

Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve a Restaurant Designation Permit application for Trinity Business Services, LLC dba Halibut Point Crab & Brew at 4513 Halibut Point Road and forward this approval to the Alcoholic Beverage Control Board without objection.



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Mayor and Assembly Members
From: Sara Peterson, Municipal Clerk
Date: August 3, 2016
Subject: Application for Restaurant Designation Permit (#5510)

This office has received notification of the following application for a restaurant designation permit for:

License #: 5510
Applicant: Trinity Business Services, LLC
DBA: Halibut Point Crab & Brew
Address: 4513 Halibut Point Road
Type: Restaurant/Eating Place

This application is for the request of the following designations:

- Bona fide hotel, restaurant, or eating place
- Dining by persons under the age of 16 years, accompanied by a person over the age of 21

At the July 26th Assembly meeting, a new liquor license was approved for Trinity Business Services, LLC dba Halibut Point Crab & Brew and forwarded to the Alcoholic Beverage Control Board without objection. In addition to the license, a restaurant designation permit is required and is before you for approval. Correspondence was circulated to the various municipal departments who may have a reason to protest. No objections were received.

Recommendation: Approve a Restaurant Designation Permit for Trinity Business Services, LLC dba Halibut Point Crab & Brew at 4513 Halibut Point Road and forward this approval to the Alcoholic Beverage Control Board without objection.

Sara Peterson

From: Senquiz, Shilo L (CED) <shilo.senquiz@alaska.gov>
Sent: Tuesday, August 02, 2016 10:34 AM
To: Sara Peterson
Subject: Revised Notification of pending new liquor license # 5510 dba: Halibut Point Crab & Brew
Attachments: 5510 application and diagram and RDP.pdf; 5510 4 page LGB.pdf

Sara,

Attached is the revised notification (originally sent 7/14/16). The only difference for this notice, is the applicant has filled out an RDP. (Restaurant Designation Permit)

Please respond approved or protest to this application within 60 days.
Please notify me when you receive this email and attachments.

Please cc our licensing email with any correspondence -amco.localgovernmentonly@alaska.com

Thanks,

Shilo Senquiz

Business Registration Examiner | Dept. of Commerce and Economic Development | Alcoholic & Marijuana Control Office
550 W. 7th Ave. Ste. 1600 Anchorage, AK 99501 | 907.334-0892 |



Please consider the environment before printing this e-mail.

Less paper is better for us and our environment.

RECEIVED
AUG - 2 2016
City & Borough of Sitka-
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

July 14, 2016

City and Borough of Sitka
Attn: Sara Peterson & Melissa Henshaw

VIA Email: **Municipal Clerk:** sara.peterson@cityofsitka.org
Deputy Clerk: melissa.henshaw@cityofsitka.org

Restaurant/Eating Place License #5510 DBA: Halibut Point Crab & Brew

- New Application** **Transfer of Ownership** **Transfer of Location**
 Restaurant Designation Permit **DBA Name Change**

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.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shilo Senquiz", is centered on the page.

Shilo Senquiz
Business Registration Examiner
Direct line: 907-334-0892
Email: shilo.senquiz@alaska.gov

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: July 14, 2016

Application Type: **NEW** **X**

TRANSFER
 Ownership
 Location
 Name Change

Governing Body: **City and Borough of Sitka**
 Community Councils: None

License #: 5510
 D.B.A.: Halibut Point Crab & Brew
 Licensee/Applicant: Trinity Business Services, LLC.
 Physical Location: 4513 Halibut Point Rd.
 Mail Address: PO Box 816 Sitka, AK
 Telephone #:
 EIN:

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Trinity Business Services, LLC.	PO Box 816 Sitka, AK 99835		03/13/2015 Alaska	Yes

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 (%)
Benjamin T. Hilberg		485 Katlan Unite Sitka, AK 99835		100%

If **transfer** application, current license information:

License #: n/a
 Current D.B.A.: n/a
 Current Licensee: n/a
 Current Location: n/a

Additional comments:

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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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.

Sincerely,

Shilo Senquiz
Business Registration Examiner
shilo.senquiz@alaska.gov
907-334-0892



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

What is this form?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A detailed floor plan of the proposed designated and undesignated areas of the licensed business and a menu or expected menu listing the meals to be offered to patrons must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Section 1 – Establishment Information

Enter information for licensed establishment.

Licensee:	TRINITY BUSINESS SERVICES, LLC		
License Type:	Restaurant/Eating Place	License Number:	5510
Doing Business As:	HALIBUT POINT CRAFTS and Brew		
Premises Address:	4513 HALIBUT PT ROAD		
City:	SITKA	State:	AK ZIP: 99835

Section 2 – Type of Designation Requested

This application is for the request of the following designation(s) (check all that apply):

- Bona fide hotel, restaurant, or eating place: AS 04.11.100, 3 AAC 304.715 – 3 AAC 304.745
- Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
- Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- Employment for persons 16 or 17 years of age: AS 04.16.049(c)
- Dining by persons 21+ years of age after standard closing hours: AS 04.16.010(c)

OFFICE USE ONLY			
Issue Date:	Transaction #:	BRE:	CMS



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0330

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 3 – Additional Information

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

Generally M-S 11am-6pm when cruise ship on dock
 Parties on request

Are any forms of entertainment offered or available within the licensed business or on the proposed designated portions of the premises?

