



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: June 9, 2020

FROM: Glen Klinkhart, Interim Director

RE: 1632 Jack Sprat

Requested Action: Renewal Application

Statutory Authority: AS 04.06.090(b): “The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title.”

AS 04.11.480(a): “A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application... The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application... If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.”

AS 04.11.510(b)(2): “The board may review an application for the issuance, renewal, transfer of location, or transfer to another person of a license without affording the applicant notice or hearing, except... (2) the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection;”

Staff Rec.: Hold a public hearing; rescind the prior approval with delegation at the March 31 and April 1, 2020 meeting and deny the application with a 180 day abeyance.

Background: This renewal application was approved with delegation at the previous meeting. The 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.

The licensee should be notified that under 3 AAC 304.145(h), this abeyance period may not be extended or renewed.

Attachment: Municipality of Anchorage protest
Renewal application



Municipality of Anchorage

P.O. Box 196650 Anchorage, Alaska 99519-6650 Telephone: (907) 343-4316 Fax: (907) 249-7533 www.muni.org/clerklicensing

Office of the Municipal Clerk Licensing

April 29, 2020

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

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Craig:

The Anchorage Municipal Assembly at its regular meeting on **April 28, 2020** took the following final actions:

WAIVE OF PROTEST

Renewal Liquor License – AM 232-2020

- **Beverage Dispensary**

Moose's Tooth Pub & Pizzeria, LL#3971
Firetap Alehouse Restaurant Tikahtnu Commons, LL#1625
Little Italy Restaurante, LL#2988
Henri Hawaii, LL#4835

- **Beverage Dispensary-Tourism**

Embassy Suites Anchorage, LL#4774
Silver Gulch Brewing & Bottling, LL#5131
Flight Deck Bar/Arctic Inn, LL#402

- **Restaurant/Eating Place**

Charlou, LL#5718
Marco T's Pizzeria, LL#5463
Xalos Grill, LL#5190
BurgerFi Creekside Mall, LL#5453
BurgerFi, LL#5324
Guido's Pizza, LL#2636
Fried Rice Express Asian Cuisine, LL#5551
Silk, LL#1691

- **Package Store**

Firetap, LL#5448
Silver Gulch Brewing & Bottling, LL#5121
Fred Meyer Muldoon 18, LL#4108
Fred Meyer 668, LL#4186
Fred Meyer Dimond 71, LL#3906
Fred Meyer 656, LL#4160
Crush, LL#4779

- **Club**
American Legion Post 1, LL#51
- **Wholesale-General**
The Odom Corporation, LL#5714

Renewal Liquor License – AM 233-2020

- **Beverage Dispensary**
Slippery Salmon Bar & Grill, LL#1036
McGinley's Alaskan Pub, LL#4545
- **Restaurant/Eating Place**
The Red Chair Café, LL#5316
- **Package Store**
Growlers, Whiskey & Wine, LL#4377
Crush Bottle Shop, LL#4820
49th State Spirits & Gifts, LL#5648

PROTEST

Renewal Liquor License

- **Restaurant/Eating Place**
Jack Sprat LL#1632 – *AR 2020-118*
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.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the April 28, 2020 Assembly Meeting.
- **Package Store**
Matanuska Brewing Company LL#5724 – *AR 2020-119*
Pending certifications from the Anchorage Health Department and the Building Safety Official.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the April 28, 2020 Assembly Meeting.
- **Beverage Dispensary-Tourism**
Al's Alaskan Inn LL#10 – *AR 2020-120*
Pending certifications from the Anchorage Health Department and the Anchorage Fire Department.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the April 28, 2020 Assembly Meeting.
- **Winery**
Double Shovel Cider Company LL#5427 – *AR 2020-121*
Pending certifications from the Anchorage Health Department, the Anchorage Fire Department and Land Use Enforcement.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the April 28, 2020 Assembly Meeting.
- **Beverage Dispensary**
Last Frontier Bar LL#135 – *AR 2020-122, As Amended*
Pending payment in full of taxes owed to the Municipality and certification from the Anchorage Health Department.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the April 28, 2020 Assembly Meeting.
- **Club**
35+ Singles Club LL#1494 – *AR 2020-123*
Pending certifications from the Anchorage Health Department and the Building Safety Official.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the April 28, 2020 Assembly Meeting.

- **Recreational Site**

Dimond Bowl LL#4674 – AR 2020-125

Pending certification from the Anchorage Health Department.

-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the April 28, 2020 Assembly Meeting.

