

CITY OF PALMER
ACTION MEMORANDUM NO. 14-001

Subject: City Council Statement of Non-objection to Liquor License #5267, for the Colony Inn Café, Located at 325 East Elmwood Avenue, Palmer

Agenda of: January 14, 2014

Council Action: No objection

Approved for presentation by:

City Manager *Douglas B. Griff*
City Attorney _____
City Clerk *JR*

Certification of Funds:

Total amount of funds listed in legislation:	\$ _____ 0
This legislation (✓):	
<input checked="" type="checkbox"/> Has no fiscal impact	
Creates:	
_____ A negative fiscal impact in the amount of:	\$ _____
_____ A positive fiscal impact in the amount of:	\$ _____
_____ Funds are budgeted.	
Funds are budgeted from this (these) line item(s):	
a) ➤	\$ _____
b) ➤	\$ _____
a) Funds originally budgeted in line item :	\$ _____
Difference in budgeted funds:	\$ _____
b) Funds originally budgeted in line item :	\$ _____
Difference in budgeted funds:	\$ _____
_____ Funds are not budgeted.	
Budget amendment required in the total amount of:	\$ _____
Affected line item(s):	
➤	\$ _____
_____ General fund unassigned balance (after budget modification)	\$ _____
_____ Enterprise unrestricted net position (after budget modification)	\$ _____
Director of Finance signature certifying funds:	<u><i>[Signature]</i></u>

Attachment(s):

- Renewal Notice
- Liquor License

Summary statement: The new owners of Colony Inn Café have applied for a liquor license. State law requires local governing bodies to review requests pertaining to liquor licenses within their municipalities. The City may voice a non-objection or may file a protest to a request.

Administration recommendation: Approve action memorandum 14-001.

Route to: Department of Public Safety

Department of Public Safety

Code Compliant: √

Yes No

If no, explain:

Other Comments:



Director, Department of Public Safety

16 December 2013

Date

Route to: City Manager's Office

Other Comments:


City Manager

12/16/2013

Date

FORWARD TO COUNCIL FOR AGENDA OF: January 14, 2014

Route to: CLERK'S OFFICE



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive
Anchorage, Alaska 99501
Main: 907.263.5900
TDD: 907.465.5437
Fax: 907.263-5930

November 15, 2013

City of Palmer
Attn: Janette Bower
Matanuska- Susitna Borough

VIA EMAIL: jbower@palmerak.org
VIA EMAIL: Susan.Lee@matsugov.us

Crumb LLC

New Application

Restaurant Designation Permit

DBA Colony Inn Café – License #5267

Transfer of Ownership

DBA Name Change

Transfer of Location

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.

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 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e),

and 3 AAC 304.660(e) must be approved by the governing body.

SHIRLEY A. COTÉ
Director



Maxine Andrews
Business Registration Examiner
Direct line: 907-263-5922
Email: maxine.andrews@alaska.gov

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SHIRLEY A. COTÉ
Director



Maxine Andrews
Business Registration Examiner
Direct line: 907-263-5922
Email: maxine.andrews@alaska.gov

10518

New Liquor License

Alcoholic Beverage Control Board
2400 Viking Drive
Anchorage, AK 99501

(907) 263-5900
Fax: (907) 263-5930
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: Full Year OR Seasonal List Dates of Operation: _____

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2013-2014</u>	License Type: NEW, Restaurant / Eating Place	Statute Reference Sec. 04.11.100	License Fee: \$600.00 Filing Fee: \$100.00 Rest. Desig. Permit Fee: \$50.00
Office Use: License #: <u>5267</u>			Fingerprint: \$51.50 <i>(\$51.50 per person)</i>
Local Governing Body: (City, Borough or Unorganized) City of Palmer	Community Council Name(s) & Mailing Address: City of Palmer, City Council 231 West Evergreen Avenue Palmer, AK 99645		TOTAL \$801.50
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Crumb, LLC	Doing Business As (Business Name): Colony Inn Café	Business Telephone Number: 907-982-7423	Fax Number: N/A
Mailing Address: 1501 South Bonanza Street	Street Address or Location of Premises: 325 East Elmwood Avenue Palmer, AK 99645	Email Address: spencer.murphy@akcrumb.com	
City, State, Zip: Palmer, AK 99645			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: ~1500'	Distance measured under: <input checked="" 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. <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	
Distance to closest church: ~500'	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"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached		

New Liquor License

SECTION C – LICENSEE INFORMATION

1. 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

2. 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.

SECTION D – OWNERSHIP INFORMATION - CORPORATION

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): Crumb, LLC		Telephone Number: 907-982-7423	Fax Number: N/A
Corporate Mailing Address: 1501 South Bonanza Street	City: Palmer	State: Alaska	Zip Code: 99645
Name, Mailing Address and Telephone Number of Registered Agent: Spencer Murphy, 907-982-7423 1501 South Bonanza Street, Palmer, AK 99645		Date of Incorporation OR Certification with DCED: September 26, 2013	State of Incorporation: Alaska
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> 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
Spencer Murphy	Member, Manager	100	1501 South Bonanza Street Palmer, AK 99645 907-982-7423	907-982-7423	03/21/1976

NOTE: If you need additional space, please attach a separate sheet.

