



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

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

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

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

DATE: November 10, 2015

RE: McGuire's Tavern #679 and #680

These are licenses for which a 50% owner died in January of 2009 and a transfer was never completed. The license has been operated each year in the interim by the surviving owner.

Date of death: January 10, 2009- Dorothy Anderson, 50% owner

Status of transfer: Transfer application not filed at this time. The licensee and his attorneys have not completed the probate process. The probate has been slow due to its being in the Bethel Courts, but was only assigned a judge in July of 2015. Renewals have been granted since 2010 due to a 50% owner filing renewal applications.

Request of licensee: Extension of time to complete transfer

Recommendation: The board should review the progress of the probate and transfer process at the April, 2016 board meeting and check that the licensee is making substantial progress toward completing the transfer.

The licensee should complete the probate and transfer process before the application for renewal is filed next year. If the transfer is not completed before the next renewal application, the license should not be renewed.

TO: ALASKA ALCOHOL BEVERAGE CONTROL BOARD
FROM: W. SHERMAN ERNOUF
CC: MCGUIRE'S TAVERN AND LIQUOR, INC.
RE: LIQUOR LICENSE TRANSFER EXTENSION OF TIME
DUE TO DEATH OF LICENSE 04.11.30
DATE: 11/11/15

The purpose of this memo is to request an extension of time for re-transmitting to you completed applications for a stock ownership transfer for Beverage Dispensary liquor license #679 and Package Store liquor license #680 for McGuire's Tavern and Liquor, Inc. Both licenses are in good standing.

In September 2014, this office was hired to transfer ownership of the above two licenses to Allan Anderson due to the death of Dorothy Anderson majority stockholder. Ms. Anderson died in 2010 and her daughter died several months thereafter. In October 2014, a transfer application was filed for both licenses. In November 2014, the transfer applications were rejected due to our client not formally being appointed the personal representative of the estate.

As part of trying to complete this transaction, this office attempted to open probate in Bethel. The Will stated that the deceased's sister was to be the first personal representative and Allan Anderson the alternative. In a strange turn of events the Bethel Court misplaced the original will. This caused a significant delay in the appointment process. As of the date of this memorandum, probate has finally been opened. Allan Anderson will be appointed personal representative which will allow a proper filing of the transfer documents.

The personal representative has asked that this office request an extension of time for the filing of the transfers due to the death of the licensee and the surrounding extenuating circumstances which have delayed a proper filing. AS 04.11.030 allows for such extension of time without limitation upon Board approval.

A forfeiture of these licenses under these circumstances would be a harsh and unnecessary penalty. Should the Board grant the extension of time requested, this office will work diligently to re-file the transfers and will have both transfers completed on or before the renewal of the licenses which is to occur in 2016.

Thank you in advance for consideration of this request.

MEMO TO ABC BOARD
LAW OFFICES OF ERNOUF & COFFEY, PC

Facsimile: (907) 274-4258

Phone: (907) 274-3385

E-mails:

sernouf@eclawfirm.net

dcoffey@eclawfirm.net

TO: ABC BOARD STAFF
FROM: AMANDA SHAWCROSS/W. SHERMAN ERNOUF
CC: MCGUIRE'S TAVERN AND LIQUOR, INC.
RE: LIQUOR LICENSE TRANSFER EXTENSION TIME
DATE: 8/11/15

The purpose of this memo is to request a 90-day extension of time for re-transmitting to you completed applications for a stock ownership transfer for Beverage Dispensary liquor license #679 and Package Store liquor license #680 for McGuire's Tavern and Liquor, Inc.

We have filed with the Bethel Probate Court the assignment of personal representative forms for the estate of Dorothy Anderson to allow Mr. Anderson to execute the license transfer forms on behalf of Dorothy's estate. Unfortunately, the probate court has been very slow in this matter. We have just now been assigned a case number and a Judge, but can only assume due to the length of time this alone has taken that it will take more time than less to complete. We believe 90 days should be more than sufficient time for the court to handle the probate matter.

As soon as the probate matter is handled, this office will re-advertise and re-file the transfer paperwork for both licenses and forward your offices the estate paperwork needed along with the applications.

If you have any questions in regards to this Memo or need any additional information, please call me directly at (907) 274-3385 or email me at ashawcross@eclawfirm.net. Thank you for your time and attention to this matter.



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.263.5900
TDD: 907.465.5437
Fax: 907.263.5930

June 18, 2013

McGuire's Tavern & Liquor, Inc.
PO Box 277
McGrath, AK 99627

Certified Mail #7011 2970 0003 3312 5561

Dear Licensee:

Your 2013/2014 liquor license renewal has been received, and the new license has been mailed out.

Part of our renewal process includes checking with Alaska Division of Corporations to make sure that the information you provided on your renewal matches their and our databases. Unfortunately, the entity members and percentages that you provided do not match what is currently on file.

Please contact me on my direct line at 907-263-5921 or send me an email at sarah.oates@alaska.gov providing your liquor license number along with a written explanation as to how you'd like the percentages to be once you have resolved the discrepancy. A transfer of ownership may be necessary, depending upon what you decide.

If you have any questions or concerns whatsoever, please get a hold of me, and I'll be more than happy to help!

Sincerely,

SHIRLEY A. COTÉ

Director

Sarah D. Oates

Business Registration Examiner
sarah.oates@alaska.gov
(907)263-5921

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X <i>Alan Anderson</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:		B. Received by (Printed Name) <i>Alan Anderson</i>	C. Date of Delivery <i>6-24-13</i>
McGuire's Tavern & Liquor, Inc. PO Box 277 McGrath, AK 99627		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
		7011 2970 0003 3312 5561	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
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Fax: 907.334.2285

MEMORANDUM

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

DATE: November 10, 2015
RE: AK Alchemist License #5367

This application is for a new restaurant/eating place in Anchorage. The MOA has issued a protest due to a denied administrative site plan review, protest from the MOA Fire Department, and pending building safety approval. This protest was tabled from the September 15, 2015 meeting because the Anchorage Assembly had scheduled a hearing on the denial of the site plan review. In September, the Assembly reset the matter for December.

Date Notification sent to MOA: January 7, 2015

Date MOA Protest Received: March 5, 2015

Basis for Protest: Denial of administrative site plan review (finalized 6/3/15),
protest from the MOA Fire Department and pending building
safety review

Update from MOA: Appeal of denial of site plan review reset for December 8,
2015 before Anchorage Assembly. AK Alchemist applying for
conditional use permit instead of a site plan review. (AMC
21.50.500.a.4, appeal heard as conditional use application)

Requirements met
per 3 AAC 304.145(d): Yes, a hearing was held on April 28, 2015.

Recommendation: Table matter until Anchorage Assembly decides applicant's
appeal.

MUNICIPALITY OF ANCHORAGE
INFORMATION MEMORANDUM
NO. AIM 103(A)-2015

Accepted 8-11-15

Meeting Date: August 11, 2015

From: Assembly Member Demboski

Subject: Notice of Conditional Use Hearing Scheduled for September 29 2015 (Appeal of the Community Development Department's Denial Of An Administrative Site Plan Review Community Development Department Case 2015-0009) AK Alchemist, LLC dba AK Alchemist LL# 5367.

The applicant, AK Alchemist, LLC through legal counsel Dan Coffey, Law Offices of Ernouf & Coffey, P.C., has given notice of appeal of the administrative denial of applicant's site plan for land use involving the sale and service of beer and wine for consumption on premises located at 103 East 4th Avenue, Anchorage, Alaska, 99501. At the request of Assembly Chair Dick Traini, Assembly Member Amy Demboski is the Assembly point of contact for setting up the process in this matter. As provided by AMC 21.50.500A.4, the appeal shall be heard as a conditional use application in accordance with AMC 21.50.160 (old code).

- The rule prohibiting *ex parte* communication is in place: Parties and their representatives shall not engage in *ex parte* contact with Assembly Members on this matter.

In consultation with Municipal Clerk Barbara Jones; Municipal Attorney Bill Falsey; Applicant's attorney, Dan Coffey; and Assembly Counsel Julia Tucker, the anticipated schedule and process have been established as follows:

- At the request of the applicant, this matter will be heard on September 29, 2015. The hearing will be scheduled to begin at approximately 7:00 p.m.
 - Planning Staff will provide public notice as set out in AMC 21.15.005.
 - The applicant will post notice as set out in AMC 21.15.005.
- The schedule and filing deadlines are intended to provide the applicant and the Municipal Attorney time to review and respond to any legal issues and matters of concern, prior to publication of Assembly Meeting Agenda documents for the September 29, 2015 Assembly Meeting.
- Exchange of documents between parties (service) and filing with the Municipal Clerk may be done by e-mail. Counsel for the parties will provide Assembly Counsel with a courtesy copy at the time of filing.
- The parties, through counsel, have agreed to the following pre-hearing timeline, and the Municipal Clerk has concurred:
 - **August 14, 2015:** Planning Staff will prepare and submit the Conditional Use Permit packet, including the Staff Analysis, to the Office of the Municipal Clerk by noon on Friday, August 14, 2015.

- It is anticipated the packet will be submitted to the Municipal Clerk's Office through the "PACE" system, with the public hearing date of September 29, 2015.
 - The Municipal Attorney will ensure the Conditional Use Permit packet, including the Staff Analysis, is provided to applicant's counsel by noon on Friday, August 14, 2015.
- **August 21, 2015:** Applicant's Brief will be filed with the Municipal Clerk's Office and served on counsel by 4:00 p.m. on Friday, August 21, 2015.
- **August 28, 2015:** Any comments and considerations from the Municipal Attorney on issues of fact or law will be filed with the Municipal Clerk's Office and served on counsel by 4:00 p.m. on Friday, August 21, 2015.
- **September 4, 2015:** Any Reply Brief by Applicant will be filed with the Municipal Clerk's Office and served on counsel by 4:00 p.m. on Friday, September 4, 2015.
- **September 18, 2015:** Agenda preparation and publication by the Municipal Clerk for the September 29, 2015 Assembly Meeting will include the Conditional Use packet, including Staff Report, submitted by Planning Staff. Applicant's Brief(s) and any supplemental filing by the Municipal Attorney under the schedule, including any additional public comment received by Planning Staff, will be included under separately numbered Assembly Information Memoranda (AIM) for ease of reference and tracking.
- **September 29, 2015:** If any additional public comments have been submitted to Planning Staff and not included for Agenda preparation on September 18, 2015, Planning Staff shall serve the applicant with copies by e-mail, and provide 15 copies at the Assembly Meeting, to the Municipal Clerk by 5:00 p.m. This matter will be heard at approximately 7:00 p.m. following the Assembly's evening break.
- For written public testimony on this item submitted through the Municipal Clerk's process outside the conditional use permit notices under AMC 21.15.005, the following process will be managed by the Municipal Clerk:
 - Written public testimony will be accepted by the Municipal Clerk at 632 W 6th Avenue, Suite 250, Anchorage, AK 99501, or via e-mail at wwmas@muni.org .
 - Written testimony received by the Municipal Clerk prior to 12:00 noon on September 25, 2015 will be made available to the Applicant's legal counsel and the Municipal Attorney by the Municipal Clerk no later than 5:00 p.m. on September 25, 2015.

- The Municipal Clerk will make all written public testimony received prior to 12:00 noon on September 25, 2015, available to Assembly Members as an item on the Addendum to the Agenda for the September 29, 2015 Assembly Meeting.
 - Written public testimony received after 12:00 noon, September 25, 2015 and before 4:00 p.m. on September 29, 2015, will be produced to the parties and to the Assembly Members, at 5:00 p.m. at the Assembly Meeting on September 29, 2015.
 - Assembly Members are instructed to forward any written communication sent to individual emails or received by an Assembly Member through an email other than wwmas@muni.org, to the Municipal Clerk for inclusion and distribution with the other public comment received by the Municipal Clerk outside the conditional use permit notices under AMC 21.15.005, as stated above.
- The parties, through counsel, have agreed to the following presentation times:
 - Oral presentations: 20 minutes for each party with the option to reserve a portion of allotted time for rebuttal. Oral presentation may be made by counsel and/or other designated representative, within the 20 minutes for each party.
 - Assembly Member questions will follow each presentation.
 - The time taken for Assembly Member questions does not count as part of the 20-minute allotment for each party.
 - If a party reserves a portion of the allotted 20 minutes for rebuttal, the party may choose to exercise the rebuttal time following public testimony.
 - Public Testimony: AMC 21.15.005 provides for due process notice and an opportunity to be heard on this matter. Testimony from the public will be heard on this matter following Assembly Member questions on the parties' main presentations.
 - In-person testimony is limited to 3 minutes per individual, and 5 minutes for a community council.

Prepared by: Julia Tucker, Assembly Counsel

Respectfully submitted,

Amy Demboski

Assembly Member, District 2 (Eagle River / Chugiak / JBER)

Submitted by: Chair of the Assembly at the
Request of the Mayor

Prepared by: Community Development
Department

Reviewed by: Department of Law

For reading: May 12, 2015

CLERK'S OFFICE

APPROVED

Date:

5-26-15

ANCHORAGE, ALASKA

AO NO. 2015-57

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE (OLD CODE) SECTION 21.50.500, SITE PLAN REVIEW STANDARDS—RESTAURANT OR EATING PLACE ALCOHOLIC BEVERAGE LICENSE USE, TO CHANGE THE TIMING OF THE ADMINISTRATIVE SITE PLAN REVIEW OF RESTAURANT OR EATING PLACE ALCOHOLIC BEVERAGE LICENSE USES, AND WAIVING PLANNING AND ZONING COMMISSION REVIEW.

