

Submitted by: ASSEMBLY CHAIR FLYNN,
VICE CHAIR GUTIERREZ, AND
ASSEMBLY PUBLIC SAFETY
COMMITTEE CHAIR CLAMAN

CLERK'S OFFICE
APPROVED

Prepared by: Municipal Clerk
For reading: February 16, 2010

Date: 2-16-10

**ANCHORAGE, ALASKA
AR NO. 2010-38**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING THE TRANSFER OF RESTAURANT EATING PLACE LIQUOR
LICENSE #2099 AND RESTAURANT DESIGNATION PERMIT FOR HOT STIXX, LLC.
DBA:HOT STIXX, LOCATED AT 1921 W DIMOND BLVD, AND AUTHORIZING THE
MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, Hot Stixx, LLC has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for the transfer of Restaurant Eating Place Liquor License #2099 and Restaurant Designation Permit, to be used for Hot Stixx, located at 1921 W Dimond Blvd, 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 December 31, 2009 and has determined that the last day for the Assembly to file a protest is March 1, 2010; and

WHEREAS, the Assembly Meeting on February 16, 2010 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. Fire Department approval was received on January 28, 2010;
4. Health Department approval was received on February 3, 2010;
5. Administrative site plan review, required by AMC 21.50.500, **has not been completed**; 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:


1 Section 1. The Anchorage Assembly hereby enters its **PROTEST** for the transfer of
2 Restaurant Eating Place Liquor License #2099 and Restaurant
3 Designation Permit until this condition is met:
4

- 5 • Successful completion of the Administrative Site Plan Review
6 under AMC 21.50.500 is confirmed by the Municipal Clerk.
7

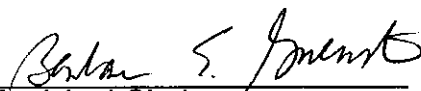
8 Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic
9 Beverage Control Board as proof that the Anchorage Assembly, as the
10 local governing body, has stated its protest in order to allow the Director
11 of the Alcoholic Beverage Control Board to hold processing of
12 Restaurant Eating Place Liquor License #2099 and Restaurant
13 Designation Permit under local protest, until receipt by the Director of
14 confirmation from the Municipal Clerk that the conditions in Section 1
15 have been met, and this protest is lifted as authorized by this Assembly
16 Resolution.
17

18 Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon
19 Municipal Clerk confirmation that all conditions in Section 1 have been
20 met, to provide written notification to the Alcoholic Beverage Control
21 Board that this protest by the Anchorage Assembly is lifted, without
22 further action by the Assembly.
23

24
25 PASSED AND APPROVED by the Anchorage Assembly this 16th day of
26 February, 2010.
27
28

29
30
31
32 
33 Chair

34 ATTEST:

35
36
37 
38 Municipal Clerk
39
40



State of Alaska

Department of Public Safety

Alcoholic Beverage Control Board

Sean Parnell, Governor

Joseph A Masters, Commissioner

December 30, 2009

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

Re: Hott Stixx – License #2099

☒ Transfer of Ownership ☐ Name Change ☒ Restaurant Designation Permit
☐ Transfer of Location Old License # (if changed): _____

We have received the enclosed liquor license application 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 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

rj

Alcoholic Beverage Control Board

5848 E Tudor Rd Anchorage, AK 99507 Voice (907) 260 0250 Fax (907) 272 0412

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

Transfer 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 _____
Mo/Day Mo/Day
- ☐ Full 2-year period

