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CLERK'S OFFICE **APPROVED** 11-8-11

Date

Submitted by: ASSEMBLY CHAIR OSSIANDER,

VICE-CHAIR HALL AND ASSEMBLY

PUBLIC SAFETY

COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk For reading:

November 8, 2011

ANCHORAGE, ALASKA AR NO. 2011-298

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A TRANSFER OF LOCATION FOR A BEVERAGE DISPENSARY LIQUOR LICENSE #398 AND RESTAURANT DESIGNATION PERMIT FOR FROZEN WINGS, INC. DBA BUFFALO WILD WINGS, LOCATED AT 3400 C STREET, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Frozen Wings, Inc. has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a Transfer of Location of a Beverage Dispensary Liquor License #398 and Restaurant Designation Permit, to be used for Buffalo Wild Wings, located at 3400 C Street, 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 September 12, 2011 and has determined that the last day for the Assembly to file a protest is November 11, 2011 and

WHEREAS, the Assembly Meeting on November 8, 2011 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:

- No ABC Board violations and/or incidents that would lead to an ABC Board 1. violation;
- No taxes owing to the Municipality of Anchorage; 2.
- Approval from the Building Safety Department has been received; 3.
- Conditional Use Permit required by AMC 21.50.160; has been approved; 4.
- Approvals from the Anchorage Fire Department and Municipal Health and 5. Human Services 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:

- Section 1. The Anchorage Assembly hereby enters its PROTEST for a Transfer of Location of a Beverage Dispensary Liquor License #398 and Restaurant Designation Permit until these conditions are met:
 - Approval from the Anchorage Fire Department is received and confirmed by the Municipal Clerk.
 - Approval from the Municipal Health and Human Services is received and confirmed by the Municipal Clerk.
- 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 Beverage Dispensary Liquor License #398 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 842 day of November , 2011.

Delbri Osiandu Chair

ATTEST:

 Municipal Clerk

State of Alaska Alcoholic Beverage Control Board

Date of Notice: September 12, 2011

Application Type: NEW
☐ TRANSFER
☐ Ownership
☐ Location

□ Name Change overning Body: Municipality of Anchorage

Governing Body: Municipa Community Councils: Midtown

License #: 398

License Type: Beverage Dispensary - Seasonal

D.B.A.*: Buffalo Wild Wings Licensee/Applicant: Frozen Wings, Inc.

Physical Location: 3400 C Street, Anchorage, AK

Mail Address: c/o Ernouf & Coffey, 3606 Rhone Circle, Ste. 110, Anchorage, AK 99508

Telephone #: 907-274-3385 EIN: 907-274-3385 27-5037064

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Frozen Wings, Inc.	Law Offices of Emouf & Coffey 3606 Rhone Circle, Ste. 110 Anchorage, AK 99508	907-274-3385	01/27/11 AK	Unable to Verify w/Corporations

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 (%)
Michael L. Jones	11/07/50	1241 Winterberry Drive Marco Island, FL 34145	219-363-7707	President 33.13%
Mark A. Jones	05/07/54	4346 Nine Valley Drive Burlington, NC 27215	336-260-3257	Vic President 33.13%
Kevin P. O'Laughlin	01/03/61	8880 Spring Creek Road Terre Haute, IN 47805	812-243-4329	Secretary/Treas. 33.13%

If transfer application, current license information:

License #:

398

Current D.B.A.:

Same as above

Current Licensee:

Same as above

Current Location:

No Premise

Additional comments: Restaurant Designation Permit Application attached.

Page 2

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/Christine C. Lambert
Christine C. Lambert
Business Registration Examiner
Christine.lambert@alaska.gov

(907)269-0358

Transfer App 3/09

Transfer Liquor License

PAGE 1 OF 2

(907) 269-0350 Fax: (907) 272-9412

Alcoholic Beverage Control Board 5848 E Tudor Rd Anchorage, AK 99507 This application is for:

Seasonal – Two 6-month periods in each year of the biennial period beginning

9072729412

www.dps.state.ak.us/abc

CTION A - LICENSE INFORMATION. Must be completed for all types of applica							FEES		
cense Year: 2011/2012	Li	icense Type: Beverage	Dispense	ary		Statute Reference	C	License Fee: \$	
	 i					Sec. 04.11.090		Filing Fee: \$100.00	
cense #: 398								Fingerprint:	
cal Governing Body: (City, F unicipality of Anchorage	gotongy or	Unorganized)			ncil Name(s) & l junity Council	Vailing Address:		(\$54.25 per person)	
D			Don P	Don Pehland			RDP: \$50.00		
			donp@	gjiproperi	lles.com			<u> </u>	
ame of Applicant (Corp/LLC/	LP/LLP/In	dividual/Partnership):	1					Total Submitted: \$150.00	
			Doing	Business /	As (Business Na	me):		s Telephone Number:	
			Buffalo Wild Wings 33			336-26	-260-3257		
			1				Fax Nu	mber:	
				33				6-3866	
lailing Address: PO Drawer	2958			Street Address or Location of Premise:				Address: /ernoniaw.com	
Sity, State, Zip:			3400 1	3400 C Street Anchorage, AK 99503			majeu	CI BOTTON HEAVE	
urlington, North Carolina 2	7216		<u></u>	•					
ECTION B - TRANSFE	R INFO	RMATION.							
K Regular Transfer					id Mailing Addr Wings, Inc.	ess of CURRENT Licens	ee:		
1 Transfer with security interes	st: Any ins	strument executed under	AS	Frozen	wengs, mer				
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				Business	s Name (dba) BI	FORE transfer:			
104.107). Real or personal property conveyed with this transfer must b					Wild Wings				
escribed. Provide security int				Street A	ddress or Locati	on BEFORE transfer:			
l Involuntary Transfer. Attach S 04.11.670.	document	s which evidence defaul	t under	No pres					
ECTION C - PREMISES	TO BE	LICENSED. Must b	e comple	ted for RE	LOCATION ap	plications.			
Closest school grounds: Distance measured under:			der: OR	1		GREATER than 50 miles I city, borough, or unified			
rontier Charter School 100 W Northern Lights Blvd		☐ Local ordinance No.			☐ Premises is l	LESS than 50 miles from	the bound	aries of an incorporated city	
nchorage, AK 99503 (0.94 n	nîles)				borough, ox X Not applicab	unified municipality.			
llosest church: Auchorage Korean Sda Chur	eh	Distance measured un AS 04.11.410	aer: OR	İ	A Not apprican	16			
40 W. 34th Ave. Anchorage,		☐ Local ordinance No	•						
9503 (0.38 miles)	ŀ			Ì					
remises to be licensed is:		 .			☐ Plans submi	tted to Fire Marshall (req	uired for n	ew & proposed buildings)	
□ Proposed building				X Diagram of premises attached					
K Existing facility								s aust diesat as implicant into	
K Existing facility New building Does any individual, corporate	officer, di	rector, Limited liability	organizat	ion membe	er, manager or p	artner named in this appli	cation hav	sury enters of manager mass	
K Existing facility I New building Does any individual, corporate n any other alcoholic beverage	e business l	licensed in Alaska or an	y other st	at¢?		artner named in this appli	cation hav	sany unect of maniect inte	
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Alcoholic Beverage Control Board 5848 E Tudor Rd Anchorage AK 99507 PM: 907 269-0350 - FX: 907 272-9412