Yes No

If "Yes", describe the entertainment offered or available:

Food and beverage service offered or anticipated is:

table service buffet service counter service other

If "other", describe the manner of food and beverage service offered or anticipated:

Order @ counter food/beer/wine delivered

Is an owner, manager, or assistant manager 21 years of age or older always present on the premises during business hours?

Yes No

Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the third page of this form.

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the third page of this form that meet the requirements of this form.

Yes No



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 4 – Detailed Floor Plan

Provide a detailed floor plan that clearly indicates the proposed designated and undesignated areas of the licensed business.

See attach

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: Halibut Point Crab and Brew

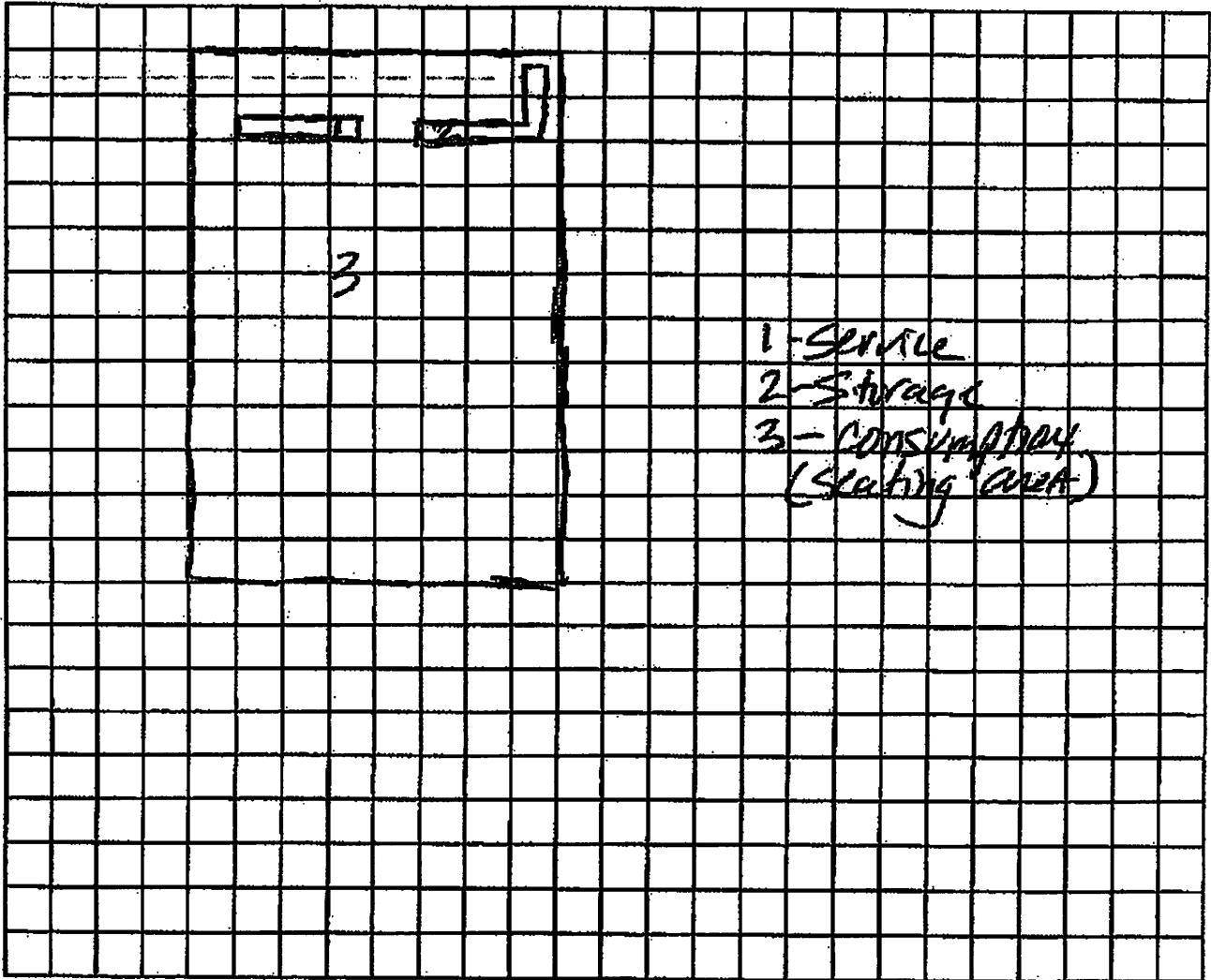
PREMISES LOCATION: 4513 HALIBUT POINT ROAD SITKA 99835

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

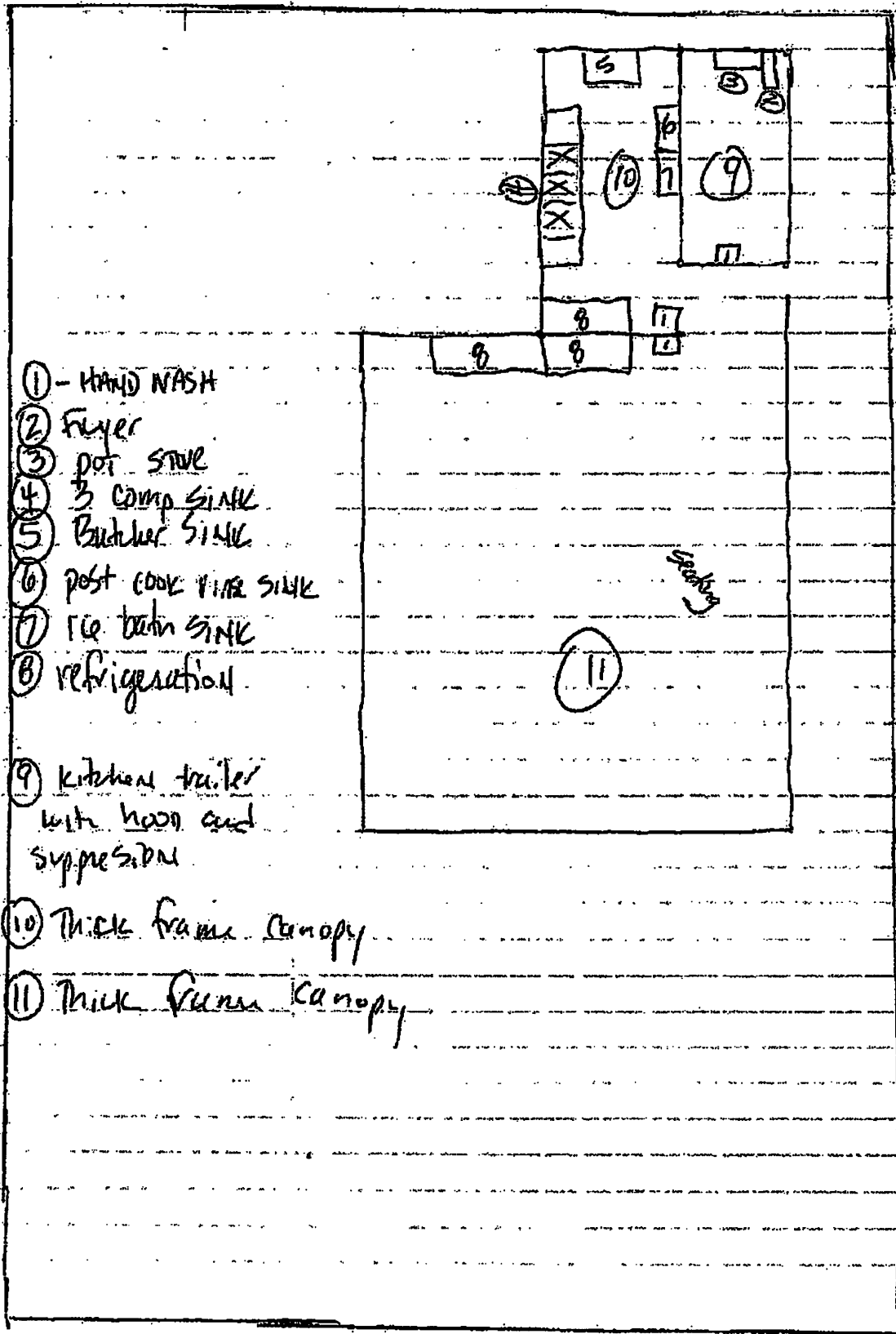
SCALE A: 1 SQ. = 4 FT. SCALE B: 1 SQ. = 1 FT.

