

CLERK'S OFFICE

**APPROVED**

Date: 9-14-10

Submitted by: ASSEMBLY CHAIR TRAINI,  
VICE CHAIR FLYNN, AND ASSEMBLY  
PUBLIC SAFETY  
COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk  
For reading: September 14, 2010

**ANCHORAGE, ALASKA  
AR NO. 2010-257**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS  
PROTEST REGARDING A NEW RECREATIONAL SITE LIQUOR LICENSE #5004 FOR  
THE ALASKA CLUB, INC. dba THE SUMMIT, LOCATED AT 11001 O'MALLEY CENTRE  
DRIVE, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.**

WHEREAS, The Alaska Club, Inc. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a new Recreational Site Liquor License #5004, to be used for The Summit, located at 11001 O'Malley Centre 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 26, 2010 and has determined that the last day for the Assembly to file a protest is September 24, 2010 and

WHEREAS, the Assembly Meeting on September 14, 2010 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

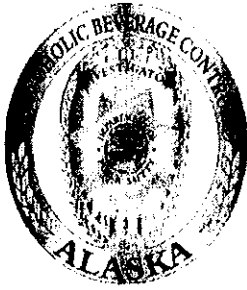
WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Building Safety approval has been received;
4. Conditional Use Permit, required by AMC 21.50.500, **has not been completed;**
5. Approvals from the Municipal Health & Human Services and Anchorage Fire Department **have not been received;** and

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

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:





# State of Alaska

Department of Public Safety

## Alcoholic Beverage Control Board

Sean Parnell, Governor

Joseph A Masters, Commissioner

July 26, 2010

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

Re: The Summit – License # 5004

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**

**5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412**

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 \_\_\_\_\_  
Mo/Day Mo/Day
- ☒ Full 2-year period

#6505

SECTION A. LICENSE INFORMATION. Must be completed for all types of applications.			FEEs
License Year: 2010	License Type: Recreational Site	Statute Reference Sec. 04.11.210	License Fee: \$ 800.00
(Office Use Only) License #: 5004			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) Muni. of Anchorage	Community Council Name(s) & Mailing Address: Bayshore/Klatt CC		Fingerprint: (\$54.25 per person)
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): The Alaska Club Inc.	Doing Business As (Business Name): The Summit	Business Telephone Number: (907) 365-7300	Total Submitted: \$ #1062.75
Mailing Address: 5201 E. Tudor Rd.	Street Address or Location of Premise: 11001 O'Malley Centre Dr.	Email Address:	
City, State, Zip: Anchorage, AK 99507	Suite 103 Anchorage, AK 99515		

SECTION B. PREMISES TO BE LICENSED. Must be completed.	
Closest school grounds 2.5 miles	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.
Closest church: 0.5 mile	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable
	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <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

# 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>The Alaska Club Inc.</b>		Telephone Number (907) 337-9550	Fax Number (907) 337-5865
Corporate Mailing Address: 5201 E. Tudor Road	City Anchorage	State AK	Zip Code
Name, Mailing Address and Telephone Number of Registered Agent John Marchetti (907) 330-0134 5201 E. Tudor Rd. Anchorage, AK 99507		Date of Incorporation OR Certification with DCED 1/22/1986	State of Incorporation AK
Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <b>must</b> 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
Athletic Club Holdings Inc.	Owner	100%	5850 Alpinewoods Dr. Anch. AK 99507 345-4203		10/12/1960
Robert Brewster	President		7707 Wildbrook Ct. Anch. AK 99504 337-7850	337-9550	05/30/1950
John Marchetti	VP/CEO		8155 Kronos Dr. Anch. AK 99502 677-7569	330-0134	02/22/1967
Gary Sossamon	VP Ops.			330-0139	
Please see next page.					
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:

<b>Declaration</b> <ul style="list-style-type: none"><li>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.</li><li>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.</li><li>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.</li><li>I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.</li></ul>
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Signature of Licensee(s) Signature <i>Jeffrey M. Read</i>		Signature	
Name & Title (Please Print) <i>JEFFREY M. READ - General Manager</i>		Name & Title (Please Print)	
Subscribed and sworn to before me this <i>17<sup>th</sup></i> day of <i>June</i> , 2010.		Subscribed and sworn to before me this day of	
Notary Public in and for the State of Alaska <i>Lori H. Meeker</i>		Notary Public in and for the State of Alaska	
My commission expires: <i>Aug. 1, 2013</i>		My commission expires:	

**Content ID:** 009373**Type:** AR\_AllOther - All Other Resolutions

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A NEW RECREATIONAL SITE LIQUOR LICENSE

**Title:** #5004 FOR THE ALASKA CLUB, INC. dba THE SUMMIT, LOCATED AT 11001 O'MALLEY CENTRE DRIVE, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION. Assembly Chair Traini, Vice-Chair Flynn and Assembly Public Safety Committee Chair Honeman.**Author:** moserak**Initiating Dept:** Muni\_Clk**Date Prepared:** 9/3/10 9:31 AM**Assembly Meeting Date:** 9/14/10

<b>Workflow Name</b>	<b>Action Date</b>	<b>Action</b>	<b>User</b>	<b>Security Group</b>	<b>Content ID</b>
Clerk_Admin_SubWorkflow	9/3/10 10:17 AM	Exit	Amanda Moser	Public	009373
AllOtherARWorkflow	9/3/10 10:17 AM	Checkin	Amanda Moser	Public	009373