



## MEMORANDUM

TO: Bob Klein, Chair, and Members of the  
Alcoholic Beverage Control Board

DATE: June 12, 2018

FROM: Erika McConnell, Director

RE: 5182 Port Chilkoot Distillery

**Requested Action:** Licensed premises diagram change

**Statutory Authority:** 3 AAC 304.185(a) and (c): “(a) A license is issued for a specific place which is the licensed premises and which must be clearly designated in a line drawing accompanying an application. The licensed premises must be one area, but may include separate rooms if the rooms are adjacent to one another or if they are rooms described in AS 04.11.090(d). The address of the licensed premises and the business name under which the licensee is doing business at that address must be indicated on the license application. If the licensed premises consist of more than one room in which a fixed counter or service bar is regularly maintained, a duplicate license is required for the additional rooms.

(c) A licensee may not alter the functional floor plan, reduce or expand the area, or change the business name of the licensed premises without the prior written approval of the director. The licensee must provide a new line drawing showing the proposed changes in the premises. A licensee must pay fee of \$250 for changing the business name of the licensee's licensed premises when the name change is not part of a transfer of ownership or location. A request for a business name change for licensed premises not part of a transfer must be made on a form prescribed by the board.”

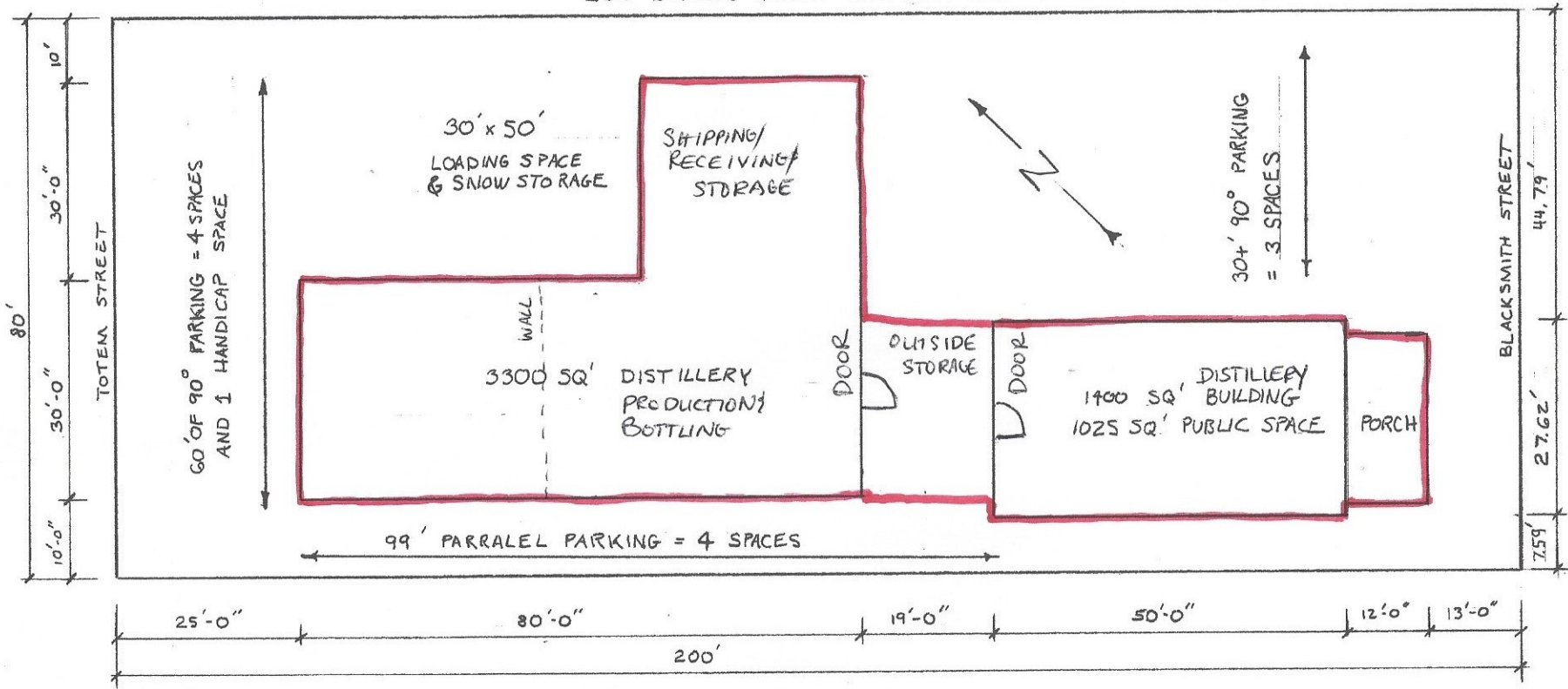
**Staff Rec.:** Deny the diagram change

**Background:** This distillery license is requesting to amend its licensed premises diagram to add a second building. The licensee plans to move the distillery tasting room into the second building. Originally the licensee submitted a plan showing each building as separate licensed premises. I denied that request based on 3 AAC 304.185(a) which requires the licensed premises to be one area. The licensee returned the attached diagram, proposing to license the unused space between the buildings.

