



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: June 10, 2021

FROM: Carrie Craig, RLS

RE: #1140 Time Out Lounge

**Requested
Action:**

Rescind the previous approval with delegation, hold an informal hearing and deny the renewal application with 180-day abeyance period.

**Statutory &
Regulation
Authority:**

AS 04.11.510(b)(1): "if an application is denied, the notice of denial shall be furnished the applicant immediately in writing stating the reason for the denial in clear and concise language; the notice of denial must inform the applicant that the applicant is entitled to an informal conference with either the director or the board, and that, if not satisfied by the informal conference, the applicant is then entitled to a formal hearing conducted by the office of administrative hearings (AS 44.64.010); if the applicant requests a formal hearing, the office of administrative hearings shall adhere to AS 44.62.330 — 44.62.630 (Administrative Procedure Act); all interested persons may be heard at the hearing and unless waived by the applicant and the board, the formal hearing shall be held in the area for which the application is requested"

3 AAC 304.145(h) "The board may uphold a protest of an application or continued operation with a single abeyance period not to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation is approved when all other applicable requirements have been met. If the local governing body has not notified the board within the period of the abeyance that it has removed the protest, the application or continued operation is denied. The period of abeyance may not be extended or renewed."

Background: At the April 28, 2021 Special ABC meeting, the Board approved the 2021-2022 renewal with delegation. On June 9, 2021, the Municipality of Anchorage protested the renewal application pending certifications from the Building Safety Official.

Attachment:

Municipality of Anchorage Protest
AB-17



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

June 9, 2021

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 **June 8, 2021** took the following final actions:

WAIVE OF PROTEST

Renewal Liquor License – AM 358-2021

- **Beverage Dispensary**
Matanuska Brewing Downtown Brewpub LL#1244
Williwaw LL#217
The Bungalow Lounge LL#3781
574 Arcade Bar LL#5374
- **Beverage Dispensary-Duplicate**
Bernie's Bungalow Lounge LL#5731
Bernie's Bungalow Lounge LL#5732
- **Restaurant/Eating Place**
AK Alchemist LL#5757
- **Brewery**
49th State Brewing LL#5744
- **Winery**
49th State Brewing LL#5745

Transfer Liquor License – AM 359-2021

- **Restaurant/Eating Place**
The Bridge LL#5103

Renewal Liquor License – AM 371-2021

- **Beverage Dispensary**
Matanuska Brewing Company, Anchorage LL#200
Matanuska Brewing Company, Eagle River LL#4173
The Bear Paw Bar & Grill LL#4279



- **Beverage Dispensary-Duplicate**
The Peanut Farm Sports Grill LL#4469
- **Beverage Dispensary-Tourism**
Sushi on the Fly LL#5397
- **Brewery**
Midnight Sun Brewing Co. LL#4866
- **Restaurant/Eating Place**
Bahay Kubo Restaurant LL#5087
Hula Hands Restaurant LL#4933
Mexico In Alaska Restaurant LL#1907
Yama Sushi LL#5543
Saverio's Pizzeria LL#5789
- **Package Store**
Liquor Locker LL#757
Matanuska Brewing Company LL#5723
- **Wholesale-General**
Republic National Distributing Company of Alaska LL#3964
- **Recreation Site-Grandfathered**
The Summit LL#5004

PROTEST

Renewal Liquor License

- **Beverage Dispensary**
Cattle Company Steakhouse LL#1090 – AR 2021-194
Pending taxes owed to the Municipality in the amount of \$4672.71 are paid in full, and certification from the Anchorage Fire Department has been received.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the June 8, 2021 Assembly Meeting.

Renewal Liquor License

- **Club**
Anchorage Elks Lodge #2868 LL#5236 – AR 2021-195
Pending certification from 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 June 8, 2021 Assembly Meeting.
- **Beverage Dispensary**
Time Out Lounge LL#1140 – AR 2021-198
Pending certification from 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 June 8, 2021 Assembly Meeting.

If you require additional information or if I can be of any assistance, please call me.

