



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

MEMORANDUM

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

DATE: April 11, 2016

RE: Dennys #5449

This is an application for a new restaurant eating place license in the Municipality of Anchorage (MOA). MOA has protested the issuance of the license lack of approval from the Anchorage Fire Department.

Date of application: January 15, 2016

Date of Protest: March 15, 2016

Basis of Protest: Pending Anchorage Fire Department approval due to lack of required sprinkler system

Requirements Met: Yes, protest issued by Anchorage Assembly in AR#2016-49; applicant notified of Assembly hearing

Action Required: Installation of sprinkler system by applicant to meet requirements of Anchorage Fire Department.

Recommendation: Uphold MOA protest, deny application per AS 04.11.480(a) and grant applicant a 30-day abeyance in which to install sprinkler system, meet Fire Department requirement and have MOA protest lifted. If protest not lifted within 30 days, deny issuance of license.



Municipality of Anchorage

P.O. Box 190650 • Anchorage, Alaska 99519-0650 • Telephone: (907) 343-4316 • Fax: (907) 249-7583 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

March 15, 2016

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **March 8, 2016** took the following final action:

APPROVAL/NON -OBJECTION

New Liquor License

- **Recreational Site**
 - Blue Line Pub & Café LL# 3968
 - The Gardens LL#4932

Renewal Liquor License

- **Beverage Dispensary-Tourism**
 - Camel Rock Lounge LL#4230
- **Restaurant/Eating Place**
 - Panda Restaurant LL#3077
 - Turnagain Arm BBQ Pit LL#4459

PROTEST

New Liquor License

- **Restaurant/Eating Place**
 - Denny's LL#5449
Pending approval from the Planning Department for a special land use permit and the Anchorage Fire Department.
 - Denny's LL#5450
Pending approval from the Planning Department for a special land use permit.
- **Package Store**
 - Firetap LL#5448
Pending approval from the Planning Department for a special land use permit.

Approved

Date: 03/08/2016

Submitted by: Assembly Chair Traini, Assembly
Vice-Chair Gray-Jackson and
Assembly Public Safety Committee
Chair Honeman
Prepared by: Municipal Clerk
For reading: March 8, 2016

**ANCHORAGE, ALASKA
AR NO. 2016-49**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING THE NEW RESTAURANT/EATING PLACE LIQUOR LICENSE
#5449 WITH RESTAURANT DESIGNATION PERMIT FOR D. OF ALASKA, INC. dba
DENNY'S LOCATED AT 2900 DENALI ST., ANCHORAGE AK, 99503 AND AUTHORIZING
THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, D. of Alaska, Inc. has made an application with the Alaska Alcohol and Marijuana Control Office (AMCO) and has paid the required fee for a new Restaurant/Eating Place Liquor License #5449 with Restaurant Designation Permit, to be used for Denny's, located at 2900 Denali St., Anchorage, Alaska, 99503; and

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

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on January 21, 2016 and has determined that the last day for the Assembly to file a protest is March 21, 2016 and

WHEREAS, the Assembly Meeting on March 8, 2016 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

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

1. Any AMCO violations and/or incidents that would lead to an AMCO violation are attached;
2. No taxes owing to the Municipality of Anchorage;
3. Special Land Use Permit required by AMC 21.03.040 **has not been approved;**
4. Approvals from Building Safety, and Municipal Health and Human Services Department **have been** received;
5. Approval from the Anchorage Fire Department **has not been** received; and

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

1 NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:
2

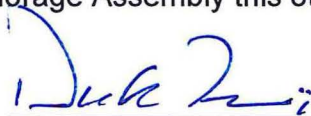
3 Section 1. The Anchorage Assembly hereby enters its PROTEST for the new
4 Restaurant/Eating Place Liquor License #5449 with Restaurant
5 Designation Permit until these conditions are met:
6

- 7
- 8 • Special Land Use Permit required by AMC 21.03.040 has been
9 approved by the Planning Division and confirmed by the Municipal
10 Clerk.
11 • Approval by the Anchorage Fire Department and confirmation by
12 the Municipal Clerk's Office.

13 Section 2. A copy of this Assembly Resolution may be presented to the Alaska
14 Alcohol and Marijuana Control Office as proof that the Anchorage
15 Assembly, as the local governing body, has stated its protest in order to
16 allow the Director of the Alaska Alcohol and Marijuana Control Office to
17 hold processing of the new Restaurant/Eating Place Liquor License
18 #5449 with Restaurant Designation Permit under local protest, until
19 receipt by the Director of confirmation from the Municipal Clerk that the
20 conditions in Section 1 have been met, and this protest is lifted as
21 authorized by this Assembly Resolution.
22

23 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon
24 Municipal Clerk confirmation that all conditions in Section 1 have been
25 met, to provide written notification to the Alaska Alcohol and Marijuana
26 Control Office that this protest by the Anchorage Assembly is lifted,
27 without further action by the Assembly.
28

29 PASSED AND APPROVED by the Anchorage Assembly this 8th day of March, 2016.
30

31 
32 _____
33 Chair of the Assembly

34 ATTEST:

35 
36 _____
37 Municipal Clerk
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