WHEREAS, AO 2007-121(S-1) amended code to allow restaurants seeking a license to serve beer and wine to go through an administrative land use approval process rather than a conditional use process; and

WHEREAS, the code amendment required the Assembly to approve the license request before the land use review could be completed; and

WHEREAS, the Assembly relies on the land use review, along with other departments' reviews, to make a determination on whether or not to protest a liquor license request; and

WHEREAS, this ordinance amends the process to require the administrative land use review to occur before the Assembly lifts a liquor license protest, similar to the conditional use process for other types of liquor licenses; now, therefore

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code (Old Code) section 21.50.500 is hereby amended to read as follows:

21.50.500 Site plan review standards—Restaurant or eating place alcoholic beverage license use.

A. *Administrative site plan review.*

1. *Restaurant or eating place alcoholic beverage license use standards.* A restaurant or eating place licensed by the State Alcoholic Beverages Control Board to sell beer and wine for consumption only on the licensed premises is exempt from the conditional use requirements of 21.50.160 and may be reviewed under this section, provided the principal and

1 accessory uses are permitted non-residential uses. The
2 standards in 21.50.020 shall apply. [REQUIREMENTS
3 IMPOSED BY THE ASSEMBLY WHEN ACTING ON THE
4 BEER AND WINE LICENSE SHALL APPLY.] Administrative
5 review under this section shall occur before [IS AVAILABLE
6 ONLY AFTER] assembly approval of the restaurant or eating
7 place license for beer and wine.
8

9 2. *Application.* The applicant shall submit a site plan for approval
10 by the director of planning or the director's designee. The site
11 plan shall demonstrate that the standards in 21.50.020 are
12 met [AND REQUIREMENTS IMPOSED BY THE ASSEMBLY
13 WHEN ACTING ON THE BEER AND WINE LICENSE ARE
14 SATISFIED].
15

16 3. *Procedure for approval.* The director or designee shall take
17 action on the site plan within 45 days of the site plan
18 application submission date[, PROVIDED THAT NO
19 APPROVAL SHALL BE ISSUED UNDER THIS SECTION
20 UNTIL AFTER THE ASSEMBLY HAS APPROVED THE
21 RESTAURANT OR EATING PLACE LICENSE FOR BEER
22 OR WINE]. Within ten days of receipt of the application and at
23 least 30 days before taking action under this section, the
24 director or designee shall publish notice of the application in a
25 newspaper of general circulation in the municipality and invite
26 public comment. The notice shall state the names of the
27 applicants and the legal description of the land subject to the
28 application. Such notice, including a map of the vicinity, shall
29 be provided to any officially recognized community council
30 whose boundary encompasses the petition site and to owners
31 of property within 500 feet of the proposed site.
32

33 4. *Appeals.* A decision of the director of community planning and
34 development or the director's designee under this section is
35 final unless appealed within 15 days to the assembly. An
36 appeal may be filed by the applicant or by a petition of at least
37 one-third of the owners of the privately owned land (excluding
38 rights-of-way) within 500 feet of the outer boundary of the
39 petition site. An appeal shall be considered a conditional use
40 application for a use involving the sale of alcoholic beverages,
41 and shall be processed in accordance with section 21.50.160.
42 [IF AN APPEAL IS FILED TIMELY, THE ASSEMBLY SHALL
43 HOLD A PUBLIC HEARING, IN ACCORDANCE WITH

SECTION 21.15.005, AT ITS NEXT AVAILABLE MEETING
AND APPLY THE STANDARDS OF THIS SECTION. AN
APPEAL FROM A DECISION OF THE ASSEMBLY MAY BE
BROUGHT IN ACCORDANCE WITH SECTION 21.30.010.B.]

(AO No. 2007-121(S-1), § 15, 10-23-07)

Section 2. Notwithstanding the requirements of Anchorage Municipal Code (Old Code) section 21.10.015A.3., this ordinance and the amendments herein shall not require review by the Planning and Zoning Commission.

Section 3. This ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 26th day of may, 2015.



Chair of the Assembly

ATTEST:



Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2015-57 Title: **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY
AMENDING ANCHORAGE MUNICIPAL CODE (OLD CODE)
SECTION 21.50.500, SITE PLAN REVIEW
STANDARDS—RESTAURANT OR EATING PLACE ALCOHOLIC
BEVERAGE LICENSE USE, TO CHANGE THE TIMING OF THE
ADMINISTRATIVE SITE PLAN REVIEW OF RESTAURANT OR
EATING PLACE ALCOHOLIC BEVERAGE LICENSE USES, AND
WAIVING PLANNING AND ZONING COMMISSION REVIEW.**

Sponsor: Mayor
Preparing Agency: Community Development Department
Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY15	FY16	FY17	FY18	FY19	
Operating Expenditures						
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp						

PUBLIC SECTOR ECONOMIC EFFECTS:

Approval of this ordinance should have no significant impact on the public sector.

PRIVATE SECTOR ECONOMIC EFFECTS:

Approval of this ordinance should have no significant impacts on the private sector.

Prepared by: Erika McConnell Telephone: 343-7917

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 308-2015

Meeting Date: May 12, 2015

From: MAYOR

Subject: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE (OLD CODE) SECTION 21.50.500, SITE PLAN REVIEW STANDARDS—RESTAURANT OR EATING PLACE ALCOHOLIC BEVERAGE LICENSE USE, TO CHANGE THE TIMING OF THE ADMINISTRATIVE SITE PLAN REVIEW OF RESTAURANT OR EATING PLACE ALCOHOLIC BEVERAGE LICENSE USES, AND WAIVING PLANNING AND ZONING COMMISSION REVIEW.

In 2007 through AO 2007-121(S-1), the Assembly amended Anchorage Municipal Code (Old Code) section 21.50.500 to make the land use review of liquor license applications for restaurant/eating places serving beer and wine only into an administrative review and approval process. The result was that applicants for a restaurant/eating place liquor license did not have to go before the Assembly for a conditional use, but rather would go through an administrative review with a decision being made by the Director of Community Development. This was a positive change, as “the land use related to offering beer and wine for consumption at a restaurant or other eating place has not been controversial on a policy level.” (AM 664-2007)

However, the ordinance also changed the timing of the land use review. Prior to this ordinance, new liquor license applications would be protested by the Assembly, pending the land use review (conditional use) and resolution of any other issues raised by other municipal departments (e.g., Building Safety, Fire, Finance, DHHS, etc.) Once the land use review was approved and any other department’s issues resolved, the protest would be administratively lifted by the Municipal Clerk and the ABC Board would issue the liquor license.

AO 2007-121(S-1) prohibits the administrative land use review for restaurant/eating place licenses until AFTER the Assembly has “approved” the license, meaning after any protest is lifted. Thus, the land use review would not take place until after the ABC Board has issued the liquor license to the restaurant/eating place. The result of this is that the Municipality would not see any land use issues related to the establishment until the opportunity to protest the license has passed. Once the license has been issued by the state, it is much more difficult for the Municipality to address any land use issues that arise from the land use review.

This ordinance brings the timing of administrative land use reviews of liquor license applications for restaurant/eating places serving beer and wine only back

1 to before the Assembly protest is lifted, to be consistent with conditional uses for
2 liquor licenses, and to allow any land use issues to be raised and resolved before
3 the Assembly indicates to the ABC Board that they have no objection to the
4 issuance of the liquor license.
5

6 Additionally, this ordinance clarifies the appeal process for administrative site
7 plan reviews for restaurant/eating places serving beer and wine only. If the
8 decision of the Director of Community Development on the administrative land
9 use review is appealed to the Assembly, then the appeal is treated like a
10 conditional use application for a use involving the sale of alcoholic beverages,
11 and comes to the Assembly just like a land use review for a restaurant with a full
12 bar, a package store, or any other type of liquor license that requires a
13 conditional use.
14

15 In order to quickly fix this problem in the "old" Title 21 for the remaining seven
16 months that the "old" code will be in effect, this ordinance proposes to omit
17 review by the Planning and Zoning Commission. The timing change of AO 2007-
18 121(S-1) was not brought into the "new" Title 21, so this change is not needed in
19 the "new" code.
20

21 **THE ADMINISTRATION RECOMMENDS APPROVAL.**
22

23 Prepared by: Erika McConnell, Current Planning
24 Section Supervisor

25 Approved by: Jerry T. Weaver, Jr., Director
26 Community Development Department

27 Concur: Dennis A. Wheeler, Municipal Attorney

28 Concur: George J. Vakalis, Municipal Manager

29 Respectfully submitted: Daniel A. Sullivan, Mayor
30

From: [Honest, Miranda L.](#)
To: [Oates, Sarah D \(CED\)](#)
Subject: AK Alchemist LL#5367
Date: Wednesday, June 17, 2015 3:42:51 PM

Hi Sarah,

AK Alchemist went before the Assembly on April 28, 2015. It was decided to continue the protest. As of June 3, 2015 the Planning Department denied the request for an Administrative Site Plan Review.

As of today, June 17, 2015, the Fire Department has protested and Building Safety has not been received.

Regards,
Mandy Honest
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: HonestML@muni.org
www.muni.org



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

May 5, 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 28, 2015** decided to continue the protest of the New Restaurant/Eating Place Liquor License for AK Alchemist, LLC dba AK Alchemist LL #5367 to provide for the Anchorage Assembly, as the local governing body, to complete its responsibilities under state statute and regulations. 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

CLERK'S OFFICE

APPROVED

Date: 4-28-15

Submitted by: ASSEMBLY MEMBER FLYNN
ASSEMBLY CHAIR TRAINI
ASSEMBLY MEMBER HONEMAN

Prepared by: MUNICIPAL CLERK'S OFFICE

Reviewed by: Assembly Counsel

For reading: April 28, 2015

**ANCHORAGE, ALASKA
AR NO. 2015-156**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY SUPPLEMENTING
AR NO. 2015-59, STATING THE ASSEMBLY'S PROTEST REGARDING A NEW
RESTAURANT/EATING PLACE LIQUOR LICENSE #5367 AND RESTAURANT
DESIGNATION PERMIT FOR AK ALCHEMIST, LLC dba AK ALCHEMIST, LOCATED
AT 103 E. 4TH AVENUE, ANCHORAGE, ALASKA AND FURTHER PROVIDING FOR
THE ANCHORAGE ASSEMBLY, AS THE LOCAL GOVERNING BODY, TO
COMPLETE ITS RESPONSIBILITIES UNDER STATE STATUTE AND
REGULATIONS .**

WHEREAS, AR No. 2015-59, as attached, was passed and approved by the Anchorage Municipal Assembly on March 3, 2015; and

WHEREAS, the purpose of this Resolution is to supplement AR No. 2015-59 for reasons stated herein; and

WHEREAS, Anchorage Municipal Code 21.50.500A.1 mistakenly references Anchorage Assembly approval of a beer and wine license for a restaurant or eating place; and

WHEREAS, the Anchorage Assembly does not have the authority to approve a restaurant or eating place liquor license, because that authority is held exclusively with the Alcoholic Beverage Control Board; and

WHEREAS, the intent of Anchorage Municipal Code 21.50.500A.1 is not ascertainable without correction by the Anchorage Assembly; and

WHEREAS, the structure in question would be classified under title 21 as a conex unit; and

WHEREAS, the applicant business holds a Mobile Food Vendor Permit from the Municipal Department of Health and Human Services; and

WHEREAS, the Anchorage Assembly seeks guidance and review of this application and Anchorage Municipal Code 21.50.500A.1 by the Public Safety Committee prior to further Assembly action; and

WHEREAS, continued notice of protest by the Assembly is in order to allow the Anchorage Assembly, as the local governing body, to complete its responsibilities under

1 state statute and regulations, including without limitation review of this application under
2 3AAC 304.145; and to allow the applicant the opportunity to attend the Public Safety
3 Committee meeting of the Anchorage Assembly and upon 21-day notice, as required by
4 Anchorage Municipal Code 2.30.120, the opportunity to attend and be heard at public
5 hearing on the exercise or waiver of this protest, after the Public Safety Committee has
6 presented its recommendations;

7
8 NOW, THEREFORE, BE IT RESOLVED by the Anchorage Assembly:

9
10 **Section 1.** This Assembly Resolution supplements AR No. 2015-59 which was
11 passed and approved by the Anchorage Assembly on March 3,
12 2015.

13
14 **Section 2.** The Anchorage Assembly hereby continues its PROTEST for
15 issuance of Restaurant/Eating Place Liquor License #5367 and
16 Restaurant Designation Permit to allow the Anchorage Assembly,
17 as the local governing body, to complete its responsibilities under
18 state statute and regulations, including without limitation review of
19 this application under 3AAC 304.145.

20
21 **Section 3.** The Anchorage Assembly refers AR No. 2015-59 and this
22 supplement to the Public Safety Committee for a full review and
23 recommendations.

24
25 **Section 4.** Review by the Public Safety Committee shall include
26 recommendation and guidance to the Anchorage Assembly on:

- 27
- 28 • The anomaly in Anchorage Municipal Code 21.50.500A.1
29 referencing approval of a beer and wine license by the
30 Anchorage Assembly.
 - 31
 - 32 • Whether the Anchorage Assembly should allow alcohol-related
33 land use for on-premises consumption of beer and wine for
34 mobile food vendors.
 - 35
 - 36 • Whether the Assembly should allow alcohol-related land use for
37 on-premises consumption of beer and wine in a conex unit.
 - 38

39 **Section 5.** The recommendations from the Public Safety Committee shall be
40 provided to the Anchorage Assembly at its May 26, 2015 meeting.