Liquor License

PAGE 2 of 2 Licensee Information www.dps.state.ak.us/abc

									
Corporations, LLCs, LLPs an	d LPs must be reg	istered	l with the Dept.	. of Comm	unity and Economic	c Developi	ment		
Name of Entity (Corporation/LLC/LL)	P/LP) (or N/A if an Inc	dividual o	ownership):		Telephone Number:		Fax Numb		
Frozen Wings, Inc.					336-227-8851		336-226-3	866	
Corporate Mailing Address:		Cit	y :					Zip Code;	
4346 Nire Valley Drive Burlington					N.C. 27				
Name, Mailing Address and Telephone Number of Registered Agent					Date of Incorporation OR Stat			corporation:	
Law Offices Ernouf & Coffey, P.C.				1	Certification with DCED: Alaska				
3606 Rhone Circle, Ste. 110, Auchor	rage, AK 99508		· · · · · · · · · · · · · · · · · · ·		1/27/11				
Is the Entity in compliance with the re		of Title 10	0 of the Alaska Sta	itutes7	X Yes 🗆 No				
If no, attach written explanation. You	r entity <i>must</i> be in con	noliance	with Title 10 of the	e Alaska Statu	ites to be a valid liquor li	censee.			
							4		
Entity Members (Must include Pre	sident Secretary, Trea	surer, Vi	ice-President, Mans	ager and Share	eholder/Member with at	least 10%)		·	
Name	Title	%			lephone Number	Work 1	Celephone	Date of Birth	
X1MIIO							mber		
Michael L. Jones	President	33.1	1241 Winterber	rry Dr. Marc	o Island, FL 34145	219-363-	7707	11/07/1950	
		33.1	4246 Nine Valle	De Ruelin	igton, NC 27215	336-260-	3257	05/07/1954	
Mark A. Jones	V.P.	/3	4340 Mile Lein	CA Dr. Darian	IRIOR ³ M.C. B. BYD.	440.00	٠. يعرب		
Kevin P. O'Laughlin	Secretary/	33.1	8880 Spring Cu	reek Rd. Teri	re Haute, IN 47805	812-243-	4329	01/03/1961	
	Treasurer	/3	<u> </u>		· · · · · · · · · · · · · · · · · · ·			 	
<u> </u>			_			l		l	
NOTE: On a separate sheet provide	information on own	ership ot	ther organized cut	tities that are	shareholders of the lice	ensee.			
,,									
Individual Licensees/Affiliates (The ABC Board defi	DES 810 "/	Affiliate" as the sp	pouse or sign	ificant other of a licens	ee. Each At	filiate must	be listed.)	
Name:		Appli	icant 🛘	Name:			Applie	cant □ ate □	
Address:	•	Affili	iate 🗀	Address:			Aini	116 13	
		Date	of Birth:	Home Pho	one:		Date	of Birth:	
Home Phone:		Dail.	or Disus.	Work Pho	one:				
Work Phone:									
Name:			icant 🗆	Name:				cant □ atc □	
Address:		Affili	iate 🗇	. Address:			AXIII	anc Li	
		Data	of Birth:	Home Ph	one:		Date	Date of Birth:	
Home Phone:		Date	OX PRIMIT.	Work Pho		•			
Work Phone:									
Declaration									
I declare under penalty of perjur and belief it is true, correct and corr	y that I have examined	this app	dication, including	the accompan	nying schedules and state terest or other contracted	ments, and r	o me best or	my knowledge	
. I hardly certify that there have h	seen no changes in offi	icers or st	tockholders that ha	ive not been re	eported to the Alcoholic l	Beverage Co	ntroj Board.	The undersigned	
andiffer on behalf of the according	antitu it is understaar	d that a m	nigrentesentation of	f fact is cause.	for rejection of this appli	ication of rev	ocation of a	ny license issued	
 I further certify that I have read. 	and am familiar with 1	Title 4 of	the Alaska statutes	s and its regul	ations, and that in accord	lance with A	\$ 04.11.450 ,	no berson other	
than the licensee(s) has any direct of	or indirect financial int	terest in t	the licensed busines	55.	of this amplication		•		
I agree to provide all information	n required by the Alco	лонс веч	verage Control Bos	ara in support	or this apprication.				
Signature of Current Licensec(s)			Sign	nature of Tra	nsferec(s)				
Signature Current Extension	11/10			uature					
	m / 1/25	-							
/		Signature							
Signature.			Şigo	pature					
Signature	···········		Sign	pature					
13/1	t Jones v	τ. ρ .		pature ne & Title (Ple	case Print)				

Subscribed and sworn to before me this

Notary Public in and for the State of Alaska

day of

My commission expires:

My commission expires:

9072729412

Mike Jones x	Mark Jones x	Kevin C	Kevin O'Laughlin x		Mike Jones Group St Location Greenfield Wings LLC Washington Wings LLC
	: × ×	·		Washington Wings LLC Muncle Wings LLC	
* *		×		Hoosier Wing IT LLC Greencastie Wings LLC	Hoosier Wing IT LLC Indiana Greencastle Wings LLC Indiana
	* :		· 王	Hoosier Wing IT II LLC	II TTC
	× .×	×	M A	Avon Wings LLC Mavsville Wings LLC	on Wings LLC Indiana
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	×		ጆ	Angola Wings LLC	ngola Wings LLC Indiana
	×	×	≱	Auburn Wings LLC	uburn Wings LLC Indiana
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×	×		Sho	Short Pump Wings LLC	
×	×	•	Cold	water Wings LLC	Coldwater Wings LLC Michigan