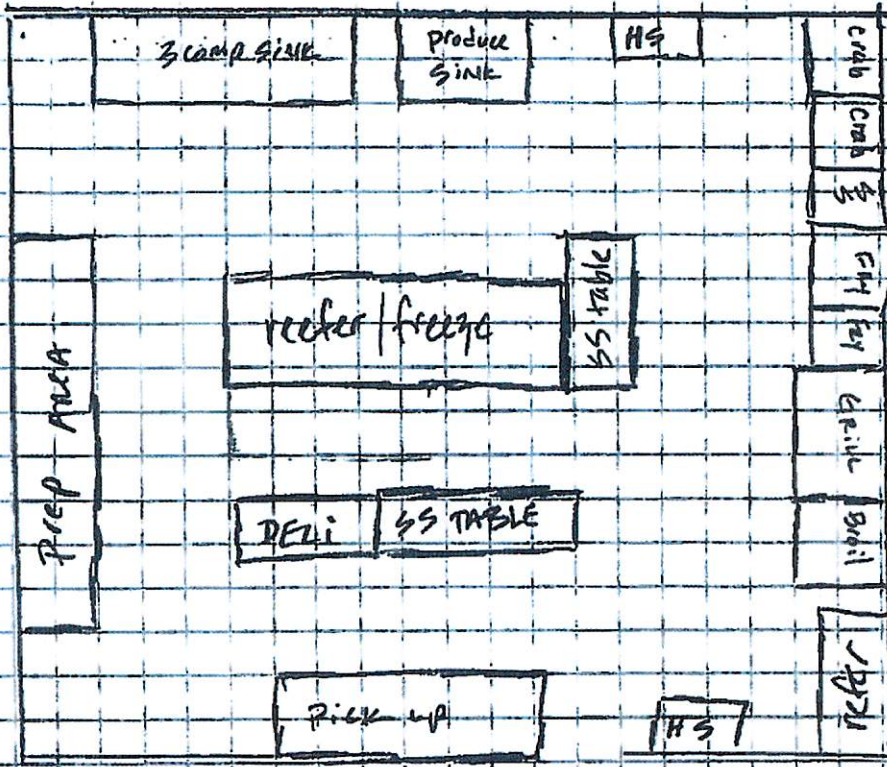
Length and width of premises in feet:

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.



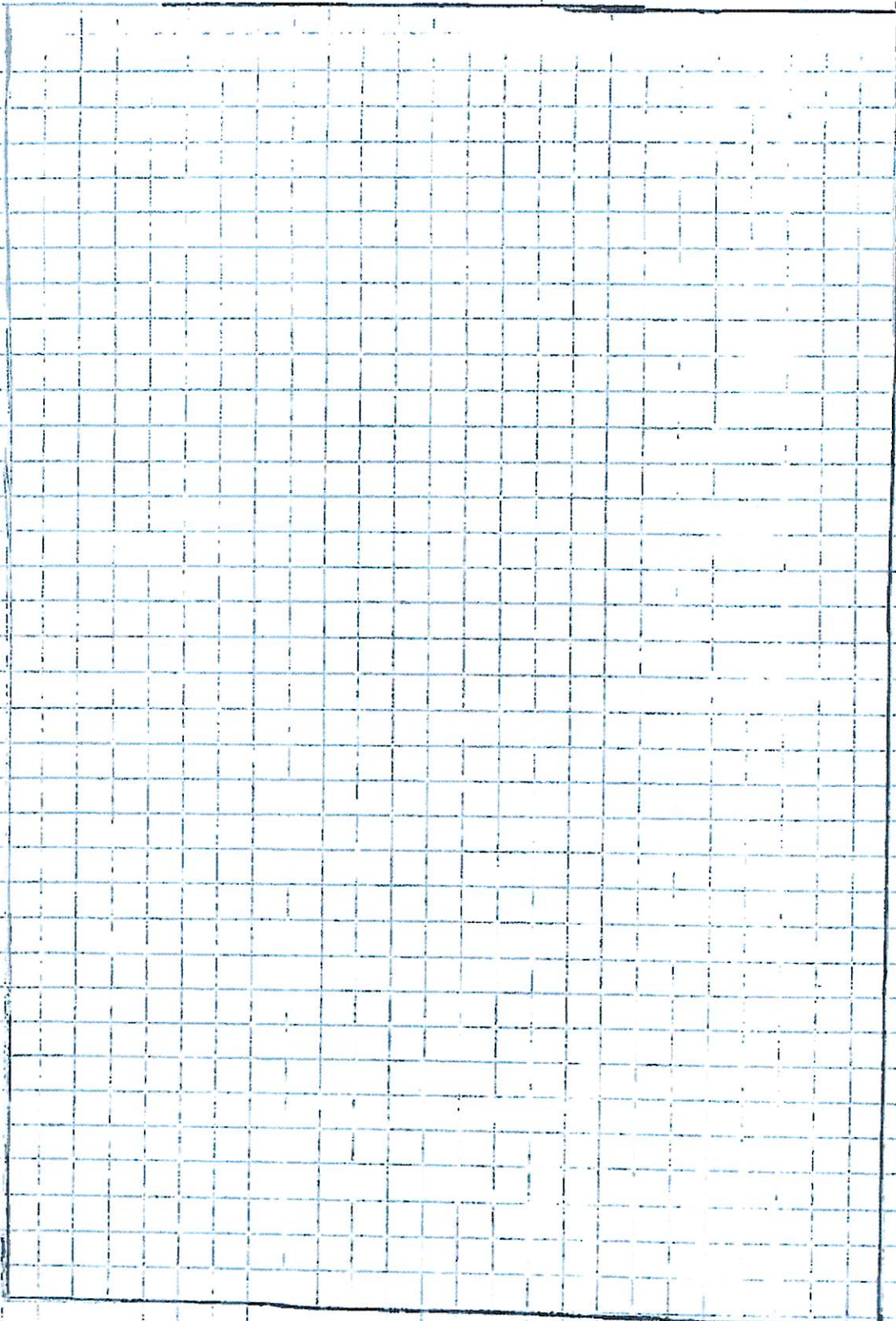
1/17 1/17





draft kitchen layout

WATER SIDE



30000
= 1000

Proposed Menu

Live Dungeness Crab

King Crab Legs

Sourdough Corn Fritters

Crab Cakes

Crab Sandwich

Crab Louie

Cole Slaw

Bottled Soda

Beer (draft and Bottles)



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amcn>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Certifications and Approvals

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I have included with this form a detailed floor plan of the proposed designated and undesignated areas of the licensed business.

