



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

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## MEMORANDUM

**To:** Utility Billing Clerk – Diana  
Collections - Sunni  
Municipal Billings – Lindsey  
Sales Tax/Property Tax – Sunni / Amber  
Fire Department  
Police Department  
Building Official(s)

**From:** Sara Peterson, Municipal Clerk

**Date:** January 15, 2019

**Subject:** New Liquor License Application / Restaurant Designation Permit Application – Allen Marine Tours

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The Municipal Clerk's Office has been notified by the Alcohol and Marijuana Control Office of the following **new liquor license application** submitted by:

**Lic #:** 5746  
**DBA:** Allen Marine Tours  
**License Type:** Restaurant / Eating Place – Public Convenience  
**Licensee:** Allen Marine Tours, Inc.  
**Premises Address:** Lot 6, Finn Island

Our office has also received a **restaurant designation permit application** for:

**Lic #:** 5746  
**Licensee:** Allen Marine Tours, Inc.  
**DBA:** Allen Marine Tours  
**Premises Address:** Lot 6, Finn Island

The granting for this permit allows:

- 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) Under AS 04.16.049(d), this permit is not required to employ a person 18-20 years of age.

Please notify no later than **noon on Friday, February 1** of any reason to protest these requests. These requests are scheduled to go before the Assembly on February 12.

Thank you.



THE STATE  
of ALASKA  
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

January 14, 2019

City and Borough of Sitka

Attn: Sara Peterson, Municipal Clerk

Via Email: [sara.peterson@cityofsitka.org](mailto:sara.peterson@cityofsitka.org)  
[melissa.henshaw@cityofsitka.org](mailto:melissa.henshaw@cityofsitka.org)

License Type:	Restaurant/Eating Place – Public Convenience	License Number:	5746
Licensee:	Allen Marine Tours, Inc.		
Doing Business As:	Allen Marine Tours		
Premises Address:	Lot 6, Finn Island		

☒ New Application

☐ Transfer of Ownership Application

☐ Transfer of Location Application

☐ Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Erika McConnell, Director

[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)



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

Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

### What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

### Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Allen Marine Tours, Inc.				
License Type:	Restaurant/Eating Place - Public Convenience	Statutory Reference:	AS 04.11.400(g)		
Doing Business As:	Allen Marine Tours				
Premises Address:	Lot 6, Finn Island				
City:	Sitka	State:	AK	ZIP:	99835
Local Governing Body:	City and Borough of Sitka				
Community Council:					

Mailing Address:	PO Box 1049				
City:	Sitka	State:	AK	ZIP:	99835

Designated Licensee:	David Allen				
Contact Phone:	907-747-8100	Business Phone:	907-747-8100		
Contact Email:	dallen@allenmarine.com				

Seasonal License? ☒ Yes ☐ No If "Yes", write your six-month operating period: 5/1 - 10/31

OFFICE USE ONLY					
Complete Date:		License Years:		License #:	5746
Board Meeting Date:		Transaction #:	989683		
Issue Date:		BRE:			





Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

**Section 2 – Premises Information**

Premises to be licensed is:

☐ an existing facility ☒ a new building ☐ a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

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What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

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**Section 3 – Sole Proprietor Ownership Information**

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

### Section 4 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	David Allen				
Title(s):	Director, President, Secretary, Treasurer	Phone:	907-747-8100	% Owned:	100
Address:	PO Box 1049				
City:	Sitka	State:	AK	ZIP:	99835

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	



Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	50333D	AK Formed Date:	9/24/1992	Home State:	AK
Registered Agent:	David Allen	Agent's Phone:	907-747-8100		
Agent's Mailing Address:	PO Box 1049				
City:	Sitka	State:	AK	ZIP:	99835

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

☒☐

**Section 5 – Other Licenses**

Ownership and financial interest in other alcoholic beverage businesses: Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

☒☐

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

David Allen -  
See attached list of seasonal tourism businesses, vessels, and liquor license numbers

**Section 6 – Authorization**

Communication with AMCO staff: Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☒☐

If "Yes", disclose the name of the individual and the reason for this authorization:

Susan Ginn - Senior Account - preparer of license documentation



Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

**Section 7 – Certifications**

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

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

Da

I certify that all proposed licensees have been listed with the Division of Corporations.

