deluxe Indian Restaurant
555 W. Northern Lights Blvd.
Anchorage, AK 99503

Subject: DBA Bombay Deluxe Indian Restaurant
Taxes Owed

To Whom It May Concern:

The Anchorage Municipal Clerk's Office received application for a Renewal of a Restaurant/Eating Place liquor license #4158 on January 29, 2015. Upon review it has been determined you owe taxes to the Municipality of Anchorage. **Payment for taxes owed must be received in full, with cash or certified funds prior to action before the Anchorage Assembly or it will result in a protest of the liquor license.**

I have enclosed the transmittal from Finance detailing the information about the amount of taxes owed.

You must go to Municipal Cashier's Office in room 330 at the City Hall (632 W. 6th Avenue) to pay the taxes. If you have any questions concerning payment of taxes please contact **Diana Flavin in the Finance Department at 343-6946.**

You may also contact me at 343-4316, if you have additional licensing questions.

Respectfully,

Jamie Heinz
Business Licensing Official

Enc. Copy of the transmittal from Finance

CASH OR CERTIFIED FUNDS

Business Licensing Official
343-4316

Fax line
249-7533

LL

Municipality of Anchorage

Business License Review

Finance - Business Personal Property Taxes

To: Daisy Van Nortwick/Diana Flavin

Phone: 343-6940/343-6946

Fax: 343-6677

Liquor License

4158

Sent: 3/11/15

Renew

Due: 03-12-2015

Previous License

Current Application

Owner:

Owner:

Bombay Deluxe, Inc.

Business:

Business:

Bombay Deluxe Indian
Restaurant

Address:

Address:

555 W. Northern Lights Blvd.

Anchorage, AK

Anchorage, AK 99503

Bombay Deluxe

License is not protested

Date: _____

License is protested for taxes

Date: 3/6/2015

PERSONAL Property Taxes 34-529347001

\$ 366.01

PERSONAL Property Taxes _____

\$ _____

PERSONAL Property Taxes _____

\$ _____

REAL Property Taxes: _____

\$ _____

Hotel/Motel: _____

\$ _____

Reviewed By: _____

Date: _____

Collections: _____

Date: 3/6/15

Comments: _____

Protest Released - TAXES PAID IN FULL

Date: _____ Signed/Title: _____



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Dish, License #4685

The Municipality of Anchorage(MOA) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MOA:	December 30, 2014
Date Protest Received:	February 20, 2015
Basis for Protest:	Pending payment of unpaid taxes
Requirements Met:	Letter from MOA dated February 2, 2015 to Dish, LLC, meets requirement that MOA allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d)
Recommendation:	Unless the board determines that the protest is arbitrary, capricious, and unreasonable, uphold the protest
Action on protest:	Denial of renewal of license per AS 04.11.480(a) and AS 04.11.330(b)



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

February 20, 2015

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **February 17, 2015** took the following final action:

APPROVAL/NON -OBJECTION **Transfer of Ownership**

- **Beverage Dispensary**
 - Tap Root LL#2097
 - Office Cocktail Lounge LL#806
- **Restaurant/Eating Place**
 - El Dorado LL#4930

New

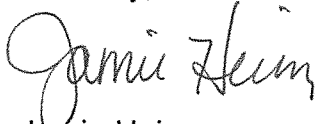
- **Restaurant/Eating Place**
 - Serrano's Mexican Grill LL#5364

PROTEST **Renewal**

- **Restaurant/Eating Place**
 - Yes International Bistro LL#4528
 - Pending payment of unpaid taxes.
 - Dish LL#4685
 - Pending payment of unpaid taxes.
- **Distillery**
 - Bare Distillery LL#4985
 - Pending payment of unpaid taxes.

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

Cordially,



Jamie Heinz
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

CC: Tap Root
Office Cocktail Lounge
El Dorado
Serrano's Mexican Grill
Yes International Bistro
Dish
Bare Distillery

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

Prepared by: Municipal Clerk's Office
For reading: February 17, 2015

CLERK'S OFFICE

APPROVED

2/17/2015

Date:

ANCHORAGE, ALASKA
AR NO. 2015-47

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A RENEWAL OF A RESTAURANT/EATING PLACE LIQUOR LICENSE #4685 FOR DISH, LLC DBA DISH LOCATED AT 639 W INTERNATIONAL AIRPORT ROAD #1A, ANCHORAGE AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Dish, LLC has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a renewal of a Restaurant/Eating Place Liquor License #4685 be used for Dish, located at 639 W International Airport Road #1A, Anchorage, Alaska; and

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

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on December 30, 2014 and has determined that the last day for the Assembly to file a protest is February 28, 2015; and

WHEREAS, the Assembly Meeting on February 17, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

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

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$1,368.01**;

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

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for renewal of a Restaurant/Eating Place Liquor License #4685 until this condition is met:

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- Taxes owing to the Municipality of Anchorage in the amount of **\$1,368.01** are paid in full.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing renewal of a Restaurant/Eating Place Liquor License #4685 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the condition in Section 1 has been met, and this protest is lifted as authorized by this Assembly Resolution.

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

PASSED AND APPROVED by the Anchorage Assembly this 17th day of, *February* 2015.