41
42
43 **Section 6.** A copy of this Assembly Resolution may be presented to the
44 Alcoholic Beverage Control Board as proof that the Anchorage
45 Assembly, as the local governing body, has stated and
46 supplemented its protest in order to allow the Director of the
47 Alcoholic Beverage Control Board to hold processing of

1 Restaurant/Eating Place Liquor License #5367 and Restaurant
2 Designation Permit under local protest, until receipt by the Director
3 of confirmation from the Municipal Clerk that additional Assembly
4 action has been taken on the exercise or waiver of this protest,
5 after due process.
6


7 **Section 7.**

8 This matter shall be scheduled to come before the Public Safety
9 Committee at its regular meeting in May, 2015. The Municipal
10 Clerk shall provide the licensee notice of the date, time and place of
11 the meeting before the Public Safety Committee. Additionally, upon
12 receiving the recommendations from the Public Safety Committee,
13 the Anchorage Assembly may schedule a public hearing on the
14 Anchorage Assembly's exercise or waiver of continued protest. In
15 the event the Anchorage Assembly schedules a public hearing, the
16 Municipal Clerk shall provide the licensee and the community
17 council 21-day advance notice of the date, time and place of the
18 public hearing before the Assembly.

19 PASSED AND APPROVED by the Anchorage Assembly this 28th day of
20 April, 2015.
21

22
23
24 
25 Chair of the Assembly

26 ATTEST:

27
28 
29
30 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 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

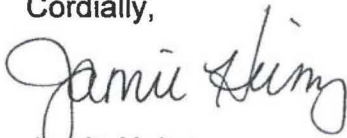
- **Restaurant/Eating Place**
 - Jimmy Sushi LL#5033
 - Pending receipt of fire department approval.
- **Beverage Dispensary**
 - South Restaurant + Coffee House LL# 4923
 - Pending receipt of Administrative Site Plan Review approval.

New

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

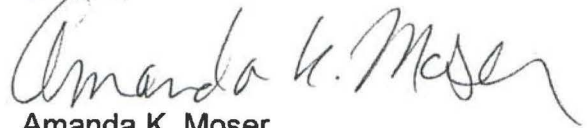
Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

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



Community Development Department
Planning Division

Mayor Dan Sullivan

Phone: 907-343-8301
Fax: 907-343-8200

March 16, 2015

Adam Blomfield
103 East 4th Avenue
Anchorage, AK 99501

Subject: Administrative Site Plan Review, Case #2015-0009

Dear Applicant:

The Community Development Department has reviewed the application for an administrative site plan review for a restaurant eating place serving beer and wine for the property located at 103 East 4th Avenue. The property is zoned B-2B (central business district, intermediate). The application was reviewed in accordance with Anchorage Municipal Code (AMC) 21.50.500. The Department finds that the existing structure is permitted as a coffee cart and not as a restaurant.

The Community Development Department **DENIES** the request subject. A building permit is required for the establishment to be permitted as a restaurant and eligible for an administrative site plan review for a restaurant serving beer and wine.

This decision is final upon the date of this letter, unless appealed within 15 days to the Assembly. An appeal may be filed by the applicant or by a petition of at least one-third of the owners (excluding rights-of-way) of the privately owned land within 500 feet of the petition site. If the appeal is filed timely, the Assembly shall hold a public hearing at the next available meeting.

Sincerely,

Jerry T. Weaver, Jr.
Director, Community Development Department

cc: **Alcoholic Beverage Control Board**
2400 Viking Drive
Anchorage, AK 99501

Barbara Jones, Municipal Clerk



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

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

DATE: November 10, 2015
RE: Ninilchik Trading License #493

This is a protest to an application for a transfer of location, ownership and a DBA change. The Kenai Peninsula Borough (KPB) protested the transfer because the new location violation a city ordinance which imposes a stricter "buffer zone" than state statute. However, an introduction of an amendment to the ordinance could change the result for the applicant.

Date of application: August 6, 2015.

Date of Protest: September 16, 2015.

Basis of Protest: Violation of KPB Code of Ordinances 7.10.020(A)(2)(c).

Requirements Met: Unclear from KPB's protest documentation whether applicant was afforded the reasonable opportunity to defend its application before a meeting of the local governing body per 3 AAC 304.145(d)

Amendment to Ordinance: Introduced at KPB meeting November 10, 2015. Scheduled for public comment and action by the Assembly

Effect of Change: If amendment passes, the new location for the license would fall outside of the buffer zone and would no longer violate the city ordinance.

Recommendation: Table decision to uphold protest until Assembly amends ordinance or rejects amendment of ordinance.



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2160 • FAX: (907) 714-2388

Toll-free within the Borough: 1-800-478-4441 Ext. 2160

Email: assemblyclerk@borough.kenai.ak.us

JOHNI BLANKENSHIP, MMC
BOROUGH CLERK

September 16, 2015

Sarah Oates
Records & Licensing Supervisor
Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501-1768

RE: Protest of Transfer of Location

New Licensee/Applicant	:	Echo Lake Superior Meat & Processing LLC
New Business Name	:	Ninilchik Trading
License Type	:	Package Store
License Location	:	15945 Sterling Hwy, Ninilchik
License No.	:	493

Previous Licensee/Applicant : Grizzly Ridge LLC

Dear Ms. Oates,

At its regularly scheduled meeting of September 15, 2015, the Kenai Peninsula Borough Assembly objected to the transfer of **location** for the above referenced license based on the following findings:

- The licensed premises is within 500' of Calvary Baptist Church. (This violates KPB 7.10.020 A.2.c., a copy of which is attached.)
- Calvary Baptist Church has issued a letter of objection. (Based on this, the assembly did not determine that the supervisory authority for the church consents to the licensed location being closer than 500' per KPB 7.10.020 D. Attached is a copy of the letter.)
- Calvary Baptist Church has children attending services
- Calvary Baptist Church has a Youth Program

Should you have any questions, please don't hesitate to let us know.

Sincerely,

Johni Blankenship, MMC
Borough Clerk

JB/klr

cc: Applicant
KPB Finance Department



CALVARY BAPTIST CHURCH

P.O. Box 39565 • Ninilchik, AK 99639

Kenai Peninsula Borough Assembly
144 North Binkley
Soldotna, Alaska 99669

September 6, 2015

Dear President and Assembly Members,

RE: Ninilchik Trading Company Liquor License

The Calvary Baptist Church leadership and membership have unanimously voted not to consent to the above mentioned licensed location to sell liquor closer than allowed by the Kenai Peninsula Borough Code 7.10.020(A)(2)(c).

We ask the Kenai Peninsula Borough to enforce the above referenced code. Thank you for your consideration.

Sincerely,

Rev. Kit W. Pherson
KWP: dh

Willie Morris
Church Deacon

Shaun Crabb
Church Deacon

Kit W. Pherson, Pastor

Land line phone: 907-567-3200 • Mobile phone: 907-394-3054 • E-mail: kwpherson@gmail.com

7.10.020. - Assembly protest.

- A. The assembly shall cause a protest to be filed with the State Alcohol Beverage Control Board on any application submitted for a new license for the sale of alcoholic beverages, or any application requesting approval of a relocation of the licensed premises, or any application requesting approval of a transfer of a license to another person, or the continued operation of a license for the second year of the biennial license period, within the borough, in the following situations:
1. Where borough records indicate that the applicant and/or transferor is in violation of the borough sales, and/or personal and real property tax ordinances and regulations, has failed to comply with any of the filing, reporting or payment provisions of the borough ordinances or regulations, or has any unpaid balance due on tax accounts for which the applicant and/or transferor is liable. A protest shall not be filed for balances due secured by a payment agreement authorized by borough ordinances, as long as:
 - a. the applicant or transferor is in compliance with the payment agreement; and
 - b. the payment agreement requires payment in full by the end of the next license year; and
 - c. the applicant or transferor is involved in no more than two payment agreements within the prior five (5) years.
 2. Where applications for a new license or request for approval of a relocation of the licensed premises in the following circumstances includes one of the following circumstances in areas of the borough outside cities:
 - a. There is insufficient ingress and egress for traffic to the premises; or
 - b. The location of the premises would unduly interfere with the flow of traffic; or
 - c. The public entrance of the licensed premises would be within 500 feet by straight line measurement from the property line of an established school or church or the outer boundaries of a playground; or
 - d. The existence or location of the premises would unduly interfere with or impact school operations; or
 - e. The existence or location of the premises is inconsistent with surrounding property uses; or
 - f. Any other facts are presented that render the particular application objectionable to the assembly.
- B. The assembly shall not cause a protest to be filed with the State Alcohol Beverage Control Board for the continued operation of a license for the second year of the biennial license period, or on the application submitted for a renewal by the same licensee of the license for the sale of alcoholic beverages within the borough where the location of the licenses premises remains the same, unless the applicant falls under Sections 7.10.020(A)(1) or 7.10.020(A)(2)(f).
- C. Notwithstanding the provisions of this section, the borough is not required to file a protest if the transferor and/or applicant have made satisfactory arrangements with the borough for the discharge of a tax obligation from the proceeds of the transfer or by payment from the person to whom the license is to be transferred. Further, if the proposed transferee holds a security interest in the license or licensed premises and seeks the transfer as part of an action foreclosing or protecting that security interest the borough will not protest a transfer to the holder of the security

interest so long as satisfactory arrangements have been made by the transferee to pay the delinquent taxes in accordance with this chapter and other provisions of the borough code and no other provisions of this chapter would cause or allow a protest to be made.

- D. Notwithstanding the provisions of KPB 7.10.020(A)(2)(c), the assembly will not file a protest based on distance between property lines of less than 500 feet, if after request by the applicant and after a hearing it determines (1) that the governing or supervisory authority for the church, school or playground consents to the licensed location being closer than allowed by KPB 7.10.020(A)(2)(c); and (2) that locating the premises within that distance would not unduly impact or interfere with access, the flow of traffic, or the operations of the school, church, or playground. In the absence of such determination or consent, the protest shall be filled as required by this section.

(Ord. No. 95-36, § 2, 1995; Ord. No. 92-20, § 1, 1992; Ord. No. 91-17, § 1, 1991; Ord. No. 90-52, § 1, 1990; Ord. No. 90-6, § 1, 1990; Ord. No. 90-3, § 1(part), 1990; Ord. No. 87-58, § 1, 1987; Ord. No. 86-49, §§ 1, 2, 1986; Ord. No. 85-75, § 1(part), 1985)



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

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

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W. 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

FROM: Cynthia Franklin
Director, ABC Board

DATE: November 10, 2015

RE: Tapas License #4170

This is an application for a transfer of location, ownership and a DBA change. The City of Fairbanks protested the transfer pending the issuance of a Certificate of Occupancy and DEC objects pending submittal of an application for plan review.

Although this is a matter for delegation, the work required to move the transfer application forward is squarely on the shoulders of the applicant. Historically, delegation at this point in the licensing process can lead to months and sometimes years of waiting on applicants to complete the work required to bring the transfer forward.

Beginning with this matter, the Director is seeking guidance from the board as to a reasonable time frame for future delegations requiring action from applicants to get protests and objections lifted.

Recommendation:

Delegate approval to Director to transfer license upon completion of necessary work by applicant. Set deadline for applicant to complete work or show substantial progress toward completion before next board meeting. Authorize director to return to board at February meeting for rescission of delegation if applicant does not diligently complete steps needed to get protest and objection to transfer lifted.



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6702

Fax (907)459-6710

October 20, 2015

Jane Sawyer, Business Registration Examiner
Alcohol Beverage Control Board
550 W. 7th Avenue, Ste. 1600
Anchorage, Alaska 99501-3567

Ms. Sawyer,

At the regularly-scheduled meeting of October 19, 2015, the Fairbanks City Council voted to **PROTEST** the application for transfer of ownership, location and name change for the below Beverage Dispensary License **until a Certificate of Occupancy is issued** by the City of Fairbanks. The Council also placed a **condition on the license that food must be served at the location.**

License Type: Beverage Dispensary, License #4170
DBA: Tapas
Licensee/Applicant: Tapas, Inc.
Physical Location: 603 Lacey Street, Fairbanks, Alaska

Corp/LLC Agent:	Address	Phone	Date/State of Ltd Partner/Corp	Good standing?
Franklin Eagle	575 First Avenue Fairbanks, AK 99701	907-456-1669	12/29/1999	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Kathleen Lavelle President	03/07/1955	912 Kellum Street Fairbanks, AK 99701	907-456-1669	50
Franklin Eagle Secretary/Treasurer	02/11/1954	912 Kellum Street Fairbanks, AK 99701	907-456-1669	50

I will notify the ABC Board when a Certificate of Occupancy is issued for the premises. Should you need further information do not hesitate to contact me.

Sincerely,

D. Danyielle Snider, CMC
Fairbanks City Clerk

cc: File(s)
Tapas, Inc.
Fire Department
Building Department

FYI for US

Sawyer, Jane Preston (CED)

From: Davison, Jessica D (DEC)
Sent: Tuesday, September 29, 2015 4:48 PM
To: Sawyer, Jane Preston (CED)
Subject: RE: #4170 Tapas DEC notification

We have not received an application/plan review for this new facility yet. I contacted the owner and he is aware of the requirements for obtaining a food establishment permit.

Have a great day,
Jessica

From: Sawyer, Jane Preston (CED)
Sent: Friday, September 25, 2015 2:49 PM
To: Davison, Jessica D (DEC) <jessica.davison@alaska.gov>
Subject: #4170 Tapas DEC notification

Hi Jessica,

Here is another notification of a liquor license transfer. This one is going into an existing building, but I do not believe there has ever been a liquor license there.

Thank you

Jane Sawyer

Business Registration Examiner | State of Alaska, DCCED
Alcoholic Beverage and Marijuana Control Boards
550 W 7th Ave. Ste. 1600 | Anchorage, AK 99501
Direct: 907-269-0359 | Main: 907-269-0350 | Fax: 907-334-2285

MEMORANDUM

TO: DEC – Juneau Office

jason.wiard@alaska.gov

DPS – State Fire Marshal's Office

jessica.faulkner@alaska.gov
diana.parks@alaska.gov

FROM: Jane Sawyer
ABC Board
550 W 7th Ave., Ste. 1600
Anchorage, AK 99501
907-269-0359 – Phone
907-334-2285 – Fax

DATE: 10/16/15

RECEIVED
Juneau Office
OCT 16 2015

SUBJECT: New Distillery License

Div. of Fire & Life Safety
Life Safety Inspection Bureau

WITHIN 30 DAYS please notify our office if there is a reason to object to the request.