9072729412

STATE OF ALASKA

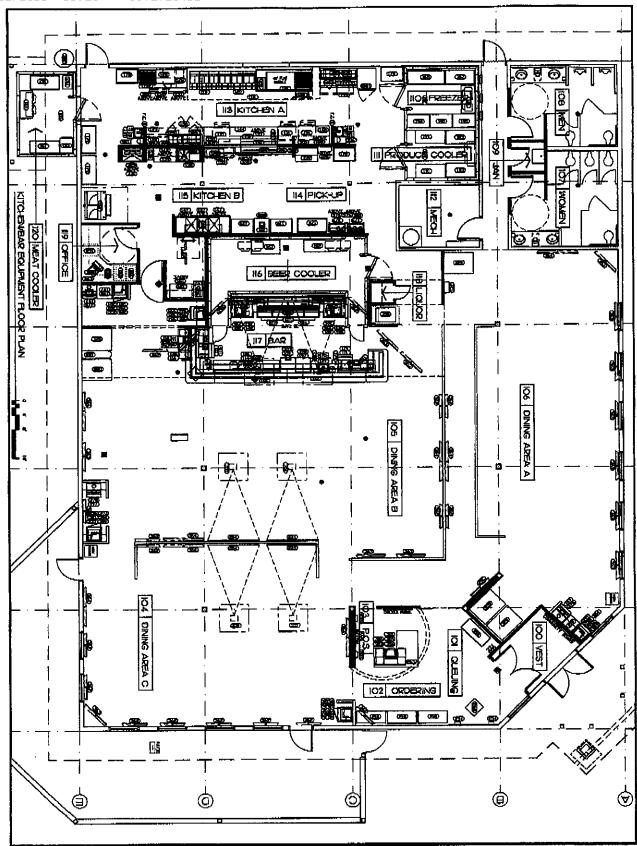
	ALCOHOLIC BEVE	RAGE CON	
	APPLICATION FOR RESTAURANT DESIGNA		
		E: \$50.00	- 7730
and pe (13 A.	ranting of this permit allows access of persons under 21 years of age to designate ersons under the age of 19 for employment. If for employment, please state in AC 104.745).	detail, how the	remises for purposes of dining, and person will be employed, duties, etc.
) /us a	pplication is for designation of premises where: (please mark appropriate propriate pr	g place. ars or older.	
LICE	NSEE: Frozen Wings, Inc.		
D/B/A	A: Buffalo Wild Wings		
ADDI	RESS: 3400 C Street Anchorage Alaska 99503		
1. 2.	Hours of Operation: Mon-Thur 8am-2am, Fri & Sat 8am-2:30am, Sun 8 Have police ever been called to your premises by you or anyone else for any If yes, date(s) and explanation(s).		
3.	Duties of employment: Server, bost, kitchen staff, cleaning staff.	Yes	
4. 5.	Are video games available to the public on your premises? Do you provide entertainment: [] Yes [X] No If yes, describe.	165	None other than recorded music, and TV
6.	How is food served? X Table Service Buffet Service		Counter ServiceOther+
7.	Is the owner, manager, or assistant manager always present during business	hours? [X]	Yes [] No
***	A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUST	ACCOMPAN	Y THIS APPLICATION ***
	permit remains in effect until the liquor license is transferred OR at the discretic AC 104.795)	on of the Alcoi	rolic Beverage Control Board.
	ify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and have ined therein.	e instructed to	y employees about provisions
Subsc	Appl ant(s) signature		Application approved (13 AAC 104.725(e) Governing Body Official
B	day of Asska Notary Public in and for Alaska		Date:
МуС	commission expires 2/1/5		
	 ,		Director, ABC Board

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.

Date:

Describe how food is served on back of form.



A9

PROPOSED TENANT IMPROVEMENTS FOR BUFFALO WILD WINGS BAR & GRILL 3400 C STREET ANCHORAGE, AK 99503



terticory - tyrhyblich bir [307]378-0333 747 248-2041 2007]378-0333 747 248-2041









09/09