Chair

ATTEST:

Municipal Clerk



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

February 2, 2015

Dish, LLC
dba Dish
639 W. International Airport Road #1A
Anchorage, AK 99518

Subject: DBA Dish
Taxes Owed

To Whom It May Concern:

The Anchorage Municipal Clerk's Office received application for a Renewal of a Distillery liquor license #4985 on December 30, 2014. Upon review it has been determined you owe taxes to the Municipality of Anchorage. **Payment for taxes owed must be received in full, with cash or certified funds prior to action before the Anchorage Assembly or it will result in a protest of the liquor license.**

I have enclosed the transmittal from Finance detailing the information about the amount of taxes owed.

You must go to Municipal Cashier's Office in room 330 at the City Hall (632 W. 6th Avenue) to pay the taxes. If you have any questions concerning payment of taxes please contact **Diana Flavin in the Finance Department at 343-6946.**

You may also contact me at 343-4316, if you have additional licensing questions.

Respectfully,

Jamie Heinz
Business Licensing Official

Enc. Copy of the transmittal from Finance

Business Licensing Official
343-4316

Fax line
249-7533

LL

Municipality of Anchorage

Business License Review

Finance - Business Personal Property Taxes

To: Daisy Van Nortwick/Diana Flavin

Phone: 343-6940/343-6946

Fax: 343-6677

Liquor License

4685

Sent: 2/2/15

Renew

Due: 02-03-2015

Previous License

Current Application

Owner:

Owner:

Dish, LLC

Business:

Business:

Dish

Address:

Address:

639 W. International Airport
Rd. #1A

Anchorage, AK

Anchorage, AK 99518

DISH ASID

License is not protested

Date: _____

License is protested for taxes

Date: 2/2/15

PERSONAL Property Taxes 34-5402 03001-70

\$ 1,368.01

PERSONAL Property Taxes _____

\$ _____

PERSONAL Property Taxes _____

\$ _____

REAL Property Taxes: _____

\$ _____

Hotel/Motel: _____

\$ _____

Reviewed By: _____

Date: _____

Collections: _____

Date: 2/2/15

Comments: _____

Protest Released - TAXES PAID IN FULL

Date: _____ Signed/Title: _____



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: KOGI, License #5107

The Municipality of Anchorage(MOA) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MOA: January 29, 2015

Date Protest Received: March 25, 2015

Basis for Protest: Pending payment of unpaid taxes

Requirements Met: Letter from MOA dated March 4, 2015 to Sushi Garden, Inc., meets requirement that MOA allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d)

Recommendation: Unless the board determines that the protest is arbitrary, capricious, and unreasonable, uphold the protest

Action on protest: Denial of renewal of license per AS 04.11.480(a) and AS 04.11.330(b)



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

March 25, 2015

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **March 24, 2015** took the following final action:

APPROVAL/NON -OBJECTION Transfer of Ownership

- Restaurant/Eating Place
-Agave LL#5213

- Package Store
 - 2 Go Mart #2 LL#2803
 - 2 Go Mart #10 LL#2614
 - 2 Go Mart #54 LL#664
 - 2 Go Mart #15 LL#4054
 - 2 Go Mart #7 LL#2553
 - 2 Go Mart #3 LL#2278
 - 2 Go Mart #71 LL#3732

PROTEST Renewal

- Restaurant/Eating Place
 - KOGI LL#5107
 - Pending payment of unpaid taxes.
 - Bombay Deluxe Indian Restaurant LL#4158
 - Pending payment of unpaid taxes.

- Beverage Dispensary-Tourism
 - Spenard Paradise Inn & Lounge LL#1139
 - Pending payment of unpaid taxes.

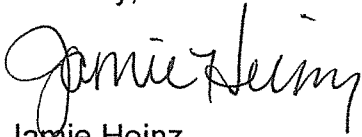
Transfer of Ownership

• **Package Store**

- 2 Go Mart #55 LL#1596
 - Pending receipt of fire department approval.
- 2 Go Mart #73 LL#3991
 - Pending receipt of Fire Marshall approval.

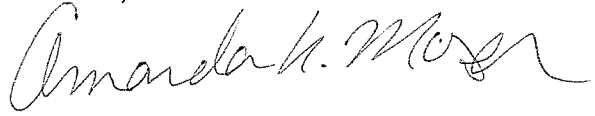
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Jamie Heinz
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

CC: Raul Arriaga
AK, Inc.
Hyun Ju Song & Kyong Teak Song
Sushi Garden, Inc.
Bombay Deluxe, Inc.

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

Prepared by: Municipal Clerk's Office
For reading: March 24, 2015

ANCHORAGE, ALASKA
AR NO. 2015-101

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A RENEWAL OF A RESTAURANT/EATING PLACE LIQUOR LICENSE #5107 FOR SUSHI GARDEN, INC. DBA KOGI LOCATED AT 800 NORTHWAY DRIVE, ANCHORAGE AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Sushi Garden, Inc. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a renewal of a Restaurant/Eating Place Liquor License #5107 be used for Kogi, located at 800 Northway Drive, Anchorage, Alaska; and

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

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on January 29, 2015 and has determined that the last day for the Assembly to file a protest is March 30, 2015; and

WHEREAS, the Assembly Meeting on March 24, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

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

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$20,859.30**;

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

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for renewal of a Restaurant/Eating Place Liquor License #5107 until this condition is met:

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- Taxes owing to the Municipality of Anchorage in the amount of **\$20,859.30** are paid in full.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing renewal of a Restaurant/Eating Place Liquor License #5107 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the condition in Section 1 has been met, and this protest is lifted as authorized by this Assembly Resolution.