License #	5426
Owner	Skagway Spirits, LLC
DBA	Skagway Spirits, LLC
TYPE OF LICENSE	Distillery
FOOD SERVICE PROVIDED	YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN x
PREMISES LOCATION	9 th and Alaska Street, Skagway
MAILING ADDRESS	PO Box 146, Skagway, AK 99840
PHONE	907-983-2040

PROPOSED BUILDING ☐ EXISTING FACILITY x NEW BUILDING ☐

REVIEWED/APPROVED: _____ DEC ☐

DATE: 10/3/2015 Not approved PHONE: 907 465-4331 723-2440 FIRE ☒

COMMENTS: We have not done a plan review for this facility. we object to issuing a license until after plans have been submitted, been reviewed and approved.

Robert Plumb
Deputy Fire Marshal



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

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

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair
and Members of the ABC Board

DATE: November 10, 2015

FROM: Cynthia Franklin
ABC Director

RE: Finish Line Restaurant & Lounge #4778

AS 04.11.400(d)(1)(G) requires 50 rental rooms if the population is greater than 50,000.

The Fairbanks North Star Borough has a certified gross population of 65,219.

The applicant offers 113 rooms and a full-service restaurant.

This license was first issued on June 20, 2008.

Transfer Liquor License

License is: ☒ Full Year OR ☐ Seasonal List Dates of Operation: _____

SECTION A - LICENSE INFORMATION			FEES
License Year: 2015	License Type: BEVERAGE DISPENSARY - TOURISM	Statute Reference: Sec. 04.11. 400(d)	12789
License #: 4778			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) FAIRBANKS NORTH STAR BOROUGH	Community Council Name(s) & Mailing Address: CITY OF FAIRBANKS 800 CUSHMAN STREET FAIRBANKS, AK 99701		Rest. Desig. Permit Fee: (\$50.00) \$ 50
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): DALE ROAD HOTEL OPERATIONS, INC.	Doing Business As (Business Name): FINISH LINE RESTAURANT & LOUNGE	Business Telephone Number: 907 328 6300	Fingerprint: \$ 49.50 (\$49.75 per person) 249.50
Mailing Address: 16114 E. INDIANA AVE., STE 200	Street Address or Location of Premises: 4920 DALE ROAD FAIRBANKS, AK 99709	Fax Number: 907 328 0914	TOTAL _____
City, State, Zip: SPOKANE VALLEY, WA 99216		Email Address: MALBCO@MSN.COM	
Is any shareholder related to the current owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes" please state the relationship _____			
SECTION B - TRANSFER INFORMATION			
<input checked="" type="checkbox"/> Regular Transfer <input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application. Real or personal property conveyed with this transfer must be described. Provide security interest documents. <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.		Name and Mailing Address of CURRENT Licensee: ALPINE LODGE HOTEL OPERATIONS, LLC LOT 1 AND 5 OF DALE INDUSTRIAL PARK OR: 4920 DALE ROAD, FAIRBANKS	
		Business Name (dba) BEFORE transfer: THE FINISH LINE (RESTAURANT)	
		Street Address or Location BEFORE transfer: LOT 1 AND 5 OF DALE INDUSTRIAL PARK OR 4920 DALE ROAD, FAIRBANKS,	
SECTION C - PREMISES TO BE LICENSED			
Distance to closest school grounds: 0.20 MILES	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable	
Distance to closest church: 1.00 MILES	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____		
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached	

Alcoholic Beverage Control Board
550 West 7th Ave. Suite 1600
Anchorage, AK 99501

Transfer Liquor License

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

SECTION D – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☐ Yes ☒ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

SECTION E – OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):		Telephone Number:	Fax Number:
DALE ROAD HOTEL OPERATIONS, INC.		509 990 4645	509 928 6183
Corporate Mailing Address:	City:	State:	Zip Code:
16114 E. INDIANA AVE., STE 200	SPOKANE VALLEY	WA	99216
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED:	State of Incorporation:
NATIONAL REGISTERED AGENTS, INC 9360 GLACIER HIGHWAY, STE 202 JUNEAU, AK 99801 800 767-1553		JULY 16, 2015	ALASKA
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	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
JAMES S. MULLOY	PRES/TREAS.	50	17310 E. GALACTICA CT, GREENACRES, WA 99016 509 990 4645	509 990 4645	7-28-64
HOLLY L. MULLOY	VP/SEC.	50	17310 E. GALACTICA CT, GREENACRES, WA 99016 509 990 4645	509 990 4645	12-31-66

Transfer Liquor License

NOTE: If you need additional space, please attach a separate sheet.

SECTION F – 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: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:

Declaration

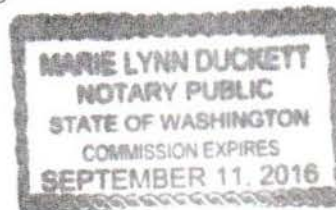
- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- 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.

Signature of Current Licensee(s)	Signature of Transferee(s)
Signature: <i>[Handwritten Signature]</i> Members	Signature: <i>[Handwritten Signature]</i>
Signature: <i>[Handwritten Signature]</i> Member	Signature: <i>[Handwritten Signature]</i>
Name & Title (Please Print)	Name & Title (Please Print)
Subscribed and sworn to before me this 15 day of Sep 2015	Subscribed and sworn to before me this 28 day of August 2015
Notary Public in and for the State of Alaska	Notary Public in and for the State of Alaska Washington
<i>[Handwritten Signature]</i>	<i>[Handwritten Signature]</i>
My commission expires: 1 Feb 2017	My commission expires: 9.11.2016

STATE OF ALASKA
NOTARY PUBLIC

D. Burkett

Commission Expires February 1, 2017



"Tourism Statement"

The Alpine Lodge, Conference Center and The Finish Line Restaurant

4920 Dale Road, Fairbanks, AK 99709 (Lot 1 and 5 Dale Industrial Park)

The Alpine Lodge, Conference Center and The Finish Line Restaurant all operated on the same site encourage tourism by providing the facilities that tourists need to visit the Fairbanks, AK area. Moreover, the hotel and restaurant work together to provide the services that tourists need to enjoy their stay with the restaurant, lounge, meeting space and hotel rooms with the amenities that guests desire.

The Alpine Lodge has 113 rooms, including numerous suites of which twelve have kitchens in the rooms for longer staying guests. All 113 rooms are available to the traveling public. The Finish Line Restaurant offers food and beverage service to all guests and locals.

The Alpine Lodge and The Finish Line Restaurant coordinate together to provide tourists numerous amenities. The lodge coordinates both on site and with off site vendors to provide access to guided tours with local providers. Moreover, contacts and packages are available for other trips along with contacts for rental equipment. Every effort is made to work with the individual traveler to large tour providers to promote tourist activities that will bring tourists to the Fairbanks area with the goal to have them stay at the Alpine Lodge and receive food and beverage service at The Finish Line Restaurant and Lounge.

Both the lodge and the restaurant are only six years old so there has not been any recent large capital improvements, but this Winter a remodel will be underway with the Lodge entering into a franchise agreement with La Quinta Inns so the hotel lobby and common areas along with all of the guest rooms will be remodeled and updated before Spring 2016.

In summary, every element of the facility focuses on promoting tourism in order to grow revenue and the business while serving the Fairbanks community.

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT
AS 04.16.049 & 3 AAC 304.715 - 794

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 4778 Type: BEVERAGE DISPENSARY - TOURISM

This application is for designation of premises where: (Please check the appropriate items below)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> | Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794. |
| 2. <input checked="" type="checkbox"/> | Persons 16 - 20 years of age may dine unaccompanied. |
| 3. <input checked="" type="checkbox"/> | Persons under 16 may dine accompanied by a person 21 years of age or older. |
| 4. <input checked="" type="checkbox"/> | Persons between 16 - 20 years of age may be employed. *(See note below) |

Licensee's Name: DALE ROAD HOTEL OPERATIONS, INC

Name of Business: THE FINISH LINE (RESTAURANT)

Business Address: LOT 1 AND 5 OF DALE INDUSTRIAL PARK, OR
4920 DALE ROAD City: FAIRBANKS

1. Hours of operation 5:30 PM - 11:00 PM Telephone Number: 907 328 6361

2. Have police been called to your premises for any reason? ☐ Yes ☒ No
(If you answered yes, please explain below).

3. * Duties of employment: BUS TABLES, WASH DISHES, SERVE FOOD, HOSTESS,
ONLY FOR GUESTS UNDER 21 YEARS, NOT FOR EMPLOYEES

4. Are video games available to the public on your premises? ☐ Yes ☒ No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?
☐ Yes ☒ No

6. How is food served? ☒ Table Service ☐ Buffet Service ☐ Counter Service ☐ Other _____

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours? ☒ Yes ☐ No

*** A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

**Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

Licensee Signature: [Signature] 2015

Local Governing Body Approval

Subscribed and sworn to before me this 26 day of October

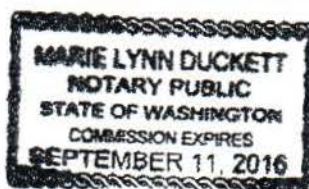
Date

Marie Lynn Duckett
Notary Public in and for Alaska

My Commission expires: 9-11-2016

Director, ABC Board

Date



STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below;
show all entrances and exits, and all fixtures such as tables, booths, counters, bars, coolers, stages, etc.

DBA: FINISH LINE RESTAURANT & LOUNGE

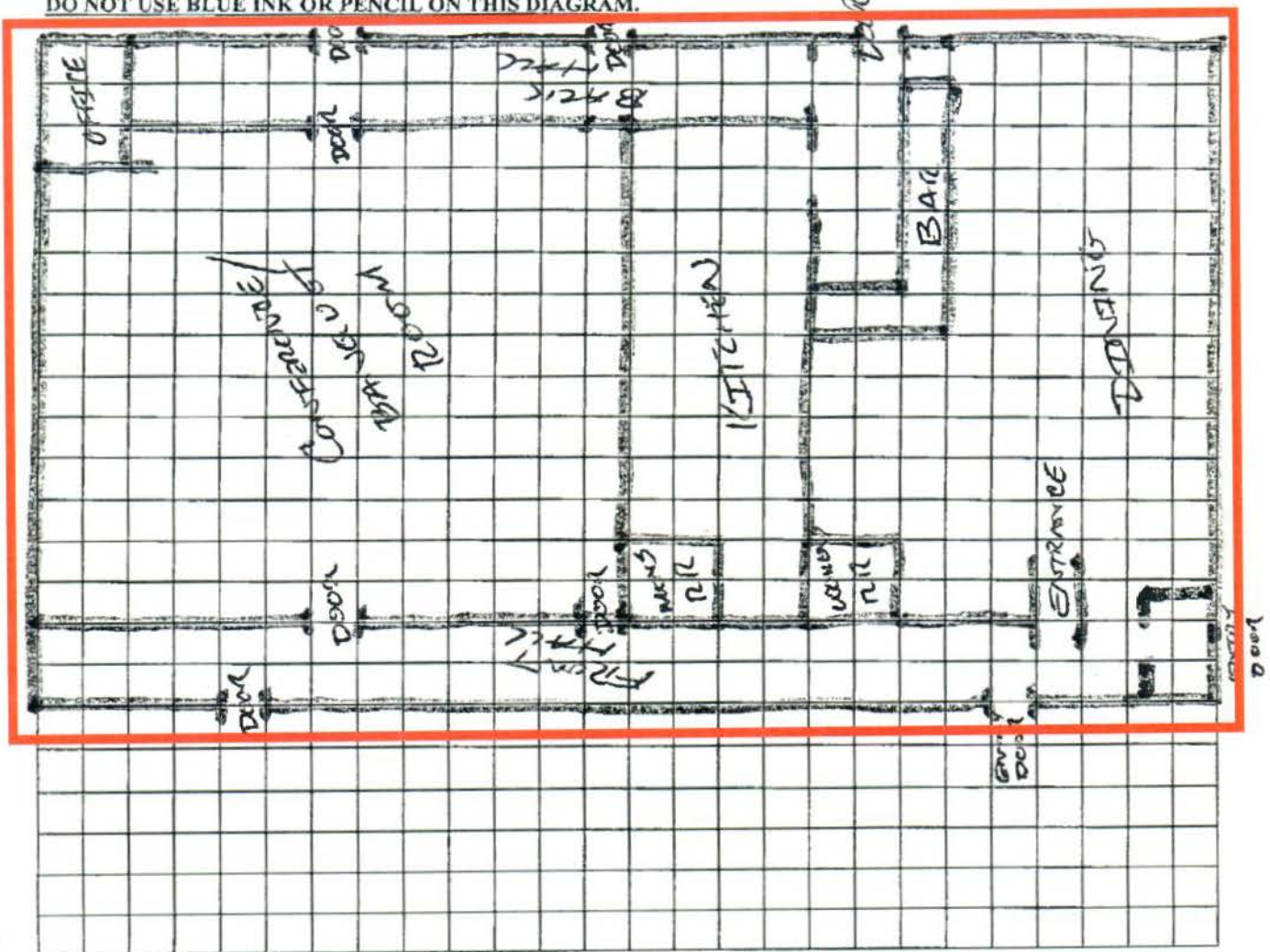
PREMISES LOCATION: 4920 DALE ROAD FAIRBANKS, AK 99709

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: X 1 SQ. = 4 FT. SCALE B: 1 SQ. = 1 FT.