Da

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

Da

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

Da

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Da

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

David C. Allen

Signature of licensee

**David C. Allen**

Printed name of licensee

Carol J. Benton

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires June 18, 2019

Subscribed and sworn to before me this 30 day of October, 2018.

AMCO



## Liquor Licenses

### Allen Marine Tours, Inc. - Alaska DOC Entity #50333D - EIN: 92-0142464

#### **Restaurant/Eating Place - Seasonal**

	<u>DBA</u>	<u>Statutory Reference: AS 04.11.100</u>
4194	Allen Marine Tours	Tract "D" Colt Island (Orca Point Lodge)

### Allen Marine Tours, Inc. - Alaska DOC Entity #50333D - EIN: 92-0142464

#### **Common Carrier - Seasonal**

	<u>DBA</u>	<u>Statutory Reference: AS 04.11.180</u>
5062	American Eagle	Alaskan Waters
5061	Baranof Wind	Alaskan Waters
5055	Kalinin Express	Alaskan Waters
5071	Katlina Express	Alaskan Waters
5538	Sea Lion Express	Alaskan Waters
5537	Sea Otter Express	Alaskan Waters
5540	St. Anastasia	Alaskan Waters
5063	St. Aquilina	Alaskan Waters
5057	St. Eugene	Alaskan Waters
5070	St. Gregory	Alaskan Waters
5109	St. Herman	Alaskan Waters
5539	St. Innocent	Alaskan Waters
5060	St. John	Alaskan Waters
5069	St. Juvenaly	Alaskan Waters
5064	St. Maria	Alaskan Waters
5056	St. Michael	Alaskan Waters
5238	St. Nadezhda	Alaskan Waters
5065	St. Nicholas	Alaskan Waters
5059	St. Nona	Alaskan Waters
5066	St. Peter	Alaskan Waters
5068	St. Phillip	Alaskan Waters
5058	St. Tatiana	Alaskan Waters
5067	St. Yakov	Alaskan Waters
5536	33' Cat 2	Alaskan Waters

AMCO

DEC 07 2018

### Alaska Catamaran, LLC Vessels - Alaska DOC Entity #82230D - EIN: 47-0933044

#### **Common Carrier - Seasonal**

	<u>DBA</u>	<u>Statutory Reference: AS 04.11.180</u>
5073	Alaskan Dream	Alaskan Waters
5075	Admiralty Dream	Alaskan Waters
5074	Baranof Dream	Alaskan Waters
5492	Chichagof Dream	Alaskan Waters



## Alaska Alcoholic Beverage Control Board

# Form AB-02: Premises Diagram

### What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

**The second page of this form is not required.** Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

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

Yes No

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



## Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Allen Marine Tours, Inc.	License Number:	5746
License Type:	Restaurant/Eating Place - Public Convenience		
Doing Business As:	Allen Marine Tours		
Premises Address:	Lot 6, Finn Island		
City:	Sitka	State:	AK
		ZIP:	99835