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

PASSED AND APPROVED by the Anchorage Assembly this 24th day of March, 2015.

Dick L.
Chair of the Assembly

ATTEST:

Barbara A. Jones
Municipal Clerk



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

March 4, 2015

Sushi Garden, Inc.
dba KOGI
800 Northway Drive
Anchorage, AK 99501

Subject: DBA KOGI
Taxes Owed

To Whom It May Concern:

The Anchorage Municipal Clerk's Office received application for a Renewal of a Beverage Dispensary liquor license #5107 on January 29, 2015. Upon review it has been determined you owe taxes to the Municipality of Anchorage. **Payment for taxes owed must be received in full, with cash or certified funds prior to action before the Anchorage Assembly or it will result in a protest of the liquor license.**

I have enclosed the transmittal from Finance detailing the information about the amount of taxes owed.

You must go to Municipal Cashier's Office in room 330 at the City Hall (632 W. 6th Avenue) to pay the taxes. If you have any questions concerning payment of taxes please contact **Diana Flavin in the Finance Department at 343-6946.**

You may also contact me at 343-4316, if you have additional licensing questions.

Respectfully,

Jamie Heinz
Business Licensing Official

Enc. Copy of the transmittal from Finance

LL

Municipality of Anchorage

Business License Review

Finance - Business Personal Property Taxes

To: Daisy Van Nortwick/Diana Flavin

Phone: 343-6940/343-6946

Fax: 343-6677

Liquor License

5107

Sent: 2/26/15

Renew

Due: 03-05-2015

Previous License

Current Application

Owner:

Owner:

Sushi Garden, Inc.

Business:

PAYMENT IN FULL MUST KOGI

**BE MADE IN CASH OR
CERTIFIED FUNDS**

Address:

Address:

800 Northway Dr.

Anchorage, AK

Anchorage, AK 99508

License is not protested

Date: _____

k License is protested for taxes

Date: 2-27-15

PERSONAL Property Taxes 33-50782100172

\$ 793.08

PERSONAL Property Taxes 34-50782100170

\$ 732.03

PERSONAL Property Taxes _____

\$ _____

REAL Property Taxes: 004 091 70 00016

\$ 19,334.19

Hotel/Motel: N/A

\$ 0

Reviewed By: M. Mullone

Date: 2-27-15

Collections: OK

Date: 2-27-15

Comments: All taxes must be paid in full prior to approval

Protest Released - TAXES PAID IN FULL

Date: _____ Signed/Title: _____



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Ling & Louie's Asian Bar &
Grill, License #5038

The Municipality of Anchorage (MOA) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MOA: January 08, 2015

Date Protest Received: March 05, 2015

Basis for Protest: Pending payment of unpaid taxes

Requirements Met: Letter from MOA dated February 20, 2015 to Hapa Ventures, LLC, meets requirement that MOA allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d)

Recommendation: Unless the board determines that the protest is arbitrary, capricious, and unreasonable, uphold the protest

Action on protest: Denial of renewal of license per AS 04.11.480(a) and AS 04.11.330(b)



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

March 5, 2015

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

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

Dear Ms. Oates:

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

APPROVAL/NON -OBJECTION

Renewal

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

New

- Restaurant/Eating Place
-Jimmy Sushi LL#5370

PROTEST

Renewal

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

Transfer of Ownership

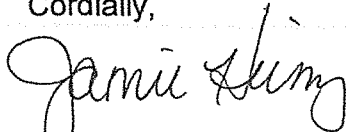
- **Restaurant/Eating Place**
-Jimmy Sushi LL#5033
-Pending receipt of fire department approval.
- **Beverage Dispensary**
-South Restaurant + Coffee House LL# 4923
-Pending receipt of Administrative Site Plan Review approval.

New

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

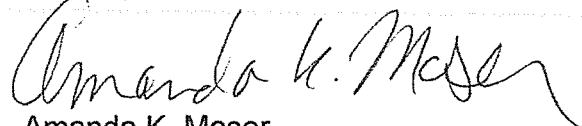
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Jamie Heinz
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

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

Clerk's Office
Approved
Date: 3/3/2015

Submitted by: ASSEMBLY CHAIR TRAINI,
VICE CHAIR GRAY-JACKSON, AND
ASSEMBLY PUBLIC SAFETY
COMMITTEE CHAIR HONEMAN
Prepared by: Municipal Clerk's Office
For reading: March 3, 2015

ANCHORAGE, ALASKA
AR NO. 2015-57

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A RENEWAL OF A RESTAURANT/EATING PLACE LIQUOR LICENSE #5038 FOR HAPA VENTURES, LLC DBA LING & LOUIE'S ASIAN BAR & GRILL LOCATED AT 3801 OLD SEWARD HWY., STE. 6, ANCHORAGE AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Hapa Ventures, LLC has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a renewal of a Restaurant/Eating Place Liquor License #5038 to be used for Ling & Louie's Asian Bar & Grill, located at 3801 Old Seward Hwy., Ste. 6, Anchorage, Alaska; and

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

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on January 8, 2015 and has determined that the last day for the Assembly to file a protest is March 9, 2015; and

WHEREAS, the Assembly Meeting on March 3, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

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

1. An ABC Board violation is attached;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$5,748.47**;

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

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for renewal of a Restaurant/Eating Place Liquor License #5038 until this condition is met:

- Taxes owing to the Municipality of Anchorage in the amount of **\$5,748.47** are paid in full.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing renewal of a Restaurant/Eating Place Liquor License #5038 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the condition in Section 1 has been met, and this protest is lifted as authorized by this Assembly Resolution.