Although I have by no means reviewed every single premises diagram of all  $\pm 1,800$  licenses, I can't think of an outside area that is licensed premises that isn't being used as an onsite consumption area. I recommend against the board approving the use of outside area to connect two or more buildings to be a single licensed premises. Keep in mind that the only requirement to distinguish between licensed and unlicensed areas is 3 AAC 304.185(d) which says, "If a business establishment or facility consists of both licensed premises and an unlicensed area, the licensee shall clearly segregate the licensed premises and the unlicensed area." This guidance is not very specific, and various licensees have attempted to stretch the meaning of the regulation quite far. This approval would set a precedent and potentially allow situations where the limits of the premises, and thus AMCO's regulatory authority, are not clear.

Attachment: Most recent proposed diagram change  
Original AB-14 submittal  
Current approved diagram

LOT DRAINS ALONG PROPERTY LINE TO BLACKSMITH ST →



DISTILLERY PLOT PLAN  
SCALE 3/32" = 1'0"

PORTCHILKOOT DISTILLERY  
LOT 3AB BLOCK D PORTCHILKOOT SUBDV.  
DRAWN BY SEAN COPELAND  
POB 1248 HAINES AK 99827



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

Alaska Alcoholic Beverage Control Board

**Form AB-14: Licensed Premises Diagram Change**

**What is this form?**

This licensed premises diagram change form is required for all liquor licensees seeking to alter the functional floor plan or reduce or expand the area of the establishment's existing licensed premises, under 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, and consumption. 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, as long as it meets the requirements listed on this form. The first and third pages 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 prior to altering the existing floor plan. The licensed premises may not be altered unless and until the AMCO Director has given written approval on this form. Please note that licensees seeking to change licensed premises diagrams for multiple licenses must submit a separate completed copy of this form for each license.