Length and width of premises in feet: 124 FEET X 64 FEET

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.
DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.





Appetizers

Mozzarella Sticks & Marinara | 5 Hand Breaded | Hand Cut Mozzarella | Marinara 9
Shrimp Scampi | 5 Hardy Sized Shrimp | Garlic Butter White Wine Sauce | Lemon Wedge | 16
Classic Chicken Wings | Your choice of sauce | Chris's Special Sauce | or Chipotle Honey 11
Chili Fries | Golden Fries | Housemade Red Chili | Onions | Shredded Cheddar Cheese 10
Chili Fritos | Frito Chips | Housemade Red Chili | Onions | Shredded Cheddar Cheese 10

Soup & Salads

All Soup & Salads Come with Hot Fresh Rolls and Butter

House Salad | Romaine Lettuce | Tomato | Mozzarella | Tomatoes | Cucumbers | Carrots | Choice of Dressing 8
Iceberg Wedge | Crispy Bacon | Slow Roasted Tomato | Chives | Bleu Cheese Buttermilk Dressing 12
Caesar Salad | Caesar Dressing | Focaccia Croutons | Pecorino Romano 11
Soup and Salad | Cup of the Soup of the Day | House Salad | Choice of Dressing 12
Soup of the Day | Housemade Soups | Bowl of Soup 8 | Cup of Soup 4
Hardy Mild Red Chili | Housemade Red Chili | With Onions, Cheese and Crackers | Bowl of Chili 9 | Cup of Chili 4.50

Burgers and More

Build Your Own Burger | 2 Hand Pressed Angus Beef Patty | Lettuce | Tomato | Onion | Choice of Cheese | Housemade Bun
Seasoned Ketchup Sauce or Mustard Sauce 16*
| Add on's \$1.00 each | Bacon, Sautéed Onion, Sautéed Mushroom or Jalapenos
Patty Melt | 2 Hand Pressed Angus Beef Pattys | Swiss Cheese | Sautéed Onions | Marble Rye Bread | Mayo | Fries 14*
Grilled Chicken | Flame Grilled Chicken | Lettuce | Tomato | Onions | Mustard Sauce | Housemade Bun | Fries 15
Alaskan Fish & Chips | 3 Beer Batter Cod Filets | Seasoned Fries | Homemade Tartar Sauce 15
Fish Sandwich | Beer Battered Fried Cod | Lettuce | Tomato | Housemade Tartar Sauce | Housemade Bun | Fries 15
Alaskan Fish Tacos | Seared Cod Filets | Guacamole | Picco De Gallo | Slaw | Shiracha Mayo 14

Dinners

All Dinners Come with Hot Fresh Rolls and Butter

Teriyaki Salad | Choice of Teriyaki Beef or Chicken | Romaine Lettuce | Carrots | Cucumber | Scallions | Dressing 16
Cajun Chicken Penne | Caramelized Onion | Mushroom | Julienne Peppers | Cajun Cream | Pecorino 19
Steak Dinner | Angus New York Strip | Roasted Garlic Mashed Potatoes & Roasted Veggies | Garlic Butter 32*
Grilled Salmon | Rice Pilaf | Roasted Veggies | Tarragon Lemon Butter 28

Children's Selections

Children 12 and under only

Childrens Burger | Juicy 3 oz Angus Patty | Cheddar Cheese | Fries & Pickle | 6.50
Mac & Cheese | Housemade Cheese Sauce | Fries | 5.50
Grilled Cheese Sandwich | 2 Slices of Your Choice of Cheese | American, Swiss, Pepper Jack & Cheddar | Fries | 4.50
Chicken Strips | 3 Golden Brown Chicken Strips | Fries | Your Choice Dipping Sauce | 5.50

Desserts

Please ask your Server for todays Dessert Selection

17% Gratuity added for parties of six or more

* Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of food borne illness



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

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

ALCOHOLIC BEVERAGE CONTROL BOARD
550 W 7th Avenue, Ste 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

MEMORANDUM

TO: Robert Klein, Chair
and Members of the ABC Board

DATE: November 10, 2015

FROM: Cynthia Franklin
ABC Director

RE: Sunrise Inn #1096

AS 04.11.400(d)(1)(F) requires 40 rental rooms if the population is 25,001 – 50,000.

The Kenai Peninsula Borough has a certified gross population of 37,008.

The applicant offers 10 rooms and a full-service restaurant.

This license was first issued prior to August 30, 1988.

Transfer Liquor License

Alcoholic Beverage Control Board
550 West 7th Ave. Suite 1600
Anchorage, AK 99501

(907) 269-0350

Fax: (907) 334-2285

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

License is: ☒ Full Year OR ☐ Seasonal List Dates of Operation: _____

SECTION A - LICENSE INFORMATION			FEES
License Year: 2014-2015	License Type: <u>Township</u>	Statute Reference: <u>Sec. 04.11.150</u>	Filing Fee: \$100.00 - 12730
License #: <u>1) 1097 2) 1096</u>	<u>1) Package Store 2) Beverage Dispensing</u>	<u>Sec. 04.11.150 (d)</u>	Rest. Desig. Permit Fee: (\$50.00) 50 s - 12777
Local Governing Body: (City, Borough or Unorganized): <u>Kenai Peninsula Borough</u>	Community Council Name(s) & Mailing Address: <u>N/A</u>		Fingerprint: \$ (\$49.75 per person)
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>Sunrise Holdings LLC</u>	Doing Business As (Business Name): <u>Sunrise Holdings, LLC</u>	Business Telephone Number: <u>(907) 524 7985</u>	TOTAL: <u>150.00</u>
Mailing Address: <u>P.O. Box 786</u>	Street Address or Location of Premises: <u>21849 Sterling Highway</u>	Email Address: <u>ardenrankins@yahoo.com</u>	Fax Number: <u>N/A</u>
City, State, Zip: <u>Cooper Landing Alaska</u>	<u>Cooper Landing AK / mile 45</u>		
Is any shareholder related to the current owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If "yes" please state the relationship _____			
SECTION B - TRANSFER INFORMATION			
<input checked="" type="checkbox"/> Regular Transfer	Name and Mailing Address of CURRENT Licensee: <u>Quartz Creek Enterprises, INC PO Box 832</u>		
<input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application. Real or personal property conveyed with this transfer must be described. Provide security interest documents.	Business Name (dba) BEFORE transfer: <u>Sunrise Inn</u>		
<input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.	Street Address or Location BEFORE transfer: <u>21849 Sterling Highway (mile 45) Cooper Landing, AK</u>		
SECTION C - PREMISES TO BE LICENSED			
Distance to closest school grounds: <u>3 miles</u>	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Distance to closest church: <u>3.25 miles</u>	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input checked="" type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached		

12730

Alcoholic Beverage Control Board
550 West 7th Ave. Suite 1600
Anchorage, AK 99501

Transfer Liquor License

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

SECTION D – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☐ Yes ☒ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

SECTION E – OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): Sunrise Holdings LLC		Telephone Number: 907-529-7985	Fax Number: N/A
Corporate Mailing Address: PO Box 786	City: Cooper Landing	State: AK	Zip Code: 99572
Name, Mailing Address and Telephone Number of Registered Agent: Arden Rankins PO Box 786 Cooper Landing AK 99572		Date of Incorporation OR Certification with DCED: 8-10-15	State of Incorporation: AK
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	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Arden Rankins	owner	100	34343 East Quartz Cr Rd Cooper Landing AK	907 529 7985	04-02-1962

Alcoholic Beverage Control Board
550 West 7th Ave. Suite 1600
Anchorage, AK 99501

Transfer Liquor License

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

NOTE: If you need additional space, please attach a separate sheet.

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

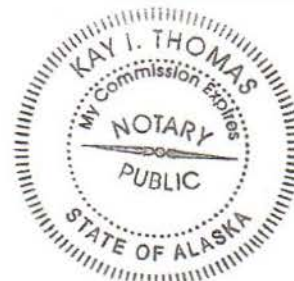
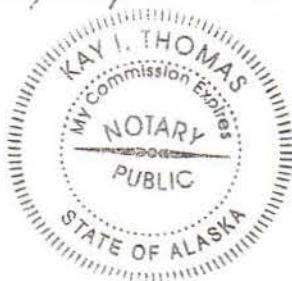
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

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

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, and this application is not in violation of any security interest or other contracted obligations.
- 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.

Signature of Current Licensee(s)	Signature of Transferee(s)
Signature <i>Mary Louise Molen</i>	Signature <i>Arden Rankins</i>
Signature MARY LOUISE MOLEND, PRESIDENT	Signature ARDEN RANKINS, Sunrise Holdings LLC
Name & Title (Please Print)	Name & Title (Please Print)
Subscribed and sworn to before me this 9 day of September 2015	Subscribed and sworn to before me this 9 TH day of September 2015
Notary Public in and for the State of Alaska	Notary Public in and for the State of Alaska
<i>Kay I. Thomas</i>	<i>Kay I. Thomas</i>
My commission expires: 2/22/2016	My commission expires: 2/22/2016



Sunrise Inn

Mile Post 45 Sterling Highway
Cooper Landing, Alaska 99572

6.02 acres with 649 feet of Sterling highway frontage includes Cafe & Bar with deck and beer garden, 10 room motel, 4 gas pumps (6,000 gallons), gift shop(not used), maintenance shop, RV park, 360 sq.ft. storage building, duplex housing(300 sq.ft. each side), a 576 sq.ft. house built in October 2012, and seasonal employee housing(Atco trailer).

Cafe & Bar

Licenses

Tourism Dispensary Liquor License and Package Liquor License are included with sale.

Exterior

- *Log surfaces recently cleaned and revarnished with 3 to 4 layers of urethane. (Work completed in 2011).
- *Wall surfaces recently scraped and repainted with BEHR semi-gloss enamel paint with limited "life time" guarantee. Work is 90% complete and ongoing.
- *New neon "Sunrise Inn" sign. Unique sign made locally changes hue according to temperature.
- *Perimeter is well lit with LED accent lighting.

Interior

- *Heat is provided by two Toyo Laser 73 oil fired heaters, one in cafe & one in bar.
- *910 sq.ft. cafe has seating for 44 guests and attached 760 sq.ft. deck adds 40 more for seasonal use.
- *1145 sq.ft. bar has a registered capacity for 65 guests and 1850 sq.ft. beer garden has an enclosed fire pit and horseshoe pit.

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT
AS 04.16.049 & 3 AAC 304.715 - 794

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 1096 Type: Beverage Dispensary Tourism

This application is for designation of premises where: (Please check the appropriate items below)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> | Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794. |
| 2. <input checked="" type="checkbox"/> | Persons 16 - 20 years of age may dine unaccompanied. |
| 3. <input checked="" type="checkbox"/> | Persons under 16 may dine accompanied by a person 21 years of age or older. |
| 4. <input checked="" type="checkbox"/> | Persons between 16 - 20 years of age may be employed. <i>*(See note below)</i> |

Licensee's Name: Sunrise Holdings LLC

Name of Business: Sunrise Inn

Business Address: 21849 Sterling Highway City: Cooper Landing AK

1. Hours of operation 7am to 10pm Telephone Number: 907-529-7985

2. Have police been called to your premises for any reason? ☐ Yes ☒ No
(If you answered yes, please explain below).

3. * Duties of employment: Waiting tables, cash register, bussing tables, cleaning

4. Are video games available to the public on your premises? ☐ Yes ☒ No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?
☒ Yes ☐ No

6. How is food served? ☒ Table Service ☐ Buffet Service ☐ Counter Service ☐ Other _____

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours? ☒ Yes ☐ No

*** A MENU AND DETAILED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

**Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

[Signature]
Licensee Signature

Local Governing Body Approval

Subscribed and sworn to before me this 3rd day of Sept '15

Date

[Signature]
Notary Public in and for Alaska

My Commission expires; 7/22/2016

Director, ABC Board

Date



#1096 &
#1097

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Sunrise Inn

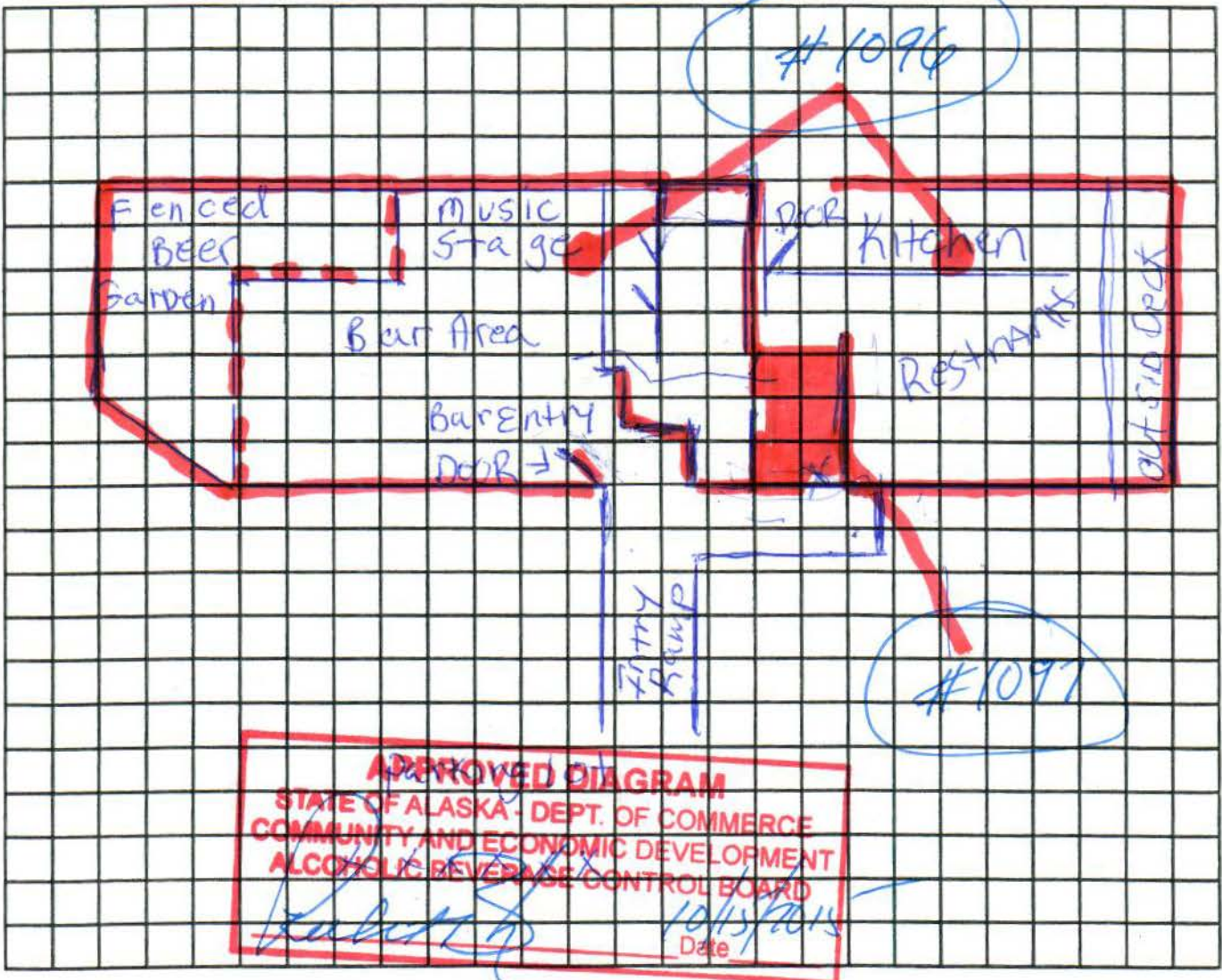
PREMISES LOCATION: mile 45 Sterling Hwy, Cooper Landing