Alcohol and Marijuana Control Office

550 W 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

## Alaska Alcoholic Beverage Control Board

# Form AB-02: Premises Diagram

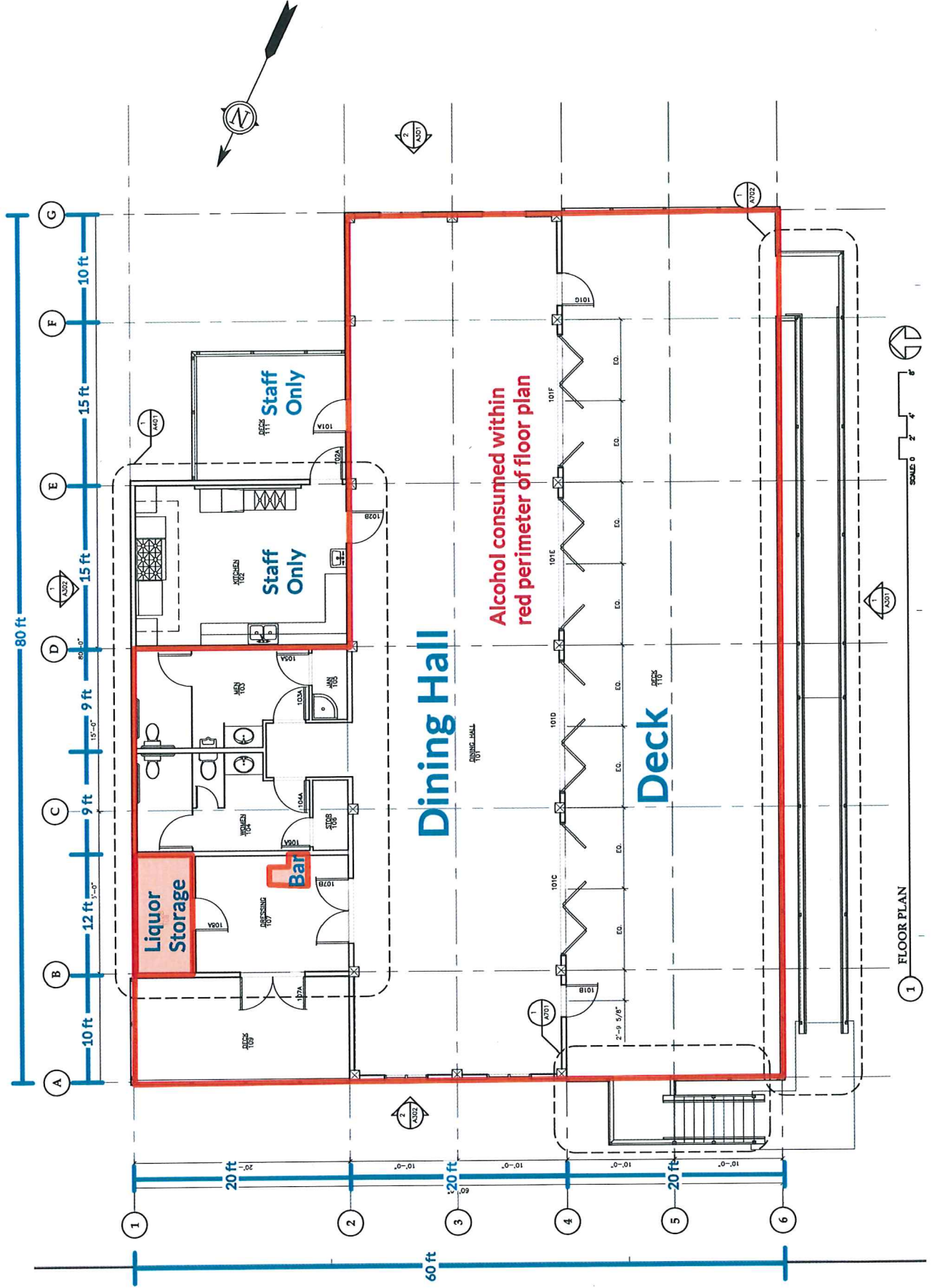
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### Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.



