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Submitted by: ASSEMBLY CHAIR HALL,

VICE-CHAIR JOHNSTON AND ASSEMBLY PUBLIC SAFETY COMMITTEE CHAIR

HONEMAN

CLERK'S OFFICE

 Prepared by: Municipal Clerk For reading: May 22, 2012

ANCHORAGE, ALASKA AR NO. 2012–136

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A NEW RESTAURANT/EATING PLACE LIQUOR LICENSE #5140 AND RESTAURANT DESIGNATION PERMIT FOR BROWN BAG SANDWICH COMPANY LLC dba BROWN BAG SANDWICH COMPANY, LOCATED AT 400 D STREET SUITE 1B, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, Brown Bag Sandwich Company LLC 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 #5140 and Restaurant Designation Permit, to be used for Brown Bag Sandwich Company, located at 400 D Street Suite 1B, 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 April 2, 2012 and has determined that the last day for the Assembly to file a protest is June 1, 2012 and

WHEREAS, the Assembly Meeting on May 22, 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. Municipal Health & Human Services approval has not been received;
- 4. Administrative Site Plan Review, required by AMC 21.50.500, has not been completed;
- 5. Approvals from the Anchorage Fire and Building Safety Departments **have 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 #5140 and Restaurant Designation Permit until these conditions are met:

- Approval from the Municipal Building Safety is 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.

Em boll

- 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 #5140 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 221 day of Man, 2012.

ATTEST:

Municipal Clerk



State of Alaska Department of Public Safety

Alcoholic Beverage Control Board

Sean Parnell, Governor Joseph A. Masters, Commissioner

April 2, 2012

Municipality of Anchorage Attn: Amanda Moser Lic. Clerk VIA EMAIL: MuniLicenses@muni.org

Bro	Brown Bag Sandwich Company – License #5140						
$ \overline{\mathbf{A}} $	New Application		Transfer of Ownership		Transfer of Location		
abla	Restaurant Designation Per	mit	□ DBA Name	Cha	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

Majus andrews

Business Registration Examiner

Direct line: 907-269-0358

Email: maxine.andrews@alaska.gov

State of Alaska

Alcoholic Beverage Control Board

Date of Notice: April 2, 2012

EIN:

Application Type: N		TRANSFEROwnership Location
Governing Body: Community Councils:	Municipality of Anchorage Downtown Community Council	Name Change
Community Councils.	Downtown Community Council	
License #:	5140	
License Type:	Restaurant Eating Place	
D.B.A.:	Brown Bag Sandwich Company	
Licensee/Applicant:	Brown Bag Sandwich Co. LLC	
Physical Location:	400 D Street Suite 1B Anchorage, AK 99501	
Mail Address:	465 Dailey Ave. #27 Anchorage, AK 99515	
Telephone #:	907-350-6803	

10-003468

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Brown Bag Sandwich Co.	465 Dailey Ave. #27	907-350-6803	3/7/2012	yes
LLC	Anchorage, AK 9		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 (%)
Antoine Mcleod	5/2/84	465 Dailey Ave. #27 Anchorage, AK 99515	907-350-6803	President (50%)
Brynn Mcleod	10/15/86	465 Dailey Ave. #27 Anchorage, AK 99515	206-304-2796	VP (50%)

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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

