



## MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: June 15, 2021

FROM: Nathan Hall, Occupational Licensing Examiner RE: 5953 Two Trees Bistro New License Application

**Requested Action:** Reverse previous board approval with delegation with 180-day abeyance period.

**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.:** Deny the application with a 180-day abeyance.

**Background:** On May 26<sup>th</sup>, 2021, the Municipality of Anchorage protests due to pending approval of special land use permit as required by AMC 21.03.040C.4. a. and the Assembly as well as certification from the State of Alaska Fire Marshall and Building Safety Official.

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  
AB-00  
AB-02



# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

## Office of the Municipal Clerk Licensing

May 26, 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 **May 25, 2021** took the following final actions:

### **WAIVE OF PROTEST**

#### **Transfer Liquor License**

- **Beverage Dispensary**  
Trophy Lounge LL#1697 – AM 312-2021

#### **New Liquor License**

- **Restaurant/Eating Place**  
Sip LL#5940 – AM 314-2021

#### **Renewal Liquor License – AM 313-2021**

- **Beverage Dispensary**  
William A Eagan Civic & Convention Center LL#3234  
Tequila 61 LL#826
- **Beverage Dispensary-Tourism**  
Sheraton Anchorage Hotel & Spa LL#1443
- **Restaurant/Eating Place**  
Yamaya Restaurant LL#3728  
Originale LLC LL#5820
- **Brewpub**  
Glacier Brewhouse LL#3985

#### **Renewal Liquor License – AM 329-2021**

- **Beverage Dispensary**  
Chepo's Mexican Restaurant LL# 3765  
Serrano's Mexican Grill LL#635  
The New Peanut Farm LL#842  
Pancho's Villa LL#74  
Koots LL#225  
Garcia's Cantina LL#2275

- **Beverage Dispensary-Duplicate**  
Koots (North Bar) LL#2107  
Koots (Ice Bar) LL#1724
- **Beverage Dispensary-Tourism**  
Lakefront Anchorage-A Millennium Hotel LL#2486
- **Restaurant/Eating Place**  
Peters Sushi Spot LL#4517  
Bella Vista Pizzeria & Restaurant LL#107  
Muldoon Pizza LL#761  
Peking Wok Restaurant LL#2813
- **Package Store**  
Oaken Keg #1802 LL#792  
Oaken Keg #1805 LL#793  
Oaken Keg Spirit Shop #1809 LL#799  
Oaken Keg #1812 LL#1397  
Oaken Keg #1807 LL#1464  
Oaken Keg #1813 LL#1799  
Oaken Keg #1817 LL#2094  
Oaken Keg #2628 LL#4167  
Oaken Keg #0720 LL#795
- **Recreation Site**  
George Sullivan Arena LL#1842
- **Winery**  
Alaska Denali Winery LL#5090

## **PROTEST**

### **New Liquor License**

- **Beverage Dispensary-Tourism Duplicate**  
Two Trees Bistro LL#5953 – AR 2021-168  
Pending approval of special land use permit by the Assembly and certification from the State of Alaska Fire Marshal and Building Safety Official.  
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 25, 2021 Assembly Meeting.

### **Renewal Liquor License**

- **Restaurant/Eating Place**  
Peggy's Restaurant LL#1821 – AR 2021-170
  - Pending taxes owed to the Municipality in the amount of \$38,073.47 are paid in full.
  - Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 25, 2021 Assembly Meeting.

### **Renewal Liquor License**

- **Restaurant/Eating Place**  
Spoonline LL#5758 – AR 2021-171  
Pending certification from Land Use Enforcement.

-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 25, 2021 Assembly Meeting.

**Renewal Liquor License**

- **Restaurant/Eating Place**

Shanghai Tea Garden LL#1805 – AR 2021-172

Pending certification from Land Use Enforcement.

-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the May 25, 2021 Assembly Meeting.

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

Cordially,



Kiana Belser  
Business License Specialist

CC: Business Owners – Via Email





Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

## Form AB-03: Restaurant Designation Permit Application

### Section 7 – Certifications and Approvals

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

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons. This menu includes entrees that are regularly sold and prepared by the licensee at the licensed premises.

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.

I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted.  
*(AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)*

I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

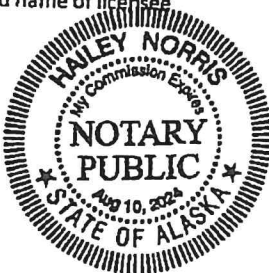
Signature of Notary Public

Mechille South

Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 8/10/2024



Subscribed and sworn to before me this 23 day of February, 2021.

