

# Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

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

# Alcoholic Beverage Control Board Meeting Agenda

\*Subject to change due to viral emergency

June 9, 2020 at 9:00 am
Third Judicial District

Call-in Number: 1-800-315-6338, code 69173#

All times are approximate. Lunch from 12:00 noon to 1:00pm

ADMINISTRATION 9:00 am

A. Call to Order

B. Roll Call

C. Approval of Agenda

D. Approval of the March 31 and April 1, 2020 Meeting Minutes. Emergency meeting TAB 1 minutes to be available for the August 18, 2020 ABC meeting.

BOARD GOVERNANCE
 9:05 am

PUBLIC TESTIMONY
 9:30 am

Based on current circumstances, the Board may decide to limit public testimony.

Public testimony is limited to issues not on this agenda and that are not proposed regulations. The call-in number is 1-800-315-6338, code 69173#.

● DIRECTOR'S REPORT 10:00 am TAB 2

A. Resolution of Appreciation for Bob Klein

B. Advisory Regarding Expired Operating Licenses TAB 3

C. Discussion Regarding Ongoing Investigations

ABC Board Meeting Agenda: June 9, 2020

ENFORCEMENT REPORT
 10:15 am TAB 4

A. Notices of Violation Issued and Licensee Responses TAB 5

LICENSING REPORT
 10:30 am
 TAB 6

BOARD CONSIDERATION 10:45 am

#### A. BPO Elks Lodge No. #1842

**TAB 7** 

At the January 21, 2020 meeting the Board requested this be brought back to them for review and consideration of the renewal applications.

# 1. 94 BPO Elks Lodge #1842:

2600 Barry's Resort Road, Wasilla License: Beverage Dispensary

# 2. 3658 BPO Elks Lodge #1842:

2600 Barry's Resort Road, Wasilla

License: Club

# B. RoughWoods, LLC

**TAB 8** 

At the July 9, 2019 meeting the Board approved an extension for the estate of Ruth Coy to file transfer applications. The Estate is requesting an additional extension.

### 1. 3760 Rough Woods Inn and Cafe:

623 North A Street, Nenana License: Restaurant/Eating Place

#### 2. 5233 Rough Woods Inn and Cafe:

623 North A Street, Nenana

License: Nenana

# C. 301 No DBA: Foxglove, LLC

<u>TAB 9</u>

No Premises

**License: Beverage Dispensary** 

Local Governing Body: Matanuska – Susitna Borough

Reconsideration of Board's decision to deny the 4th waiver at the 11/2019 meeting.

# D. 772 AK Grizzly Bar: AK Grizzly Bar, LLC

**TAB 10** 

210 Admiral Way, Juneau

License: Beverage Dispensary

From: NYT, Inc., dba Rendezvous at 184 S. Franklin St.

#### Transfer of ownership and location with dba name change.

Local governing body action: pending City & Borough of Juneau

Approvals: Department of Labor, Department of Revenue, Department of Environmental Conservation

Pending: Creditor

Background investigations: pending

ABC Board Meeting Agenda: June 9, 2020

Page 2 of 14

Proposed licensed premises for consideration.

E. 1176 Tundra Lodge & R/V Park: Barbara A. Abbott

**TAB 11** 

Milepost 1315 Alaska Highway, Tok

**License: Beverage Dispensary** 

Requesting time extension under AS 04.11.030(b).

F. 1381 Creekbend Company: Creekbend Company LLC

**TAB 12** 

64777 Second Street, Hope

**License: Restaurant or Eating Place** 

Local Governing Body: Kenai Peninsula Borough

Review of the AB-14: Licensed Premises Diagram Change.

G. 3123 Hangar Lounge: David K Freeman

**TAB 13** 

Mile 1.5 S. Big Lake Road, Big Lake

**License: Beverage Dispensary** 

Local governing body: Matanuska-Susitna Borough Requesting reconsideration of denial of renewal.

D. 3494 Lone Star Steakhouse & Saloon: Lone Star Steakhouse & Saloon of Alaska, Inc.

**TAB 14** 

4801 C Street, Anchorage

**License: Beverage Dispensary** 

Local Governing Body: Municipality of Anchorage

Request to begin the reinstatement process for license expired 10/30/2017.

# REQUESTS FOR LICENSE REINSTATEMENT AND RENEWAL

A. 2806 American Legion Post #29: American Legion Post #29

**TAB 15** 

1467 Muldoon Road, Anchorage

**License: Club** 

Renewal application; request for reinstatement.