SECTION A - LICENSE INFORMATION. Must be completed for all types of applications			FEES	
License Year: <u>2010-2011</u>	License Type: <u>RESTAURANT</u>	Statute Reference: Sec. 04.11 <u>100</u>	License Fee: \$	
License #: <u>2099</u>	Local Governing Body: (City, Borough or Unorganized) <u>ANCHORAGE</u>		Filing Fee: \$100.00	
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>HOTT STIXX, L.L.C.</u>		Community Council Name(s) & Mailing Address: <u>SAND LAKE</u>		Fingerprint: (\$54.25 per person)
Mailing Address: <u>821 CEDAR STREET</u> City, State, Zip: <u>ANCHORAGE AK 99501</u>		Doing Business As (Business Name): <u>HOTT STIXX</u>		Business Telephone Number: <u>(907) 563-8888</u>
Street Address or Location of Premise: <u>1921 W. DIMOND BLVD</u>		Fax Number:		Email Address:
City, State, Zip: <u>ANCHORAGE AK 99501</u>		Business Telephone Number: <u>(907) 563-8888</u>		Fax Number:
Street Address or Location of Premise: <u>1921 W. DIMOND BLVD SUITE 106</u>		Fax Number:		Email Address:
SECTION B - TRANSFER INFORMATION.				
<input type="checkbox"/> Regular Transfer		Name and Mailing Address of CURRENT Licensee: <u>YOUNG, OK. KONG</u>		
<input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application (15 AAC 104.107). Real or personal property conveyed with this transfer must be described. Provide security interest documents.		Business Name (dba) BEFORE transfer: <u>WOK EXPRESS RESTAURANT</u>		
<input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.		Street Address or Location BEFORE transfer: <u>1921 W. DIMOND BLVD SUITE 106</u>		
SECTION C - PREMISES TO BE LICENSED. Must be completed for RELOCATION applications.				
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"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input type="checkbox"/> Not applicable		
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?		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input type="checkbox"/> Diagram of premises attached		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, complete the following. Attach additional sheets if necessary.				
Name	Name of Business	Type of License	Business Street Address	State
<u>Glenn W. Korte</u>	<u>Long Beach Saloon & Beverage Dispensing</u>	<u>BEVERAGE DISPENSING</u>	<u>1737 E. DIMOND BLVD</u>	<u>ALASKA</u>
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?				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, attach written explanation.				

Online use only

Date Approved

Director's Signature

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): <u>HOTT STICK, L.L.C.</u>		Telephone Number: <u>(907) 244-3532</u>	Fax Number:
Corporate Mailing Address: <u>821 CEDAR STREET</u>	City: <u>ANCHORAGE</u>	State: <u>ALASKA</u>	Zip Code: <u>99501</u>
Name, Mailing Address and Telephone Number of Registered Agent: <u>HOTT STICK (907) 244-3532</u> <u>Glenn W. Kent</u>		Date of Incorporation OR Certification with DCED: <u>October 22, 2009</u>	State of Incorporation: <u>ALASKA</u>
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
Glenn W. Kent Jr	mm	52	3470 FOXLAKE CR ANCH, AK 99508	(907) 244-3532	5/09/1966
JOHN KANSON YEE	Member	24	4141 GRAPE HILL ANCH, AK 99505	(907) 562-3702	10/06/1958
MICHAEL ROBERT WILKE	Member	24	821 CEDAR ST ANCH, AK 99501	(907) 244-0532	12/23/1981

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: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> 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 Current Licensee(s)		Signature of Transferee(s)	
Signature <u>[Signature]</u>	Signature <u>[Signature]</u>	Signature <u>[Signature]</u>	Signature <u>[Signature]</u>
Name & Title (Please Print) <u>Young, E. Kent</u>	Name & Title (Please Print) <u>Glenn W. Kent Jr (mm.)</u>	Name & Title (Please Print) <u>Glenn W. Kent Jr (mm.)</u>	Name & Title (Please Print) <u>Glenn W. Kent Jr (mm.)</u>
Subscribed and sworn to before me this <u>13th</u> day of <u>NOVEMBER</u> , 2009	Subscribed and sworn to before me this <u>6th</u> day of <u>November</u> , 2009	Subscribed and sworn to before me this <u>6th</u> day of <u>November</u> , 2009	Subscribed and sworn to before me this <u>6th</u> day of <u>November</u> , 2009
Notary Public in and for the State of Alaska <u>[Signature]</u>	Notary Public in and for the State of Alaska <u>[Signature]</u>	Notary Public in and for the State of Alaska <u>[Signature]</u>	Notary Public in and for the State of Alaska <u>[Signature]</u>
My commission expires: <u>10-15-11</u>	My commission expires: <u>10-15-11</u>	My commission expires: <u>10-15-11</u>	My commission expires: <u>10-15-11</u>

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.
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 19 years may be employed. (See note below).

LICENSEE: Hootsivk, L.L.C.