New Liquor License

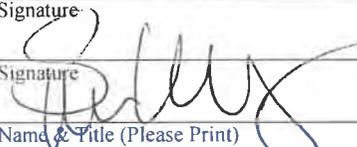
SECTION E – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

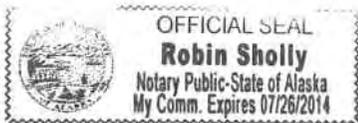
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work 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 licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s)	Signature of Licensee(s)
Signature 	Signature
Name & Title (Please Print) Spencer Murphy, General Manager	Name & Title (Please Print)
Subscribed and sworn to before me this 11 day of October, 2013	Subscribed and sworn to before me this _____ day of _____, _____
Notary Public in and for the State of Alaska	Notary Public in and for the State of _____
My commission expires: 7/26/2014	My commission expires:



STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 3 AAC 304.715-794

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 20 for employment. If for employment, please state in detail, how the person will be employed, duties, etc.

This application is for designation of premises where : (please mark desired items).

- 1 Under 3 AAC 304.305 Bona fide restaurant/eating place. License Number _____
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 20 years of age may be employed. *(See note below).

LICENSEE: Crumb, LLC

D/B/A: Colony Inn Cafe

ADDRESS: 325 East Elmwood Avenue, Palmer, AK 99645

1. Hours of Operation: 10:00AM to 4:00PM Telephone # 907-982-7423

2. Have police ever been called to your premises by you or anyone else for any reason: [] Yes [X] No
If yes, date(s) and explanation(s).

3. * Duties of employment: Bussing Tables, Dish Washing, Food Service

4. Are video games available to the public on your premises? NO

5. Do you provide entertainment: [] Yes [X] 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 PREMISE DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

I have read and am familiar with Title 4 of the Alaska statutes and its regulations.

Applicant signature _____

Local Governing Body Approval _____

Subscribed and sworn to before me this 14th day of November 2013

Date: _____

Notary Public in and for Alaska

My Commission expires w/office

Director, ABC Board

Date: _____

*Employees 16 and 17 years of age must have a work permit and a letter maintained in your files from a parent or guardian authorizing employment at this location.

** If more space is required to explain food service, entertainment, etc., please add on back or attach additional page(s).



Inn Café

(907) 746-6118

- Located in the Historic Colony Inn -

Lunch:

Soup of the Day:

Cup and Roll - \$4.50

Bowl and Roll - \$6.25

Cup, Roll and Garden Salad - \$9.00

Bowl, Roll and Garden Salad - \$10.75

PASTA MARINARA - angel hair pasta covered w/our homemade sauce, garlic bread - \$8.95

DAILY LUNCHEON QUICHE - includes a cup of soup and a tossed salad - \$10.25 w/bowl add \$2.75

Salads:

GREEK - romaine, tomato, cucumber, onion, kalamata olives, capers, feta cheese, w/balsamic vinaigrette - \$8.95

CAESAR SALAD - romaine, croutons, tomato, fresh parmesan - \$8.95

w/ chicken breast - \$3.00

SPINACH SALAD - bacon, swiss cheese, red onions, tomato, HB egg, honey mustard dressing - \$8.95

SMALL GARDEN SALAD \$4.50

Sandwiches:

All sandwiches include your choice of Italian Pasta, potato salad, coleslaw, or a cup of soup.

SALMON BURGER - lettuce, tomato, onion, mayo, Dijon served on a bun \$9.95

PREMIUM ROAST BEEF - horseradish sauce, Tillamook cheddar, lettuce, tomato, onion, on sourdough - \$9.95

CHICKEN SALAD - lettuce, tomato, onion, served on a croissant - \$9.95

COLD HAM OR TURKEY - mayo, dijon mustard, swiss cheese, lettuce, tomato, onion, served on a Kaiser bun - \$8.95

VEGETARIAN - guacamole, sprouts, tomato, bell pepper, red onion, cucumber, provolone, on whole wheat - \$9.95

REUBEN - corned beef, sauerkraut, and swiss cheese, grilled on rye bread - \$9.95

PHILLY CHEESE STEAK - roast beef, grilled onions and peppers, melted swiss cheese, served on a french roll - \$9.95

ALL AMERICAN CHEESEBURGER - 1/3 pound beef patty, Tillamook cheddar, lettuce, tomato, onion, pickle, ketchup, and mayo, served on a Kaiser bun - \$9.95

GRILLED CHICKEN BREAST - bacon, pepper jack cheese, mayo, dijon mustard, lettuce, tomato, onion, on a Kaiser bun - \$10.25

FRENCH DIP - roast beef with au jus served on a french roll - \$9.95

HOT HAM OR TURKEY - mayo, dijon mustard, melted swiss cheese, on a french roll - \$8.95

Beverages:

ICED TEA \$1.25 SOFT DRINKS \$1.25 MILK \$1.50 HOT CIDER \$1.50

HOT CHOCOLATE \$1.50 COFFEE \$1.50 HOT TEA: chamomile, jasmine, chai, earl grey, green tea, peppermint, english breakfast tea \$1.50

Ask server for beer and wine selection

*Let us cater
your next event!*

- Rehearsal Dinners
- Birthday Parties
- Business Luncheons
- Receptions
- Anniversary Dinners
- Company Parties

Inn Café

(907) 746-6118

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: Colony Inn Cafe

PREMISES LOCATION: 325 East Elmwood Avenue, Palmer, AK 99645

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

SCALE A: X 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.

