

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

MEMORANDUM

TO: Alcoholic Beverage Control Board DATE: September 16, 2021

FROM: Kristina Serezhenkov, OLE RE: #5954 El Pastor LLC

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to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body.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 new license application with delegation. On September 16, 2021, the Municipality of Anchorage protested the application pending certification from the Fire Marshal.

Staff Recommendation: Rescind previous approval, hold an informal hearing and deny the application with a 180-day abeyance.

Attachment:

Municipality of Anchorage Protest AB-00 AB-02 AB-03 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.

Cordially,

Kiana Belser

Business License Specialist

CC: Business Owners - Via Email



Alaska Alcoholic Beverage Control Board

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

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. Licensee: El Pastor LLC License Type: Restaurant/Eating Place Statutory Reference: AS04.11.100 Doing Business As: FI Pastor I I C 12300 Old Glenn Highway **Premises Address:** State: Alaska ZIP: 99577 City: Eagle River Local Governing Body: Municipality of Anchorage **Community Council:** Eagle River Valley 12300 Old Glenn Highway Mailing Address: ZIP: Eagle River State: Alaska 99577 City: Cesar Gutierrez Romo **Designated Licensee: Contact Phone:** 907-231-9314 **Business Phone:** 907-726-0511 Contact Email: elpastorak@yahoo.com Yes If "Yes", write your six-month operating period: Seasonal License? OFFICE USE ONLY License Years: License #: Complete Date: 5954 **Board Meeting Date:** Transaction #: 10004 376 Issue Date: BRE:



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Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

	Sec	tion 2 - Pren	nises Info	ormation		
Premises to be licensed is:						
an existing facility	a ne	w building	a propose	d building		
The next two questions mus	st he completed h	ov heverage disnens:	ary (including (tourism) and nackage stor	e annlicar	nts only:
•						-
	-		-	nce of the building of your asswe		premises to
Market at the state of the	h					
	-		-	nce of the building of your surement in your answer.	proposed	l premises to
				<u> </u>		
	oction 2	Sala Branziat	or Ourne	robin Informatio		
3	ection 3 – ,	sole Propriet	or Owner	rship Informatio	 	
This section must be comple					to Section	4.
If more space is needed, ple The following information m	•		-			
This individual is an:	applicant	affiliate				
Name:						
Address:	3					
City:			State:		ZIP:	
	1					
This individual is an:	applicant	affiliate				
		F-2				
Name:						
Name: Address:	<u> </u>					



Alaska Alcoholic Beverage Control Board

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Form AB-00: New License Application

Section 4 - Entity Ownership Information

This section must be completed by any <u>entity</u>, 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 <u>corporation</u>, 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 <u>limited liability organization</u>, 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 <u>partnership</u>, including a <u>limited partnership</u>, the following information must be completed for each partner with an interest of 10% or more, and for each general partner.

Entity Official:	Cesar Gutierrez Romo						
Title(s):	Manager, Member	Phone:	907-231-9314	% Ow	ned:	95	
Address:	8800 Banjo Circle	r !=					
City:	Anchorage	State:	AK	ZIP:	995	502	
Entity Official:	Yanet D Perez Romo					7	
Title(s):	Member	Phone:	907-250-9234	% Ow	ned:	5	
Address:	8800 Banjo Circle						
City:	Anchorage	State:	AK	ZIP: 99502		502	
Entity Official:							
Title(s):		Phone:		% Ow	ned:		
Address:							
City:		State:		ZIP:			
Entity Official:							
Title(s):		Phone:		% Ow	ned:		
Address:			* y- =				
City:		State:		ZIP:			



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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 #.	1012/182	AK Formed Date:	03/10/2020	Home State.	AIL	
Registered Agent:	Cesar Gutier	rez Romo	Agent's Phone:	907-231-93	314	
Agent's Mailing Address:	12300 Old GI	enn Hwy				
City:	Eagle River	State:	AK	ZIP:	99577	,
Residency of Agent:					Yes	No
Is your corporation or LLC	C's registered agent a	n individual resident of	the state of Alaska?		/	
	Sect	tion 5 – Other L	icenses			
Ownership and financial intere	st in other alcoholic	beverage businesses:			Yes	No
Does any representative of any other alcoholic bever of "Yes", disclose which individuences number(s) and licens	age business that do	es business in or is licer	nsed in Alaska?		Alaska, wh	√ ich
ACTION AND COMMEN	Sec	tion 6 – Authoi	rization			
Communication with AMCO sta	ff:				Yes	No
Does any person other the	an a licensee named	in this application have	authority to discuss	this license with		√
If "Yes", disclose the name o	of the individual and t	the reason for this auth	orization:			1
[Form AB-00] (rev 10/10/2016)					Page	4 of 5