Local governing body action: pending Municipality of Anchorage

B. 4530 The Event Center & Lounge: Pacific Rim Associates I, Inc.

**TAB 16** 

1288 Sadler Way, Fairbanks License: Beverage Dispensary

Renewal application; request for reinstatement.

Local governing body action: City of Fairbanks and the Fairbanks North Star Borough do not protest

C. 4839 Evangelos Restaurant: K&G Enterprises, LLC

**TAB 17** 

2530 East Parks Highway, Wasilla

**License: Beverage Dispensary - Duplicate** 

Renewal application; request for reinstatement.

Local governing body action: pending City of Wasilla, Matanuska – Susitna Borough

D. 4966 Salmon Falls Lodge: SF Alaska, LP

**TAB 18** 

16707 North Tongass Highway, Ketchikan License: Beverage Dispensary - Tourism

# Renewal application; request for reinstatement.

Local governing body action: Ketchikan Gateway Borough does not protest

#### PUBLIC HEARINGS – PROTESTS

A. 10 Al's Alaskan Inn: Allen Henry Choy LLC

**TAB 19** 

7830 Old Seward Highway, Anchorage License: Beverage Dispensary - Tourism

# **Renewal application**

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certifications from the Anchorage Health Department and the Anchorage Fire Department.

B. 135 Last Frontier Bar: Venture Bar, LLC

**TAB 20** 

369 Muldoon Road, Anchorage License: Beverage Dispensary

# Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending payment in full of taxes owed to the Municipality and certification from the Anchorage Health Department.

**C. 1494 35+ Singles Club**: Thirty-Five Plus Singles Club, Inc.

**TAB 21** 

407 Denali Street, Anchorage

License: Club

#### Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certifications from the Anchorage Health Department and Building Safety Official.

D. 1632 Jack Sprat: Weits III, LLC

**TAB 22** 

165 Olympic Mountain Loop, Girdwood License: Restaurant/Eating Place

#### Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certifications from the Anchorage Health Department, Land Use Enforcement and approval by the Director of the Planning Department of a special land use permit modification.

E. 1766 Hatcher Pass Lodge: Hatcher Pass Corporation

**TAB 23** 

Mile 17.5 Fishhook – Willow Road, Palmer

**License: Beverage Dispensary** 

# **Renewal application**

Local governing body action: protest by Matanuska – Susitna Borough

Matanuska – Susitna Borough protests pending property debts owed to the Borough.

F. 2973 Pangea Restaurant & Lounge: Eureka Services, Inc.

**TAB 24** 

508 West 6<sup>th</sup> Avenue, Anchorage **License: Beverage Dispensary** 

#### Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Building Safety Official, Anchorage Health Department and the Anchorage Fire Department.

G. 3302 Pizza Hut of Wasilla: MP2 Alaska, LLC

**TAB 25** 

851 Parks Highway, Wasilla License: Restaurant/Eating Place

# **Renewal application**

Local governing body action: protest by Matanuska – Susitna Borough

Matanuska – Susitna Borough protests pending debts owed to the Borough.

H. 3817 Koots (The Swing Bar): Happy Camp, LLC

**TAB 26** 

2435 Spenard Road, Anchorage

License: Beverage Dispensary - Duplicate

#### Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Building Safety Official and the Anchorage Fire Department.

I. 4024 Koots (The Bird House): Happy Camp, LLC

**TAB 27** 

2435 Spenard Road, Anchorage

License: Beverage Dispensary - Duplicate

#### Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Building Safety Official and the Anchorage Fire Department.

J. 4674 Dimond Bowl: Dimond Center, LLC

**TAB 28** 

800 East Dimond Boulevard #3-023, Anchorage

**License: Recreational Site** 

# Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Anchorage Health Department.

K. 4993 Urban Sushi: Urban Sushi, LLC

**TAB 29** 

509 West 3<sup>rd</sup> Avenue, Suite 101, Anchorage

ABC Board Meeting Agenda: June 9, 2020

Page 5 of 14

**License: Restaurant/Eating Place** 

# Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Building Safety Official and the Anchorage Health Department.

L. 5150 Yakitori Sushi House: Yakitori, LLC

**TAB 30** 

2834 East Tudor Road, Suite B, Anchorage

License: Restaurant/Eating Place

# **Renewal application**

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Anchorage Health Department.