D/B/A: Hootsivk

ADDRESS: 1921 W. Dimond Blvd

1. Hours of Operation: _____ to _____ Telephone # _____
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: Bus Boys, Dishwashing, Prep work

4. Are video games available to the public on your premises? _____

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
12th day of November 2009

[Signature]
Notary Public in and for Alaska

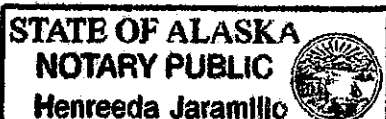
My Commission expires 2/0

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: HOT STIXX

PREMISES LOCATION: 1921 W Diamond Blvd #106 Anchorage, AK 99515

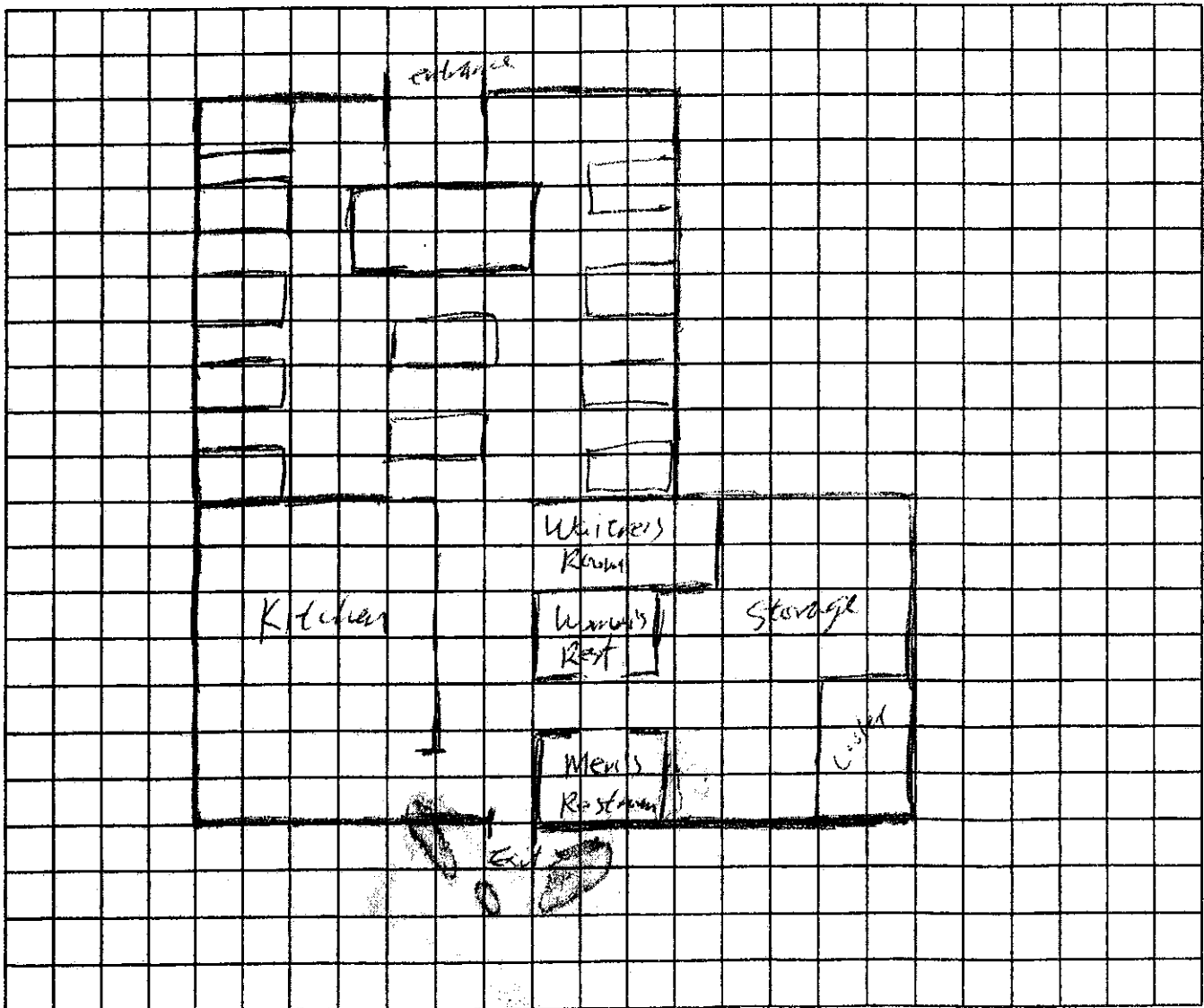
Indicate scale by x after appropriate statement or show length and width of premises.

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.



