If this item is pulled from the consent agenda the following motion would be in order:

POSSIBLE MOTION

I MOVE TO approve liquor license renewal applications for Sitka Moose Lodge #1350 and JL Sitka, Inc. dba Westmark Sitka Hotel and forward these 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 McConnell and Assembly Members

From:

Sara Peterson, Municipal Clerk

Date:

January 19, 2016

Subject:

Liquor License Renewals

This office has received notification of the following liquor license renewal applications:

License #:

748

DBA:

Loyal Order of Moose #1350

License Type:

Club

Licensee:

Sitka Moose Lodge #1350

Premises Address:

337 Lincoln Street

License #:

1031

DBA:

Westmark Sitka Hotel

License Type:

Beverage Dispensary - Tourism

Licensee:

JL Sitka, Inc.

Premises Address:

330 Seward Street

A memo was circulated to the various departments who may have had reason to protest and no protests were received.

Recommendation: Approve the liquor license renewal applications for the Sitka Moose Lodge #1350 and JL Sitka, Inc. dba Westmark Sitka Hotel.



Department of Commerce, Community, and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

Sarah Daulton Oates 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501 Phone: 907.269.0350 alcohol.licensing@alaska.gov

January 7, 2016

City and Borough of Sitka

Attn: Sara Peterson, Municipal Clerk

VIA Email: sara.peterson@cityofsitka.org

melissa.henshaw@cityofsitka.org

Re: Notice of 2016/2017 Liquor License Renewal Applications

Dear Ms. Ingman,

We have received a renewal application for each of the following licenses within your jurisdiction:

Lic.#	Doing Business As	License Type	Licensee	Premises Address
748	Loyal Order of Moose #1350	Club	Sitka Moose Lodge #1350	337 Lincoln Street
1031	Westmark Sitka Hotel	Beverage Dispensary- Tourism	JL Sitka, Inc.	330 Seward Street

A local governing body as defined under AS 04.21.080(b)(18) may protest the approval of an application(s) pursuant to AS 04.11.480 by providing 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 our office 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 when 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(s) 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 regarding local governing body protests, please refer to 3 AAC 304.145.

If you have any questions or concerns or require additional information, please feel free to contact our licensing unit at alaska.gov.

Sincerely,

Sarah Daulton Oates

Records & Licensing Supervisor sarah.oates@alaska.gov

Alcoholic Beverage Control Board 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501

Renewal Liquor License 2016/2017

Phone: (907) 269-0350 Email: alcohol.licensing@alaska.gov http://commerce.alaska.gov/web/abc/Home.aspx

X Full Year If seasonal, list dates of operation: License is: OR Seasonal SECTION A - LICENSE INFORMATION Statute Reference: License Number: License Type: Doing Business As (DBA): Street Address or Location of Premises: 901-747-334 SECTION B - OWNERSHIP INFORMATION - CORPORATION (if owner is a sole proprietor, skip to SECTION C) Corporations, LLOs, LLPs and LPs must be registered with the Alaska Division of Corporations. Name of Entity (Corporation/LLC/LLP/LP): is the Entity in "Good Sanding" with the Alatka Divition of Corpora Ignt? If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee. Entity Members (Must Include President, Secretary, Treasurer, Vigo-President, Manager and Shareholder/Member with 10% or more of stock) Telephone Number Name Title

Renewal Application

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

Page 1 of 2

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dividual Licensees/ Affiliates (The ABC Board de	efine ⊡an "affil	a e" a The pour	e or "Ignificant other of a licens	ee. Each	affiliate n	nust be listed.)	
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ddress:	Affiliat		_ Address:			Affiliate Date of Birth:	
none:	Date	if Birth	Phone:			Date of Birth.	
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ione:			Phone:				-
SECTION D - SUPPLEMENTAL QUESTI	ONS					1	
Was your business open at least 30 days for		day in 2014?		√∆Yes	· No		
Was your business open at least 30 days for	1	1		Yes	No		
Has any person named in this application t	been convicted	of a felony or Title	4 violation?	Yes	PONO		
if yes, attach a written explanation.					(
Has the licensed premises changed from ti	he last diagram	submitted?		Yes	MO		
If yes, attach a new diagram with desi	gnated premis	es areas outlined in	red.		(
For Package Stores only:							
Do you intend to sall alcoholic beverages it	n response to	written order?		Yes	No		
For Restaurant / Eating Places only:							
Were your gross receipts from the sale of	food at least 50	0% of your total gro	oss receipts for 2014 and 2015?	Yes	No		
CLARATION							
of my knowledge and belief it is true, corre I hereby certify that there have been no che Board. The undersigned certifies on behalf application or revocation of any license iss. I further certify that I have read and am far ASO4.11.450, no person other than the lice I agree to provide all information required. As a licenses (sole proprietor or partner).	ot, and comp anges in office f of the organ ued. miliar with Tit ensee(s) has a by the Alcoho	lete. ers or stockholde ized entity, it is u le 4 of the Alaska any direct or indi blic Beverage Cor	Inderstood that a misrepresen a statutes and its regulations, a rect financial interest in the lio atrol Board in support of this a	nd to the a station of and that i ensed bu pplication	Alcoholic fact is ca n accord siness. n.	Beverage Control ause for rejection of ance with	
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Alcoholic Beverage Control Board 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501