# Diagram 1



# Diagram #2

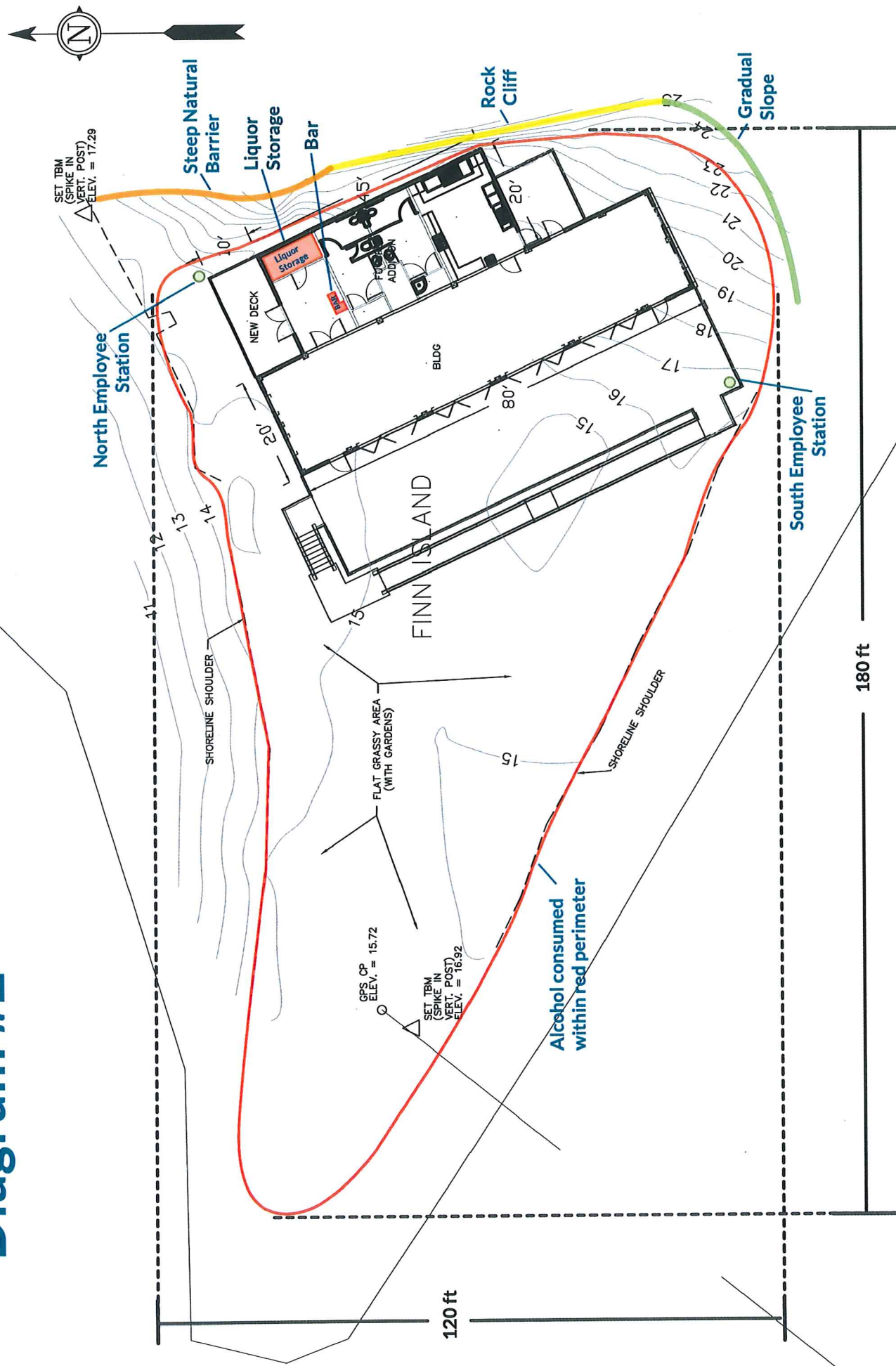




Diagram 3



Steep Natural  
Barrier

North Employee  
Station

Liquor  
Storage

Bar

Rock Cliff

Gradual  
Slope

South Employee  
Station

Alcohol consumed  
within red perimeter

Lot 6,  
Finn Island





# ***Allen Marine Tours***

P.O. Box 1049, Sitka, Alaska 99835 | 1512 Sawmill Creek Road, Sitka, Alaska 99835

## **AB-02 Security Plan for Alcohol Control in Outdoor Areas at Finn Island**

Finn Island is only accessible via boat, and only Allen Marine Tours' vessels will be allowed to use the private dock to disembark guests onto the island. The lodge itself is nestled against a rock cliff covered in trees and brush and faces a small finger of the island with a flat grassy area that will be used for a fire pit where guests can roast s'mores after their meal.

