

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

POSSIBLE MOTION

I MOVE TO approve a new seasonal liquor license (Restaurant/Eating Place) 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: July 20, 2016
Subject: Application for New Seasonal Liquor License (#5510)

This office has received notification of the following application for a new seasonal liquor license for:

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

A notice was published in the local newspaper and posted to the establishment as required by Sitka General Code. In addition, a memo was circulated to the various municipal departments who may have a reason to protest. No objections were received.

Recommendation: Approve a new seasonal liquor license 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.



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 black ink, appearing to read 'Shilo Senquiz', with a long horizontal flourish extending to the right.

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 #: Restaurant/Eating Place
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 #: 907-623-0622
EIN: XXXXXXXXXX

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Trinity Business Services, LLC.	PO Box 816 Sitka, AK 99835	253-405-0389	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	XXXXXXXXXX	485 Katlan Unite Sitka, AK 99835	907-623-0622	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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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

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 <u>14045</u>
Office Use: License Year: <u>2016-17</u>	License Type: <u>Restaurant and Eating Place License</u> <u>(AS 04.11.100)</u>	Statute Reference Sec. 04.11. <u>100</u>	License Fee: <u>\$ 600.00</u>
Office Use: License #: <u>5510</u>			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) <u>SITKA</u>	Community Council Name(s) & Mailing Address: <u>see attach.</u>		Rest. Desig. Permit Fee: \$
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>	Business Telephone Number: <u>907 623 0622</u>	Fingerprint: <u>\$49.75</u> (<u>\$49.75 per person</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>	Fax Number: <u>SAME</u>	TOTAL <u>749.75</u>
City, State, Zip: <u>SITKA ALASKA 99835</u>		Email Address: <div style="background-color: black; width: 150px; height: 20px;"></div>	
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.	
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. _____	<input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input checked="" type="checkbox"/> Not applicable	
		<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.

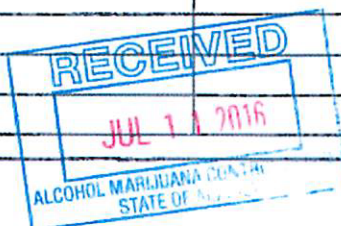
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership):		Telephone Number:	Fax Number:
TRINITY BUSINESS SERVICES, LLC		907-623-0622	907-623-0622
Corporate Mailing Address	City:	State:	Zip Code:
PO Box 816	SITKA	ALASKA	99835
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED:	State of Incorporation:
Ben Hilberg PO Box 816 SITKA 99835 253-405-0389		3/13/15	ALASKA

Is the Entity in "Good Standing" with the Alaska Division of Corporations? ☒ Yes ☐ No
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, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
BENJAMIN T HILBERG	PRES	100	485 KATLAN UNIT E SITKA 99835 253-405-0389	907-623-0622	

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



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>

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

Individual	ees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)			
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>	
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>	
Home Phone:	Date of Birth:	Home Phone:	Date of Birth:	
Work Phone:		Work Phone:		
	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>	
	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>	
	Date of Birth:	Home Phone:	Date of Birth:	
		Work Phone:		

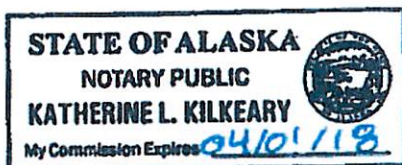
I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligation.

I declare under penalty of perjury that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. If, on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application and 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 of Licensee(s)
Signature	Signature
Signature	Signature
Name & Title (Please Print)	Name & Title (Please Print)
BT HIBBERG PRESIDENT	
Subscribed and sworn to before me this	Subscribed and sworn to before me this
11 day of July 2016	day of
Notary Public in and for the State of Alaska	Notary Public in and for the State of
Katherine L. Kilkeary	
My commission expires: 04/01/18	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.