Mr

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons.

Mr

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.

Mr

I declare under penalty of perjury that I have examined this form, including all attachments and accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Benjamin T. Hiberty
 Signature of licensee:

Melis Jordan
 Signature of Notary Public

BENJAMIN T. HIBERTY
 Printed name of licensee

Notary Public in and for the State of Washington

My commission expires: 05-08-2019



Subscribed and sworn to before me this 30th day of July, 2016

Local Government Review (to be completed by an appropriate local government official):

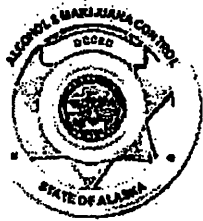
Approved Disapproved

Signature of local government official

Date

Printed name of local government official

Title



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review:

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Enforcement Recommendations:

AMCO Director Review:

Approved Disapproved

Signature of AMCO Director

Printed name of AMCO Director

Date

Limitations:

Alcoholic Beverage Control Board
 550 West 7th Ave. Suite 1600
 Anchorage, AK 99501

New Liquor License

(907) 269-0350
 Fax: (907) 334-2285
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: Full Year OR Seasonal List Dates of Operation: 4/1/16 - 9/3/16

SECTION A - LICENSE INFORMATION			FEES
Office Use: License Year: <u>2016-17</u>	License Type: <u>Restaurant and Eating Place License</u> <u>LAS 04.11.100</u>	Statute Reference Sec. 04.11. <u>100</u>	<u>14045</u> License Fee: \$ <u>600.00</u> Filing Fee: \$100.00 Rest. Desig. Permit Fee: \$ Fingerprint: <u>\$49.75</u> (\$49.75 per person) TOTAL <u>749.75</u>
Office Use: License #: <u>5510</u>	Local Governing Body: (City, Borough or Unorganized) <u>SITKA</u>		Community Council Name(s) & Mailing Address: <u>see attach.</u>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>TRINITY BUSINESS SERVICES, LLC</u>		Doing Business As (Business Name): <u>HALIBUT POINT CLUB BREW</u>	
Mailing Address: <u>PO BOX 816</u>	Street Address or Location of Premises: <u>4513 HALIBUT POINT ROAD</u> <u>SITKA, ALASKA 99835</u>		Business Telephone Number: Fax Number: <u>SAME</u> Email Address:
City, State, Zip: <u>SITKA ALASKA 99835</u>			
SECTION B - PREMISES TO BE LICENSED			
Distance to closest school grounds: <u>Approx 4 mile</u>	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: <u>Approx 3.5 mile</u>	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): TRINITY BUSINESS SERVICES, LLC		Telephone Number:	Fax Number:
Corporate Mailing Address PO Box 816	City: SITKA	State: ALASKA	Zip Code: 99835
Name, Mailing Address and Telephone Number of Registered Agent: BEN HILBELL PO Box 816 SITKA 99835		Date of Incorporation OR Certification with DCED: 3/13/15	State of Incorporation: ALASKA
Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" 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
BENJAMIN T HILBELL	PLCS	100	MRS KATLAN UNITE SITKA 99835		

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: Home: Work:	<input type="checkbox"/> Applicant <input type="checkbox"/> Affiliate Date of Birth:	Name: Address: Home Phone: Work Phone:	<input type="checkbox"/> Applicant <input type="checkbox"/> Affiliate Date of Birth:
	<input type="checkbox"/> Applicant <input type="checkbox"/> Affiliate Date of Birth:	Name: Address: Home Phone: Work Phone:	<input type="checkbox"/> Applicant <input type="checkbox"/> Affiliate Date of Birth:

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, the information furnished is true, correct and complete, and this application is not in violation of any security interest or other contracted obligation.

Where there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board, and where, on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application if a license is issued.

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, 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: <i>[Signature]</i>	Signature of Licensee(s) Signature: _____
Signature: _____	Signature: _____
Name & Title (Please Print) <i>BT HILBERT President</i>	Name & Title (Please Print) _____
Subscribed and sworn to before me this <i>11</i> day of <i>July</i> , <i>2016</i> .	Subscribed and sworn to before me this _____ day of _____, _____.
Notary Public in and for the State of <i>Alaska</i> <i>Katherine L. Kilkeary</i>	Notary Public in and for the State of _____
My commission expires: <i>04/01/18</i>	My commission expires: _____



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, counters, bars, coolers, stages, etc.