Local Government Review (to be completed by an appropriate local government official):

Approved Denied

Signature of local government official

5/26/2021  
 Date



Kiara Belser  
 Printed name of local government official

Business License Specialist  
 Title



## Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application****What is this form?**

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

**This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.**

**Section 1 – Establishment and Contact Information**

Enter information for the business seeking to be licensed.

<b>Licensee:</b>	Alyeska Resort Operations Limited Partnership				
<b>License Type:</b>	Beverage Dispensary - Tourism Duplicate	<b>Statutory Reference:</b>	04.11.400(d)		
<b>Doing Business As:</b>	Two Trees Bistro				
<b>Premises Address:</b>	1000 Arlberg Avenue				
<b>City:</b>	Girdwood	<b>State:</b>	AK	<b>ZIP:</b>	99587
<b>Local Governing Body:</b>	Municipality of Anchorage				
<b>Community Council:</b>	Girdwood Community Council				

<b>Mailing Address:</b>	9820 - 100th Avenue, Box 280				
<b>City:</b>	Grand Prairie	<b>State:</b>	Alberta, Canada	<b>ZIP:</b>	T8V0T8

<b>Designated Licensee:</b>	Amanda Hawes				
<b>Contact Phone:</b>	907-754-2246	<b>Business Phone:</b>	907-754-2246		
<b>Contact Email:</b>	mhawes@alyeskaresort.com				

Seasonal License? ☐ Yes ☒ No ☐ If "Yes", write your six-month operating period: N/A

OFFICE USE ONLY					
<b>Complete Date:</b>		<b>License Years:</b>		<b>License #:</b>	
<b>Board Meeting Date:</b>		<b>Transaction #:</b>			
<b>Issue Date:</b>		<b>BRE:</b>			



Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

### Section 2 – Premises Information

Premises to be licensed is:

☐

an existing facility

☒

a new building

☐

a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

Girdwood Elementary School; 2.1 miles

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

Chapel of Our Lady of the Snows; 0.4 miles

### Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	



Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

### Section 4 – Entity Ownership Information

This section must be completed by any **entity**, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a **corporation**, the following information must be completed for each **stockholder 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**.

Entity Official:	Alyeska Resort Operations GP LLC				
Title(s):	General Partner	Phone:	780-814-5295	% Owned:	0.01%
Address:	9820 - 100th Avenue, Box 280				
City:	Grande Prairie	State:	Alberta, Canada	ZIP:	T8V0T8

Entity Official:	Seven Glaciers Hotel Limited Partnership				
Title(s):	Limited Partner	Phone:	780-814-5295	% Owned:	99.99%
Address:	9820 - 100th Avenue, Box 280				
City:	Grande Prairie	State:	Alberta, Canada	ZIP:	T8V0T8

Entity Official:	Amanda Katherine Hawes				
Title(s):	Affiliate	Phone:	907-754-2246	% Owned:	0
Address:	1000 Arlberg Avenue				
City:	Girdwood	State:	AK	ZIP:	99587

Entity Official:	Ryan Pomeroy				
Title(s):	Affiliate	Phone:	780-814-5295	% Owned:	0
Address:	9820 - 100th Avenue, Box 280				
City:	Grande Prairie	State:	Alberta, Canada	ZIP:	T8V0T8

Entity Official:	Stefan Nasalski				
Title(s):	Affiliate	Phone:	780-814-5295	% Owned:	0
Address:	9820 - 100th Avenue, Box 280				
City:	Grande Prairie	State:	Alberta, Canada	ZIP:	T8V0T8



Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10093750	AK Formed Date:	10-31-2018	Home State:	AK
Registered Agent:	Dolores Owen		Agent's Phone:	907-586-3340	
Agent's Mailing Address:	9360 Glacier HWY STE 202				
City:	Juneau	State:	AK	ZIP:	99801

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

☒☐

### Section 5 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

☒☐

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Stefan Nasalski Ryan Pomeroy, and Amanda K Hawley: Hotel Alyeska, Hotel, Beverage Dispensary - Tourism License Number 3445; Seven Glaciers Lounge, Restaurant, Beverage Dispensary - Tourism Duplicate License Number 3446; Sitzmark Bar & Grill, Restaurant, Beverage Dispensary - Tourism Duplicate License Number 3447; The Sundry Shop at Alyeska, Retail Alcohol, Package Store License 3449; Sakura Asian Bistro, Restaurant, Beverage Dispensary - Tourism Duplicate License Number 5210; The Pond Cafe, Restaurant, Beverage Dispensary - Tourism Duplicate License Number 5211; Bore Tide Deli, Restaurant, Beverage Dispensary - Tourism Duplicate License Number 5466.