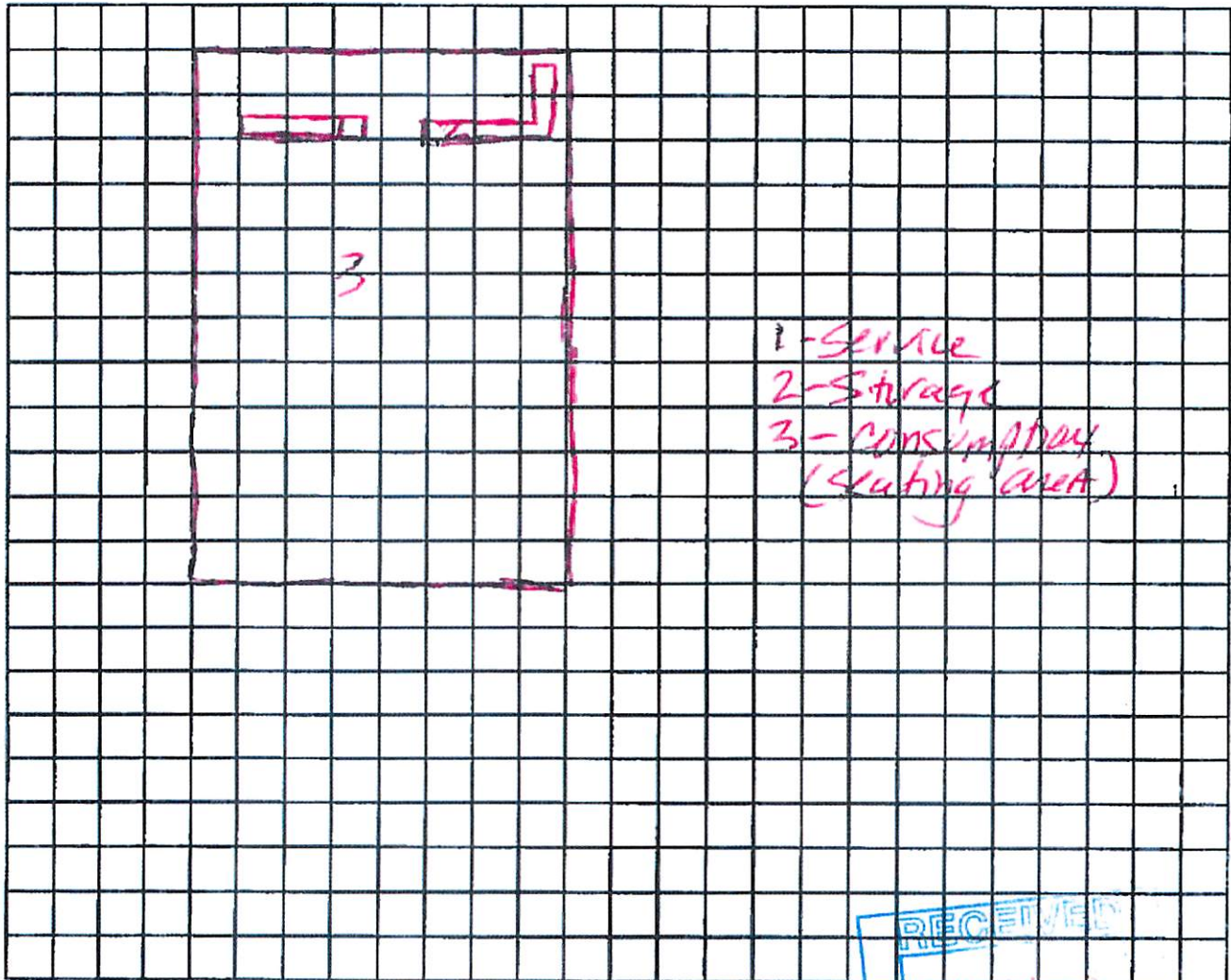
DBA: HALIBUT POINT CRAFT and Brew
PREMISES LOCATION: 4513 HALIBUT POINT ROAD SITKA 99835

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:

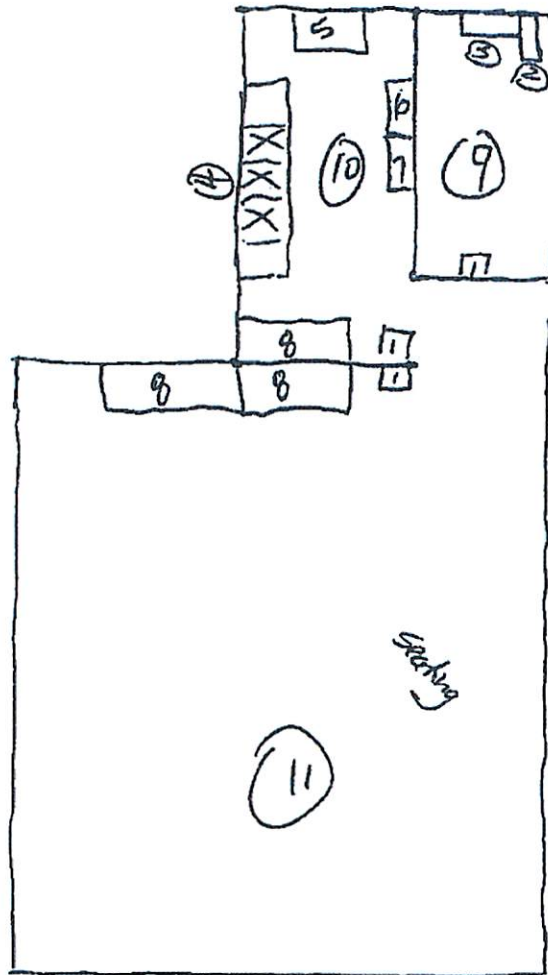
Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.
DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.

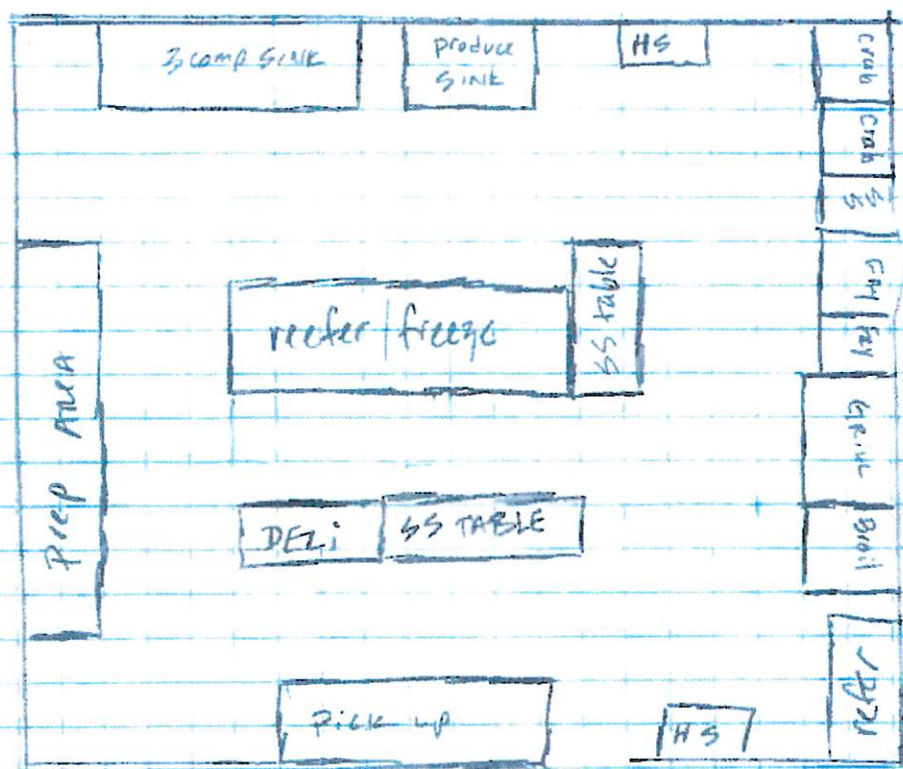


1/2
1/2

WATER SIDE

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





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)