DBA: Haribut Point Crab and Brew

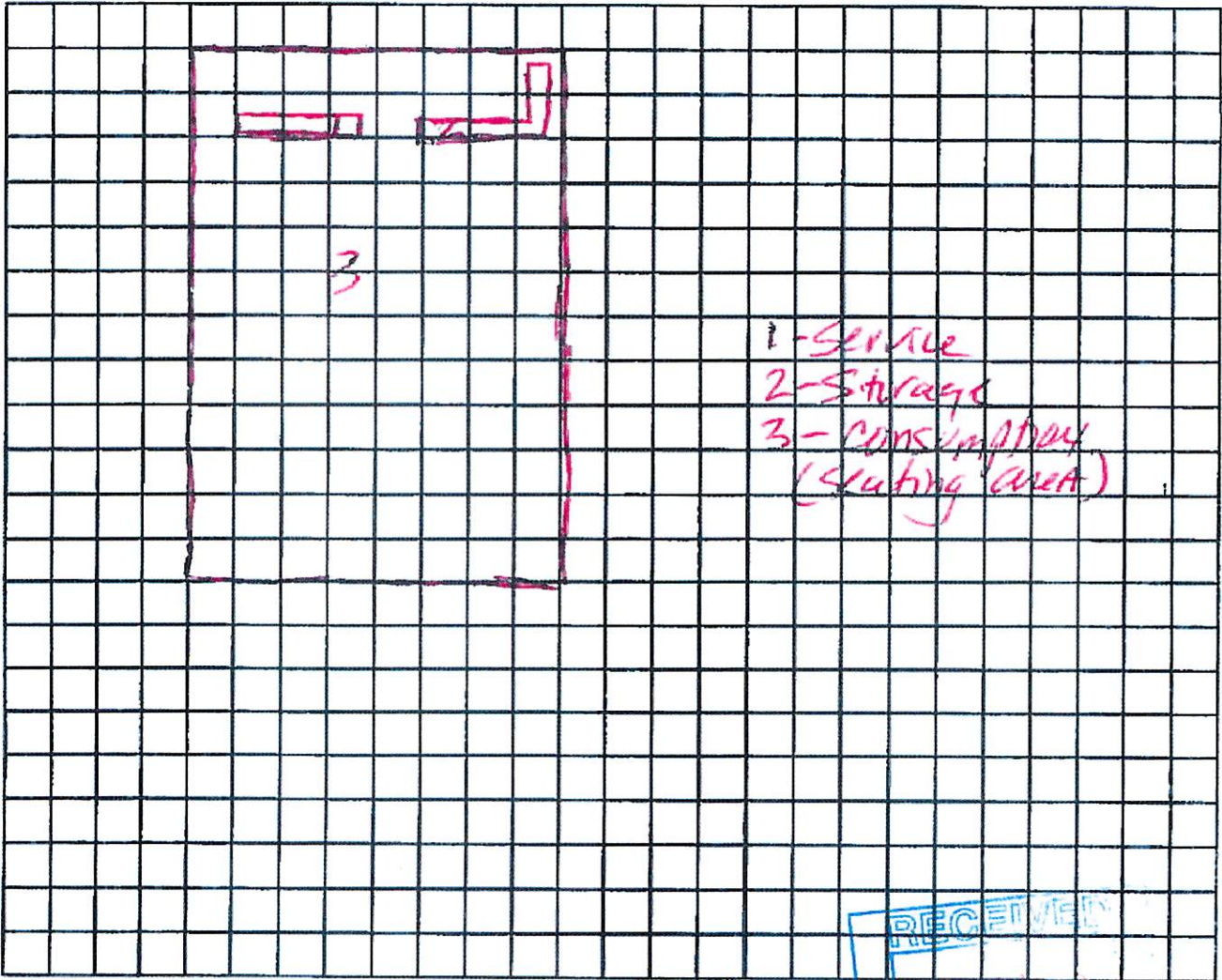
PREMISES LOCATION: 4513 Haribut Point Road Sitka 99835

