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CLERK'S OFFICE

APPROVED

1-17-12-

Submitted by: ASSEMBLY CHAIR OSSIANDER,

VICE-CHAIR HALL AND ASSEMBLY

PUBLIC SAFETY

COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk For reading: January 17, 2012

ANCHORAGE, ALASKA AR NO. 2012–7

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A NEW RESTAURANT/EATING PLACE LIQUOR LICENSE #5113 AND RESTAURANT DESIGNATION PERMIT FOR INTERNATIONAL CINEMA PRODUCTIONS LTD dba ALASKA EXPERIENCE THEATRE, LOCATED AT 333 West 4th AVENUE, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, International Cinema Productions LTD 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 # 5113 and Restaurant Designation Permit, to be used for Alaska Experience Theatre, located at 333 West 4th Avenue, 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 November 30, 2011 and has determined that the last day for the Assembly to file a protest is January 30, 2012 and

WHEREAS, the Assembly Meeting on January 17, 2012 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. Administrative Site Plan Review, required by AMC 21.50.500, has not been completed;
- 4. Approval from Municipal Building Safety and Anchorage Fire Department has not been received;
- 5. Approval from the Municipal Health & Human Services has 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 New Restaurant/Eating Place Liquor License #5113 and Restaurant Designation Permit until these conditions are met:
 - Approvals from the Anchorage Fire Department and Municipal Building Safety are received and confirmed by the Municipal Clerk.
 - Successful completion of the Administrative Site Plan Review under AMC 21.50.500 is 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 Restaurant/Eating Place Liquor License #5113 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.

Chair

ATTEST:

Sour Shourt
Municipal Clerk

State of Alaska

Department of Public Safety

Alcoholic Beverage Control Board

Sean Parnell, Governor Joseph A. Masters, Commissioner

November 30, 2011

Municipality of Anchorage
Attn: Municipal Clerk
VIA Email: munilicences@m

VIA Email: <u>munilicenses@muni.org</u>

Alaska Experience Thea	itre – Restaura	ant / E	ating Place	Licen	se #5113
New Application	☐ Transfer	of Ow	nership		Transfer of Location
Restaurant Designa	tion Permit		DBA Nam	e Char	nge

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. 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.

Alcoholic Beverage Control Board 5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412 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.

Sincerely,

SHIRLEY A. GIFFORD Director

Sarah D. Oates
Business Registration Examiner sarah.oates@alaska.gov (907)269-0356

State of Alaska **Alcoholic Beverage Control Board**

Date of Notice: November 30, 2011

Application Type:	NEW	TRANSFEROwnership Location
Governing Body:	Municipality of Anchorage	Name Change

License #:

5113

Community Councils: Downtown Community Council

License Type:

Restaurant / Eating Place

D.B.A.:

Alaska Experience Theatre

Licensee/Applicant: Physical Location:

International Cinema Productions, LTD

Mail Address:

333 W 4th Ave, Ste 207, Anchorage, AK 99501 411 W 4th Ave, Ste 200, Anchorage, AK 99501

Telephone #:

EIN:

907-272-9076 92-0080561

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
International Cinema	411 W 4th Ave, Ste 200	907-278-3263	02/19/1981	Yes
Prodcutions, LTD	Anchorage, AK 99501		Alaska	

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 (%)
Darryl P. Wong President	08/26/1955	1836 Punahoa St Honolulu, HI 96822	808-389-3106	50%
James W. Y. Wong Vice President	09/18/1923	2359 A Rount Top Drive Honolulu, HI 96822	808-941-3106	0%
Warren M. Wong Secretary / Treasurer	05/20/1953	1577 Nehoa St Honolulu, HI 96822	808-946-2966	50%
	 			

If transfer application, current license information:

License #: Current D.B.A.: **Current Licensee: Current Location:**

Additional comments: Restaurant Designation Permit Application attached.

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.