Yes No

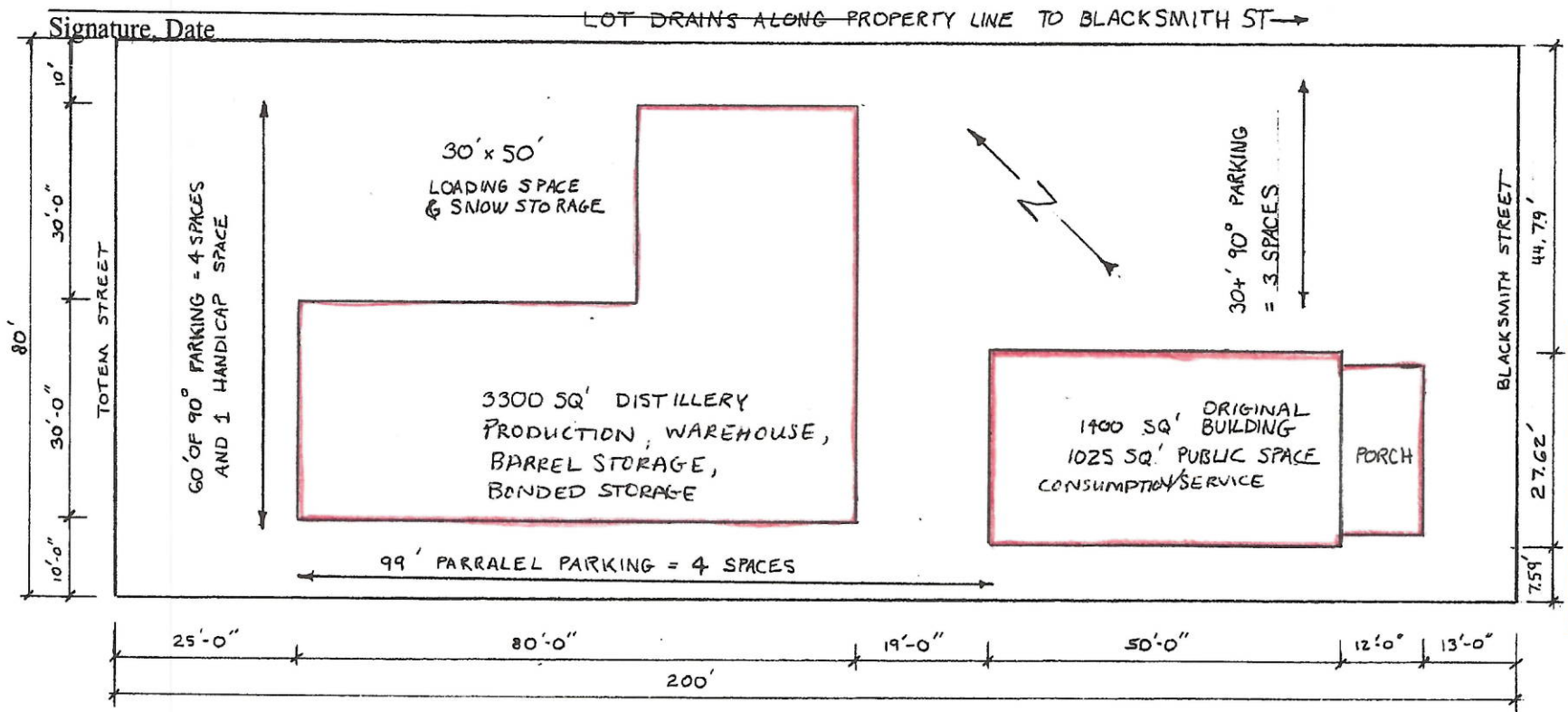
I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

**Section 1 – Establishment Information**

Enter information for the licensed establishment.

Licensee:	Port Chilkoot Distillery LLC	License Number:	5182		
License Type:	Distillery				
Doing Business As:	Port Chilkoot Distillery				
Premises Address:	34 Blacksmith St.				
City:	Haines	State:	AK	ZIP:	99827