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

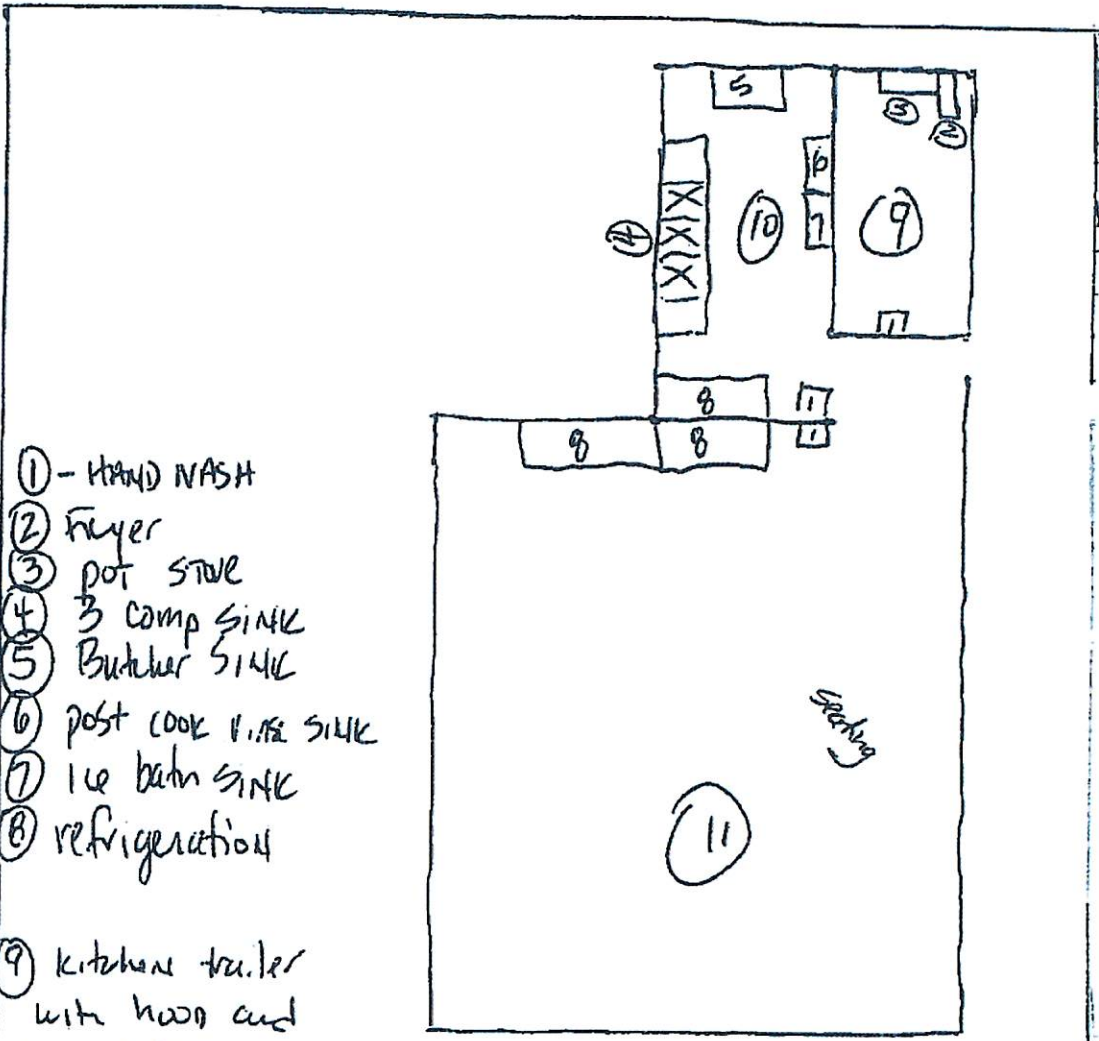
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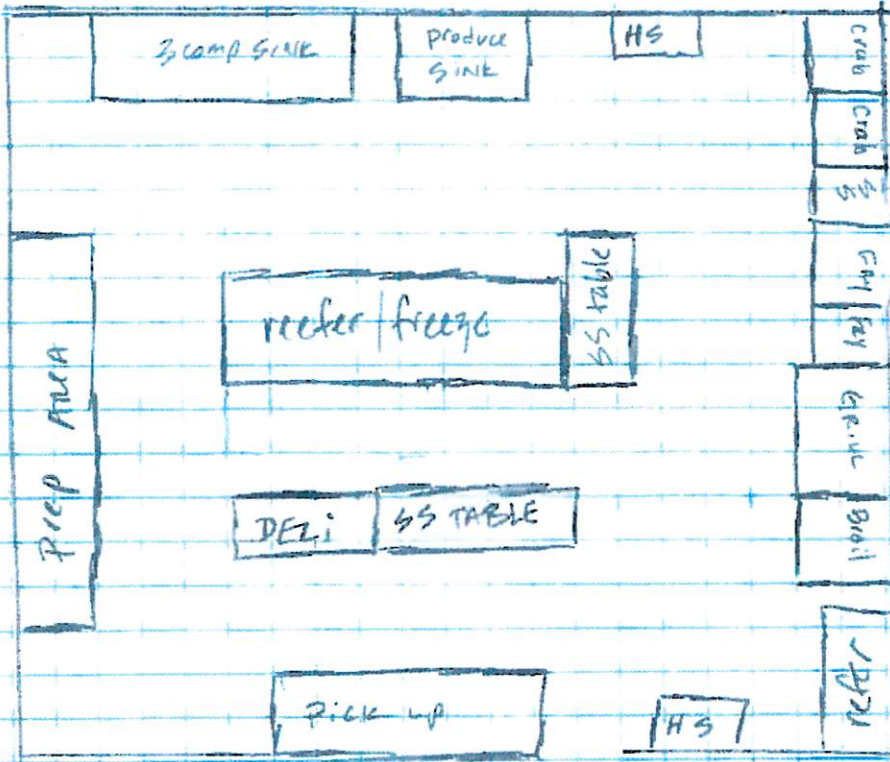
WEST EAST