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: _____ 1 SQ. = 4 FT. **SCALE B:** _____ 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.
DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.



Breakfast

Sunrise Traditional

- 2 eggs (any style), ham, bacon or sausage, hash browns, toast....	7.95
<u>Omelette</u> - ham & cheese, - cheddar/pepper jack/swiss	10.95
<u>Ribeye Omelette</u> - with: sauted onions, garlic, sweet peppers & cheese	13.95
<u>Vegetarian Omelette</u> - local veggies - onions, mushrooms, peppers, cheese & spinach	8.95
<u>Fishermans Breakfast</u> - 2 eggs, 2 bacon, 2 pancakes	7.95
<u>Eggs Benedict</u> - traditional	11.95
- florentine	13.95
- smoked salmon	14.95
<u>Chicken fried steak & eggs</u>	13.95
<u>Classic French Toast</u> - french bread dipped batter with vanilla, cinnamon & nutmeg, Served with fruit.	7.50
<u>Bisquit & Gravy (B & G)</u>	7.95
<u>Pancakes</u> - 1, 2 or 3 - 2.00 each } with fruit toppings add 2.50	
<u>Sourdough pancakes</u> - 6.95	
<u>Oatmeal</u> with nuts, grains & fruit.	5.95

Side Orders

Ham	2.50	Toast	1.50	English muffin	1.50
Bacon	2.00	Bowl of fruit	2.00	Yogurt	2.00
Sausage	2.00	Cereal	3.00	Hash browns/homefries	2.50
Egg					

Beverage

Coffee ...	2.00	Orange Juice	2.50	Soda	2.00
Tea	2.00	Apple Juice	2.00		
Iced Tea..		Cranberry Juice ...	2.00		
Hot Chocolate..					

Lunch

Burgers & Fries - great buns, fresh veggies, 100% beef
 - Choice of - sweet potato fries
 - home style Alaskan fries
 - classic fries (store brand)
 - side salad.

Plain burger - lettuce, tomato, mayo, ketchup 8.95

Cheese burger - loaded with cheddar or pepper jack or swiss, lettuce,
 tomato & onion 10.50
 - Add bacon 2.95

Blue Cheese Bad Boy - with bacon, thick, juicy & creamy. Loaded. 12.95

Flame Thrower - tapatio beef, fresh jalapenos, pepper jack cheese
 & tomato 12.95

Hawaiian - beef patty, mozerella & fresh pineapple 11.95

Salmon burger - stuffed with blue cheese 11.95

Chicken fingers 8.95

Sandwiches

served with fries, side salad or a cup of soup

Toasted Cheese - Traditional or Adult (brie, sauted red onion
 & granny smith apples.. 8.95

Ruben - Traditional or a Rachel (with turkey) 9.95

Chicken Salad - with apple served on a croissant 9.95

Philly Cheese Steak - sliced beef, sauted onions & peppers
 with melted cheese 10.95

Ham sandwich with cream cheese, red onion & lettuce 8.95

Vegetable lovers dream 7.95

Meat loaf sandwich - continued 11.95

P.B.J. (peanut butter & jelly) 6.00

Lunch

Soups

Clam chowder - Friday, Saturday & Sunday - Bowl

Daily soup - Cup 4.00
- Bowl 6.25

Tomato Basil - Monday, Tuesday, Wednesday & Thursday

Chili and green chili cheese bread 8.95

Soup and Sandwich Special of the Day 9.95

Salads

Dinner Salad 4.50

Ceasar Salad - traditional 7.00

Add Shrimp 4.00

Add Chicken 3.00

Cobb Salad 11.95

Raspberry Gorgonzola

Beef, greens & tomatoes

Sides

Pasta Salad 4.00

French Salad 4.95

Potato Salad 4.00

Kale coleslaw 4.50

Mac and Cheese 5.50

Appetizers

<u>Poutine</u> Canadian necessity	7.95
<u>Buffalo chicken wings</u> - with blue cheese & celery	9.95
<u>Hummus & Pita Chips</u> , celery, cucumbers, carrots	8.95
<u>Fruit & Cheese plate</u>	8.95
<u>Nachos</u>	9.95
<u>Beer Battered Halibut</u>	12.95
<u>Deep Fried Zucchini</u> - with hollandaise sauce	8.95

Main Course

Served with fresh local vegetables, potatoes, rice or quinoa

<u>B.B. Ribs</u> - slow cooked & falling off the bones	17.95
<u>Peninsula Baked Halibut</u> - sautéed app Arden's Speciality	24.95
<u>Salmon</u> - grilled with lemon spices & red onion	21.95
<u>Chicken Cordon</u> - ham, provolone, basil	
<u>Rib Eyes</u> - 8 oz. - grilled to your liking	
<u>Chicken Green Chili</u> - enchilidas	11.95
<u>Pot Roast</u>	14.95
<u>Fettuchini Alfredo</u> - with chicken <u>or</u> shrimp	18.95

Desserts

variety of Home made

Chocolate cake 5.95	Chocolate raspberry cheese cake. 6.95
Carrot cake 5.85	Apple crisp 5.95
Berries with chocolate fish... 6.95	

To Go - Summers Only

..... Breakfast & Lunch Sandwiches



MEMORANDUM

TO: Robert Klein, Chair
and Members of the ABC Board

DATE: November 10, 2015

FROM: Cynthia Franklin
Director

RE: Consent Agenda

5424 Alaska Excursions' Adventure Cafe: Alaska Excursions, Inc.
10 Mile Dyea Road; Skagway
License: Destination Resort

New license application. All statutory requirements have been met.
Local governing body action: Municipality & Borough of Skagway does not protest
Approvals: State Fire Marshal, Department of Environmental Conservation
Background investigations: Complete

5422 Canton Asian Bistro: Canton Asian Bistro, LLC
8585 Old Dairy Road, Ste 105; Juneau
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Local governing body action: City & Borough of Juneau does not protest
Approvals: Department of Environmental Conservation
Background investigations: Complete
Temporary has been issued.

4292 Clearwater Lodge: Clearwater Ventures, Inc.
7028 Remington Road (Delta Junction); Outside/Unorganized
License: Beverage Dispensary
From: Kevin Ewing (50%) and Patsy C Ewing (50%)
To: Kevin Ewing (100%)

Transfer of controlling interest. All statutory requirements have been met.
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete



MEMORANDUM

TO: Robert Klein, Chair
and Members of the ABC Board

DATE: November 10, 2015

FROM: Cynthia Franklin
Director

RE: Delegated Consent Agenda

- 75 Alaska Fish House:** Slagle, LLC
3 Salmon Landing; Ketchikan
License: Beverage Dispensary
From: Action Arctic, Inc. DBA Arctic Bar; No Premises

Transfer of location, ownership, and DBA change. All statutory requirements have been met.
Local governing body action: City of Ketchikan does not protest
Approvals: Department of Labor, Department of Revenue
Pending: Department of Environmental Conservation
Background investigations: Pending

- 80 Alaska Fish House:** Slagle, LLC
3 Salmon Landing; Ketchikan
License: Package Store
From: Action Arctic, Inc. DBA Arctic Bar; No Premises

Transfer of location, ownership, and DBA change. All statutory requirements have been met.
Local governing body action: City of Ketchikan does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

5302 Arctic Sushi: Suncity Corporation
401 I Street; Anchorage
License: Restaurant / Eating Place
From: Hwabok, LLC

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

268 Bayview Pub: Bayview Pub, LLC
407 Lincoln Street; Sitka
License: Beverage Dispensary
From: The Bayview Restaurant, LLC DBA Bayview Restaurant

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending City & Borough of Sitka
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

1244 Brown Bag Sandwich Company: Brown Bag Sandwich Co., LLC
535 W 3rd Avenue; Anchorage
License: Beverage Dispensary
From: Woodshed, LLC DBA Woodshed

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

615 Dive Bar: Hellroaring Partners, LLC
1027 E 5th Avenue; Anchorage
License: Beverage Dispensary
From: Jac, LLC DBA Kings X Lounge

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Revenue
Pending: Department of Labor
Background investigations: Complete

816 El Sombrero Mexican & American Food: El Sombrero, Inc.
157 S Franklin Street; Juneau
License: Restaurant / Eating Place
From: Elizabeth Lehrbach (25%), Fritz Moser (25%), and H.T. Lehrbach (25%)
To: Fritz Moser (30%) and Ryan Ferguson (45%)

Transfer of controlling interest. All statutory requirements have been met.
Local governing body action: Pending City & Borough of Juneau
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

225 Koots: Happy Camp, LLC
2435 Spenard Road; Anchorage
License: Beverage Dispensary
From: Jadon, Inc. DBA Chilkoot Charlies

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

2107 Koots (North Star): Happy Camp, LLC
2435 Spenard Road; Anchorage
License: Beverage Dispensary – Duplicate
From: Jadon, Inc. DBA Chilkoot Charlies

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

3003 Koots (Patio Bar): Happy Camp, LLC
2435 Spenard Road; Anchorage
License: Beverage Dispensary – Duplicate
From: Jadon, Inc. DBA Chilkoot Charlies

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

3817 Koots (Swing Bar): Happy Camp, LLC
2435 Spenard Road; Anchorage
License: Beverage Dispensary – Duplicate
From: Jadon, Inc. DBA Chilkoot Charlies / Swing Bar

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

4024 Koots (The Bird House): Happy Camp, LLC
2435 Spenard Road; Anchorage
License: Beverage Dispensary – Duplicate
From: Jadon, Inc. DBA Chilkoot Charlies / Bird House

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

1724 Koots (Upstairs): Happy Camp, LLC
2435 Spenard Road; Anchorage
License: Beverage Dispensary – Duplicate
From: Jadon, Inc. DBA Chilkoot Charlies

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

2786 Mean Queen: Mean Queen, LLC
205 Harbor Drive; Sitka
License: Beverage Dispensary
From: Kirk Van Winkle DBA Van Winkle and Sons

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending City & Borough of Sitka
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

968 Riverview Quick Stop: Riverview Retail, LLC
1316 Badger Road; Fairbanks North Star Borough
License: Package Store
From: Gene Lunney (100%)
To: Gene Lunney (50%) and Nicholas Kelsch (50%)

Transfer of controlling interest. All statutory requirements have been met.
Local governing body action: Fairbanks North Star Borough does not protest
Approvals: Department of Revenue
Pending: Department of Labor
Background investigations: Complete

5425 Sack's Café: Top Hand Industries, LLC
328 G Street; Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Background investigations: Complete

3487 Silver Gulch Brewing and Bottling Co.: Silver Gulch Brewing and Bottling, Inc.
2195 Old Steese Highway North; Fairbanks North Star Borough
License: Package Store
From: Thompson Ventures, LLC DBA Salchaket Roadhouse; 9162 Richardson Highway

Transfer of location, ownership, and DBA change. All statutory requirements have been met.
Local governing body action: Pending Fairbanks North Star Borough
Approvals: Department of Revenue
Pending: State Fire Marshal, Department of Labor
Background investigations: Complete

4573 Sizzlin' Café: Break of Day, Inc.
346 E 5th Avenue; Anchorage
License: Restaurant / Eating Place
From: Grizzly Group, Inc.

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

1334 Spurs Bar and Grill: Spurs Bar and Grill, LLC
8000 E Palmer-Wasilla Highway; Mat-Su Borough
License: Beverage Dispensary
From: Four Corners Lounge, LLC DBA Four Corners Lounge

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Matanuska-Susitna Borough
Approvals: Department of Revenue
Pending: Department of Labor
Background investigations: Pending

1097 Sunrise Inn: Sunrise Holdings, LLC
21849 (Mile 45) Sterling Highway; Kenai Peninsula Borough
License: Package Store
From: Quartz Creek Enterprises, Inc.