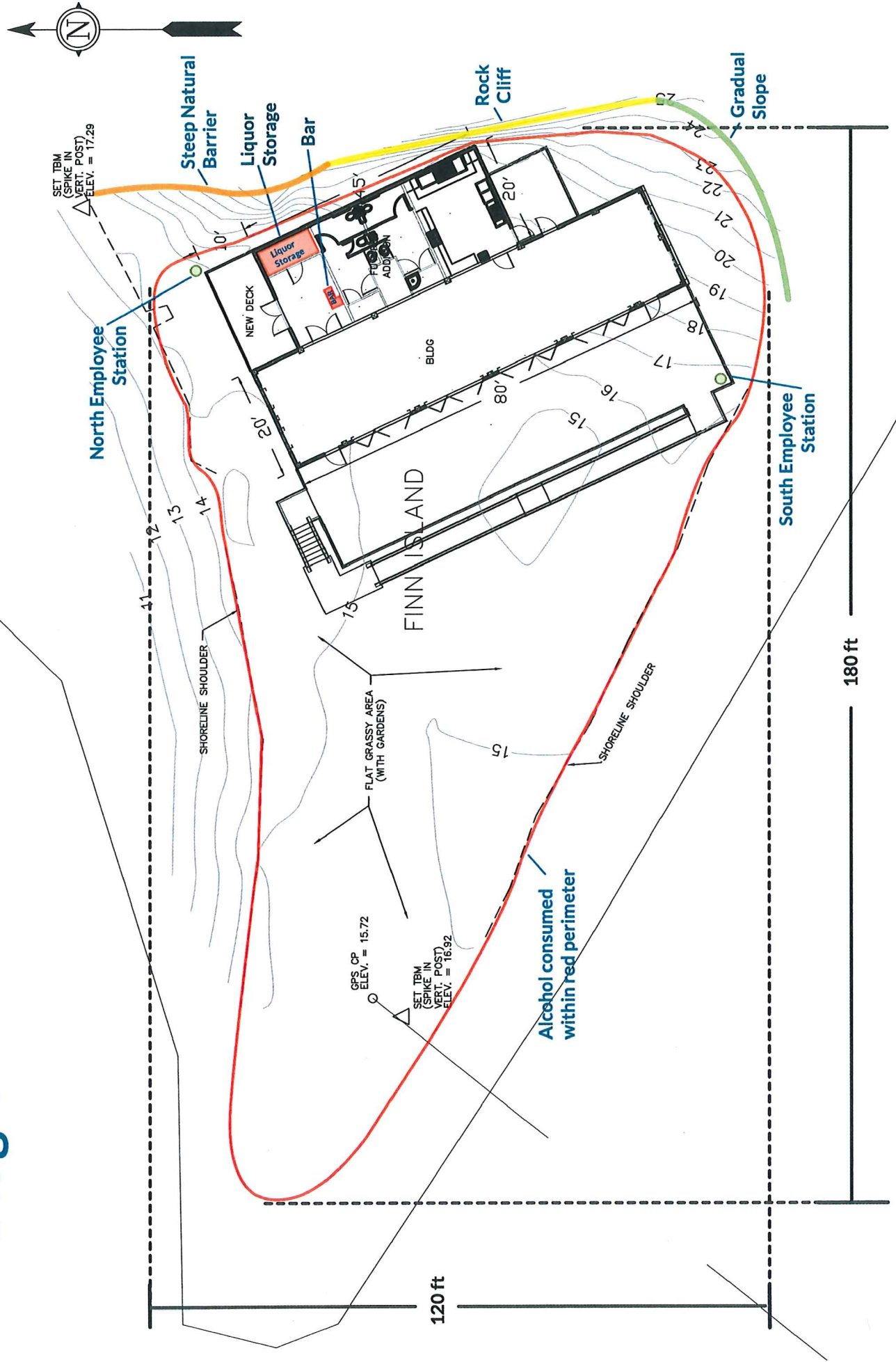
The meal is served buffet-style, and there is only one bar where guests will be able to purchase alcohol. Experience shows that most guests will eat and drink inside the lodge, however, they will be allowed to take their food and beverages outside the front of the lodge onto the flat, grassy area or along the shoreline of the point if they desire.

Allen Marine Tours will have employees present that work at the lodge full-time as well as the employees that disembark with the guests from our boat. This will allow for employees to be stationed both inside the lodge and out on the grounds whenever guests are present on the island.

There is a steep natural barrier of rocks and vegetation that blocks guests from going around the northeast side of the lodge (see Diagram 2 and Exhibits A and B). East, behind the lodge, is a rock cliff and southeast is a gradual sloping area (see Diagram 2 and Exhibits A-E). Prior to our season opening this spring, we will install a chain fence barrier with a sign that reads, "No Alcohol Beyond This Point" on the southeast edge of the lodge to keep guests from moving beyond the licensed area of the premises in the gradual slope area (see Exhibit D).

We will station employees at both the north and south corners of the lodge (see Diagram 2) to ensure our guests do not wander outside the licensed area. These employee stations provide optimal views of the side and back area of the lodge, specifically the south station has an unobstructed view of the gradual slope area where we will install a chain fence barrier as mentioned above (see Exhibit D). Additional employees are scattered throughout the area as well. Our employees will monitor the guests to ensure they are safe, not drinking to excess, and are not sharing their alcohol with minors.