Cordially,

Kiana Belser

Digitally signed by Kiana Belser
Date: 2021.06.09 14:39:51
+08'00'

Kiana Belser

Business License Specialist



CC: Business Owners – Via Email

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

4/22/2021

ABC BOARD

LIQUOR LICENSE
2021 - 2022

1140

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2022 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2023 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispenser

LICENSE FEE: \$2,500.00

1104

CITY / BOROUGH: Anchorage, Muni. of
Anchorage

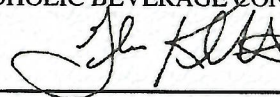
D/B/A: Time Out Lounge
4600 Old Seward Highway

Mail Address:
Icy Ivan, Inc.
4600 Old Seward Highway
Anchorage, AK 99503

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

☐ Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

04-900 (REV 9/09)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED

4/22/2021

ABC BOARD

LIQUOR LICENSE
2021 - 2022

1140

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ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

D/B/A: Time Out Lounge
4600 Old Seward Highway
Mailing Address:
Icy Ivan, Inc.
4600 Old Seward Highway
Anchorage, AK 99503

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 9/09)



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

Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

| | | | |
|--------------------|---------------------|-----------------|-----------|
| Doing Business As: | Time Out Lounge | License Number: | 1140 |
| License Type: | Beverage Dispensary | | |
| Examiner: | Kristina S. | Transaction #: | 100033558 |

| Document | Received | Completed | Notes |
|----------------------------|----------|-----------|----------------------|
| AB-17: Renewal Application | 1/4 | 4-22-2021 | Postmarked by 12/31. |
| App and License Fees | 1/4 | 4-22-2021 | |

| Supplemental Document | Received | Completed | Notes |
|-----------------------------|----------|-----------|-------|
| Tourism/Rec Site Statement | | | |
| AB-25: Supplier Cert (WS) | | | |
| AB-29: Waiver of Operation | | | |
| AB-30: Minimum Operation | | | |
| AB-33: Restaurant Affidavit | | | |
| COI / COC / 5 Star | | | |
| FP Cards & Fees / AB-08a | | | |
| Late Fee | | | |

| | |
|--------------------|--|
| Names on FP Cards: | |
|--------------------|--|

| | Yes | No |
|---|-------------------------------------|-------------------------------------|
| Selling alcohol in response to written order (package stores)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Mailing address and contact information different than in database (if yes, update database)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| In "Good Standing" with CBPL (skip this and next question for sole proprietor)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

LGB 1 Response: M O A

LGB 2 Response:

☐

Waive

☐

Protest

☐

Lapsed

☐

Waive

☐

Protest

☐

Lapsed



Alaska Alcoholic Beverage Control Board

Form AB-17: 2021/2022 License Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2020 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any complete application for renewal or any fees for renewal that have not been postmarked by 02/28/2021 will be expired per AS 04.11.540, 3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Establishment Contact Information

| | | | |
|-----------------------|---------------------|------------|------|
| Licensee (Owner): | Icy Ivan Inc. | License #: | 1140 |
| License Type: | Beverage Dispensary | | |
| Doing Business As: | Time Out Lounge | | |
| Premises Address: | 4600 Old Seward Hwy | | |
| Local Governing Body: | Anchorage | | |
| Community Council: | Midtown | | |

If your mailing address has changed, write the NEW address below:

| | | | | | |
|------------------|---------------------|--------|----|------|-------|
| Mailing Address: | 4600 Old Seward Hwy | | | | |
| City: | Anchorage | State: | AK | ZIP: | 99503 |

Section 1 – Licensee Contact Information

Contact Licensee: The individual listed below must be listed in Section 2 or 3 as an Official/Owner/Shareholder of your entity and must be listed on CBPL with the same name and title.

This person will be the designated point of contact regarding this license, unless the Optional contact is completed.

| | | | |
|-------------------|-----------------------|----------------|----------------|
| Contact Licensee: | Ann Ivanoff | Contact Phone: | (907) 830-7374 |
| Contact Email: | ivanoffjohn@yahoo.com | | |

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee about your license, list them below:

| | | | |
|------------------|-----------------------|----------------|----------------|
| Name of Contact: | John Ivanoff | Contact Phone: | (907) 830-7374 |
| Contact Email: | ivanoffjohn@yahoo.com | | |

| | | | |
|------------------|--|----------------|--|
| Name of Contact: | | Contact Phone: | |
| Contact Email: | | | |

| | | | |
|------------------|--|----------------|--|
| Name of Contact: | | Contact Phone: | |
| Contact Email: | | | |



Alaska Alcoholic Beverage Control Board

Form AB-17: 2021/2022 License Renewal Application

Section 2 – Entity or Community Ownership Information

Sole Proprietors should skip this Section.

Use the link from Corporations, Business and Professional Licensing (CBPL) below to assist you in finding the Entity #.