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

PASSED AND APPROVED by the Anchorage Assembly this 3rd ^{March} day of, 2015.

Dickens
Chair

ATTEST:

Barbara A. Jones
Municipal Clerk



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

February 20, 2015

Hapa Ventures, LLC
dba Ling & Louie's Asian Bar & Grill
3801 Old Seward Hwy., Ste. 6
Anchorage, AK 99503

Subject: DBA Ling & Louie's Asian Bar & Grill
Taxes Owed

To Whom It May Concern:

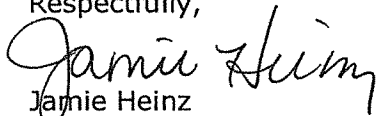
The Anchorage Municipal Clerk's Office received notification of application for Renewal of a Restaurant/Eating Place liquor license #5038 on January 8, 2015. Upon review it has been determined you owe taxes to the Municipality of Anchorage. **Payment for taxes owed must be received in full, with cash or certified funds prior to action before the Anchorage Assembly or it will result in a protest of the liquor license.**

I have enclosed the transmittal from Finance detailing the information about the amount of taxes owed.

You must go to Municipal Cashier's Office in room 330 at the City Hall (632 W. 6th Avenue) to pay the taxes. If you have any questions concerning payment of taxes please contact **Diana Flavin in the Finance Department at 343-6946.**

You may also contact me at 343-4316, if you have additional licensing questions.

Respectfully,


Jamie Heinz
Business Licensing Official

Enc. Copy of the transmittal from Finance



Municipality of Anchorage

Business License Review

Finance - Business Personal Property Taxes

To: Daisy Van Nortwick/Diana Flavin

Phone: 343-6940/343-6946

Fax: 343-6677

Liquor License

5038

Sent: 2/13/15

Renew

Due: 02-20-2015

Previous License

Current Application

Owner:

Owner:

Hapa Ventures, LLC

Business:

Business:

Ling & Louie's Asian Bar & Grill

Address:

Address:

3801 Old Seward Hwy., Ste. 6

Anchorage, AK 99503

Anchorage, AK 99503

License is not protested

Date: _____

License is protested for taxes

Date: 2-12-15

PERSONAL Property Taxes 34-54082800158

\$ 2708.06

PERSONAL Property Taxes 33-54082800150

\$ 3040.41

PERSONAL Property Taxes _____

\$ _____

REAL Property Taxes: _____

\$ _____

Hotel/Motel: N/A

\$ 0

Reviewed By: M. Mullone

Date: 2-17-15

Collections: D. Flavin

Date: 2-17-15

Comments: All taxes must be paid in full prior to approval

Protest Released - TAXES PAID IN FULL

Date: _____ Signed/Title: _____



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Cynthia Franklin
Director, ABC Board

RE: Renewal Protest: Spenard Paradise Inn &
Lounge, License #1139

The Municipality of Anchorage(MOA) has protested renewal of the above license per AS 04.11.480(a) and 3 AAC 304.145(g)(1). Details are as follows:

Date Notification sent to MOA: January 29, 2015

Date Protest Received: March 25, 2015

Basis for Protest: Pending payment of unpaid taxes

Requirements Met: Letter from MOA dated March 4, 2015 to Hyn Ju Song & Kyong Teak Song, meets requirement that MOA allowed the applicant a reasonable opportunity to defend the application before a meeting of the local governing body per 3 AAC 304.145(d)

Recommendation: Unless the board determines that the protest is arbitrary, capricious, and unreasonable, uphold the protest

Action on protest: Denial of renewal of license per AS 04.11.480(a) and AS 04.11.330(b)



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

March 25, 2015

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **March 24, 2015** took the following final action:

APPROVAL/NON -OBJECTION Transfer of Ownership

- Restaurant/Eating Place
 - Agave LL#5213

- Package Store
 - 2 Go Mart #2 LL#2803
 - 2 Go Mart #10 LL#2614
 - 2 Go Mart #54 LL#664
 - 2 Go Mart #15 LL#4054
 - 2 Go Mart #7 LL#2553
 - 2 Go Mart #3 LL#2278
 - 2 Go Mart #71 LL#3732

PROTEST Renewal

- Restaurant/Eating Place
 - KOGI LL#5107
 - Pending payment of unpaid taxes.
 - Bombay Deluxe Indian Restaurant LL#4158
 - Pending payment of unpaid taxes.

- Beverage Dispensary-Tourism
 - Spenard Paradise Inn & Lounge LL#1139
 - Pending payment of unpaid taxes.