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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,

SHIRLEY A. GIFFORD Director

Sarah D. Oates
Business Registration Examiner sarah.oates@alaska.gov
(907)269-0356

New Liquor License

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

PAGE 1 OF 2 (907) 269-0350 Fax: (907) 272-9412 www.dps.state.ak.us/abc

This application is for: Seasonal – Two 6-m Full 2-year period	onth periods in each year of th	e biennia		Mo/Day	and endingMo/[ay	481417	
SECTION A. LICENSE INFO	ORMATION. Must be co	mpleted	for all types of appli	ications.			FEES	
License Year: 2012-2013	License Type:		۸.		Statute Reference	e	License Fee: \$600.00	
(Office Use Only) License #:	hestauraw		`		Sec. 04.11. 10	હ	Filing Fee: \$100.00 ROP \$50.00	
Local Governing Body: (City, B	orough or	Commu	nity Council Name(s) & Maili	ng Address:		Fingernrint	
Unorganized) Municipality of Anc	horage	Dowlowy Community Course! 1057 W. Fireward Love Swite #106					(\$54.25 per person) 62. 75 Total Submitted: \$	
Name of Applicant (Corp/LLC/LP/LLP/Individual/	Partnership):						(912.75)	
International Cine	na Praductions		wrage, AK Busines As (Busines				ess Telephone Number:	
LTD		Ala	ska Expenience	[New P	re	Fax Number: 907-222-4952		
Mailing Address:			ddress or Location of			Email	Address:	
411 West 4th Ave 3	Duik Affou	333	W. 4th Ave	Suite	#207	even	its @99 in perial. Net	
City, State, Zip: Anchorage, M. 9	9501	And	borage, AK 9	9501				
SECTION B. PREMISES TO	BE LICENSED. Must b	e comple						
Closest church: Closest church	☐ AS 04.11.410 (c) ☐ Local ordinance No. ☐ Distance measured under:	OR	☐ Premises is GR incorporated c ☐ Premises is LE eity, borough, or u	ity, borou SS than 5	gh, or unified mur 0 miles from the l	nicipalit	y.	
St. Mory's Catholic Uland	AS 04.11.410 Coal ordinance No.	OR	Not applicable		. ,			
Premises to be licensed is: Proposed building Existing facility New building			☐ Plans submitte ☐ Diagram of pre	d to Fire ! emises atta	Marshall (required ached	for nev	v & proposed buildings)	
SECTION C. Individual, co	rporate officer, limited	liabilit	v organization m	ember, 1	nanager or par	tner b	ackground.	
Does any individual, corporate or indirect interest in any other	officer, director, imited lial	oility org	ganization member, r	nanager o	r partner named i			
Yes No If Yes, comple	ete the following. Attach a	dditiona	sheets if necessary.					
	ame of Business	Type	of License	Busin	ness Street Addre	L Dail	State	
Yarry Worky H	evri Hewaii, INC	Ligu	er / Bar	201	E. Northern highlis		Alaska	
0 0			A A A A A A A A A A A A A A A A A A A	Anch	E. Norsburn hights worms, AM 9950	3		
	 							
Has any individual, corporate of a felony, a violation of AS 04, of Yes, attach v	or been convicted as a licen							
							··	
Office use only	8							
Date Approved			Director's Signature					
New App 3/09								