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,

Mandy Honest
Business License Official

CC: Weits III, LLC – Via Email
Eagle River Alehouse, LLC – Via Email
Allen Henry Choy, LLC – Via Email
Double Shovel Cider Co., LLC – Via Email
Venture Bar, LLC – Via Email
Thirty-Five Plus Singles Club, Inc. – Via Email
Dimond Center, LLC – Via Email



Alaska Alcoholic Beverage Control Board

Restaurant or Eating Place License

Form AB-17a: 2020/2021 Renewal License Application

Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing restaurant or eating place liquor license that is due to renew by December 31, 2019. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed and submitted to AMCO's main office before any license renewal application will be reviewed. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Weits III, LLC	License #:	1632
License Type:	Restaurant/Eating Place		
Doing Business As:	Jack Sprat		
Premises Address:	165 Olympic Mountain Lp		
Local Governing Body:	Municipality of Anchorage		
Community Council:	Girdwood		

Mailing Address:	PO Box 1074		
City:	GIRDWOOD	State:	AK
		ZIP:	99587

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

Contact Licensee:	FRANS WEITS	Contact Phone:	760-518-2856
Contact Email:	frans@jacksprat.net		

Optional: If you wish for AMCO staff to communicate with an individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:		Contact Phone:	
Contact Email:			

Section 2 - Entity or Community Ownership Information

Licensees who directly hold a license as an individual or individuals should skip to Section 3. General partnerships and local governments should skip to the second half of this page. All licensees that are corporations or LLCs must complete this section. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). The CBPL Entity # below is neither your EIN/tax ID number, nor your business license number. You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>

Alaska CBPL Entity #:	72110 D
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You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *shareholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application. You must list **ALL** of your qualifying officials, additional copies of this page or a separate sheet of paper may be submitted if necessary.

Name of Official:	FRANS R WELTS		
Title(s):	Managing Member	Phone:	760 518 2806
Mailing Address:	P.O. Box 968	% Owned:	100
City:	Girdwood	State:	AK
		ZIP:	99587

Name of Official:			
Title(s):		Phone:	
Mailing Address:		% Owned:	
City:		State:	
		ZIP:	

Name of Official:			
Title(s):		Phone:	
Mailing Address:		% Owned:	
City:		State:	
		ZIP:	



Alaska Alcoholic Beverage Control Board

Form AB-17a: 2020/2021 Restaurant Renewal License Application

Section 3 - Sole Proprietor Ownership Information

Entities, such as corporations or LLCs, should skip this section. This section must be completed by any licensee who directly holds the license as an individual or multiple individuals and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. The following information must be completed for each licensee and each affiliate.

This individual is an: [] applicant [] affiliate

Form with fields: Name, Mailing Address, City, State, ZIP, Email, Contact Phone.

This individual is an: [] applicant [] affiliate

Form with fields: Name, Mailing Address, City, State, ZIP, Email, Contact Phone.

Section 4 - Alcohol Server Education

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

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.

[Handwritten initials]

Section 5 - License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:

2018 2019

- The license was regularly operated continuously throughout each year. [] []
The license was regularly operated during a specific season each year. [X] [X]
The license was only operated to meet the minimum requirement of 240 total hours each calendar year. [] []
If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application. [] []
The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years. [] []
If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year. [] []



Alaska Alcoholic Beverage Control Board

Form AB-17a: 2020/2021 Restaurant Renewal License Application

Section 6 - Violations and Convictions

Applicant violations and convictions in calendar years 2018 and 2019:

Yes No

Have any notices of violation (NOVs) been issued for this license in the calendar years 2018 or 2019?

Yes No

Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2018 or 2019?

Yes No

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 - Certifications

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

Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

Initials

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control (ABC) Board.

Initials

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

Initials

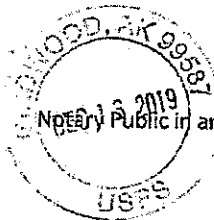
I am submitting as part of this application a completed copy of Form AB-33: Restaurant Receipts Affidavit, to provide evidence to the ABC Board that this establishment met the food sales requirement set forth in AS 04.11.100(e).

Initials

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

[Signature]
Signature of licensee

FRANS WEITS
Printed name of licensee



[Signature]
Signature of Notary Public

My commission expires: Term

Subscribed and sworn to before me this 13th day of December, 2019.

Seasonal License? Yes No

If "Yes", write your six-month operating period: _____

License Fee:	\$ 600.00	Application Fee:	\$ 300.00	TOTAL:	\$ 900.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					