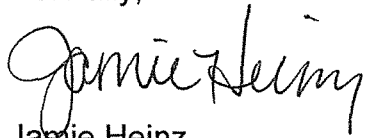
Transfer of Ownership

• **Package Store**

- 2 Go Mart #55 LL#1596
 - Pending receipt of fire department approval.
- 2 Go Mart #73 LL#3991
 - Pending receipt of Fire Marshall approval.

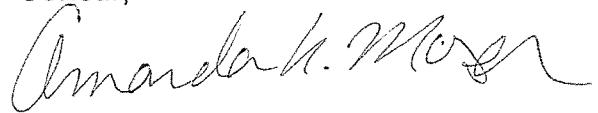
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,



Jamie Heinz
Business License Official

Concur,



Amanda K. Moser
Deputy Municipal Clerk

CC: Raul Arriaga
AK, Inc.
Hyun Ju Song & Kyong Teak Song
Sushi Garden, Inc.
Bombay Deluxe, Inc.

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

Prepared by: Municipal Clerk's Office
For reading: March 24, 2015

CLERK'S OFFICE
APPROVED

3-24-15

—ANCHORAGE, ALASKA
AR NO. 2015-100

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A RENEWAL OF A BEVERAGE DISPENSARY-TOURISM LIQUOR LICENSE #1139 FOR KYUN JU SONG AND KYONG TEAK SONG DBA SPENARD PARADISE INN AND LOUNGE LOCATED AT 3001 SPENARD ROAD, ANCHORAGE AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Hyun Ju Song and Kyong Teak Song have made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a renewal of Beverage Dispensary-Tourism Liquor License #1139 to be used for Spenard Paradise Inn and Lounge, located at 3001 Spenard Road, Anchorage, Alaska; and

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

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on January 29, 2015 and has determined that the last day for the Assembly to file a protest is March 30, 2015; and

WHEREAS, the Assembly Meeting on March 24, 2015 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

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

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. There are taxes owing to the Municipality of Anchorage in the amount of **\$17,689.20;**

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

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

- 1 Section 1. The Anchorage Assembly hereby enters its **PROTEST** for renewal of a
- 2 Beverage Dispensary-Tourism Liquor License #1139 until this condition
- 3 is met:
- 4
- 5 • Taxes owing to the Municipality of Anchorage in the amount of
- 6 \$17,689.20 are paid in full.
- 7
- 8 Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic
- 9 Beverage Control Board as proof that the Anchorage Assembly, as the
- 10 local governing body, has stated its protest in order to allow the Director
- 11 of the Alcoholic Beverage Control Board to hold processing renewal of a
- 12 Beverage Dispensary-Tourism Liquor License #1139 under local protest,
- 13 until receipt by the Director of confirmation from the Municipal Clerk that
- 14 the condition in Section 1 has been met, and this protest is lifted as
- 15 authorized by this Assembly Resolution.
- 16
- 17 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon
- 18 Municipal Clerk confirmation that all conditions in Section 1 have been
- 19 met, to provide written notification to the Alcoholic Beverage Control
- 20 Board that this protest by the Anchorage Assembly is lifted, without
- 21 further action by the Assembly.
- 22

23 PASSED AND APPROVED by the Anchorage Assembly this 24th day of

24 March, 2015.

25

26 Dickson

27 Chair of the Assembly

28

29

30 ATTEST:

31 Barbara A. Jones

32 Municipal Clerk

33

34



Municipality of Anchorage

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

Office of the Municipal Clerk Licensing

March 4, 2015

Hyn Ju song & Kyong Teak Song
dba Spenard Paradise Inn & Lounge
3001 Spenard Road
Anchorage, AK 99503

Subject: DBA Spenard Paradise Inn & Lounge
Taxes Owed

To Whom It May Concern:

The Anchorage Municipal Clerk's Office received application for a Renewal of a Beverage Dispensary liquor license #5107 on January 29, 2015. Upon review it has been determined you owe taxes to the Municipality of Anchorage. **Payment for taxes owed must be received in full, with cash or certified funds prior to action before the Anchorage Assembly or it will result in a protest of the liquor license.**

I have enclosed the transmittal from Finance detailing the information about the amount of taxes owed.

You must go to Municipal Cashier's Office in room 330 at the City Hall (632 W. 6th Avenue) to pay the taxes. If you have any questions concerning payment of taxes please contact **Diana Flavin in the Finance Department at 343-6946.**

You may also contact me at 343-4316, if you have additional licensing questions.

Respectfully,

Jamie Heinz
Business Licensing Official

Enc. Copy of the transmittal from Finance

LL

Municipality of Anchorage

Business License Review

Finance - Business Personal Property Taxes

To: Daisy Van Nortwick/Diana Flavin

Phone: 343-6940/343-6946

Fax: 343-6677

Liquor License

1139

Sent: 2/26/15

Renew

Due: 03-05-2015

Previous License

Current Application

Owner:

**PAYMENT IN FULL MUST
BE MADE IN CASH OR
CERTIFIED FUNDS**

Owner:

Hyun Ju Song & Kyong Teak Sor

Business:

Business:

Spenard Paradise Inn & Lounge

Address:

Address:

3001 Spenard Road

Anchorage, AK

Anchorage, AK 99503

License is not protested

Date: _____

License is protested for taxes

Date: 2-27-15

PERSONAL Property Taxes _____ \$ _____

PERSONAL Property Taxes _____ \$ _____

PERSONAL Property Taxes _____ \$ _____

REAL Property Taxes: 010 016 01 00010 _____ \$ 17,689.20

Hotel/Motel: AK PIF _____ \$ 0

Reviewed By: [Signature] _____ Date: 2-27-15

Collections: [Signature] _____ Date: 2-27-15

Comments: Property taxes must be paid prior to approval

Protest Released - TAXES PAID IN FULL

Date: _____ Signed/Title: _____

Tab 15



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Sarah Daulton Oates
Licensing and Records Supervisor

RE: Reinstatement of License; Avalanche Spirits,
License #5041

The above licensee has requested that the license be reinstated after the renewal application was not submitted in a timely manner per AS 04.11.540.

