



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: September 16, 2021

FROM: Kristina Serezhenkov, OLE

RE: #5170 La Bodega

**Requested
Action:**

Rescind the previous approval with delegation, hold an informal hearing and deny the 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to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body.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 August 17, 2021 ABC Board meeting, the Board approved the transfer license application with delegation. On September 16, 2021, the Municipality of Anchorage protested the application pending certification from the Anchorage Fire Department.

Staff Recommendation: Rescind previous approval and deny the application with 180-day abeyance.

Attachment:

Municipality of Anchorage Protest

AB-01

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

September 15, 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 **September 14, 2021** took the following final actions:

PROTEST

New Liquor License

- **Restaurant/Eating Place**
El Pastor, LLC LL#5954 – AR 2021-284
Pending certification from the State Fire Marshal.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the September 14, 2021 Assembly Meeting.

New Liquor License

- **Recreation Site**
Hilltop Ski Area LL#5982 – AR 2021-283
Pending approval of special land use permit by the Assembly.
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the September 14, 2021 Assembly Meeting.

Transfer Liquor License

- **Package Store**
La Bodega LL#5170 – AR 2021-285
Pending certification from 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 September 14, 2021 Assembly Meeting.

New Liquor License

- **Winery**
Hive Mind Meadery LLC LL#5971 – AR 2021-286
Pending approval of special land use permit by the Assembly and certification from 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 September 14, 2021 Assembly Meeting.

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

AMCO Received 9/15/2021

Cordially,



Kiana Belser
Business License Specialist

CC: Business Owners – Via Email



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing 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, AS 04.11.280, AS 04.11.290, 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 - Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	Isles, Inc.	License #:	5170		
License Type:	Package Store	Statutory Reference:	04.11.150		
Doing Business As:	La Bodega				
Premises Address:	1200 W Northern Lights, Suite F,				
City:	Anchorage	State:	AK	ZIP:	99503
Local Governing Body:	MOA				

Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

OFFICE USE ONLY

Complete Date:	7/29/21	Transaction #:	100072227
Board Meeting Date:	8/17/21	License Years:	20-21
Issue Date:		BRE:	CC



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 2 – Transferee Information

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	Isles, Inc .				
Doing Business As:	La Bodega				
Premises Address:	718 K Street				
City:	Anchorage	State:	AK	ZIP:	99501
Community Council:	Downtown				

Mailing Address:	P.O. Box 242522				
City:	Anchorage	State:	AK	ZIP:	99524

Designated Licensee:	Pamela Hatzis				
Contact Phone:	907-830-9148	Business Phone:	907-569-3800		
Contact Email:	pamela@labodegastore.com				

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

Section 3 – 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.

0.4 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.

0.6 Miles



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.

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:	

Section 5 – 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 6.

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:	Pamela Hatzis				
Title(s):	Dir., Pres., Sec., Tres., SH	Phone:	907-830-9148	% Owned:	100
Address:	194 Olympic Mountain Loop #C111				
City:	Girdwood	State:	AK	ZIP:	99587



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

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 #:	10000346	AK Formed Date:	9/9/2011	Home State:	AK
Registered Agent:	Pamela Hatzis		Agent's Phone:	907-830-9148	
Agent's Mailing Address:	P.O. BOX 242522				
City:	Anchorage	State:	AK	ZIP:	99524

Residency of Agent: Yes No

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

MAY 20 2021



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee 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):

Package Store License #5111 (physically located at 530 E Benson Blvd. Suite 5, Anchorage, AK 99503)
Package Store License #996 (physically located at 194 Olympic Mountain Loop, Unit C107, Girdwood, AK 99587)
Package Store License #5170 (physically located at 1200 W Northern Lights, Suite F, Anchorage, AK 99503)

Section 7 – 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:

The Law Offices of Ernouf & Coffey, P.C. is assisting with the transfer application process.



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a controlling interest of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

phatys

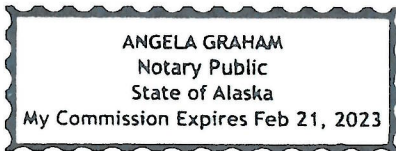
Signature of transferor

Pamela Hatzis

Pamela Hatzis

Printed name of transferor

Subscribed and sworn to before me this 5th day of May, 2021.



Angela Graham

Signature of Notary Public

Notary Public in and for the State of Alaska.

My commission expires: Feb 21, 2023

Signature of transferor

Printed name of transferor

Subscribed and sworn to before me this ____ day of _____, 20____.

Signature of Notary Public

Notary Public in and for the State of _____.

