

Submitted by: ASSEMBLY CHAIR OSSIANDER,  
VICE CHAIR DRUMMOND, AND  
ASSEMBLY PUBLIC SAFETY  
COMMITTEE CHAIR GUTIERREZ

CLERK'S OFFICE

Prepared by: Municipal Clerk  
For reading: September 15, 2009

APPROVED

Date: 9-15-09

ANCHORAGE, ALASKA  
AR NO. 2009-211

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS  
PROTEST REGARDING A NEW RESTAURANT EATING PLACE LIQUOR LICENSE  
#4935 AND RESTAURANT DESIGNATION PERMIT FOR ALASKA INFOTECH  
CORPORATION, KABAB & CURRY, LOCATED AT 3801 LOIS DRIVE, AND  
AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Alaska Infotech Corporation has made an application with the Alcoholic  
Beverage Control (ABC) Board and has paid the required fee for a new Restaurant Eating  
Place Liquor License #4935 and Restaurant Designation Permit, to be used for Kabab &  
Curry, located at 3801 Lois Drive, Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days  
following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on  
July 28, 2009 and has determined that the last day for the Assembly to file a protest is  
September 26, 2009; and

WHEREAS, the Assembly Meeting on September 15, 2009 is the last scheduled  
regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents are on file that would lead to an  
ABC Board violation;
2. No taxes are owing to the Municipality of Anchorage;
3. Anchorage Fire Department approval was received on July 31, 2009;
4. Administrative site plan review, required by AMC 21.50.500, **has not been  
completed**;
5. Approvals from the Municipal Health & Human Services and Building Safety  
Departments **have not been received**; and

WHEREAS, protest by the Assembly is in order until Municipal Clerk confirmation that  
outstanding items required for this location have been completed;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The Anchorage Assembly hereby enters its **PROTEST** for a new Restaurant Eating Place Liquor License #4935 and Restaurant Designation Permit until these conditions are met:

- Successful completion of the administrative site plan review under AMC 21.50.500 is confirmed by the Municipal Clerk.
- Approvals from the Municipal Health & Human Services and Building Safety Departments are confirmed by the Municipal Clerk.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of Restaurant Eating Place Liquor License #4935 and Restaurant Designation Permit under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 15<sup>th</sup> day of September, 2009.

  
Chair

ATTEST:

  
Municipal Clerk



# State of Alaska

Department of Public Safety

## Alcoholic Beverage Control Board

Sean Parnell, Governor  
Joseph Masters, Commissioner

July 28, 2009

Municipality of Anchorage  
Barbara Gruenstein  
P.O. Box 196650  
Anchorage, Alaska 99519

**Re: Kabab & Curry – License #4935 – Restaurant Designation Permit application enclosed.**

We have received the enclosed application for a new liquor license within the Municipality of Anchorage. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

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.

**Alcoholic Beverage Control Board**

4049 E Tudor Rd. Anchorage, AK 99507 Voice (907) 260-0350 Fax (907) 272-0412

Alcoholic Beverage Control Board  
5848 E Tudor Rd  
Anchorage, AK 99507

## New Liquor License

PAGE 1 OF 2

(907) 269-0350  
Fax: (907) 272-9412  
www.dps.state.ak.us/abc

This application is for:

- ☐ Seasonal - Two 6-month periods in each year of the biennial period beginning \_\_\_\_\_ and ending \_\_\_\_\_  
☒ Full 2-year period

Mo/Day Mo/Day

#5287

SECTION A. LICENSE INFORMATION. Must be completed for all types of applications.			FEEs
License Year:	License Type:	Statute Reference	License Fee: \$
(Office Use Only) License #: 4935	RESTAURANT EATING PLACE	Sec. 04.11.100	Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized)	Community Council Name(s) & Mailing Address:		Fingerprint: (\$4.25 per person)
ANCHORAGE	SPENARD		Total Submitted: \$
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership):	Doing Business As (Business Name):	Business Telephone Number:	#804.25
ALASKA INFOTECH CORP	KABAS & CURRY.	907 359 9699	
Mailing Address:	Street Address or Location of Premise:	Email Address:	
2130 E 56TH AVE #114	3801 LOIS DR.		
City, State, Zip:	ANCHORAGE AK 99517		
ANCHORAGE AK 99507			
SECTION B. PREMISES TO BE LICENSED. Must be completed.			
Closest school grounds	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Closest church:	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Premises to be licensed is:	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings)		
<input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input checked="" type="checkbox"/> Diagram of premises attached		

### SECTION C. Individual, corporate officer, limited liability organization member, manager or partner background.

Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☐ Yes ☒ No If Yes, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State

Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☐ Yes ☒ No If Yes, attach written explanation.