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Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

	Section 7 - Ce	ertifications	
Read each line below, and then si	gn your initials in the box to the ri	ght of each statement:	Initials
I certify that all proposed licensee	s (as defined in AS 04.11.260) and	affiliates have been listed on this application.	(6)
I certify that all proposed licensee	s have been listed with the Divisio	n of Corporations.	C6
	viding a false statement on this for cation or revocation of any license	m or any other form provided by AMCO is grounds issued.	C.G
patron will complete an approved serving alcoholic beverages, will co	alcohol server education course, if	coholic beverages or check the identification of a required by AS 04.21.025, and, while selling or rent course card or a photocopy of the card required by 3 AAC 304.465.	C6
I agree to provide all information	required by the Alcoholic Beverage	Control Board in support of this application.	C.6
		that I have read and am familiar with AS 04 and 3 Aments, is true, correct, and complete.	AC 304, and
Signature of licensee		Signature of Notary Public	
Coco Clions	D and Not	ary Public in and for the State of ALASU	A
Printed name of licensee	Notary Public JENNIFER B. VEILI State of Alaska My Commission Expires Ma	EUX My commission expires: 5/17	12021
	Subscribed and sworn to before	ore me this 19 day of NOVEMBEAL	_ 2020



Alaska Alcoholic Beverage Control Board

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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 <u>second page</u> 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
have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.						
10.0016 - 0.00 -		i.4 15	***			
	Section 1 – Establishme	ent informat	ioù (
Enter information for the	business seeking to be licensed, as identified on t	the license applicat	ion.			
Licensee:	El Pastor LLC	License	Number:			
License Type:	Resturant/Eating Place			•		
Doing Business As:	El Pastor LLC					
Premises Address:	12300 Old Glenn Highway	_ =				
City:	Eagle River	State:	AK	ZIP:	99577	,

[Form AB-02] (rev 06/24/2016)



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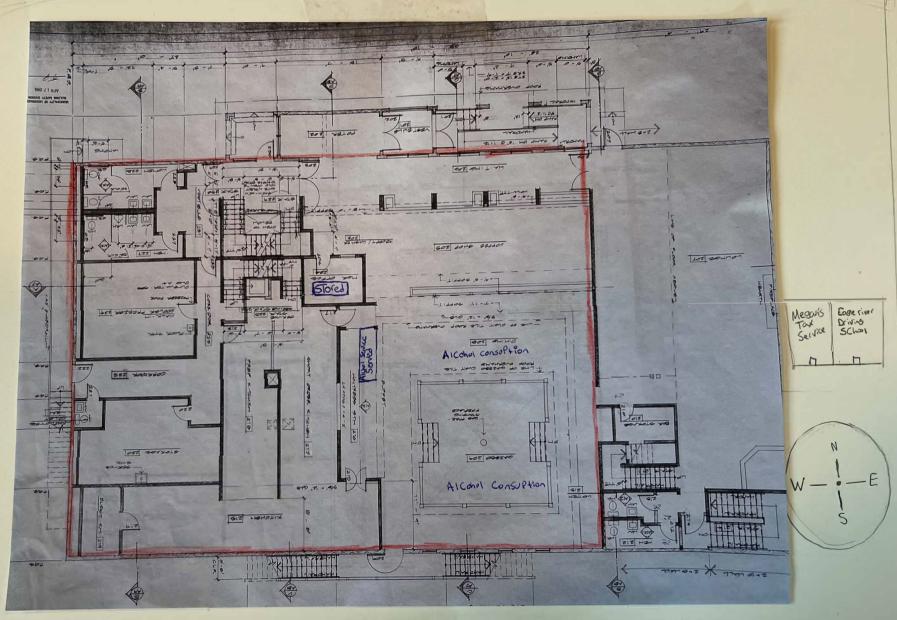
Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

Section 2 - Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, crossstreets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

Please see attached	
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OLD GLEMU HISHWAY -



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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

What is this form?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A menu or expected menu listing the meals, including entrees prepared onsite and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

Section 1 - Establishment Information Enter information for licensed establishment. Licensee: El Pastor LLC License Type: Restaurant/Eating Place License Number: **Doing Business As:** El Pastor LLC **Premises Address:** 12300 Old Glenn Hwy City: Eagle River State: AK ZIP: 99577 Contact Name: Cesar Gutierrez Romo **Contact Phone:** 907-231-9314 Section 2 - Type of Designation Requested

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

Dining after standard closing hours: AS 04.16.010(c)
 Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
 Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
 Employment for persons 16 or 17 years of age: AS 04.16.049(c)
 NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.