Maxine Andrews

Business Registration Examiner

Direct line: 907-269-0358

Majus andrewe

Email: maxine.andrews@alaska.gov

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

New Liquor Licens

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

SECTION A - LICENSE INFO	RMATION				FEES	
Office Use:	License Type:	cense Type: Statute Referen		Statute Referenc	License Fee:	
icense Year:	Restaurant or Eating I	lace License		Sec. 04.11.100	<u>600.</u> 00	
)ffice Use:					Filing Fee: \$100.00	
icense #:					Rest. Desig. Permit Fee: \$ 50.	
ocal Governing Body: (City, Bor	ough or Unorganized)	Community	Council Name(s) & Ma	iling Address:		
Anchorage		Ancho	rage Community	cancil	Fingerprint: \$ 103 (354.25 per person)	
Name of Applicant (Corp/LLC/LP) Partnership):	/LLP/Individual/	1057 U. Firewell In Anwroge AN		TOTAL 853.00		
••		Doing Busin	ess As (Business Name)):	Business Telephone Number: (907)350-6803	
BROWN BAG SANDWICH COMPANY LLC		Brown Bag Sandwich Company		Pax Number: None		
Viailing Address: 465 Dailey Ave. #27 City, State, Zip:		Street Address or Location of Premise: 400 D Street suite 1B Anchorage AK 99501		Email Address: AntoineMcleod@vahoo.com		
Anchorage AK 99515				·		
ECTION B - PREMISES TO B	E LICENSED					
istance to closest school grounds: Denali Elementary School - *i-	Z I AS 04.11.410	OR	incorporated city, Premises is LESS	borough, or unifi than 50 miles fro	on the boundaries of an	
istance to closest church:	Distance measured un MAS 04.11.410 Local ordinance No	OR			ed municipality.	
Premises to be licensed is: 2 Proposed building 3 Existing facility 2 New building		☐ Plans submitted to buildings) ☑ Diagram of premis	•	equired for new & proposed		

New Liquor License

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

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

SECTION C – LICENSEE INFORMATION			
Does any individual, corporate officer, director, limited direct or indirect interest in any other alcoholic beverage	l liability organization r business licensed in Ala	nember, manager or partner named saka or any other state?	in this application have any
🗆 Yes 🗷 No If Yes, complete the following. Attach a	dditional sheets if neces	загу .	
Name of Business	Type of License	Business Street Address	State
SECTION D – OWNERSHIP INFORMATION - COI	PEAD ATTAN		
Corporations, LLCs, LLPs and LPs must be regist		f Community and Economic De	evelopment.
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individence of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individence of Entity (Corporation/LLC)	dual ownership):	Telephone Number: (907)350-6803	Fax Number: None
Corporate Mailing Address: 465 Dailey Ave #27	City: Anchorage	State: AK	Lip Code: 99515
Name, Mailing Address and Telephone Number of Registered Ap Antoine McLeod, 465 Dailey Ave. #27 Anchorage AK 99515	=""	Date of Incorporation OR Certification with DCED: 3/7/2012	State of Incorporation: Alaska
is the Entity in "Good Standing" with the Alaska Division of Co	rporations?	□ No	
If no, attach written explanation. Your entity must be in complia	unce with Title 10 of the Al	aska Statutes to be a valid liquor license	e .

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Antoine Mcleod	President	50%	465 Dailey Ave. #27 Anchorage AK 99515 (907)350-6803	(907)350-6803	5/2/84
Brynn Mcleod	VP	50%	465 Dailey Ave. #27 Anchorage AK 99515 (206)304-2796	(206)304-2796	10/15/86
		 	Minor Allen		
		 			

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

New Liquor License

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

Individual Licensees/Affiliates (The ABC Bo	and defines an "Affiliate" as ti	e spouse or significant other of a lice	ensee. Each Affiliate must be listed.)
Name: Brynn Meteod Address: 465 Palley ac. #27 Al Home Phone: 206.304.2796	Applicant D	Name: Address:	Applicant □ Affiliate □
Home Phone: Zog. 364-2796 Work Phone:	Date of Birth: 10/15/86	Home Phone: Work Phone:	Date of Birth:
lame: Address:	Applicant □ Affiliate □	Name: Address:	Applicant 🗆 Affiliate 🖸
Home Phone: Work Phone:	Date of Birth:	Home 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 licenseed business.

I agree to provide all information re	equired by the Alcoholic Beveras	ze Control Board in sur	poort of this application.

Signature of Licenseo(s)	Signature of Licensee(s)
Signature	Signature
1 Arth	Nignature
Name & Title (Please Print) Antoine Moleod	Name & Title (Please Print)
Subscribed and sworn to before me this	Subscribed and sworn to before me this
and day of April 2012	day of
Notary Public in and for the State of Alaska MUSSA LL CAF	Notary Public in and for the State of Alaska
My commission expires: 6/22/13	My commission expires:



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 appropr 1 X Under AS 04.16.010(c) Bona fide restaurant/eating p 2 Persons between 16 & 21 may dine unaccompanied. 3 Persons under 16 may dine accompanied by a person 21 year 4 Persons between 16 and 19 years may be employed. (See n	face. ars or older.
LICENSEE: Brown Bag Sandwich Camp	any LLC
DIBIA: Brown Bag Sandwich Camp DIBIA: Brown Bag Sandwich Camp	ompount
ADDRESS: 400 D St. Anchorage AK 9	9501
 Hours of Operation: 10:00 mm to 2:00 mm Teleph Have police ever been called to your premises by you or anyone else for an If yes, date(s) and explanation(s). 	none# 907-350-6803 y reason: [] Yes [x] No
3. Duties of employment: Food Pree Cook, Ser	1.0
	ver -
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?	Counter Service Other*
7. Is the owner, manager, or assistant manager always present during business	s hours? 🄀 Yes [] No
*** A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUS	T ACCOMPANY THIS APPLICATION ***
This permit remains in effect until the liquor license is transferred OR at the discret (13 AAC 104.795)	etion of the Alcoholic Beverage Control Board.
I certify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and be contained therein. Applicant(s) signature	nave instructed my employees about provisions
Subscribed and sworn to before me this	Application approved (13 AAC 104.725(e)
day of ADY 1 2012	Governing Body Official
In hosphast	Date:
Notary Public in and for Alaska My Commission expires (2)	
"Official Seal"	Director, ABC Board
Notary Public Moliasa Selvester	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.

Commission Expires June 22, 2013

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: Brown Bay Sondwich Company LLC

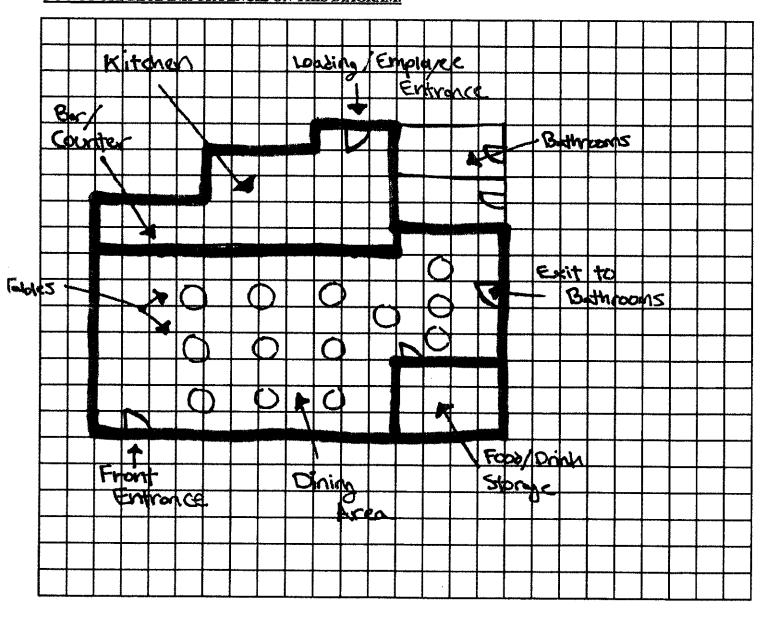
PREMISES LOCATION: 400 D Street Suite 16

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: Length = 43 feet with = 720 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.



(Menu)

BROWN BAG

HOT SANDWICHES

PASTRAMI REUBEN: PASTRAMI, SWISS, SAUERKRAUT, HORSERADISH CREAM, RUSSIAN DRESSING, GRILLED ON MARBLE RYE

BASIL PESTO CHICKEN: EVERROAST CHICKEN BREAST, CHIPOTLE JACK, ROASTED RED PEPPERS, RED ONION, BASIL PESTO GRILLED ON PARMESAN HERB FOCACCIA

DAY AFTER THANKSGIVING: OVENGOLD TURKEY BREAST, HAVARTI, CRANBERRY SAUCE, GRILLED ON ROSEMARY BREAD

GOODFELLA: SALAMI, PROSCUITTO, PROVOLONE, ROASTED RED PEPPERS, RED ONION, PEPPEROCINIS, ROASTED RED PEPPER SAUCE, GRILLED ON PARMESAN HERB FOCACCIA