### Section 6 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☒☐

If "Yes", disclose the name of the individual and the reason for this authorization:

Jessica Brown - Local Liquor Counsel





Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

**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 proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

I certify that all proposed licensees have been listed with the Division of Corporations.

I certify 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.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

As an applicant for a liquor license, 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.

Signature of licensee

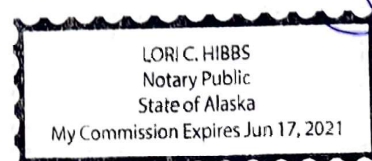
Printed name of licensee

Signature of Notary Public

Notary Public in and for the State of Anchorage Municipality

My commission expires: June 17, 2021

Subscribed and sworn to before me this 19<sup>th</sup> day of January, 2021.





## Alaska Alcoholic Beverage Control Board

**Form AB-02: Premises Diagram****What is this form?**

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

**The second page of this form is not required.** Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

**This form must be completed and submitted to AMCO's main office before any license application will be considered complete.**

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

**Section 1 – Establishment Information**

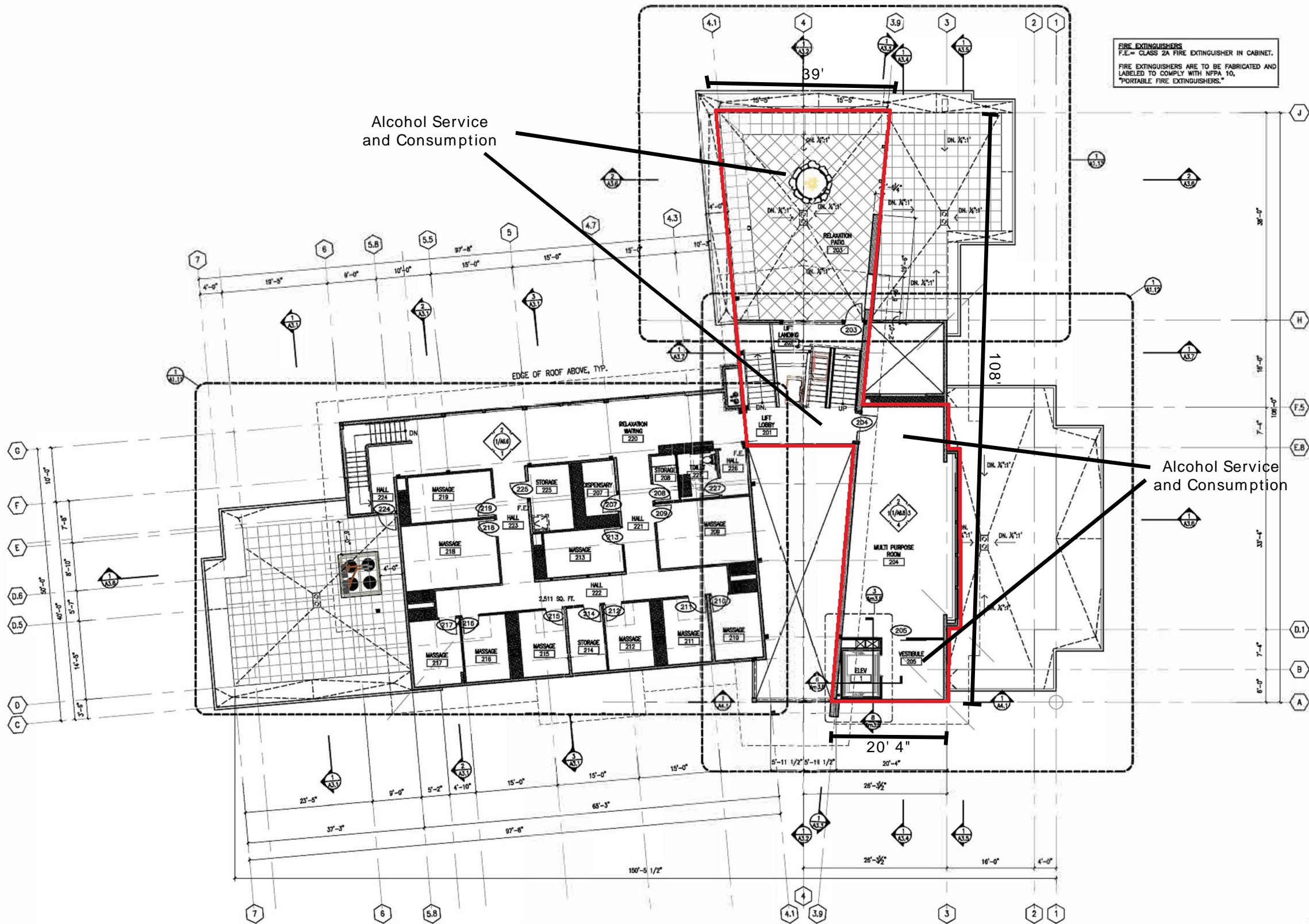
Enter information for the business seeking to be licensed, as identified on the license application.

