



## MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: June 10, 2021

FROM: Carrie Craig, RLS

RE: #5236 Anchorage Elks Lodge #2868

**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to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body.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](http://www.muni.org/clerklicensing)

## Office of the Municipal Clerk Licensing

June 9, 2021

Ms. Carrie Craig  
Alaska Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> 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  
49<sup>th</sup> State Brewing LL#5744
- Winery  
49<sup>th</sup> 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



Alaska Alcoholic Beverage Control Board

# Master Checklist: Renewal Liquor License Application

<b>Doing Business As:</b>		<b>License Number:</b>	
<b>License Type:</b>			
<b>Examiner:</b>		<b>Transaction #:</b>	

Document	Received	Completed	Notes
AB-17: Renewal Application			
App and License Fees			

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			

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

**LGB 1 Response:**

**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):	Anchorage Elks Lodge #2868	License #:	5236
License Type:	Club		
Doing Business As:	Anchorage Elks Lodge #2868		
Premises Address:	3101 Penland Pkwy. Ste A-14, Anchorage, AK 99508		
Local Governing Body:	Municipality of Anchorage		
Community Council:	Airport Heights		

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

Mailing Address:	P.O. Box 240251		
City:	Anchorage	State:	AK
		ZIP:	99524

**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:	Janice Bruchhauser LEVRA	Contact Phone:	907.350.5554
Contact Email:	jbruchhauser@gci.net		

**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:	Todd Schlegel	Contact Phone:	907.230.6159
Contact Email:	schlegelj@gci.net		

Name of Contact:		Contact Phone:	
Contact Email:			

Name of Contact:		Contact Phone:	
Contact Email:			





# 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 #:	131132
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**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:	Janice Bruchhauser LEVRA				
Title(s):	President	Phone:	907.350.5554	% Owned:	0
Mailing Address:	2520 Brandy Cir				
City:	Anchorage	State:	AK	ZIP:	99516

Name of Official:	Susan Schlegel				
Title(s):	Secretary	Phone:	907.230.9455	% Owned:	0
Mailing Address:	12317 Gregg Lane				
City:	Anchorage	State:	AK	ZIP:	99515

Name of Official:	Jason Atuk				
Title(s):	Vice President	Phone:	907802.7882	% Owned:	0
Mailing Address:	3502 W. 42 <sup>ND</sup> AVE.				
City:	Anchorage	State:	AK	ZIP:	99517

AMCO

DEC 29 2021



# 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:

- |                                                                                                                                                                                                                                                                                                                                                                | 2019                                | 2020                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| 1. The license was <b>regularly operated continuously</b> throughout each year. (Year-round)                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 2. The license was <b>only operated during a specific season</b> each year. (Seasonal)<br><i>If your operation dates have changed, list them below:</i><br>_____ to _____                                                                                                                                                                                      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 3. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.<br><i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i>                                                                                                                               | <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 calendaryears. <i>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.</i> | <input type="checkbox"/>            | <input checked="" 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

**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.**

AMCO

DEC 29 2020



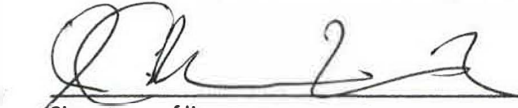
# Form AB-17: 2021/2022 License Renewal Application

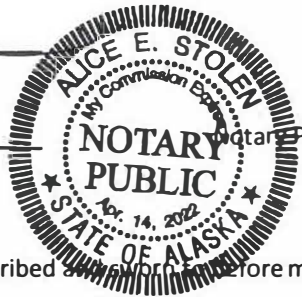
## Section 6 – Certifications

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  
 Janice Bruchhauser LEVRA  
 Printed name of licensee



  
 Signature of Notary Public

Notary Public in and for the State of: ALASKA

My commission expires: 4/14/2022

Subscribed and sworn to before me this 14 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:	\$ <u>1200</u>	Application Fee:	\$ 300.00	Misc. Fee:	\$
<b>Total Fees Due:</b>					\$ <u>1500</u>

AMCO

DEC 29 2020



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

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## ENTITY DETAILS

### Name(s)

Type	Name
Legal Name	B. P. O. E. Anchorage Lodge 2868

**Entity Type:** Nonprofit Corporation

**Entity #:** 131132

**Status:** Non-Compliant

**AK Formed Date:** 10/4/2010

**Duration/Expiration:** Perpetual

**Home State:** ALASKA

**Next Biennial Report Due:** 7/2/2020 [File Biennial Report](#)

**Entity Mailing Address:**

**Entity Physical Address:**

### Registered Agent

**Agent Name:** PAUL BUCHHOLZ

**Registered Mailing Address:**

**Registered Physical Address:** 3101 PENLAND PKWY, ANCHORAGE, AK 99508

### Officials

Show Former

AK Entity #	Name	Titles	Owned
	Alice Stolen	Director, Treasurer	
	Chuck Scherbaum	Vice President	
	Janice Bruchhauser-Levra	Director	

AK Entity #	Name	Titles	Owned
	Jason Atuk	Director, President	
	Susan Schlegel	Director, Secretary	

## Filed Documents

Date Filed	Type	Filing	Certificate
10/04/2010	Creation Filing	<a href="#">Click to View</a>	<a href="#">Click to View</a>
7/23/2012	Biennial Report	<a href="#">Click to View</a>	
3/07/2013	Change of Officials	<a href="#">Click to View</a>	
9/18/2014	Biennial Report	<a href="#">Click to View</a>	
1/29/2015	Agent Change	<a href="#">Click to View</a>	
8/14/2015	Change of Officials	<a href="#">Click to View</a>	
7/08/2016	Biennial Report	<a href="#">Click to View</a>	
5/01/2018	Biennial Report	<a href="#">Click to View</a>	

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

Division of Corporations, Business, and Professional Licensing  
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

**ANCHORAGE ELKS LODGE-2868**

3101 PENLAND PKWY, SUITE A-14, ANCHORAGE, AK 99508-1959

owned by

B.P.O.E. ANCHORAGE LODGE 2868

is licensed by the department to conduct business for the period

November 18, 2019 to December 31, 2020  
for the following line(s) of business:

81 - Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.  
It is not transferable or assignable.

Julie Anderson  
Commissioner