<https://www.commerce.alaska.gov/cbp/main/search/entities>

| | |
|-----------------------|--------|
| Alaska CBPL Entity #: | 120718 |
|-----------------------|--------|

READ BEFORE PROCEEDING: Any new or changes to Shareholders (10% or more), Managers, Corporate Officers, Board of Directors, Partners, Controlling Interest or Ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI-approved card stock, AB-08a's, payment of \$48.25 for each new officer with a date-stamped copy of the CBPL change per AS 04.11.045, 50 & 55, or a Notice of Violation will be issued to your establishment and your application will be returned.

The only exception to this is a Corporation who can meet the requirements set forth in AS 04.11.050(c).

DO NOT LIST OFFICERS OR TITLES THAT ARE NOT REQUIRED FOR YOUR ENTITY TYPE.

- Corporations of any type including non-profit must list ONLY the following:
 - All shareholders who own 10% or more stock in the corporation
 - Each President, Vice-President, Secretary, and Managing Officer regardless of percentage owned
- Limited Liability Corporations, of any type must list ONLY the following:
 - All Members with an ownership interest of 10% or more
 - All Managers (of the LLC, not the DBA) regardless of percentage owned
- Partnerships of any type, including Limited Partnerships must list ONLY the following:
 - Each Partner with an interest of 10% or more
 - All General Partners regardless of percentage owned

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, all required titles, phone number, percentage of shares owned (if applicable) and a full mailing address for each official of your entity whose information we require. If more space is needed: attach additional completed copies of this page. Additional information not on this page will be rejected.

| | | | | | |
|-------------------|-----------------------|--------|----------------|----------|-------|
| Name of Official: | Ann Ivanoff | | | | |
| Title(s): | & Secretary/President | Phone: | (907) 764-7444 | % Owned: | 100 |
| Mailing Address: | PO Box 211101 | | | | |
| City: | Anchorage | State: | AK | ZIP: | 99521 |

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

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

AMCO

**Form AB-17: 2021/2022 License Renewal Application****Section 3 – Sole Proprietor Ownership Information****Corporations, LLC's and Partnerships of ALL kinds should skip this section.**

READ BEFORE PROCEEDING: Any new or changes to the ownership of the business license must be reported to the ABC Board within 10 days of the change and must be accompanied by a full set of fingerprints on FBI approved cardstock, AB-08a's, payment of \$48.25 for each new owner or officer and a date stamped copy of the CBPL change per AS 04.11.045, or a Notice of Violation will be issued to your establishment and your application will be returned.

Important Note: All entries below must match our records, or your application will be returned per AS 04.11.270, 3 AAC 304.105. You must list full legal names, phone number, and mailing address for each owner or partner whose information we require.

If more space is needed, attach additional copies of this page. Additional owners not listed on this page will be rejected.

This individual is an: ☐ Applicant ☐ Affiliate

| | | | | | |
|------------------|--|--------|--|----------------|--|
| Name: | | | | Contact Phone: | |
| Mailing Address: | | | | | |
| City: | | State: | | ZIP: | |
| Email: | | | | | |

This individual is an: ☐ Applicant ☐ Affiliate

| | | | | | |
|------------------|--|--------|--|----------------|--|
| Name: | | | | Contact Phone: | |
| Mailing Address: | | | | | |
| City: | | State: | | ZIP: | |
| Email: | | | | | |

Section 4 – License Operation

Check ONE BOX for EACH CALENDAR YEAR that best describes how this liquor license was operated:

1. The license was regularly operated continuously throughout each year. (Year-round)

| | |
|-------------------------------------|-------------------------------------|
| 2019 | 2020 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

2. The license was only operated during a specific season each year. (Seasonal)

If your operation dates have changed, list them below:

_____ to _____

NA

| | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|

3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.

NA

| | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|

4. 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 calendar years. A complete 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.

NA

| | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|

If you have not met the minimum number of hours of operation in 2020, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "OTHER" and COVID is listed as the reason.

Section 5 – Violations and Convictions

Have ANY Notices of Violation been issued for this license OR has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2019 or 2020?

| | |
|--------------------------|-------------------------------------|
| Yes | No |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)

If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.