HOTT STIXX

ENTREES

- **Chow Fun \$14**
Rice noodles seared in a hot wok with flank steak, Bok Choy, scallions, yellow onions and fresh ginger
- **House Raman \$12**
seafood broth, hard boiled egg, Bamboo shoots, nori, fish cakes, dikon sprouts, pickled ginger, Seasonal vegetables
* Add Extra Spice*
- **Steamed Ak rockfish \$16**
Fresh herb salad worm sesame vinaigrette garlic bits, red peppers bacon, sesame seeds
- **Fresh Dungeness Crab \$19**
Flash fried and tossed in a hot wok with red chili oil served with steamed Bok Choy
- **Black Bean Clams \$16**
Fermented black bean and oyster sauce, fresh ginger, garlic, asparagus
- **Cilantro Chicken \$18**
Cornish hen infused with fresh cilantro, Chinese mustard glazed served with house fried rice.
- **Grilled Beef Sandwich \$13**
Grilled flank steak, fresh baked baguette, pickled dikon and carrot, cilantro, green onions, and jalapeño, with Schezuan peppercorn fries

DESSERTS

- **Stixx Ice creams \$5**
Sampler plate or bowl
Vanilla five spice
Ginger mango
Green tea
Fortune cookie
- **Adzuki bean soup \$5**
Slow cooked in coconut milk served with house vanilla ice cream
- **Bread pudding \$5**
Jasmine infused caramel sauce, pears Golden raisins
- **Tempura banana \$5**
Coconut tempura batter almond stixx Ginger crème
- **Miso Crème Brule \$5**
Light Miso, caramelized organic sugar, candied ginger

- **Soy Ginger Bison burger \$13**
Grilled Apples, bib lettuce, red onions, tomatoes, bacon, and a fresh baked bun
- **Duck Breast \$17**
brailed duck breast, golden beets, spinach, rice cakes, red peppers
- **Grilled Rib Eye \$22**
"Kalbe" Marinated Rib Eye, roasted fingerling potatoes, and a fresh onion soy.
- **Surf & Turf \$29**
5oz of fillet of beef and 5oz ahi served with Yuzu mash potatoes and Chinese broccoli.

SIDES

- **XO Asparagus \$6**
- **Steamed Bok Choy \$6**
- **House Fried Rice \$6**
- **Schezuan fries \$6**
- **Kim chee \$6**

*Please alert us of any food allergies you may have *Food served rare on menu is prepared with a raw center *18% gratuity for parties of 8 or more

HOTT STIXX

APPETIZERS

- **Dim Sum Sampler \$10**
Hand made Chinese dumplings served with house dipping sauces
- **Chicken Wings \$9**
Eight peace chicken wings with spicy Thai chili sauce topped with cilantro
- **Laughing Buns \$9**
Steamed Buns stuffed with barbeque pork belly, Cucumber and House BBQ Sauce
- **Lettuce Wraps \$9**
Chinese sausage, shitake mushrooms, onions, radish, lean ground pork, ginger, scallions butter leaf lettuce
- **Seared Ahi Roll \$11**
seared ahi, snow crab salad, fresh cucumber, red chili aioli, ginger soy
- **Ak Oysters \$12**
Six Peterson Bay oysters, ginger sake, sweet chili relish and fresh scallions
- **Fresh rolls \$8**
Basil, mint, noodles, dikon, cucumber
Toasted peanut sauce

SOUPS

- **Congee \$9**
Slow cooked rice porridge, Chinese fry bread, fresh ginger, scallions, cilantro, and toasted peanuts
Add prawns \$6
- **Red curry Tofu \$10**
Spicy red curry sizzling hot pot with soft tofu and seasonal vegetables topped with fresh herbs
- **Soup of the day \$8**

SALADS

- **Miso**
Chopped romaine tossed in Miso ginger dressing, puffed rice, fresh cucumber, carrots,
- **Spinach paneer**
house made paneer cheese, baby spinach, fried potato, yellow curry vinaigrette
- **Chop salad**
Mixed greens, Lemon grass vinaigrette
Tomato, cucumbers,

*Please alert us of any food allergies you may have *Food served rare on menu is prepared with a raw center *18% gratuity for parties of 8 or more

Content ID: 008679**Type:** AR_AllOther - All Other Resolutions

Title: A Resolution of the Anchorage Municipal Assembly stating its protest regarding the transfer of Restaurant Eating Place Liquor License #2099 and Restaurant Designation Permit for Hot Stixx, LLC. DBA: Hot Stixx, Located at 1921 W Dimond Blvd, and authorizing the Municipal Clerk to take certain action.

Author: delongmm**Initiating Dept:** Muni_Clk**Date Prepared:** 2/3/10 9:33 AM

Assembly Meeting Date: 2/16/10

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	2/3/10 9:35 AM	Exit	Michelle M. DeLong	Public	008679
AllOtherARWorkflow	2/3/10 9:35 AM	Checkin	Michelle M. DeLong	Public	008679