M. 5165 AK Fresh Seafood: AK Fresh Seafood, LLC

**TAB 31** 

417 D Street, Anchorage

**License: Restaurant/Eating Place** 

#### **Renewal application**

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Building Safety Official and the Anchorage Fire Department.

N. 5282 Anchorage City Limits Lofts: H.P. Holdings, Inc.

**TAB 32** 

239 West 4<sup>th</sup> Avenue, Anchorage

License: Beverage Dispensary - Tourism

#### **Renewal application**

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Building Safety Official.

O. 5350 Lahn Pad Thai Downtown Express: Lahn Pad Thai Downtown Express, LLC

**TAB 33** 

302 G Street, Anchorage

**License: Restaurant/Eating Place** 

# Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certifications from the Building Safety Official and the Anchorage Health Department.

P. 5359 Cynosure Brewing: Clapp Liquid Industries, LLC

**TAB 34** 

144 E. Potter Drive, Anchorage

**License: Distillery** 

#### **Renewal application**

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Building Safety Official.

Q. 5462 Anchorage Distillery: Anchorage Distillery, LLC

**TAB 35** 

6310 A St, Anchorage License: Distillery

Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending certification from the Building Safety Official.

R. 5610 The Writer's Block Bookstore & Cafe: The Writer's Block

**TAB 36** 

3956 Spenard Road, Anchorage License: Restaurant/Eating Place

Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage pending payment in full of taxes owed to the Municipality.

S. 5613 Alaskan Spirits Distillery: Alaskan Spirits LLC

**TAB 37** 

7605 King Street #B, Anchorage

**License:** Distillery

**Renewal application** 

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending payment in full of taxes owed to the Municipality and certification from the Building Safety Official.

T. 5637 Seoul Casa: T&C Dynasty, LLC

**TAB 38** 

601 E Dimond Blvd Suite #6, Anchorage License: Restaurant/Eating Place

Renewal application

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests due to pending certification from the Building Safety Official.

U. 5892 Corks & Hops: Corks and Hops, LLC

**TAB 39** 

12551 Old Glenn Highway Unit A, Eagle River

**License: Restaurant/Eating Place** 

New license application.

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests due to pending certification from the State of Alaska Fire Marshal and pending a special land use permit approved by the Director of the Planning Department.

OBJECTIONS

A. 1264 Alaska Commercial Company: The North West Company (International) Inc.

**TAB 40** 

716 Ocean Cape Road, Yakutat

**License: Package Store** 

From: Yakutat Adventures, LLC dba The Yakutat Lodge located at 989 Airport Road, Yakutat

# Transfer of ownership and location with dba name change.

Local governing body action: pending City and Borough of Yakutat

Approvals: Department of Labor – Worker's Compensation Pending: Department of Revenue, State Fire Marshal

Background investigation: complete

Non-compliant notice received from Department of Labor – Employment Security

#### SECURITY INTEREST TRANSFERS & INVOLUNTARY RETRANSFERS.

# A. 1274 The Palmer Bar: Poor Boy Investments, LLC

**TAB 41** 

828 South Colony Way, Palmer License: Beverage Dispensary

From: Lou-Jack, Inc.

# Transfer of ownership with security interest.

Local governing body action: pending City of Palmer and Matanuska Susitna Borough

Approvals: Department of Labor - Employment Security

Pending Department of Labor - Workers Compensation, Department of Revenue

Background investigations: pending

#### PUBLIC CONVENIENCE

# A. 5898 Magpies on the Fly: Magpies, LLC

**TAB 42** 

350 Galena, Valdez

License: Restaurant/Eating Place-Public Convenience

#### New license application.

Local governing body action: pending City of Valdez

Pending: Department of Environmental Conservation, State Fire Marshal

Background investigations: pending

# B. 5899 Sloan's Restaurant: Sloan's Restaurant LLC

**TAB 43** 

1205 Richardson Highway, Delta Junction

License: Restaurant/Eating Place-Public Convenience

#### New license application.

Local governing body action: no protest by City of Delta Junction

Pending: Department of Environmental Conservation, State Fire Marshal

Background investigations: complete

#### C. 5903 The Lone Chicharron Taqueria: The Cookery, LLC

**TAB 44** 

215 Fourth Avenue, Suite B, Seward

License: Restaurant/Eating Place-Public Convenience

#### New license application.

Local governing body action: pending City of Seward Approvals: Department of Environmental Conservation