My commission expires: _____



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 9 – Transferee 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.

PH

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

PH

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.

PH

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.

PH

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

PH

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 transferee

Pamela Hatzis

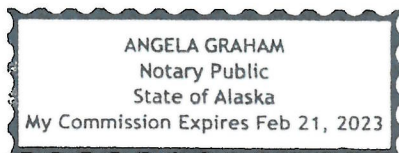
Pamela Hatzis

Printed name

Subscribed and sworn to before me this 5th day of May, 2021.

[Signature]

Signature of Notary Public



Notary Public in and for the State of Alaska

My commission expires: Feb 21, 2023



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

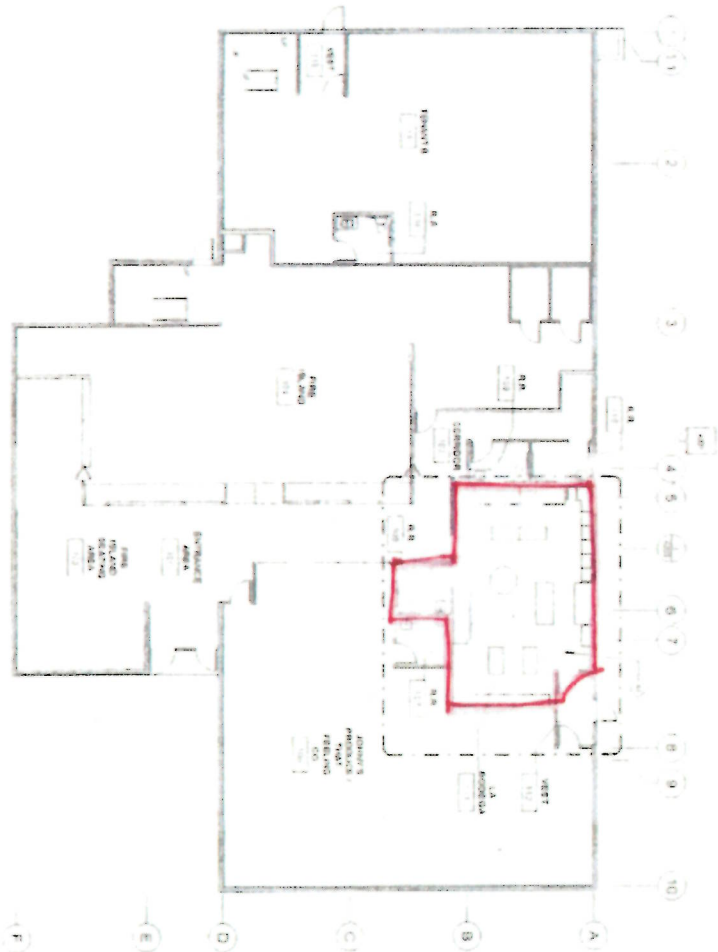
I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

Section 1 – Establishment Information

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

Licensee:	Isles, Inc .	License Number:	5170		
License Type:	Package Store				
Doing Business As:	La Bodega				
Premises Address:	718 K Street				
City:	Anchorage	State:	AK	ZIP:	99501

FIRST FLOOR PLAN REFERENCE



WEST 7TH AVENUE

K STREET

AMCO
MAY 20 2021

ARCHITECTURAL KEY NOTES
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 ANCHORAGE BUILDING CODE.
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 ANCHORAGE ELECTRICAL CODE.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 ANCHORAGE MECHANICAL CODE.