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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 3 - Minor Access

Section 3 – Winor Access	
Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)	(COM)
ist where within the premises minors are anticipated to have access in the course of either dining or employment as designa section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitch	
Minor will only be allowed in the dining area. Our Kitchen Staff will be 21 and older	
Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while Jining or employed at your premises.	:
The Beer & Wine will be store in a designated an locked storage.	
Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?	No
Section 4 – DEC Food Service Permit	
Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.	
Please follow this link to the DEC Food Safety Website: http://dec.alaska.gov/eh/fss/food/ Please follow this link to the Municipality Food Safety Website:	
http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx	
IF you are unable to certify the below statement, please discuss the matter with the AMCO office:	tials
I have attached a copy of the current food service permit for this premises OR the plan review approval.	.6
*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license	
application.	

[Form AB-03] (rev 4/16/2019 Page 2 of 5



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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

	Section 5 – Hour	rs of Operation	
view AS 04.16.010(c).			
ter all hours that your est	ablishment intends to be open. Include	variances in weekend/weekday ho	urs, and indicate am/pm:
Monday, Tuesday, W	ednesday, Thursday & Fruday	y: 8:00am to 9:30pm	
Caturday & Cunday	0.00am to 0.00am		72 10 10 10 10
Saturday & Sunday:	5.00am to 9.00pm		
	Sastian & Entai	tainment & Service	
Review AS 04.11.100(g)(2)	Section 6 - Enter	tainment & Service	
NEVIEW M3 04.11.100(g)(2)			Yes No
	nment offered or available within the li	censed business or	
within the proposed licen	sed premises?		
If "Voe" doseriho the ent	utainmant offered as available and the	have in which the automorphism and	
it "Yes", describe the enti	rtainment offered or available and the	nours in which the entertainment	may occur:
A 14 - 10 - 10			
Food and beverage service	e offered or anticipated is:		
			other
✓ table service	buffet service	counter service	other
If "other", describe the m	anner of food and beverage service of	fered or anticipated:	



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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section	on 7 – Certifications and Approvals	
Read each line below, and then sign your in	nitials in the box to the right of each statement:	Initials
There are tables or counters at my establish	hment for consuming food in a dining area on the premises.	CG
	n expected menu, listing the meals to be offered to patrons. rly sold and prepared by the licensee at the licensed premises	c _G
I certify that the license for which I am required golf course, or restaurant or eating place license.	uesting designation is either a beverage dispensary, club, recreense.	eational site,
(AB-03 applications that accompany	of the most recent AB-02 or AB-14 for the premises to be pe a new or transfer license application will anal copy of their premises diagram.)	rmitted.
I declare under penalty of perjury that this f correct, and complete.	form, including all attachments and accompanying schedules a	and statements, is true,
Signature of licensee	Signature of Notary	Public
(esac Gulanz Rano	Market Dublis is and for the State of	ALASLIA
goat and a second	Notary Public JENNIFER B. VEILLEUX State of Alaska My commission exp My Commission Expires May 17, 2021	
Sub	scribed and sworn to before me this 19 day of NOVE	<u> </u>
Local Government Review (to be complete	ed by an appropriate local government official):	Approved Denied
Signature of local government official	Date	
Printed name of local government official	Title	



https://www.con

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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review:	Enforcement Recommendation:	Approve	Deny
		П	
Signature of AMCO Enforcement Supervisor	Printed name of AMCO Enforcement Supervisor		
Date			
Enforcement Recommendations:			i i
		43 16))	98
AMCO Director Review:		Approved	Denied
			r.:
Signature of AMCO Director	Printed name of AMCO Director		
Date			
Limitations:			

Main dishes

Enchiladas...\$13.75 Traditional red queso fresco enchiladas

Fraditional red queso fresco enchiladas served with house potatoes

Chile reyeno...\$13.75

Batter Poblano pepper filled w/queso fresco served w/rice,beans and tortillas

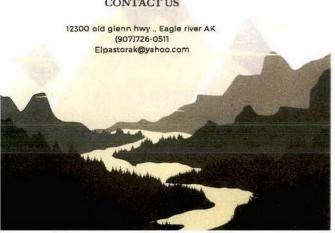
Tamales...\$13.75

Chose from red mole pork or green salsa cheese

Carne Asada...\$13.75

Delicious strips of broiled ranchera meat served whith rice & beans and tortillas