Date application postmarked: April 6, 2015

Application Complete: Yes

Fees and penalties paid: Yes

3 AAC 304.160(f) Factors: No

Reason stated for late submission: Confusion about which licenses he had already renewed; because business licenses had been renewed, licensee assumed that liquor license had, as well

Inquiry for the Board: Good Cause Shown; Has the licensee shown proof of good cause for the failure to file and pay by February 28, 2015 per 3 AAC 304.160(e)(3)?

Recommendation: Grant reinstatement if good cause shown



7820 Schoon St. Anchorage, AK. 99518 •Phone (907) 349-4631•Fax
(907) 349-4243

4-6-15

Dept. of Commerce
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

Dear Alcohol Control Board,

I missed the deadline for renewing our liquor license on February 28, 2015. In my confusion I assumed the 3 licenses we have posted and current on our legal board was all that was required for our continued operation. Little did I realize I had missed the most important license required of us to remain in business.

I left for vacation on 2/28 and upon my return began the task of fixing my mistake. We have employees on staff and inventory sitting on our sales floor, but no ability to take that product to our customers. We risk losing our customer base and suspension of personnel until I am able to repair this problem.

I am requesting a reinstatement of our license with the payment of the regular and late fees as required. I would ask you contact me with any other questions or issues. I appreciate your consideration of my request.

Sincerely,

Mike Webster
General Manager
Bill's Distributing

12564

Renewal Liquor License 2015/2016

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

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

License is: Full Year OR Seasonal If seasonal, list dates of operation: _____

SECTION A - LICENSE INFORMATION		
License Number: 958403 5041	License Type: 42 Wholesale - General	Statute Reference: Sec. 04.11.160
Municipality of Anchorage	Community Council (if applicable): Taku/Campbell	
Name of Licensee: Bill's Distributing Inc	Doing Business As (DBA): Avalanche Spirits	
Mailing Address: 7820 Schoon St. Anchorage, Ak 99518	Street Address or Location of Premises: 7820 7900 Schoon St. Anchorage, Ak 99518	
Phone: 907 349 4631	Fax: 907 349 4243	Email: apwebster@gci.net

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): Bill's Distributing, Inc.				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
William A Webster	Pres	50	12650 Schooner Dr Anchorage, Ak 99515	907 345 5179
Alice M Webster	Sec Trea	50	12650 Schooner Dr. Anchorage, Ak 99515	907 345 5179
NOTE: If you need additional space, please attach a separate sheet.				

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

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

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

SECTION D – SUPPLEMENTAL QUESTIONS

Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If yes, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
For Package Stores only:	
Do you intend to sell alcoholic beverages in response to a written order?	<input type="checkbox"/> Yes <input type="checkbox"/> No
For Restaurant / Eating Places only:	
Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014?	<input type="checkbox"/> Yes <input type="checkbox"/> No

DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 2000.00
Filing Fee	\$ 200.00
TOTAL	\$ 2200.00
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$ 500.00
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 2700.00

Licensee Signature

Alice M. Webster

Printed Name & Title:

Alice M Webster Sec. Trea.

Tab 16



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Sarah Daulton Oates
Licensing and Records Supervisor

RE: Reinstatement of License; Golden
International, License #2106

The above licensee has requested that the license be reinstated after the renewal application was not submitted in a timely manner per AS 04.11.540.

Date application postmarked: March 9, 2015

Application Complete: Yes

Fees and penalties paid: Yes

3 AAC 304.160(f) Factors: No

Reason stated for late submission: Overseas due to urgent circumstances

Inquiry for the Board: Good Cause Shown; Has the licensee shown proof of good cause for the failure to file and pay by February 28, 2015 per 3 AAC 304.160(e)(3)?

Recommendation: Grant reinstatement if good cause shown

March 6, 2015

State of Alaska
Dept of Commerce, Community, and Economic Development
2400 Viking Drive
Anchorage, AK 99501

Dear Sarah and ABC Board,

I am writing to sincerely apologize for the delay of the renewal for our liquor license. Although it may seem like an excuse, I was abroad in Asia on an emergency trip in February, which was the renewal deadline period. I was overwhelmed with tasks and work, and thought I had gotten all the paperwork done and sent; but my mistake, I am sorry. Also, we had closed our restaurant for the holiday seasons, and I thought that I would get to it after the new year. Again, I apologize.

I am doing everything I can right now to correct the situation, and I will fax, send, mail, copy and do whatever it takes, and pay the late fees asap.

Thank you again for your understanding.