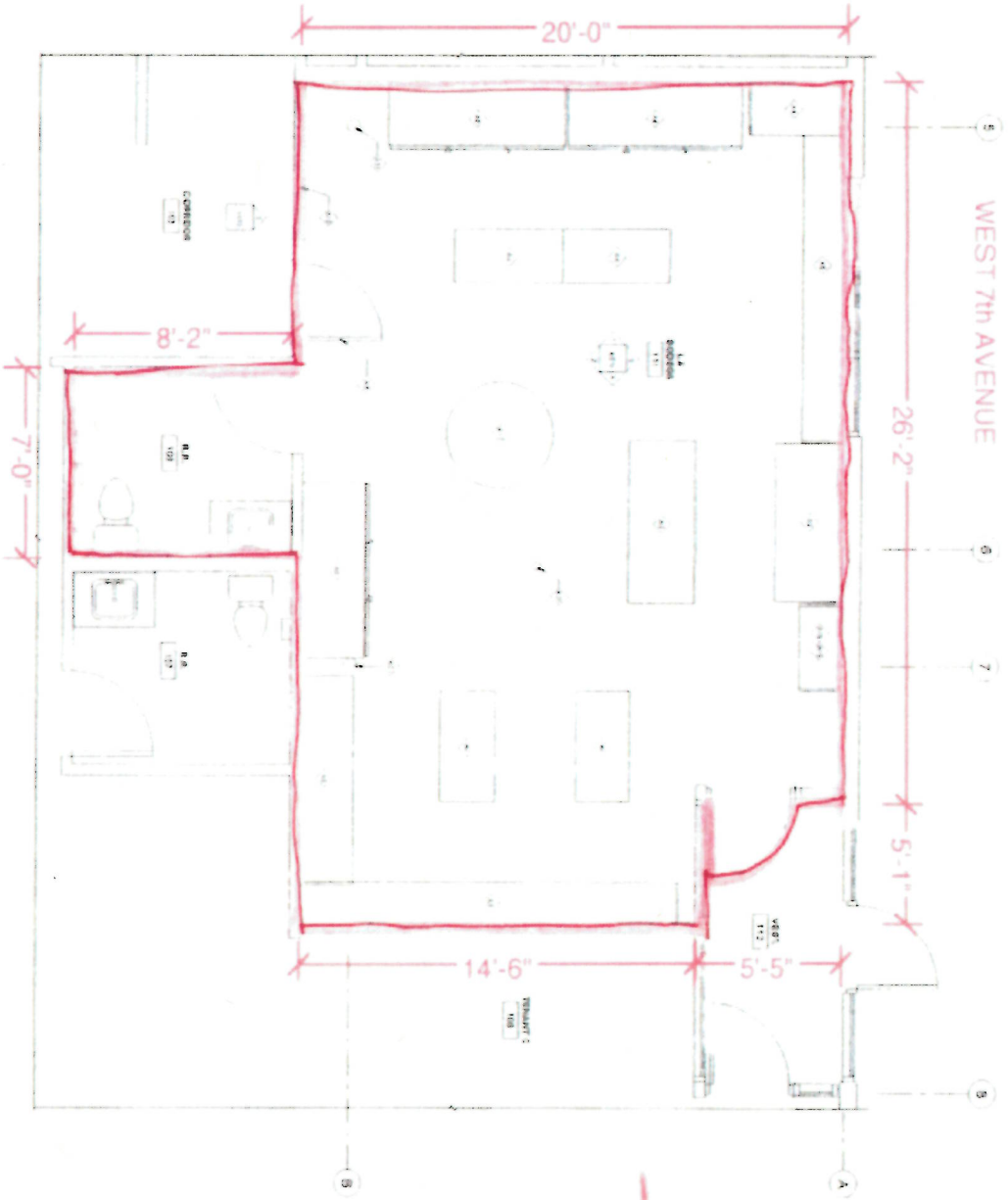
CONCEPT DESIGN

DATE	05/20/21
DESIGNED BY	AMCO
CHECKED BY	
PROJECT NO.	
CLIENT	
LOCATION	
REVISIONS	
SHEET NO.	A201

LA BODEGA STORES
 K STREET TENANT
 IMPROVEMENT
 710 K STREET, ANCHORAGE, AK 99501

Burkhart Craft
 ARCHITECTS LLC
 200 N. Stearns Street, Suite 202 | Anchorage, Alaska 99501
 T: 907.924.9924 | www.burkhartcraft.com

1 STORE LAYOUT PLAN
(Scale: 1/8" = 1'-0")



Premises

ARCHITECTURAL KEY NOTES

1. FINISH ON PAINT
2. GROUND FLOOR - VERTICAL CURB BY 60 DEGREE OR APPROVED EQUAL
3. 2" x 4" VERTICAL CURB BY 90 DEGREE BUTY-CASTERS
4. 1" x 1" VERTICAL CURB BY 90 DEGREE BUTY-CASTERS
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100. 2" x 4" VERTICAL CURB BY 90 DEGREE BUTY-CASTERS



CONCEPT DESIGN

DATE	20.12.21
DESIGNER	AMCO
CHECKED BY	AMCO
PROJECT NO.	LA BODEGA STORES
DRAWING TITLE	STORE LAYOUT PLAN
REVISIONS	
SHEET NO.	A202

LA BODEGA STORES
 K STREET TENANT
 IMPROVEMENT
 718 K STREET ANCHORAGE AK 99501

AMCO
 MAY 8 0 7 21
 Burkhart Craft
 ARCHITECTS
 510 N. Stearns Street, Suite 101 | Anchorage, Alaska 99501
 T 907.562.9554 | www.burkhart-craft.com