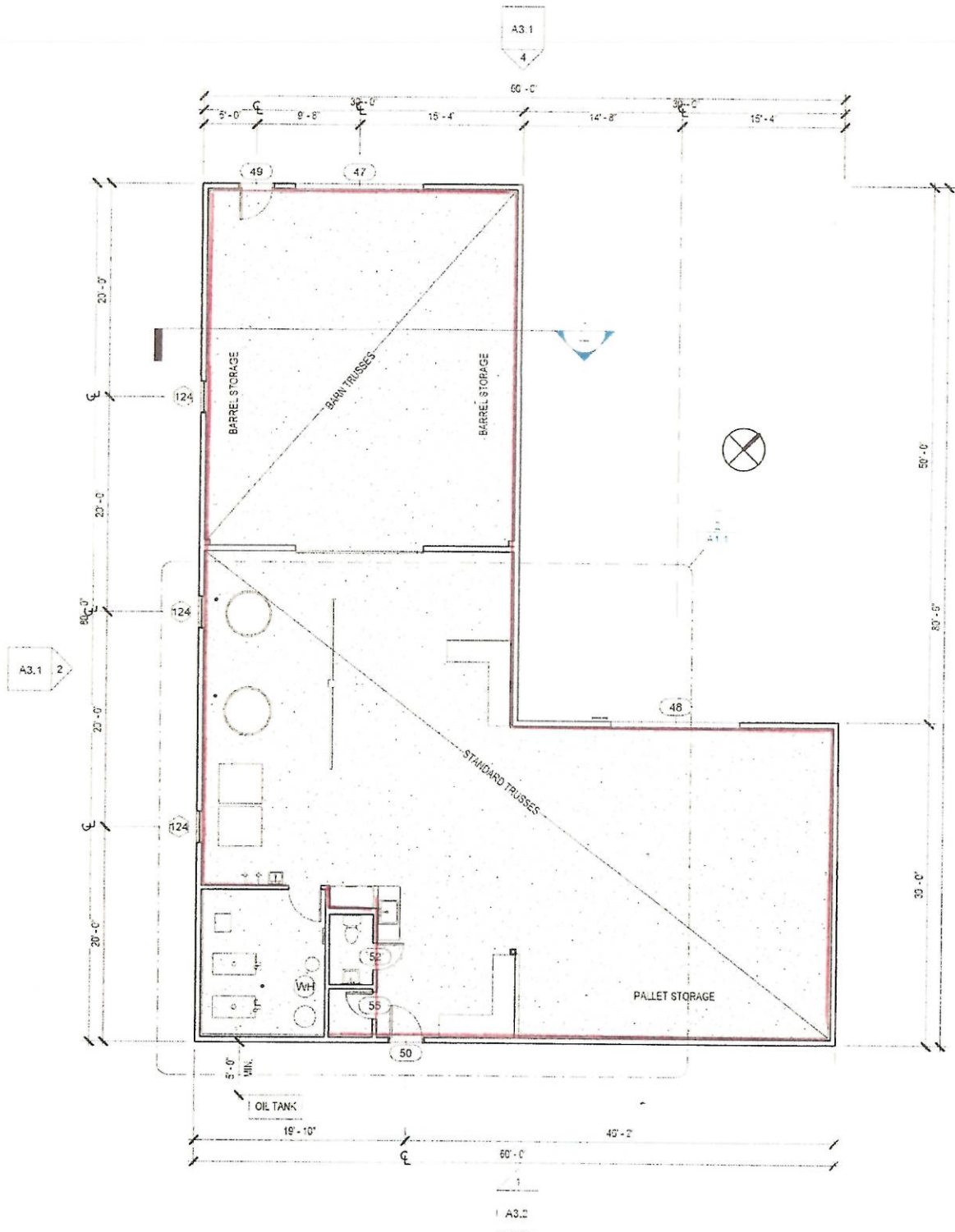
RECEIVED  
 MAY 22 2018  
 ALCOHOL MARIJUANA CONTROL OFFICE  
 STATE OF ALASKA

DISTILLERY PLOT PLAN  
 SCALE 3/32" = 1'0"

PORTCHILKOOT DISTILLERY  
 LOT 303 BLOCK D PORTCHILKOOT SUBDV.  
 DRAWN BY SEAN COPELAND  
 POB 1248 HAINES AK 99827  
 34 BLACKSMITH ST.