Alaska Alcoholic Beverage Control Board

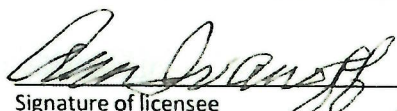
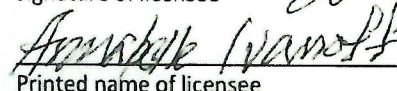
Form AB-17: 2021/2022 License Renewal Application

Section 6 – Certifications

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, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by 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 and potentially expired if I do not comply with statutory or regulatory requirements.
- 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.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and accurately listed, and I have provided AMCO with all required changes of Shareholders (10% or more), Managers, Corporate Officers/Board of Directors, Partners, Controlling Interest or Ownership of the business license, and have provided all required documents for any new or changes in officers.
- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons 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, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.
- 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 from what is currently approved and on file with the Alcoholic Beverage Control Board.

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.


Signature of licensee

Printed name of licensee




Signature of Notary Public

Notary Public in and for the State of: Alaska

My commission expires: 4/28/2024

Subscribed and sworn to before me this 30 day of December, 2020.

Restaurant/Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit

Recreational Site applications must include a completed Recreational Site Statement

Tourism applications must include a completed Tourism Statement

Wholesale applications must include a completed AB-25: Supplier Certification

All renewal and supplemental forms are available online

Any application that is not complete or does not include ALL required completed forms and fees will not be processed and will be returned per AS 04.11.270, 3 AAC 304.105.

FOR OFFICE USE ONLY

| | | | | | |
|-----------------|------------|------------------|-----------|------------|------------|
| License Fee: | \$ 2500.00 | Application Fee: | \$ 300.00 | Misc. Fee: | \$ |
| Total Fees Due: | | | | | \$ 2800.00 |

Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS & PROFESSIONAL LICENSING

State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database Download / Business License / License #930257

LICENSE DETAILS

License #: 930257

Print Business License

Business Name: TIME OUT LOUNGE

Status: Active

Issue Date: 06/02/2009

Expiration Date: 12/31/2022

Mailing Address: PO BOX 211101
ANCHORAGE, AK 99521-1101

Physical Address: 2720 KINGSBRIDGE CIRCLE
ANCHORAGE, AK 99504

Owners

ICY IVAN, INC.

Activities

| Line of Business | NAICS | Professional License # |
|--------------------------------------|--|------------------------|
| 72 - Accommodation and Food Services | 722410 - DRINKING PLACES (ALCOHOLIC BEVERAGES) | |

Endorsements

| End | Action | | | Action | Address |
|--------------|------------|------------|-----|--------|---|
| # Issue | Renew | Expiration | End | Note | |
| 1 12/12/2018 | 10/14/2020 | 12/31/2022 | | | 4600 OLD SEWARD HIGHWAY, ANCHORAGE, AK 99503 |

License Lapse(s)

If this business license lapsed within the last four years the lapsed periods will appear below. Lapsed periods are

Department of Commerce, Community, and Economic Development
**CORPORATIONS, BUSINESS & PROFESSIONAL
LICENSING**

State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database Download / Corporations / Entity Details

ENTITY DETAILS

Name(s)

| Type | Name |
|------------|----------------|
| Legal Name | Icy Ivan, Inc. |

Entity Type: Business Corporation

Entity #: 120718

Status: Good Standing

AK Formed Date: 2/25/2009

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2023

Entity Mailing Address: PO BOX 211101, ANCHORAGE, AK 99521-1101

Entity Physical Address: 2720 KINGSBRIDGE CIRCLE, ANCHORAGE, AK 99504

Registered Agent

Agent Name: Annabelle Ivanoff

Registered Mailing Address: PO Box 211101, Anchorage, AK 99521-1101

Registered Physical Address: 2720 Kingsbridge Circle, Anchorage, AK 99504

Officials

☐ Show Former

| AK Entity # | Name | Titles | Owned |
|-------------|-------------------|--|--------|
| | Annabelle Ivanoff | Treasurer, Director, President, Secretary, Shareholder | 100.00 |

Filed Documents

| Date Filed | Type | Filing | Certificate |
|------------|-----------------|-------------------------------|-------------|
| 2/25/2009 | Creation Filing | Click to View | |
| 2/01/2011 | Biennial Report | Click to View | |
| 5/20/2011 | Biennial Report | Click to View | |
| 1/03/2013 | Biennial Report | Click to View | |
| 12/30/2014 | Biennial Report | Click to View | |
| 11/04/2016 | Biennial Report | Click to View | |
| 12/12/2018 | Biennial Report | Click to View | |
| 10/14/2020 | Biennial Report | Click to View | |

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