CAPRESE: MOZZARELLA, TOMATO, BASIL PESTO, DRIZZLE OF BALSAMIC VINEGAR, GRILLED ON ROSEMARY BREAD

SPICY ROAST BEEF: ROAST BEEF, SWISS, HORSERADISH CREAM, GRILLED ON WHOLE WHEAT

COLD SANDWICHES

P.L.T.A.: PROSCUITTO, OVENGOLD TURKEY, PEPPER JACK, AVOCADO, TOMATO, RED ONION, LETTUCE, SPICY 3 PEPPER SAUCE, ON WHOLE WHEAT

HAM SAMMICH: BLACK FOREST HAM, CHEDDAR, DIJON, AND HORSERADISH CREAM ON MARBLE RYE

BACKPACKER: OVENGOLD TURKEY, SWISS, CLOVER SPROUTS, RED ONION, AVOCADO, ROASTED RED PEPPER SAUCE ON MULTI-GRAIN

HERBED CHICKEN: CHICKEN BREAST, PROVOLONE, ROASTED RED PEPPERS, ARTICHOKE HEARTS, SPRING GREENS, BASIL PESTO, ON PARMESAN HERB FOCACCIA

*EACH SANDWICH SERVED WITH DILL PICKLE SPEAR

BROWN BAG

DESSERTS

LUNCHBOX: CRUNCHY PEANUT BUTTER, BANANAS, ORGANIC HONEY, GRILLED ON HONEY WHOLE WHEAT

DESSERT FIRST: NUTELLA, RASPBERRY JAM, GRILLED ON HONEY WHOLE WHEAT

SALADS

CLASSIC CAESAR: HEARTS OF ROMAINE, PARMESAN, GARLIC CROUTONS, CAESAR DRESSING, AND A LEMON WEDGE

CRANBERRY SALAD: SPRING MIXED GREENS, BLEU CHEESE CRUMBLES, DRIED CRANBERRIES, PECANS, AND BALSAMIC VINAIGRETTE

GREEK: HEARTS OF ROMAINE, CUCUMBERS, TOMATO, RED ONION, KALAMATA OLIVES, FETA, AND BALSAMIC VINAIGRETTE

SOUPS

DAILY: TOMATO BASIL
SOUP OF THE DAY: ROTATING (BEEF VEGETABLE,
TURKEY BREAST WITH WHITE AND WILD RICE, HEARTY
BEEF CHILI WITH BEANS, CHICKEN NOODLE, TURKEY
AND ROASTED SWEET CORN CHOWDER, NEW ENGLAND
CLAM CHOWDER, MINESTRONE)

SIDES

KETTLE CHIPS
COLESLAW
HUMMUS PLATTER

BROWN BAG

CUSTOMIZE YOUR OWN SANDWICH:

CHOOSE FROM THE FOLLOWING:

BREAD:

PARMESAN HERB FOCACCIA
STONE BAKED ROSEMARY
STONE BAKED MARBLE RYE
STONE BAKED MULTI-GRAIN
STONE BAKED WHEAT
STONE BAKED WHITE
HONEY WHOLE WHEAT

MEAT:

BLACK FOREST HAM
OVENGOLD TURKEY BREAST
EVERROAST CHICKEN BREAST
FILET OF ROAST BEEF
TOP ROUND PASTRAMI
PROSCUITTO DI PARMA
PEPPERONI

CHEESE:

HORSERADISH CHEDDAR
YELLOW VERMONT CHEDDAR
HAVARTI
JALEPENO JACK
SHARP PROVOLONE
BLEU CHEESE
FETA

BROWN BAG

VEGGIES:

ROMAINE LETTUCE
MIXED SPRING GREENS
CLOVER SPROUTS
TOMATO
AVOCADO
RED ONION
ROASTED RED PEPPERS
PEPPEROCINIS
ARTICHOKE HEARTS
SUN-DRIED TOMATOES
CUCUMBER
KALAMATA OLIVES

SAUCE:

ROASTED RED PEPPER
BASIL PESTO
CRANBERRY SAUCE
HORSERADISH CREAM
SPICY 3 PEPPER
SRIRACHA RANCH

WANT A <u>REAL</u> ENERGY DRINK?
TRY OUR MADE TO ORDER CARROT-APPLE JUICE