Renewal Liquor License 2016/2017

Phone: (907) 269-0350 Email: alcohol.licensing@alaska.gov http://commerce.alaska.gov/web/abc/Home.aspx

Full Year OR Seasonal License is: If seasonal, list dates of operation: **SECTION A - LICENSE INFORMATION** License Number: License Type: Statute Reference: 1031 Beverage Dispensary-Tourism AS Sec. 04.11.400(d) 04.11.400(d) Local Governing Body: Community Council (if applicable): Sitka, City & Bor Other(Anch, Sit, Jno, Com. Car, WA) Name of Licensee: Doing Business As (DBA): Westmark Sitka Hotel JL Sitka, Inc. Malling Address: Street Address or Location of Premises: 330 Seward Street

SECTION B - OWNERSHIP INFORMAT	TON - CORPORATION	ON (if owner is a s	ole proprietor, skip to SECTION C)	
Corporations, LLCs, LLPs and LPs	must be registere	d with the Alask	a Division of Corporations.	
Name of Entity (Corporation/LLC/LLP/LP):				
JL Sitka, Inc.				
Is the Entity in "Good Standing" with the A	laska Division of Corp	porations?	Yes 🗆 No	
If no, attach written explanation. Your en	tity must be in compli	ance with Title 10 of	the Alaska Statutes to be a valid liquor licen	see.
Entity Members (Must include Presiden	t, Secretary, Treasure	r, Vice-President, Ma	nager and Shareholder/Member with 10%	or more of stock)
Name	Title	96	Mailing Address	Telephone Number
John Emmi	Partner	5090		907-229-7135
Lisa Laudon	Partner	50010		901-230-4095
1		demand at the state of the stat		
		10 decision -		
		-		
NOTE: If you need additional space, pleas	e attach a separate s	heet.		

ndividual Licensees/Affili	ates (The ABC Board define	s an "affiliate" as t	he spouse or significant o	ther of a licensee. Each	affiliate must be listed.)
lame:		Applicant []	Name:		Applicant
ddress:		Affiliate 🗆	Address:		Affiliate 🗆
		Date of Birth:			Date of Birth:
hone:			Phone:		
lame:		Applicant Affiliate	Name:		Applicant Affiliate
ddress:		Date of Birth:	Address:		Date of Birth:
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SECTION D - SU	PPLEMENTAL QUESTIONS			,	
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	d the required tourism staten			GVes □ No	
ECLARATION					
I hereby certify that t Board. The undersign application or revoca I further certify that I	ned certifies on behalf of t tion of any license issued. have read and am familia	nd complete. Is in officers or sto the organized enth or with Title 4 of th	ockholders that have not ty, it is understood that e Alaska statutes and its	t been reported to the A a misrepresentation of a regulations, and that in	
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Renewal Application

OFFICIAL SEAL Christina N. Thibodeaux OFFICIAL SEAL
Christina N. Thibodeaux
NOTARY PUBLIC
My Commission Expires With Office

rev. 09/21/2015



November 23, 2015

Renewal for Tourism License

Westmark Sitka Hotel JL Sitka 1031

We provide hotel rooms and meals for tourist.

We have a full service restaurant and lounge, providing breakfast, lunch, and dinner for our hotel guest.

We only have one hotel room that has a kitchen.

Although we help guest find tours, fishing charters, and other attractions, we do not provide any.

We have not done any major construction the last two years.

Sincerely,

Sharon Bryant

Controller

907-747-0965

DEC 4'15 AM11:22