Office use only

Date Approved	Director's Signature
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# Liquor License

**Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.**

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership) <b>ALASKA INFOTECH</b>	Telephone Number <b>350 0723</b>	Fax Number
Corporate Mailing Address: <b>2130 E 56<sup>th</sup> Avenue J114</b>	City <b>Anchorage</b>	State <b>AK</b>
Zip Code <b>99507</b>	Date of Incorporation OR Certification with DCED <b>OCT 29, 2003</b>	State of Incorporation <b>AK.</b>
Name, Mailing Address and Telephone Number of Registered Agent		
Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <u>must</u> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.		

**Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)**

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
SUPRIYA A. BAGCHI	PRESIDENT	100	2130 E 56 <sup>th</sup> Ave - J114 Anchorage AK 99507	350 0723	06 Nov 81

**NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.**

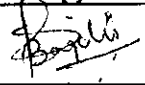

**Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)**

Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:

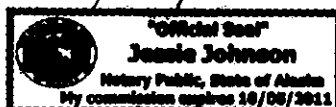
**Declaration**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

**Signature of Licensee(s)**

Signature 	Signature
Name & Title (Please Print) <b>SUPRIYA BAGCHI</b>	Name & Title (Please Print)
Subscribed and sworn to before me this <b>6<sup>th</sup></b> day of <b>May</b> , <b>2009</b> .	Subscribed and sworn to before me this day of
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska
My commission expires: <b>10/05/2011</b>	My commission expires:

New License App 3/09



**STATE OF ALASKA**  
**ALCOHOLIC BEVERAGE CONTROL BOARD**  
**APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 13 AAC 104.715-794**  
**FEE: \$50.00**

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 19 for employment. If for employment, please state in detail, how the person will be employed, duties, etc. (13 AAC 104.745).

This application is for designation of premises where: (please mark appropriate items).

- 1 ☒ Under AS 04.16.010(c) Bona fide restaurant/eating place. License Number \_\_\_\_\_  
2 ☒ Persons age 16 to 20 may dine unaccompanied.  
3 ☒ Persons under 16 may dine accompanied by a person 21 years or older.  
4 ☒ Persons between 16 and 17 years may be employed. \*(See note below).

LICENSEE: ALASKA INFOTECH.

D/B/A: KABAB & CURRY.

ADDRESS: 2801 LOIS DRIVE ANCHORAGE AK 99517

1. Hours of Operation: 11 Am to 11 PM Telephone # 350 0722  
2. Have police ever been called to your premises by you or anyone else for any reason: ☐ Yes ☒ No  
If yes, date(s) and explanation(s).

3. \* Duties of employment: (See Book) waiter, waitress

4. Are video games available to the public on your premises? -- NO --

5. Do you provide entertainment: ☐ Yes ☒ No If yes, describe.

6. How is food served? ☒ Table Service ☐ Buffet Service ☐ Counter Service ☐ Other\*

7. Is the owner, manager, or assistant manager always present during business hours? ☐ Yes ☒ No

\*\*\* **A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION** \*\*\*

This permit remains in effect until the liquor license is transferred OR at the discretion of the Alcoholic Beverage Control Board. (13 AAC 104.795)

I certify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and have instructed my employees about provisions contained therein.

[Signature]  
Applicant(s) signature

Subscribed and sworn to before me this

28th day of July 2009

[Signature]  
Notary Public in and for Alaska

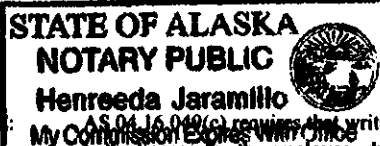
My Commission expires W/O

Application approved (13 AAC 104.725(e))  
Governing Body Official

Date: \_\_\_\_\_

Director, ABC Board

Date: \_\_\_\_\_



NOTE: AS 04.16.049(c) requires that written parental consent and an exemption by the Department of Labor must be provided to the licensee by the employee who is under 19 years of age. Persons 19 and 20 years of age are not required to have the consent or exemption.

\* Describe how food is served on back of form.

STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

**INSTRUCTIONS:** Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: KABAB & CURRY

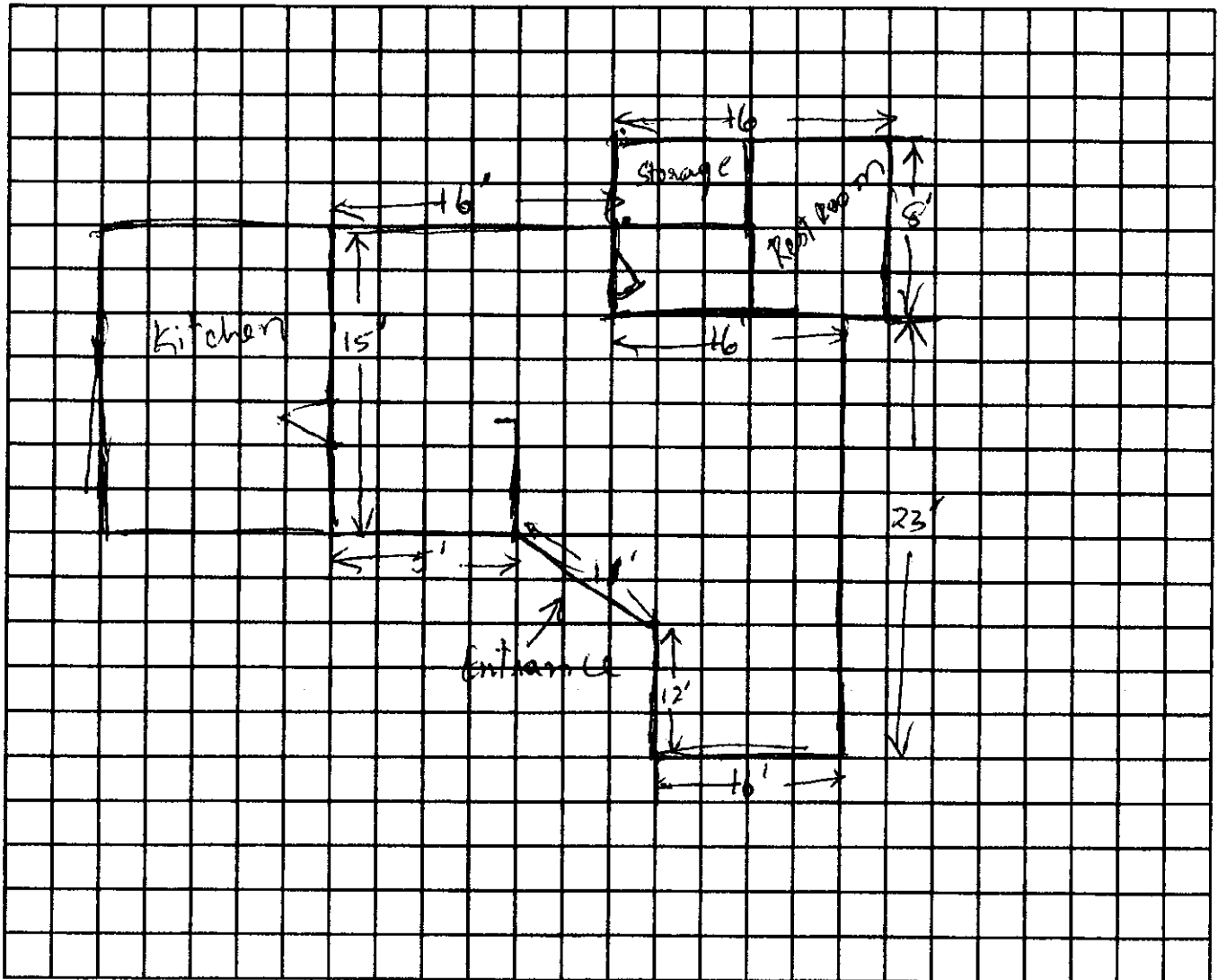
PREMISES LOCATION: 3801 LOIS DR. ANCHORAGE AK USA 99517

Indicate scale by x after appropriate statement or show length and width of premises.

SCALE A: \_\_\_\_\_ 1 SQ. = 4 FT.      SCALE B: \_\_\_\_\_ 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in *red*  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**



**Content ID:** 008117**Type:** AR\_AllOther - All Other Resolutions

**Title:** A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A NEW RESTAURANT EATING PLACE LIQUOR LICENSE #4935 AND RESTAURANT DESIGNATION PERMIT FOR ALASKA INFOTECH CORPORATION, KABAB & CURRY, LOCATED AT 3801 LOIS DRIVE, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION

**Author:** delongmm**Initiating Dept:** Muni\_Clk**Date Prepared:** 9/3/09 10:31 AM**Assembly Meeting Date:** 9/15/09

<b><u>Workflow Name</u></b>	<b><u>Action Date</u></b>	<b><u>Action</u></b>	<b><u>User</u></b>	<b><u>Security Group</u></b>	<b><u>Content ID</u></b>
Clerk_Admin_SubWorkflow	9/3/09 10:37 AM	Exit	Michelle M. DeLong	Public	008117
AllOtherARWorkflow	9/3/09 10:37 AM	Checkin	Michelle M. DeLong	Public	008117