Dessert

Dulce de leche cookie box...\$5.75 Strawberry empanadas...\$5.75 Fried ice cream bars...5.75 Lemon cookie cake...\$3.75 Sweet tamales...\$5.75



Drinks

Fountain...\$1.95

Horchata...\$2.75

Jarritos...\$2..25





STREET TACOS

AL PASTOR \$2.25 BIRRIA RED TACO CHORIZO Carnitas Grilled CK CARNE ASADA

\$2.75 **SHRIMP**

SALMON

\

HALIBUT

APETTZERS

NACHOS

Chesse.. \$8.25 Jalapeno...\$9.25 **Loaded..** \$10.95

topped w/refried beans your choice meat cheese garnishd with lettece and fresh

guacamole

TAQUITOS

\$8.50

rolled turkey brest ham crispy taquitos servrd whith special queso dip

DIPS

Guacamole dip \$6.95

BeanDip..\$5.75

Queso Dip... \$6.25

Fried quesadilla

\$7.95

Made whith fresh corn masa dough filled w/ranchero chesse toped w lettece and creamy chipotle sauce

QUESADILLA

Chesse... \$6.95

CHICKEN-BEEF-STEAK

Taco salad

Fortilla bowl filled w/beans your choice of meat toped whith lettece cheese and guac...\$8.50

Avocado Lime Salad

Mixed greens grilled \$7.50 chicken and honey lime vinagigerete

Torta...\$8.50

Your choice of meat sandwich topped w avocado lettuce,tomatoe and cotija cheese

Gordita...\$3.75

Corn masa pastry filled w/refried beans chicharrones in tomatoe salsa garnish w/ lettece

SOUPS

Cup ..\$5.50 Bowl...\$8.95

SPICY SHRIMP

A nice Hearty,spicy shrimp potatoes ,carrot and corn prepared whith fresh herbs and spices

Menudo

Traditional mexican soup made with beef honey comb tripe red chilli pepper base lime chopped onions crushed oregano and fire roasted red peppers served with home

POZOLE

Traditional pozole made with Homney slow cooked pork, roasted red peppers garlic,onion &spices

Chicken

Clasic simple made with fresh oregano leaves ck broth, carrot, potatoe and fresh tortillas

BURRITOS

SUPREME

Smuthered in gravy sauce filled w/refried beans your choice of meat chesse garnish w/

TRADITIONAL

Soft flour tortilla Filed with beans rice potatoes fresh pico de gallo hot salsa and your choice of meat

*** \$10.95

GRILLED VEGGAN

Filed whith beans rice potatoes, salad and a house fresh poblano corn salsa grilled to perfection..... \$10.95

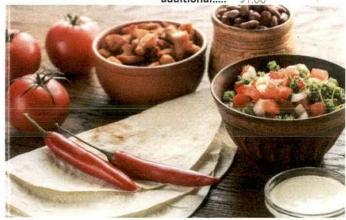
CHIMICHANGA

Golden crispy burrito filled with beans cheese your choice of meat....\$10.95

BEAN & CHEESE

Bean & Cheese... Small \$2.95 - Lrg \$4.95

Add beef or chiken for additional..... \$1.00



THIS PERMIT MUST BE CONSPICUOUSLY POSTED IN A PUBLIC PLACE IN THE ESTABLISHMENT

Municipality of Anchorage
DEPARTMENT OF HEALTH & HUMAN SERVICES

PERMIT

FACILITY NAME

EL PASTOR

OWNER'S NAME:

EL POSTOR LLC

LOCATION:

12300 OLD GLENN HWY

PERMIT NO.

FA0016628

ISSUED BY THE DEPARTMENT OF HEALTH & HUMAN SERVICES AND SUBJECT TO THE ANCHORAGE MUNICIPAL CODE OF ORDINANCES TITLES 15 AND 16. UNLESS THE OWNERSHIP CHANGES, THIS PERMIT IS VALID FROM 1/1/2021 TO 12/31/2021

EL PASTOR 8800 BANJO CIR ANCHORAGE, AK 99502

70-031 Ver. 9_02 *

THIS CERTIFICATE AND PERMIT IS NOT TRANSFERABLE AND IS THE PROPERTY OF THE MUNICIPALITY OF ANCHORAGE