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Pending Kenai Peninsula Borough
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

3607 TennFlo: TennFlo, LLC
No Premises; Anchorage
License: Beverage Dispensary
From: The Brews Brothers, LLC DBA Brews Brothers

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

5423 The Frisky: L&G Hospitality Group, LLC
194 High Tower Road (Girdwood); Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Background investigations: Complete

1388 Three Bears: Three Bears Alaska, Inc.

14468 W Hollywood Road (Big Lake); Mat-Su Borough

License: Package Store

From: Ruth Page DBA Fishhook Liquor Store; Mile 6.5 Fishhook Road

Transfer of location, ownership, and DBA change. All statutory requirements have been met.

Local governing body action: Pending Matanuska-Susitna Borough

Approvals: Department of Revenue

Pending: State Fire Marshal, Department of Labor

Background investigations: Complete

**Waiver of Operation
Application**

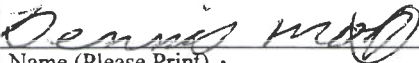
12803

License Information		Fees*	
Liquor License Number: 4061	License Type: BDL	Waiver Fee	\$ 1,250 ⁰⁰
Local Governing Body: (City, Borough or Unorganized) unorganized Borough		Penalty (If applicable)	\$ 1,000.00
		Total Submitted	\$ 1,250 ⁰⁰
Name of Licensee: MX3, LLC		*The fee is non-refundable	
Doing Business As (Business Name) Aleutian sports bar & Grill		Telephone Number: 2743385	
Mailing Address: c/o Emma & Coffey 3606 Rhine Circle Anchorage AK 99508		Street Address or Location of Business 42446 Kagalaska Drive City: Adak	

Waiver Request Information	
This waiver application is the: <input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

Death of licensee & business closure.

Signature of Licensee(s)	
Signature 	Signature
Name (Please Print) Dennis Mohn	Name (Please Print)
Date 10/26/15	Date

personal representative for Charles Mohn Est.

Waiver of Operation Application

License Information		Fees*	
Liquor License Number: #75	License Type: Beverage Dispensary	Waiver Fee	\$1,250.00
Local Governing Body: (City, Borough or Unorganized) Ketchikan Gateway Borough		Penalty (If applicable)	\$1,000.00
		Total Submitted	\$1,250.00
Name of Licensee: Action Arctic Inc.		*The fee is non-refundable	
Doing Business As (Business Name) Arctic Bar (formerly) see below explanation		Telephone Number: 360-457-4813	
Mailing Address: 404 Spring Road Port Angeles, WA. 98362		Street Address or Location of Business 404 Spring Road City: Port Angeles, WA. 98362	

Waiver Request Information	
This waiver application is the: <input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary. <p>The Arctic Bar + Liquor Store closed Oct. 20, 2014 for an extensive building remodel. We anticipated re-opening in Spring 2015. During the renovation work the building was sold to another business without our knowledge so we could not reopen in the original location.</p> <p>We have chosen to sell our licenses rather than start over in a new location. The "Arctic Bar" name + equipment have been sold to the new property owners @ 509 Water Street, Ketchikan, AK. 99901.</p> <p>Currently we have an agreement to sell our licenses to a known buyer for operation in 2016, (#75, #80) pending ABC Board approval.</p>	

Signature of Licensee(s)	
Signature Thomas J. Magwire	Signature Marjory B. Magwire
Name (Please Print) Thomas J. MAGWIRE	Name (Please Print) Marjory B. Magwire
Date Sept 7, 2015	Date Sept. 7, 2015

Waiver of Operation Application

License Information		Fees*	
Liquor License Number: #80	License Type: Package Store	Waiver Fee	\$ 750.00
Local Governing Body: (City, Borough or Unorganized) Ketchikan Gateway Borough		Penalty (If applicable)	\$1,000.00
Name of Licensee: Action Arctic, Inc.		Total Submitted	\$ 750.00
Doing Business As (Business Name) Arctic Liquor Store (see explanation below)		*The fee is non-refundable	
Mailing Address: 404 Spring Road Port Angeles, WA. 98362		Telephone Number: 360-457-4813	
Street Address or Location of Business 404 Spring Road			
City: Port Angeles, WA. 98362			

Waiver Request Information	
This waiver application is the: <input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

The Arctic Bar + Liquor store closed Oct. 20, 2014 for an extensive building remodel. We anticipated re-opening in Spring 2015. During the renovation work the building was sold to another business without our knowledge so we could not re-open in the original location.

We have chosen to sell our licenses rather than start over in a new location. The "Arctic Bar" name + equipment have been sold to the new property owners @ 509 Water Street, Ketchikan, AK. 99901

Currently we have an agreement to sell our licenses to a known buyer for operation in 2016 (#75, #80) pending ABC Board approval.

Signature of Licensee(s)	
Signature Thomas J. Magwire	Signature Marjory B. Magwire
Name (Please Print) Thomas J. Magwire	Name (Please Print) Marjory B. Magwire
Date Sept. 7, 2015	Date Sept. 7, 2015

Alcoholic Beverage Control Board
550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
(907) 269-0350
FAX (907) 334-2285

Waiver of Operation Application

AS 04.11.330(a)(3)

TR 1281

License Information		Fees*	
Liquor License Number: 3607	License Type: BDL	Waiver Fee	\$1250 ⁰⁰
Local Governing Body: (City, Borough or Unorganized) MOR		Penalty (If applicable)	\$1,000.00
		Total Submitted	\$1250 ⁰⁰
Name of Licensee: Brews Brothers LLC		*The fee is non-refundable	
Doing Business As (Business Name) Brews Brothers		Telephone Number: 2723232	
Mailing Address: 737 W. 5th Ave Anch AK 99501		Street Address or Location of Business NO premise	
		City: Anchorage	

Waiver Request Information


This waiver application is the: ☒ 1st Request ☐ 2nd Request ☐ 3rd Request ☐ Other _____

Waiver Request for Calendar Year: 2015 Is this license for sale? ☒ Yes ☐ No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

License is currently at a no
premise & is being sold.

Signature of Licensee(s)

Signature 	Signature
Name (Please Print) Bob Acree	Name (Please Print)
Date 10/26/15	Date

Waiver of Operation Application

AS 04.11.330(a)(3)


12728

License Information		Fees*	
Liquor License Number: 1198		Waiver Fee	\$1500
License Type: Package Store		Penalty (If applicable)	\$
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage		Total Submitted	\$1500
Name of Licensee: Liquor Stores USA North Inc.		*The fee is non-refundable	
Doing Business As (Business Name) Brown Jug – No Premises		Telephone Number: (780) 917-4185	
Mailing Address: #300, 10508 – 82 nd Avenue Edmonton, Alberta T6E 2A4 Canada		Street Address or Location of Business No Premises	
		City: Anchorage	

Waiver Request Information	
This waiver application is the: <input type="checkbox"/> 1 st Request <input checked="" type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

Liquor Stores USA North Inc. ("Owner") acquired this license from Tesoro Northstore Company dba 2Go Tesoro in the later part of 2014. A suitable location has not yet been found and leased, but owner is actively pursuing a location. Owner has looked at two possible locations, and is close to entering into a letter of intent on one of the locations. Operation of the license is anticipated for some time in 2016.

Signature of Licensee(s)	
Signature 	Signature
Name (Please Print) Liquor Stores USA North Inc. By: Stephen Bebis, President	Name (Please Print)
Date 10/08/15	Date

Waiver of Operation Application

AS 04.11.330(a)(3)

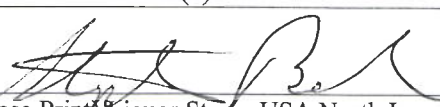
12729

License Information		Fees*	
Liquor License Number: 1992		Waiver Fee	\$750
License Type: Package Store		Penalty (If applicable)	\$
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage		Total Submitted	\$750
Name of Licensee: Liquor Stores USA North Inc.		*The fee is non-refundable	
Doing Business As (Business Name) Brown Jug – No Premises		Telephone Number: (780) 917-4185	
Mailing Address: #300, 10508 – 82 nd Avenue Edmonton, Alberta T6E 2A4 Canada		Street Address or Location of Business No Premises	
		City: Anchorage	

Waiver Request Information	
This waiver application is the: <input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

Liquor Stores USA North Inc. ("Owner") acquired this license from Mark Sollenberger in December of 2014. A suitable location has not yet been found and leased, but owner is actively pursuing a location. Owner has looked at one possible location, however, decided against it in hopes of finding a more suitable location. Operation of the license is anticipated for some time in 2016.

Signature of Licensee(s)	
Signature 	Signature
Name (Please Print) Liquor Stores USA North Inc. By: Stephen Bebis, President	Name (Please Print)
Date 10/08/15	Date

12872

Alcoholic Beverage Control Board
550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
(907) 269-0350
FAX (907) 334-2285

Waiver of Operation Application

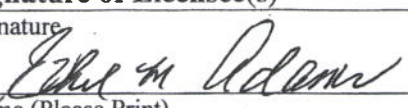
AS 04.11.330(a)(3)

License Information		Fees*	
Liquor License Number: 2159		Waiver Fee	\$ 1250 ⁰⁰
License Type: Beverage Dispensary		Penalty (If applicable)	\$1,000.00
Local Governing Body: (City, Borough or Unorganized) MCA		Total Submitted	\$ 1250 ⁰⁰
Name of Licensee: Club 210 East, Inc.		*The fee is non-refundable	
Doing Business As (Business Name) Club 210		Telephone Number:	
Mailing Address:		Street Address or Location of Business	
		No premises	
		City: Anchorage, AK	

Waiver Request Information	
This waiver application is the: <input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No*

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

*License sold to Humpy's / Will Waw
(Hook Line & Sinker, Inc. and Fish or
Cut Bait, LLC) owners and is going
to undergo transfer application
process.

Signature of Licensee(s)	
Signature 	Signature
Name (Please Print) Ethan M. Adams	Name (Please Print)
Date 11/2/2015	Date

Alcoholic Beverage Control Board
550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
(907) 269-0350
FAX (907) 334-2285

Waiver of Operation Application

#12821

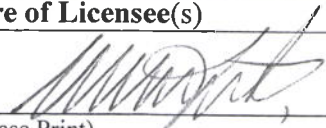
AS 04.11.330(a)(3)

License Information		Fees*	
Liquor License Number: 301	License Type: Beverage Dispensary	Waiver Fee	\$ 1,250.00
Local Governing Body: (City, Borough or Unorganized) Matsu Borough		Penalty (If applicable)	\$ 1,000.00
Name of Licensee: Del Rois Bar Inc		Total Submitted	\$ 1,250.00
Doing Business As (Business Name) Del Rois Bar + Liquor		*The fee is non-refundable	
Mailing Address: c/o Erik LeRoy, Atty 500 L Street, #302 Anchorage, AK 99501		Telephone Number: 907-257-2006	
		Street Address or Location of Business	n/a
		City:	

Waiver Request Information	
This waiver application is the: <input type="checkbox"/> 1 st Request <input checked="" type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

There were complications and issues to be resolved regarding the holds. They have been resolved and there is a buyer for the license awaiting approval by ABC Board and the Bankruptcy Court.

Signature of Licensee(s)	
Signature 	Signature
Name (Please Print) Larry D. Conpton, Trustee	Name (Please Print) Trustee for Del Rois Bar Inc
Date 10/25/15	Date

Alcoholic Beverage Control Board
550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
(907) 269-0350
FAX (907) 334-2285

Waiver of Operation Application

#12822

AS 04.11.330(a)(3)

License Information		Fees*	
Liquor License Number: 302		Waiver Fee	\$ 750.00
License Type: Package Store		Penalty (If applicable)	\$1,000.00
Local Governing Body: (City, Borough or Unorganized) Outside City Limits - Mat-Su Borough		Total Submitted	\$ 750.00
Name of Licensee: Del Reis Package Store, Inc.		*The fee is non-refundable	
Doing Business As (Business Name) Del Reis Bar & Liquor		Telephone Number: 907-277-2006	
Mailing Address: c/o Erik LeRoy, Atty 500 L Street #302 Anchorage, AK 99501	Street Address or Location of Business n/a		
		City:	

Waiver Request Information	
This waiver application is the: <input type="checkbox"/> 1 st Request <input checked="" type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

There were complications and issues to be resolved regarding the holds. They have now been resolved and there is a buyer for the license awaiting approval by ABC Board and the Bankruptcy Court.