<b>Licensee:</b>	Alyeska Resort Operations Limited Partnership	<b>License Number:</b>	
<b>License Type:</b>	Beverage Dispensary - Tourism Duplicate		
<b>Doing Business As:</b>	Two Trees Bistro		
<b>Premises Address:</b>	1000 Arlberg Avenue		
<b>City:</b>	Girdwood	<b>State:</b>	AK
		<b>ZIP:</b>	99587









1 SECOND FLOOR PLAN  
SCALE: 1/8" = 1'-0"



CONSTRUCTION DOCUMENTS  
9-22-20 FINAL SET



ZARCHITECTS  
ARCHITECTS • PLANNING • INTERIORS • LANDSCAPE



ALYESKA RESORT NORDIC SPA  
MAIN BUILDING  
BIRCHWOOD, ALASKA

CONSTRUCTION DOCUMENTS

SECOND FLOOR PLAN

SUBMITTAL: 04.03.2020  
DRAWN BY: MAZ  
CHECKED BY: MAZ  
REVISIONS:

JOB NUMBER 19-03  
COPYRIGHT 2019  
MAIN BUILDING

AM1.2

BACK OF HOUSE:  
2,111 S.F. PER IBC.  
2,277 SQ. FT. PER M.O.A.



**FIRE EXTINGUISHERS**  
F.L.-CLASS 2A FIRE EXTINGUISHER IN CABINET.  
FIRE EXTINGUISHERS ARE TO BE FABRICATED AND  
LABELLED TO COMPLY WITH NFPA 10.  
PORTABLE FIRE EXTINGUISHERS.

1 BASEMENT FLOOR PLAN  
SCALE: 1/8" = 1'-0"



Alcohol  
Storage

CONSTRUCTION DOCUMENTS  
9-22-20 FINAL SET



Z ARCHITECTS

Alyeska  
RESORT

ALYESKA RESORT NORDIC SPA  
MAIN BUILDING  
GREENDOCK, ALASKA

CONSTRUCTION DOCUMENTS

BASEMENT FLOOR PLAN

SUBMITTAL: 04.03.2020  
DRAWN BY: MAZ  
CHECKED BY: MAZ  
REVISIONS:

JOB NUMBER 19-03  
COPYRIGHT 2019  
MAIN BUILDING

AM1.0

Two Trees Bistro  
Outdoor/Indoor Serving Security Plan

1. All minors must be accompanied by an adult (age over 21) while in the restricted area when any alcohol is being served/sold/consumed.
2. All new patrons are carded upon ordering alcohol.
3. All staff is trained in the identification of fake IDs.
4. A six-foot metal security fence is around the outdoor servicing area.
5. Underaged persons will be monitored closely by our professionally trained alcohol servers.
6. Proper egress from the outdoor service area will always remain unobstructed.
7. ABC mandated posters as required by law are posted inside Two Trees Bistro and at the entrances of the outdoor seating area.
8. All entrances and exits will provide clear notice that NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.
9. Keeping outdoor seating area viable without any increased risk to minors exposed to alcohol WILL continue to be a part of our training for our staff.
10. All safety related operations for our current liquor service will additionally be enforced in the new service area.
11. Proper signage at points of entry indicating no minors without a parent or legal guardian will be posted.
12. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.
13. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages.
14. Servers will be present in the outdoor area to monitor consumption.