



	Approved	Denied
Action taken	6/14/04	
Other:		
Verified by:	Amities	

COUNCIL ACTION MEMORANDUM

AM No. 04-34

TITLE: APPROVAL OF A NEW BEVERAGE DISPENSARY TOURISM LIQUOR LICENSE FOR THE TROPHY ROOM BAR AND GRILL.

Agenda of: May 24, 2004
 Originator: Jamie Newman, Deputy Clerk

Date: June 3, 2004

Route to:	Department	Signature/Date
X	Police	
	Recreational and Cultural Services Library, Museum	
X	Public Works Planning	S. Guly 06-03-04 [Signature]
X	Finance *signature required	[Signature]
X	Clerk	Amities

REVIEWED BY MAYOR DIANNE M. KELLER: Dianne M. Keller

FISCAL IMPACT: yes\$ or no Funds Available yes no

Account name/number:

Attachments: ABC Board Application

SUMMARY STATEMENT: We received the attached liquor license application for a new beverage dispensary tourism liquor license for the Trophy Room Bar and Grill located at 2900 Parks Highway.

Something that we discovered with this application is that an applicant may apply for a beverage dispensary tourism license which is based on the amount of population, if an establishment such as a hotel, as it is in this case, has 30 or more rooms. This type of license includes beer, wine and spirits.

Pursuant to AS 04.11.480 the council may protest the approval of a liquor license application by furnishing the ABC Board and the applicant with a clear and concise written statement of reasons in support of their protest.

STAFF RECOMMENDED ACTION: To authorize the clerk to submit a letter of non-objection to the ABC Board regarding a new beverage dispensary tourism liquor license for Trophy Room Bar and Grill.

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: June 1, 2004

Application Type: NEW **X**

 TRANSFER
 Ownership
 Location
 Name Change

Governing Body: **City of Wasilla**
Community Councils: None

License #: 4419
License Type: **Beverage Dispensary Tourism**
D.B.A.*: Trophy Room Bar & Grill
Licensee/Applicant: Twins Inc.
Physical Location: 2900 Parks Hwy

Mail Address: P O Box 72049 Wasilla AK 99654
Telephone #: 907-688-0374 907-688-0377 Fax
EIN: 65-1222625

Corp/LLC Agent:	Address	Phone	Date and State of Limited Partnership	Good standing?
John Emmi	21650 Graybill Chugiak AK 99567	907-688- 0374	February 27, 2004	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
John Emmi	8/22/67	21650 Graybill Chugiak AK 99567	907-688-0379	President 50%
Ernie Emmi	8/22/67	21650 Graybill Chugiak AK 99567	907-688-0379	Sec/Treasurer 50%

If **transfer** application, current license information:

License #: N/A
Current D.B.A.: N/A
Current Licensee: N/A
Current Location: N/A

Additional comments: Restaurant Designation Permit Application will be sent via.
ORIGINAL APPLICATION MUST BE RETURNED.

****Date of Birth**
*** Doing Business As**

Cc:

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is “arbitrary, capricious and unreasonable”. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 15 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Sincerely,

/s/ Dawn Holland-Williams

Dawn Holland-Williams
Records & Licensing Supervisor