WHEN SIDE

- ① - HAND WASH
- ② Fryer
- ③ pot stove
- ④ 3 comp sink
- ⑤ Butcher sink
- ⑥ post cook waste sink
- ⑦ ice bath sink
- ⑧ refrigeration
- ⑨ kitchen trailer with hood and suppression
- ⑩ Thick frame canopy
- ⑪ Thick frame canopy

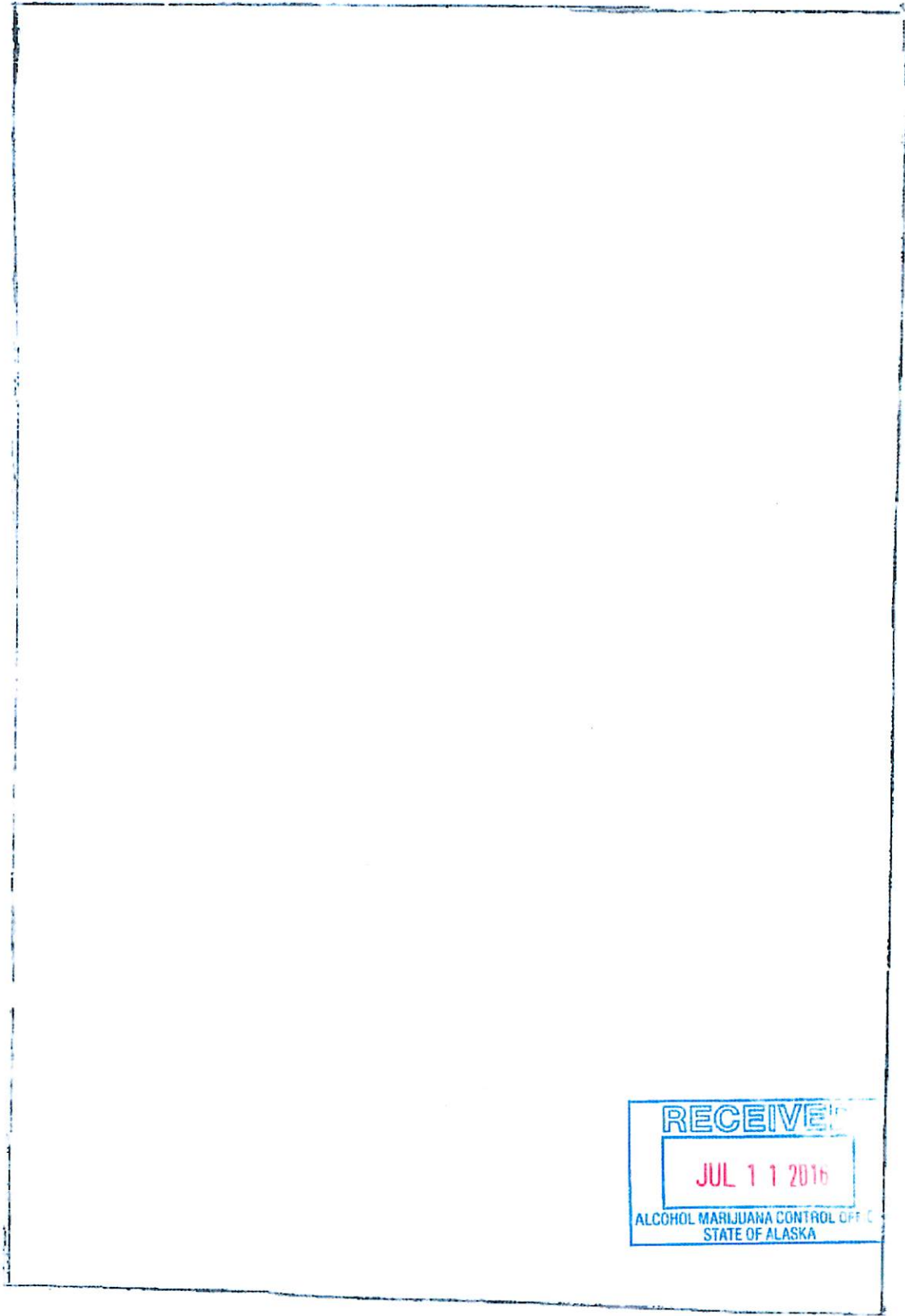
RECEIVED
 JUL 11 2017
 ALCOHOL MARIJUANA CONTROL
 STATE OF ALASKA



draft kitchen layout



WATER SIDE



RECEIVED
JUL 11 2016
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

WATER
SIDE

Proposed Menu

Live Dungeness Crab

King Crab Legs

Sourdough Corn Fritters

Crab Cakes

Crab Sandwich

Crab Louie

Cole Slaw

Bottled Soda

Beer (draft and Bottles)