Sincerely,



YiHui "Sharon" Hu
Kingdom Corp, INC.
Golden International Restaurant
P O BOX 3099
Soldotna, AK 99669 TEL: 907.262.7862

License Number: 2106

Golden International Restaurant (Kingdom Corporation)

P.O Box 3099,

Soldotna, Alaska 99669

(907)262-7862

Dear ABC Board,

I am writing again to sincerely ask you consider expediting my renewal for my restaurant's liquor license. As I hope the board will understand, the history of my restaurant extends for almost 35 years and until now, we had never been late for our renewal application. Please consider that I am now almost 73 years old and trying to fully retire. My daughter in law is trying to help me transition out. My restaurant is a small business, and we served generations of Alaskans and supported our local economy. Our records show that we had renewed our liquor license on time for all these years until now, and need to make ends meet.

Urgent circumstances arised at the turn of the new year, and we had to go overseas and we were just overwhelmed with matters at hand. Please consider that we had a slow winter and not being able to offer drinks such as Sake and wine etc., will impact our small business even more. I thank you in advance for taking the time to help.

Sincerely,



YING CHIH HU, JO CHI HU, and

YIHUI Sharon HU (daughter in law)



3.15.2015

License is: Full Year OR Seasonal If seasonal, list dates of operation: _____

SECTION A - LICENSE INFORMATION		
License Number: 2106	License Type: Beverage Dispensary	Statute Reference: Sec. 04.11.090
Local Governing Body: Outside City Limits Kenai Peninsula Borough		Community Council (if applicable):
Name of Licensee: Kingdom Corporation		Doing Business As (DBA): Golden International
Mailing Address: PO Box 3099, Soldotna, AK 99669		Street Address or Location of Premises: 41776 Sterling Hwy
Phone: 907 262 7862	Fax:	Email: sharuk_aka@hotmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <i>Kingdom Corporation</i>				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
<i>Yingchi Hu</i>	<i>president</i>	<i>50%</i>	<i>P.O. Box 3902, Soldotna, AK 99669</i>	<i>907-262-7858</i>
<i>Jo chi Hu</i>	<i>secretary</i>	<i>50%</i>	<i>same</i>	<i>same</i>
NOTE: If you need additional space, please attach a separate sheet.				

Individual Licensees/Affiliates (The ABC Board defines an "affiliate" as the spouse or significant other of a licensee. Each affiliate must be listed.)			
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Phone:	Date of Birth:	Phone:	Date of Birth:

SECTION D – SUPPLEMENTAL QUESTIONS

Was your business open at least 30 days for 8 hours each day in 2013? Yes No

Was your business open at least 30 days for 8 hours each day in 2014? Yes No

Has any person named in this application been convicted of a felony or Title 4 violation? Yes No
If yes, attach a written explanation.

Has the licensed premises changed from the last diagram submitted? Yes No
If yes, attach a new diagram with designated premises areas outlined in red.

DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 2500.00
Filing Fee	\$ 200.00
TOTAL	\$ 2700.00
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$ 500.00
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$ 3200 ✓ 12528

Licensee Signature <i>Ying-Chih Hu</i>	Printed Name & Title: YING-CHIH-HU
Notary Signature <i>[Signature]</i>	Subscribed and sworn to before me this day of <i>March</i> , 2015.
Notary Public in and for the State of: <i>Alaska</i>	My commission expires: <i>8/1/18</i>

Tab 17



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Sarah Daulton Oates
Licensing and Records Supervisor

RE: Reinstatement of License; Little Tokyo,
License #4493

The above licensee has requested that the license be reinstated after the renewal application was not submitted in a timely manner per AS 04.11.540.

Date application postmarked: April 15, 2015

Application Complete: Yes

Fees and penalties paid: Yes

3 AAC 304.160(f) Factors: No

Reason stated for late submission: Out of town and forgot

Inquiry for the Board: Good Cause Shown; Has the licensee shown proof of good cause for the failure to file and pay by February 28, 2015 per 3 AAC 304.160(e)(3)?

Recommendation: Grant reinstatement if good cause shown

Dear whom may it be concern,

I'm requesting for resumption and renewal License #4493 Little Tokyo Restaurant. I am very sorry for my lack of responsibility on renewing my license. I was out of town and forgot the renewal situation. I would like to make a payment and request for temporary license for the mean time till I go to the board meeting in Anchorage. I like to thank you for your patience please forgive me for my actions.

Thank you, Sincerely
Owner: Kenry Kwany.

12577

Renewal Liquor License 2015/2016

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

(907) 269-0350
Fax: (907) 334-2285

<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: Full Year OR Seasonal If seasonal, list dates of operation: _____

SECTION A - LICENSE INFORMATION		
License Number: 4493	License Type: Restaurant/Eating Place	Statute Reference: Sec. 04.11.100
Local Governing Body: Juneau, City & Bor Other(Anch,Sit,Jno,Com.Car,WA)	Community Council (if applicable):	
Name of Licensee: Kwang LLC	Doing Business As (DBA): Little Tokyo	
Mailing Address: 140 Seward St, Juneau, AK 99801	Street Address or Location of Premises: 140 Seward St	
Phone: (907) 523-0344	Fax:	Email: Steve76shorty@gmail.com

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an individual ownership): Kwang, LLC				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
KWANG SU YOUNG	OWNER	100	140 Seward St. Juneau AK 99801	907-738-3982
NOTE: If you need additional space, please attach a separate sheet.				