Background investigations: pending

ABC Board Meeting Agenda: June 9, 2020

Page 8 of 14

A. 309 Dew Drop Inn: Randall Witte

105 B Street, Anderson License: Package Store From: Jeannette Witte

# Transfer of ownership.

Local governing body action: pending City of Anderson and Denali Borough

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

#### B. 3460 NO DBA: Holiday Alaska, LLC

No Premises

**License: Package Store** 

From: Larry W. Waters dba Long Creek Trading Post located 8721 Steese Highway

# Transfer of ownership and location with dba name change.

Pending: Department of Labor, Department of Revenue

Background investigations: pending

# C. 3895 Floater's: R&B Alaska Inc.

2990 South Big Lake Road, Big Lake License: Beverage Dispensary

From JEFFNPJ, Inc.

# Transfer of ownership.

Local governing body action: pending Matanuska Susitna Borough

Pending: Department of Environmental Conservation, State Fire Marshal

Background investigations: pending

# D. 4142 Bar Harbor Ale House: Cape Fox Lodge, LLC

55 Schoenbar Road Suite 104, Ketchikan

**License: Restaurant/Eating Place** 

From: Martin Smith, James Jones dba Bar Harbor Restaurant

#### Transfer of ownership with dba name change.

Local governing body action: pending City of Ketchikan and Ketchikan Gateway Borough

Approvals: Department of Labor Pending: Department of Revenue Background investigations: complete

#### E. 4755 Ronnie Sushi 2: Ronnie 2, Inc.

924 Muldoon Road, Anchorage

**License: Restaurant/Eating Place** 

From: Ronnie Chang Ku Lee at 70% and Carolyn Chong Hui Lee at 30%

To: Chae Kim at 100%

# Transfer of controlling interest.

Local governing body action: pending Municipality of Anchorage

Pending: Department of Labor, Department of Revenue

Background investigations: pending

F. 4772 Chicken & Beer: Two Star, LLC 1454 S. Cushman St., Fairbanks License: Restaurant/Eating Place

From: J&BY, Inc., dba Ajimi Restaurant located at 550 Third Street

#### Transfer of ownership and location with dba name change.

Local governing body action: pending City of Fairbanks & Fairbanks North Star Borough

Approvals: Department of Revenue

Pending: Department of Labor, Department of Environmental Conservation

Background investigations: complete

# G. 4856 Conoco Phillips Alaska, Inc. – N794CP: ConocoPhillips Alaska, Inc.

Alaskan skies

**License: Common Carrier** 

From: Conoco Phillips Alaska, Inc. - N959BP

### Transfer of license to new plane with dba name change.

Pending: Department of Labor, Department of Revenue

Background investigations: pending

# H. 5012 Two Brothers Roadhouse: Two Brothers Roadhouse, LLC

16021 Sterling Highway, Cooper Landing

**License: Restaurant/Eating Place** 

From: Sackett's Smokehouse Corp. dba Sackett's Smokehouse Kenai Grill

#### Transfer of ownership with dba name change.

Local governing body action: pending Kenai Peninsula Borough

Pending: Department of Labor, Department of Revenue

Background investigations: pending

# I. 5236 Anchorage Elks Lodge #2868: Anchorage Elks Lodge #2868

5401 Cordova Street Unit 101, Anchorage

**License: Club** 

From: 3101 Penland Parkway, Suite A-14

#### Transfer of location.

Local governing body action: pending Municipality of Anchorage

Pending: Department of Labor, Department of Revenue

Background investigations: complete

# J. 5901 Alaska Distilling Co.: Alaskan Brewing, LLC

5366 Commercial Boulevard, Juneau

**License: Distillery** 

ABC Board Meeting Agenda: June 9, 2020 Page 10 of 14

# New license application.

Local governing body action: pending City & Borough of Juneau

Pending: Department of Environmental Conservation

Background investigations: complete

# K. 5902 Zip Kombucha: Zip Kombucha LLC

3404 Arctic Boulevard, Anchorage

**License: Brewery** 

# New license application.

Local governing body action: pending Municipality of Anchorage

Background investigations: complete

#### L. 5905 Alaska Distilling Co.: Alaskan Brewing, LLC

5433 Shaune Drive, Juneau

**License: Distillery** 

# New license application.

Local governing body action: pending City & Borough of Juneau

Pending: Department of Environmental Conservation

Background investigations: complete

# M. 5907 Odin Mead: Odin, Inc.

5290 Davis Street, Homer

**License: Winery** 

# New license application.

Local governing body action: pending City of Homer and Kenai Peninsula Borough

Pending: Department of Environmental Conservation, State Fire Marshal

Background investigations: pending

# N. 5912 Uncharted Alaska Distillery: Uncharted Alaska Distillery LLC

319 Main Street, Ketchikan

**License: Distillery** 

# New license application.

Local governing body action: pending City and Borough of Ketchikan Pending: Department of Environmental Conservation, State Fire Marshal