New License App 3/09

Liquor License

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

						·	·		
Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.									
Name of Entity (Corporation/LLC/LLP Literativa Citeda Cod			Telephone Number 907 - 27% - 326	Fax Num 907-2	Fax Number 907-222-4852				
Corporate Mailing Address: YII W. 4th Are, Suik 2w, City Anchora				·	State	Zip Code 995	Sip Code 9950 /		
Name, Mailing Address and Telephone	Number of Re	gistered	Agent	. Car. et a	Date of Incorporation OR St			tate of Incorporation	
MARCUSC Biastock 4441 5	on trapovik gj. 907 - 350 - 7	HYTUR OBG	יון יאמינים אין אין	743/6	Certification with DC Feb 14 1981	ED	Alask	4	
Is the Entity in compliance with the rep Your entity <i>must</i> be in compliance with	orting requiren	ents of	Title 10 of the Al	aska Statu	ites? □Yes □ No I	f no, attac	h written e	xplanation.	
Entity Members (Must include Pre	esident, Secre	ary, T	reasurer, Vice-Pr	resident,	Manager and Shareho	older/Mer	nber with	at least 10%)	
Name	Title	%	Home Add	lress & Te	elephone Number	3.7	elephone mber	Date of Birth	
Jarry P. Wong	ires	50	1836 Purahaa	St, Hon	wlulu, H: 96822	908-389	1-3106	8/26/55	
Junes W.Y. Work	U. Pres		2359 A Round	Top Drive	Hovoluly H: 96422 008-348-3100 du, H: 96422	808-94	11-3106	9/18/23	
Worren M. Wong	Sec. Treus.	50	1677 Nehan SI	, Humolu	du, 4: 96922	80894	6-2966	5/20/53	
J									
						<u></u>			
NOTE: On a separate sheet provi	ide informati	on on	ownership othe	r organi	zed entities that are	sharehol	ders of th	e licensee.	
Individual Licensees/Affiliates (T	he ABC Board o	,		!	significant other of a lice	nsee. Eacl			
Name: Address:			icant □ iate □	Name: Addres	6.		Appi Affil	icant □ iate □	
			of Birth:	Date of Birth					
Home Phone: Work Phone:		Date	Of Diffit,	Home Phone: Work Phone:			Of Dartii,		
Name:		Appl	icant 🗆	Name: Applicant			icant 🗆		
Address:		Affil	iate 🗆	Address:			Affil	iate 🛘	
Home Phone:		Date	of Birth:	Home	Phone:		Date	of Birth:	
Work Phone:		<u> </u>		Work F	Phone:				
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 hehalf 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 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 of the supplication. I agree to provide all information required by the Alcoholic Beverage Control Board. 									
Signature of Licensee(s)					Ala.		* * * * * * * * * * * * * * * * * * * *		
Signature PUBLIC PUBLIC									
Name & Title (Please Print) AARCUS (- RIASTOCH for). Word OF ALL Print)									
Subscribed and sworn to before me this Subscribed and sworn to before me this And ay of November 2011 day of									
Notary Public in and for the State of	Note	<u>day of</u> ary Publi	c in and for the State	of Alaska	1				
Total y rubite in and to the state of masking the s									
My commission expires: 1. (1)	Mv	commiss	ion evnires:						

International Cinema Productions, Inc.

333 W. 4th Suite 208, Anchorage, Alaska 99501 (907) 272-9076

September 6, 2011

Members of the Anchorage Municipal Assembly and Planning Dept.,

Dear Members,

This letter is to inform you that I have appointed Marcus Biastock, Operations Manager of the International Cinema Productions, Inc. dba Alaska Experience Theatre, to act as my agent in matters regarding the Anchorage Municipality in our application for our beer and wine license for the location at 333 W. 4th Avenue, Anchorage, Alaska 99501.

Mr. Biastock will also act as agent on behalf of the owner of the property, JRW Ventures and Ship Creek Center, LLC. Mr. Biastock will oversee the application for our restaurant beer & wine license as well as the related municipal site review.

Sincerely,

By: Darryl P. Wong

Owner, President - International Cinema Productions, Inc. dba Alaska Experience Theatre

By: Darryl P. Wong

Ship Creek Center, LLC, President of Windward Town & Country Plaza, Inc., Partner, Ship Creek Center LLC

RW, Inc. - President, partner of JRW Ventures

STATE OF ALASKA

ALCOHOLIC BEVERAGE CONTROL BOARD

APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 15 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 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). Under AS 04.16.010(c) Bona fide restaurant/eating place. 2 Persons between 16 & 21 may dine unaccompanied. 3 Persons under 16 may dine accompanied by a person 21 years or older. Persons between 16 and 19 years may be employed. (See note below). LICENSEE: D/B/A: 4th Auc#207 Anchorage MY 995011 ADDRESS: 1. Hours of Operation: 10:00 - M 2. Have police ever been called to your premises by you or anyone else for any reason: [] Yes If yes, date(s) and explanation(s). 3. Duties of employment: dishuasher 4. Are video games available to the public on your premises? Film exhibition - occasional live come Do you provide entertainment: [] Yes [] No If yes, describe. 5. How is food served? Table Service Buffet Service 6. 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. MINIMINION (13 AAC 104,795) I certify that I have read AS 04.16.049, AS 04. 95 and have instructed my employees about provisions contained therein. Applicant(s) signature Application approved (13 AAC 104.725(e) Subscribed and sworn to before me this Governing Body Official Date: Notary Public in and for Alaska

NOTE:

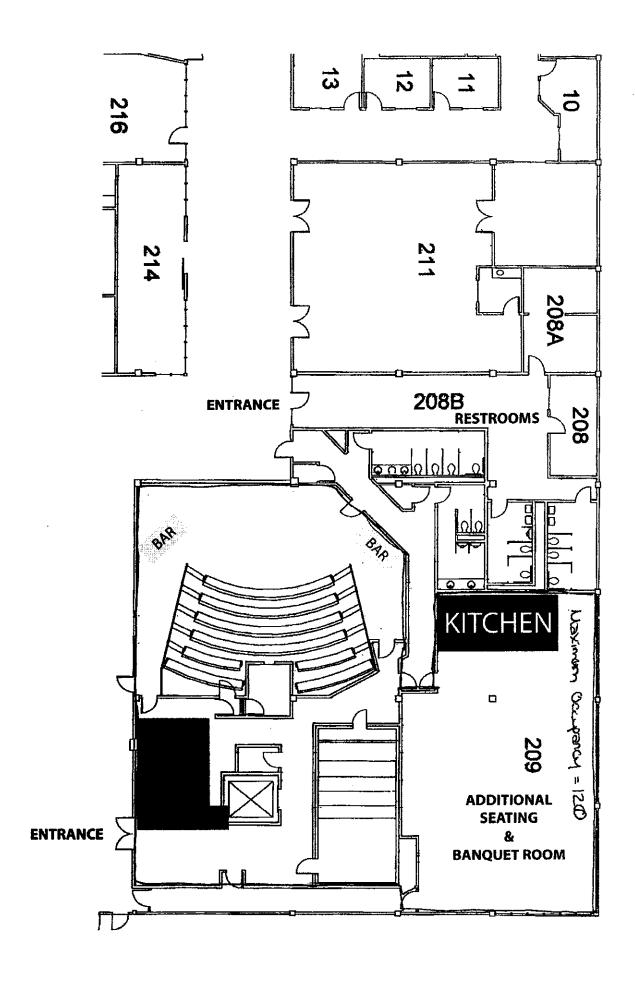
My Commission expires

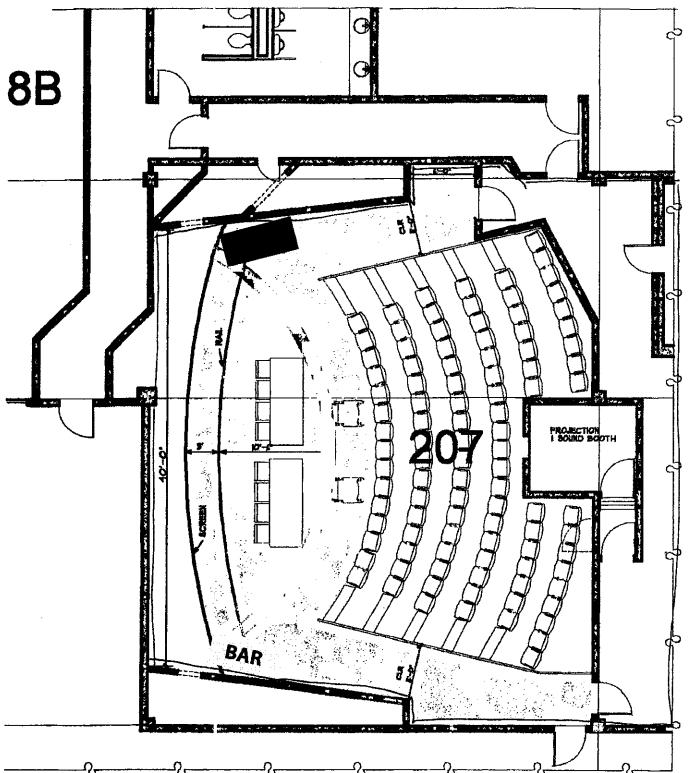
AS 04.16.049(c) requires that written parental consent and an exemption by the Department of Labor must be provided to the licensee by the employee who is under 19 years of age. Persons 19 and 20 years of age are not required to have the consent or exemption.

