

**CITY OF PALMER
ACTION MEMORANDUM NO. 14-014**

Subject: City Council Statement of Non-objection to Liquor License #5146, for Eagle Hotel Restaurant & Lounge, Located at 918 S Colony Way, Palmer

Agenda of: February 25, 2014

Council Action: No objection

Approved for presentation by:

City Manager *J Douglas B. Griffin*
City Attorney _____
City Clerk *JH*

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 owners of Eagle Hotel Restaurant & Lounge have applied for renewal of their 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 14-014.

City of Palmer • Liquor License Review Form

BUSINESS NAME: Eagle Hotel Restaurant and Lounge **OWNER:** Eagle Hotel, LLC
LICENSE TYPE: Beverage Dispensary – Tourism
LOCATION: 918 S Colony Way

Route to: Department of Finance

Department of Finance

Sales Tax Current: ✓ Yes No

If no, explain: _____

Utilities Current: ✓ Yes No

If no, explain: _____

Special Assessments Current: ✓ Yes No

If no, explain: _____

Other Comments: _____



1/24/14

Director, Department of Finance

Date

Route to: Department of Community Development

Department of Community Development

Code Compliant: ✓ Yes No

If no, explain: _____



1/27/14

Director, Department of Community Development

Date

Route to: Department of Public Safety

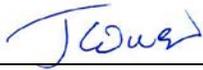
Department of Public Safety

Code Compliant: Yes

Yes No

If no, explain:

Other Comments:



Director, Department of Public Safety

28 January 2014

Date

Route to: City Manager's Office

Other Comments:



City Manager

January 28, 2014

Date

FORWARD TO COUNCIL FOR AGENDA OF: February 25, 2014

Route to: CLERK'S OFFICE



January 16, 2014

Renewal Application Notice

City of Palmer

Attn: City Clerk

VIA EMAIL: jbower@palmerak.org

cc: Susan Lee, Planner

VIA EMAIL: susan.lee@matsugov.us

| DBA | Lic Type | Lic # | Owner | Premise Address |
|---------------------------------|---|-------|---------------------|------------------|
| Pizzeria Delphi Restaurant | Restaurant/Eating Place | 1436 | Vasilios Karagounis | 103 W Arctic |
| Eagle Hotel Restaurant & Lounge | Beverage Dispensary-Tourism AS 04.11.400(d) | 5146 | Eagle Hotel, LLC | 918 S Colony Way |

We have received a renewal application for the above listed licenses 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 have 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 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. COTÉ
Director

/s/Christine C. Lambert

Christine C. Lambert
Records & Licensing Supervisor
269-0359