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

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

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

SECTION D – SUPPLEMENTAL QUESTIONS

Was your business open at least 30 days for 8 hours each day in 2013? Yes No

Was your business open at least 30 days for 8 hours each day in 2014? Yes No

Has any person named in this application been convicted of a felony or Title 4 violation? Yes No
If yes, attach a written explanation.

Has the licensed premises changed from the last diagram submitted? Yes No
If yes, attach a new diagram with designated premises areas outlined in red.

Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014? Yes No

DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 600.00
Filing Fee	\$ 200.00
TOTAL	\$ 800.00
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$ 500.00
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$
GRAND TOTAL	\$

Licensee Signature <i>Kwang Su Yoon</i>	Printed Name & Title: KWANG SU YOON OWNER
Notary Signature <i>Sofya S. Stepanova</i>	Subscribed and sworn to before me this 15 day of April, 2016
Notary Public in and for the State of: <i>Alaska</i>	My commission expires: May 5, 2016



Tab 18



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

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

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: April 20, 2015

FROM: Sarah Daulton Oates
Licensing and Records Supervisor

RE: Reinstatement of License; Pataya Sushi
Restaurant, License #4718

The above licensee has requested that the license be reinstated after the renewal application was not submitted in a timely manner per AS 04.11.540.

Date application postmarked: March 13, 2015

Application Complete: Yes

Fees and penalties paid: Yes

3 AAC 304.160(f) Factors: No

Reason stated for late submission: Too busy and forgot

Inquiry for the Board: Good Cause Shown; Has the licensee shown proof of good cause for the failure to file and pay by February 28, 2015 per 3 AAC 304.160(e)(3)?

Recommendation: Grant reinstatement if good cause shown

to: ABC Board.

the Reason I did not renew ~~at~~^{on} time
is Because I forgot.

I do all the cooking work too much
I do all the buying and paper work
slipped ~~to~~ my mind. Please forgive
me. thank you!

Khanprasa & Co

03/13/15

NOV 13 12 50 PM '15

12532 + 12533

Renewal Liquor License 2015/2016

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

(907) 269-0350
Fax: (907) 334-2285

<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: Full Year OR Seasonal If seasonal, list dates of operation: _____

SECTION A - LICENSE INFORMATION		
License Number: 4718	License Type: Public Consumption Restaurant/Eating Place	Statute Reference: Sec. 04.11.400(g)
Local Governing Body: WASILLA	Community Council (if applicable):	
Name of Licensee: KHAMPRASAY K SUNDARA	Doing Business As (DBA): PATAYA sushi Restaurant	
Mailing Address: PO Box 5515	Street Address or Location of Premises: 290 N YENCO St	
Phone: (907) 373-0706 cell: 315-1317	Fax: none	Email: N/A

SECTION B - OWNERSHIP INFORMATION - CORPORATION				
<i>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</i>				
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): N/A				
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.				
Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)				
Name	Title	%	Mailing Address	Telephone Number
NOTE: If you need additional space, please attach a separate sheet.				

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

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

Name: KHAMPRASAY K SUNDARA	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address: PO Box 5515 WASILLA, AK 99687	Date of Birth: 05-01-61	Address:	Date of Birth:
Phone: 907-573-0706		Phone:	
Name: SAVITY N SUNDARA	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address: PO Box 5515 WASILLA, AK 99687	Date of Birth: 01-24-1983	Address:	Date of Birth:
Phone: (907) 315-1317		Phone:	

SECTION D – SUPPLEMENTAL QUESTIONS

Was your business open at least 30 days for 8 hours each day in 2013?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Was your business open at least 30 days for 8 hours each day in 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has any person named in this application been convicted of a felony or Title 4 violation? If yes, attach a written explanation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the licensed premises changed from the last diagram submitted? If yes, attach a new diagram with designated premises areas outlined in red.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Were your gross receipts from the sale of food at least 50% of your total gross receipts for 2013 and 2014?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

DECLARATION

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
- As a licensee (sole proprietor or partner), I certify that I have received Alaska alcohol server training and my certification is currently valid.
- As a corporate/LLC licensee, I certify that all agents and employees who serve, sell, or are otherwise responsible for the service, sale, or storage of alcoholic beverages have received Alaska alcohol server training and their certification is currently valid. I further certify that certain shareholders, officers, directors, or members of the entity who are not directly or indirectly responsible for the service, sale, or storage of alcoholic beverages are not Alaska alcohol server training certified and will not be required to be certified.
- As a licensee, I certify that all of my agents and employees tasked with patron identification verification have received alcohol server training and their certification is currently valid.

License Fee	\$ 600.00	12532
Filing Fee	\$ 200.00	
TOTAL	\$ 800.00	+
Late Fee of \$500.00 – if received or postmarked after 12/31/2014	\$ 500.00	12533
Fingerprint Fee – \$51.50 per person (only for new owners/members)	\$	
GRAND TOTAL	\$ 1300.00	

Licensee Signature <i>Khamprasad K Sundara</i>	Printed Name & Title: KHAMPRASAY K SUNDARA (OWNER)
Notary Signature <i>Cl. Deutsch</i>	Subscribed and sworn to before me this 13 day of March , 2015
Notary Public in and for the State of: Alaska	My commission expires: with office