Date:

Director, ABC Board

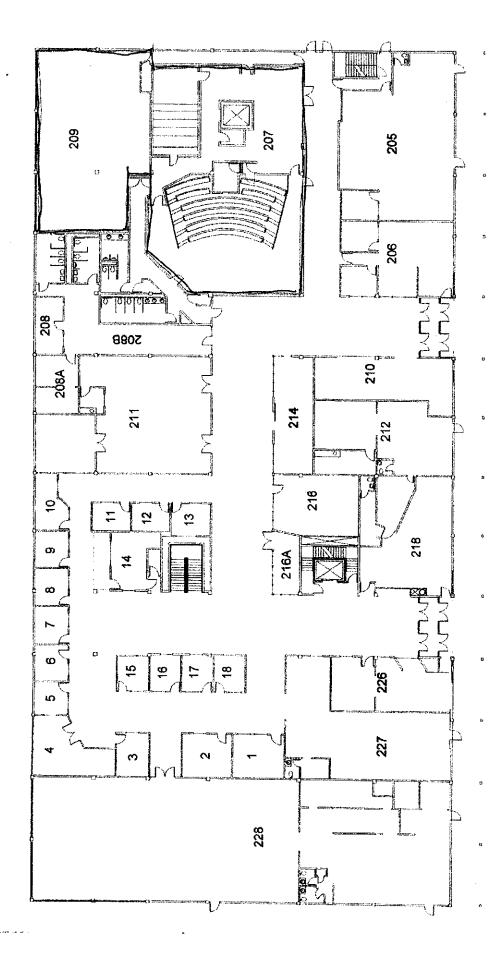
* Describe how food is served on back of form.





ALASKA EXPERIENCE THEATER

HD/3D Screen Layout with Activity Area



SAMPLE MENU

ALASKA EXPERIENCE

THEATRE

Mini Flatbread Pizza

Four Cheese
Wild Mushroom and Onion 8
Pepperoni
Artisan Sandwiches
Caprese
Philadelphia
Prosciutto Apple Provolone
Turkey Arugula Parmesan
Pork Provolone
Fresh Salads
Arugula
Caesar 6
Romaine hearts, roasted garlic caesar dressing, crostini, white anchovies, parmesan, and a deviled egg
Mediterranean
Market
Mixed greens, besh roma tomatoes, carrot and cucumber with sherry shallot vinaigrette

RIESLING - Chateau St. Michelle -- 2006 -- Columbia Valley \$6 Glass **Pours** GEWURZTRAMINER -- Montinore -- 2006 -- Williamette Valley \$6 Wine PINOT GRIS -- Acrobat -- King Estate -- 2007 -- Willamette Valley PINOT GRIS -- King Estate -- 2007 -- Williamette Valley \$8 SPARKUNG -- BRUT -- Domaine St. Michelle -- NV -- Columbia Valley 56 WHITE BLEND - CMS -- Hedges -- 2005 -- Columbia Valley 58 SAUVIGNON BLANC - New Harbor - 2004 - Mariborough \$6 CHARDONNAY - Snap Dragon - 2006 - Sonoma \$6 CHARDONNAY - Kendalī Jackson - 2006 - Sonoma CHARDONNAY -- Sonoma Cutrer -- 2005 -- Russian River ROSE - Torres - 2009 - Catalunya \$7 WHITE ZINFANDEL -- Crane Lake -- 2008 -- California \$5 MALBEC -- Septima -- 2007 -- Mendoza \$7 SYRAH -- White Oak -- 2006 -- Napa \$8 ZINFANDEL -- Monte Vina -- 2005 -- Amador County \$7 PINOT NOIR - Estancia - 2005 - Monterey \$8 PINOT NOIR -- Blackstone -- 2004 -- Sonoma \$7 MERLOT - Distant Bay - 2005 - Sonoma \$6 MERLOT -- Blackstone -- 2004 -- Sonoma \$7 CABERNET SAUVIGNON - Distant Bay - 2005 - Sonoma \$6 CABERNET SAUVIGNON -- Ceffar #8 -- 2005 -- Napa 57 CABERNET SAUVIGNON -- Clos Du Bols -- 2005 -- Napa \$9 Alt-Style Amber -- Alaskan Amber -- Alaska Brewing Co. -- Juneau, AK \$5 Beers on Tap Porter - Black Butte Porter - Deschutes Brewing - Bend, OR \$5 Hefeweizen -- Widmer Brothers -- Portland, OR \$5

Bottled Beers

DOMESTIC BEERS:

I.P.A. -- Broken Halo -- Widmer Brothers -- Portland, OR

Budwelser Bud Light Coors Light Miller Genuine Draft Miller Lite	\$4.56
IMPORT AND CRAFT BEERS:	
Arnstel Light Corona Heineken Alaska Brewing White	\$5
Czechwar — Bass Ale — Stella Artois	\$6
NON - ALCOHOLIC:	
Se Death Ciri N A	éE

\$5