Signature of Licensee(s)	
Signature [Signature] Name (Please Print) Larry N. Compton, Trustee Date 10/25/15	Signature [Signature] Name (Please Print) For Del Reis Bar & Liquor Inc Date

Waiver of Operation Application

AS 04.11.330(a)(3)

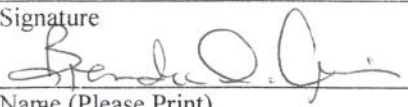
12780

License Information		Fees*	
Liquor License Number: 492		Waiver Fee	\$ 1250
License Type: Beverage Dispensary		Penalty (If applicable)	\$1,000.00
Local Governing Body: (City, Borough or Unorganized) Kenai Peninsula Borough		Total Submitted	\$ 1250
Name of Licensee: Grizzly Ridge LLC		*The fee is non-refundable	
Doing Business As (Business Name)		Telephone Number: 907-595-1260	
Mailing Address: P.O. Box 609 Cooper Landing ALASKA 99572	Street Address or Location of Business 18280 Sterling Hwy City: Cooper Landing 99572		

Waiver Request Information	
This waiver application is the: <input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

The License is for sale.
In 2016, if the license does not sell, we plan to operate at least 30 days during the summer months, June-July-August

Signature of Licensee(s)	
Signature 	Signature
Name (Please Print) Brenda D. Crim	Name (Please Print)
Date 10/23/2015	Date

**Waiver of Operation
Application**

AS 04.11.330(a)(3)

12781

License Information		Fees*	
Liquor License Number: <u>493</u>		Waiver Fee	\$ <u>750.00</u>
License Type: <u>Package Store</u>		Penalty (If applicable)	\$ 1,000.00
Local Governing Body: (City, Borough or Unorganized) <u>Kenai Peninsula Borough</u>		Total Submitted	\$
Name of Licensee: <u>Brenda Crim</u>		*The fee is non-refundable	
Doing Business As (Business Name) <u>Grizzly Ridge LLC</u>		Telephone Number: <u>907-595-1260</u>	
Mailing Address: <u>P.O. Box 609 Cooper Landing</u> <u>ALASKA 99572</u>		Street Address or Location of Business <u>18280 Sterling Hwy</u>	
		City: <u>Cooper Landing AK 99572</u>	

Waiver Request Information	
This waiver application is the: <input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other	
Waiver Request for Calendar Year: <u>2015</u>	Is this license for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary. <u>This license is being sold to James Clark of Echo Lake Superior Meat & Processing LLC.</u>	

Signature of Licensee(s)	
Signature <u>Brenda Crim</u>	Signature
Name (Please Print) <u>Brenda Crim</u>	Name (Please Print)
Date <u>10/23/2015</u>	Date

Alcoholic Beverage Control Board
550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
(907) 269-0350
FAX (907) 334-2285

Waiver of Operation Application


AS 04.11.330(a)(3)

License Information		Fees*	
Liquor License Number: 534		Waiver Fee	\$ 1500.00
License Type: Package Store - Seasonal		Penalty (If applicable)	\$ 1,000.00
Local Governing Body: (City, Borough or Unorganized) Houston, AK		Total Submitted	\$ 1500
Name of Licensee: Burkeshore Marina Enterprises LLC		*The fee is non-refundable	
Doing Business As (Business Name) No premises		Telephone Number: 907-892-6300	
Mailing Address: Po Box 520150 Big Lake, AK 99652		Street Address or Location of Business 3610 N. Burkeshore Dr. City: Big Lake AK 99652	

Waiver Request Information	
This waiver application is the: <input type="checkbox"/> 1 st Request <input checked="" type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

Have not had the right circumstances to open up a store in Houston. License is currently for sale, If not able to sell in the next 6-8 months will look at opening a small shop.


Signature of Licensee(s)	
Signature 	Signature
Name (Please Print) NICK GATTLEIN	Name (Please Print)
Date 9-16-15	Date

12865

Alcoholic Beverage Control Board
550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
(907) 269-0350
FAX (907) 334-2285

Waiver of Operation Application

AS 04.11.330(a)(3)

License Information		Fees*	
Liquor License Number: 4738		Waiver Fee	\$2500
License Type: BDL		Penalty (If applicable)	\$1,000.00
Local Governing Body: (City, Borough or Unorganized) Natsu Borough		Total Submitted	\$2500
Name of Licensee: Krik Country Liquor, Inc.	*The fee is non-refundable		
Doing Business As (Business Name) Big Su Lodge	Telephone Number: 907 373 2552		
Mailing Address: 7362 W. Parks Hwy. #772 Wasilla AK 99654	Street Address or Location of Business No Premise		
	City:		
Waiver Request Information			
This waiver application is the: <input type="checkbox"/> 1 st Request <input checked="" type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____			
Waiver Request for Calendar Year: 2015		Is this license for sale? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.</p> <p>The license is currently for sale & located at a no premise. The licensee is looking for a buyer</p>			
Signature of Licensee(s)			
Signature 		Signature	
Name (Please Print) Duane Hart		Name (Please Print)	
Date Oct. 30 2015		Date	

Alcoholic Beverage Control Board
550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
(907) 269-0350
FAX (907) 334-2285

**Waiver of Operation
Application**

AS 04.11.330(a)(3)

TR 12893

License Information		Fees*	
Liquor License Number: 4530		Waiver Fee	\$ 2500 ⁰⁰
License Type: Beverage Dispensary		Penalty (If applicable)	\$ 1,000.00
Local Governing Body: (City, Borough or Unorganized) Fairbanks North Star Borough		Total Submitted	\$ 2500 ⁰⁰
Name of Licensee: Pacific Tam Associates I, Inc.		*The fee is non-refundable	
Doing Business As (Business Name) Regency Fairbanks Hotel		Telephone Number: 907-374-3550	
Mailing Address: 981 Van Horn Td. Fairbanks, AK 99701		Street Address or Location of Business 1288 Sadler Way City: Fairbanks	

Waiver Request Information	
This waiver application is the: <input type="checkbox"/> 1 st Request <input checked="" type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____	
Waiver Request for Calendar Year: 2015	Is this license for sale? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.	
WORKING ON BUSINESS PLAN AND RAISING CAPITAL TO OPEN IN CURRENT LOCATION AT 1288 SADLER WAY. WILL BE OPEN IN 2016.	

Signature of Licensee(s)	
Signature	Signature
Name (Please Print) William Vulamore	Name (Please Print)
Date 10/26/15	Date

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, Alaska 99501
(907) 263-5900
FAX (907) 263-5930

Waiver of Operation Application

AS 04.11.330(a)(3)

#12833

License Information		Fees*	
Liquor License Number:	410	Waiver Fee	\$ 2500.-
License Type:	Beverage Dispensary	Penalty (If applicable)	\$ 1,000.00
Local Governing Body: (City, Borough or Unorganized)	Matanuska-Susitna Borough	Total Submitted	\$ 2500.-
Name of Licensee:	The Forks Reborn LLC	*The fee is non-refundable	
Doing Business As (Business Name)	The Forks Reborn	Telephone Number:	907-632-4238
Mailing Address:	PO Box 244056 Anchorage, Alaska 99524	Street Address or Location of Business	Mile 19 Petersville Rd
		City:	Petersville Alaska

Waiver Request Information

This waiver application is the: ☐ 1st Request ☒ 2nd Request ☐ 3rd Request ☐ Other _____

Waiver Request for Calendar Year:

2015

Is this license for sale?

☐ Yes

☒ No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

The Forks Reborn LLC acquired the property and license where it was previously operated before the premise burned down. The license is currently in a NO-PREMISE status as the original building burned down. Construction of the new establishment has begun in 2015 and will be operational in the summer 2016.

Signature of Licensee(s)

Signature



Name (Please Print)

DANIEL KERSCHBAUM

Date

10/30/2015

Signature

Name (Please Print)

Date

Alcoholic Beverage Control Board
550 West 7th Ave. Ste. 1600
Anchorage, Alaska 99501
(907) 269-0350
FAX (907) 334-2285

Waiver of Operation Application

AS 04.11.330(a)(3)

12711

License Information		Fees*	
Liquor License Number: 1176	License Type: BEVERAGE DISPENSARY - SEASONAL Local Governing Body: (City, Borough or Unorganized) UNORGANIZED	Waiver Fee	\$ 400.00
		Penalty (If applicable)	\$ 1,000.00
		Total Submitted	\$
Name of Licensee: BARBARA A ABBOTT		*The fee is non-refundable	
Doing Business As (Business Name) TULORA LODGE & RV PARK		Telephone Number: 907-940-5370	
Mailing Address: PO Box 760 Tok, AK 99780		Street Address or Location of Business MP 1315 ALASKA HWY. 1 City: Tok, AK 99780	
Waiver Request Information			
This waiver application is the: <input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other			
Waiver Request for Calendar Year: 2015		Is this license for sale? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

We are requesting an extension on our liquor license #1176 due to the late approval of the transfer of license. We are not set up for winter/cold weather & would have problems with water lines freezing & keeping the building warm. Also, I don't have an employee to help cover the time. We are a seasonal business along with the RV Park.

Signature of Licensee(s)	
Signature Barbara A Abbott	Signature
Name (Please Print) BARBARA A ABBOTT	Name (Please Print)
Date Oct 01, 2015	Date



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD
MARIJUANA CONTROL BOARD

550 W. 7th Avenue, Ste 1600
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
FROM: Cynthia Franklin
Director, ABC Board

DATE: November 16, 2015
RE: New Application- Bethel Spirits,
LLC, License #5385

This is a new application for a package store license in Bethel, Alaska. The City of Bethel protests and some individual objections have been received. The State Fire Marshal has not completed its review. The board has received additional correspondence in support of the applications.

Date Notification sent to City of Bethel:	April 6, 2015
Resolution of Assembly received:	May 1, 2015
City of Bethel Meeting Held:	June 9, 2015 (3 AAC 304.145(d) requirement)
Basis for Protest:	Multiple grounds for protest set forth in City of Bethel Assembly Resolution Number 15-08
Inquiry for the Board:	Is the City of Bethel protest arbitrary, capricious and unreasonable?
Recommendation:	If ABC Board determines City of Bethel protest is not arbitrary, capricious and unreasonable, uphold protest
Action on protest:	Denial of application for new license per AS 04.11.480(a)

If the Board denies the City of Bethel's protest, it must then consider the objections and letters of support. The Board has the authority to hold a hearing to consider objections to an application per AS 04.11.510(b)(2) and 3 AAC 304.150(a)(1). The purpose of the hearing would be to ascertain the reaction of the public to an application. The



recommendation of the director would be for the board to set any further hearing related to this application in Bethel, Alaska, in order to be accessible to the public affected by the board's decision.

Documents attached in this tab include the City of Bethel's protest in the form of a Resolution from the Bethel City Council, an email from the Bethel City attorney referencing a hearing before the local governing body, a letter from the applicant's attorney, written testimony from Ana Hoffman of the Bethel Native Corporation at four separate city council or town hall meetings, public objection letters, and a summary of all correspondence received relating to the application by ABC investigator Steven Johnson. The letters of support relating to Bethel Spirits' application are under Tab 4 as written public testimony.

Introduced by:	Vice-Mayor Albertson
Date:	April 28, 2015
Action:	Passed
Vote:	4-3
Rescinded	November 10, 2015
Vote:	4-3

CITY OF BETHEL, ALASKA

Resolution # 15-08

RESCINDED BY COUNCIL NOVEMBER 10, 2015

PROTESTING THE ISSUANCE OF A PACKAGE STORE LICENSE TO BETHEL SPIRITS, LLC. DOING BUSINESS AS BETHEL SPIRITS – LICENSE ID #5384, LOCATED AT 905 CHIEF EDDIE HOFFMAN HIGHWAY, SUITE B, BETHEL, ALASKA

- Whereas,** the results of the Special Election held January 19, 2010 indicate that 287 voters favor and 498 oppose the issuance of package store liquor licenses in the community;
- Whereas,** the Kipusvik building set out in the application for a package store license is located across the street from the State's Juvenile Justice Facility which offers educational courses from Lower Kuskokwim School District's approved curriculum;
- Whereas,** Alaska Statute 04.11.410 prohibits the operation of a package store within 200 feet of a school building as measured by the shortest pedestrian route from the outer boundaries of the school ground;
- Whereas,** Bethel Municipal Code 5.08.011 prohibits a package store within 300 feet of school buildings, measured by the most direct route of travel on the ground, from the main parking lot entrance of the establishment in a straight line, regardless of obstructions to the nearest public sidewalk, walkway, street, road or highway by the nearest route, to the nearest portion of the school grounds;
- Whereas,** Alaska Statute 04.11.150 (e) prohibits the business premises occupied by a package store to be connected by a door, opening, or other means of passage intended for the access of the general public to an adjacent retail business not also licensed under AS Title 4, unless approved by the board;
- Whereas,** Kipusvik contains a movie theater, which shares the same main entrance as the proposed liquor store;
- Whereas,** the Kipusvik building has an open floor plan with a shared entrance that offers patrons tables and chairs similar to that of a cafeteria and presents an opportunity for loitering in a public space in the vicinity of proposed alcohol sales;

Introduced by:	Vice-Mayor Albertson
Date:	April 28, 2015
Action:	Passed
Vote:	4-3
Rescinded	November 10, 2015
Vote:	4-3

Whereas, at the March 24, 2015 Bethel City Council meeting, 43 people provided public testimony on potential sales of alcoholic beverages in the community, and 37 people spoke in opposition;

Whereas, in 2014 the Bethel Fire Department Emergency Medical Services Unit reported a majority of the calls for service were for individuals under the influence of alcohol;

Whereas, Police Department figures for 2014 show the number of calls for "Intoxicated Pedestrians" to be 3,198 out of a total of 9,844 calls for the year, representing 32.49% of the total calls received by the department;

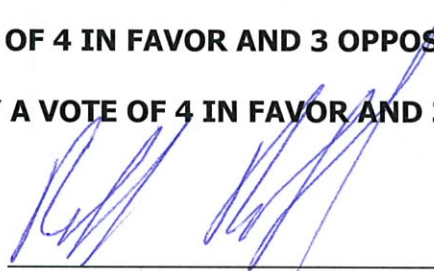
Whereas, the Police Dispatch Center reported a majority of their calls for service were alcohol related;

Whereas, the City protest stands based on the opposition of the people of Bethel, regardless of the presence or lack thereof of Bethel municipal Code or State Statute violations;

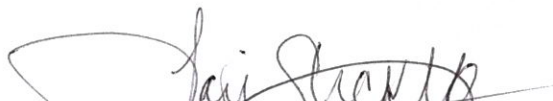
NOW THEREFORE, BE IT RESOLVED the Bethel City Council does hereby protest the application for the above identified package store license and requires the City Clerk to send this resolution to the Alcohol Beverage Control Board by June 5, 2015.

ENACTED THIS 28th DAY OF APRIL 2015, BY A VOTE OF 4 IN FAVOR AND 3 OPPOSED.

RESCINDED THIS 10th DAY OF NOVEMBER 2015, BY A VOTE OF 4 IN FAVOR AND 3 OPPOSED


 Richard Robb, Mayor

ATTEST:


 Lori Strickler, City Clerk