# Diagram #2





# Exhibit A



Rock Cliff

Gradual Slope

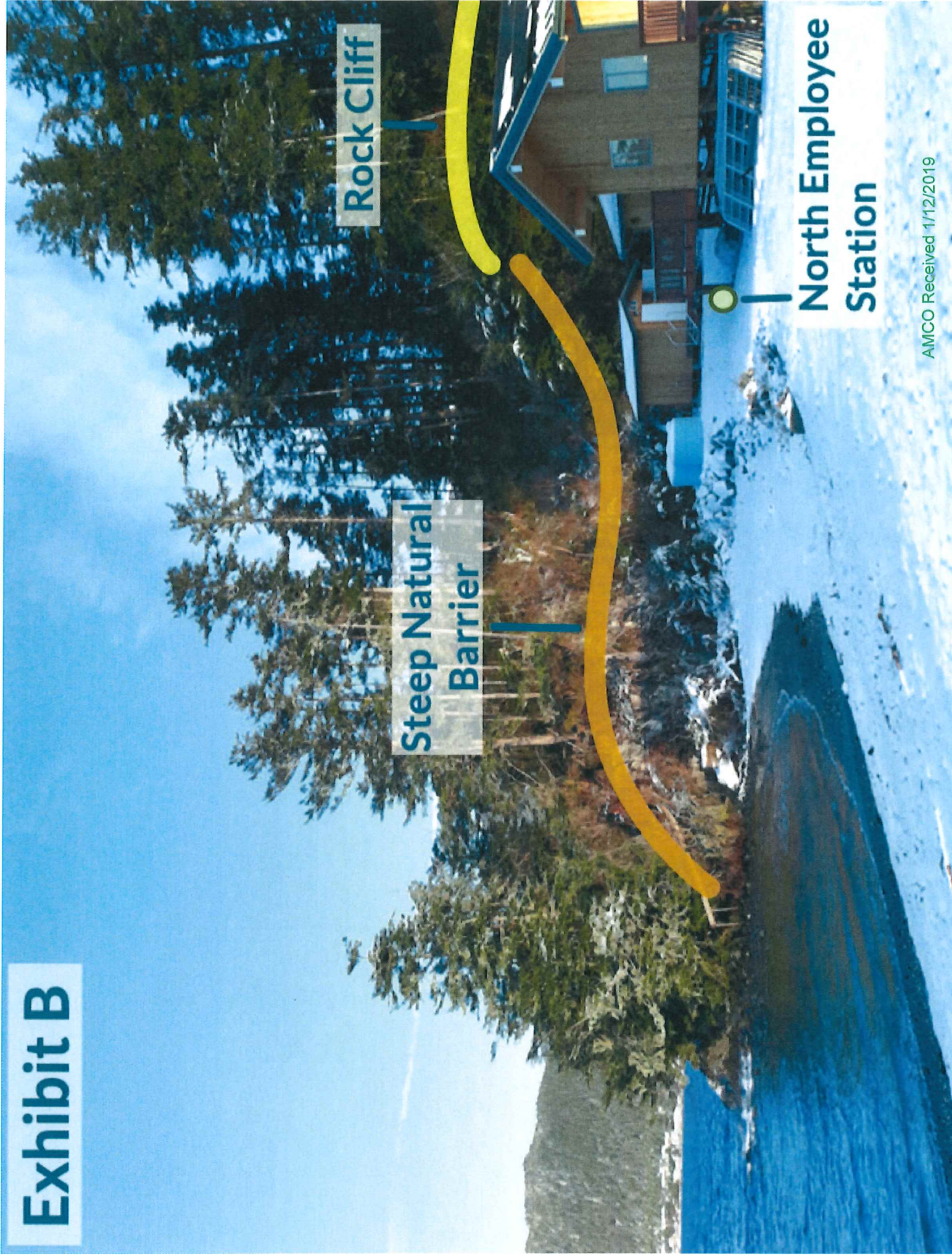
Steep Natural Barrier

North Employee Station

South Employee Station



# Exhibit B





# Exhibit C

Rock Cliff



North Employee  
Station

AMCO Received 1/12/2019





# Exhibit D

South Employee  
Station

Gradual Slope



# Exhibit E

Gradual Slope

South Employee  
Station