Background investigations: pending

#### CONSENT AGENDA – NEW & TRANSFER APPLICATIONS

**TAB 46** 

# **A. 417 4 Royle Parkers**: 4 Royle Parkers Inc.

36185 Kenai Spur Highway, Soldotna

**License: Beverage Dispensary** 

From: Taek Young Lee and Hee Hwan Lee

# Transfer of ownership.

Local government action: waive of protest by Kenai Peninsula Borough

ABC Board Meeting Agenda: June 9, 2020 Page 11 of 14

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

Temporary approval issued.

**B.** 1295 4 Royle Parkers: 4 Royle Parkers Inc.

36185 Kenai Spur Highway, Soldotna

**License: Package Store** 

From: Taek Young Lee and Hee Hwan Lee

# Transfer of ownership.

Local government action: waive of protest by Kenai Peninsula Borough

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

Temporary approval issued.

C. 4701 Emerald Princess: Princess Cruise Lines, Ltd.

Alaskan Waters

**License: Common Carrier** From: Island Princess

# Transfer of license to new boat with dba name change.

Background investigations: complete

Temporary approval issued.

D. 5862 Pacific Princess: Princess Cruise Lines, Ltd.

Alaskan Waters

**License: Common Carrier** 

#### New license application.

Background investigations: complete

Temporary approval issued.

E. 5865 ms Koningsdam: Holland America Line N.V. LLC

Alaskan Waters

**License: Common Carrier** 

# New license application.

Background investigations: complete

Temporary approval issued.

F. 5871 M/V Matanuska: Alaska Marine Highway

Alaskan Waters

**License: Common Carrier** 

#### New license application.

Background investigations: complete

**G. 5896 M/V Alaskan Harvest**: Parker Guide Services, Inc.

Alaskan Waters

**License: Common Carrier** 

New license application.

Background investigations: pending

#### REGULATIONS

#### A. Proposed Regulations Projects

1. Board Requests

2. Consideration TAB 47

3. Temporary Approval for Licensed Premises Change Discussion TAB 48

# **B.** Opened Regulations Projects

#### 1. Initial Drafts

# A. Repackaging by Package Stores

**TAB 49** 

**Status:** Board opened this project at the January 2020 meeting. Initial draft for

board consideration.

Potential Board Actions: Put out for public comment; amend draft and put out for public

comment; send back to staff for more work; close project without action.

### 2. Public Comment Period Closed

# A. Combined Tasting Rooms

**TAB 50** 

**Status:** Public comment period closed March 13, 2020

Potential Board Actions: Vote to adopt; amend and put out for public comment;

close project without action.

#### 3. Revised Drafts Requested by Board Based on Public Comment

A. Permits TAB 51

**Status:** Board opened this project at the October 2018 meeting. Revised

draft for board consideration.

Potential Board Actions: Put out for public comment; amend draft and put out for public

comment; send back to staff for more work; close project without action.

#### C. Regulations Projects - Other

# A. When Petition is Required

**TAB 52** 

**Status:** Filed and signed by Lt. Governor. Effective April 11, 2020

**Information:** Department of Law has disapproved some of the amendments

and, accordingly, made technical changes to the draft. No action from the

board is needed, this is just an FYI.

# CONSIDERATION OF REVISION OF THE NEWSPAPER OF GENERAL CIRCULATION POLICY

**TAB 53** 

# ● TOPICS FOR FUTURE DISCUSSION BY ABC BOARD

- A. Enforcement Priorities
- B. Board Development
- C. Staffing/Resources
- D. Online Licensing Portal

● ALCOHOL MAILBOX TAB 54

All correspondence received in the <a href="mailto:alcohol@alaska.gov">alcohol@alaska.gov</a> inbox from March 14, 2020 – May 22, 2020.

# NEXT ABC BOARD MEETING

Agenda deadline for August 18, 2020 meeting: July 31, 2020

# ADJOURN