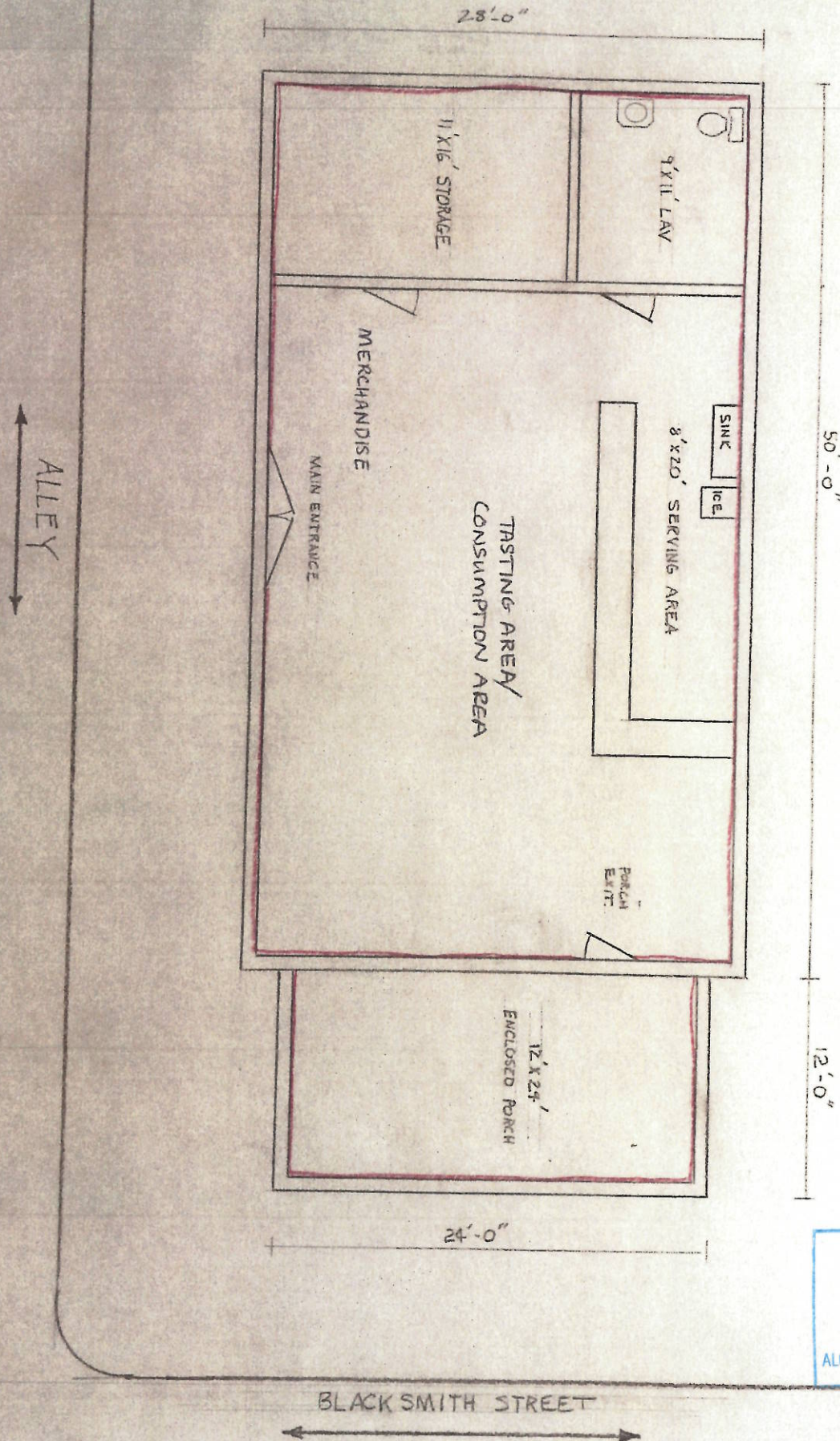
3300 SQ' DISTILLERY



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MAY 22 2018  
ALCOHOL MARIJUANA CONTROL OFFICE  
STATE OF ALASKA

BUILDING # 1

RECEIVED  
MAY 22 2018  
ALCOHOL MARIJUANA CONTROL OFFICE  
STATE OF ALASKA







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-14: Licensed Premises Diagram Change**

**Section 3 – Declarations and Approvals**

As a liquor licensee, I declare under penalty of unsworn falsification that I have examined this form, including all attachments, and to the best of my knowledge and belief find the provided information to be true, correct, and complete.

Heather Shade  
 Signature of licensee

Donna Lambert  
 Notary Public in and for the State of Alaska.

Heather Shade, partner  
 Printed name of licensee

My commission expires: 1-16-2022

Subscribed and sworn to before me this 10 day of April, 2018.

Notary Public  
 DONNA M. LAMBERT  
 State of Alaska  
 My Commission Expires Jan 16, 2022

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

The proposed changes shown on this form conform to all local restrictions and laws.

\_\_\_\_\_  
 Signature of local government official

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Printed name of local government official

\_\_\_\_\_  
 Title

AMCO Review:

Approved Disapproved

James Hoelscher  
 Signature of AMCO Enforcement Supervisor

\_\_\_\_\_  
 Signature of Director

James Hoelscher 5-25-18  
 Printed name of AMCO Enforcement Supervisor

\_\_\_\_\_  
 Printed name of Director

\_\_\_\_\_  
 Date

AMCO Comments:

This proposed area would not be in compliance with 3 AAC 304.185 Licensed Premises

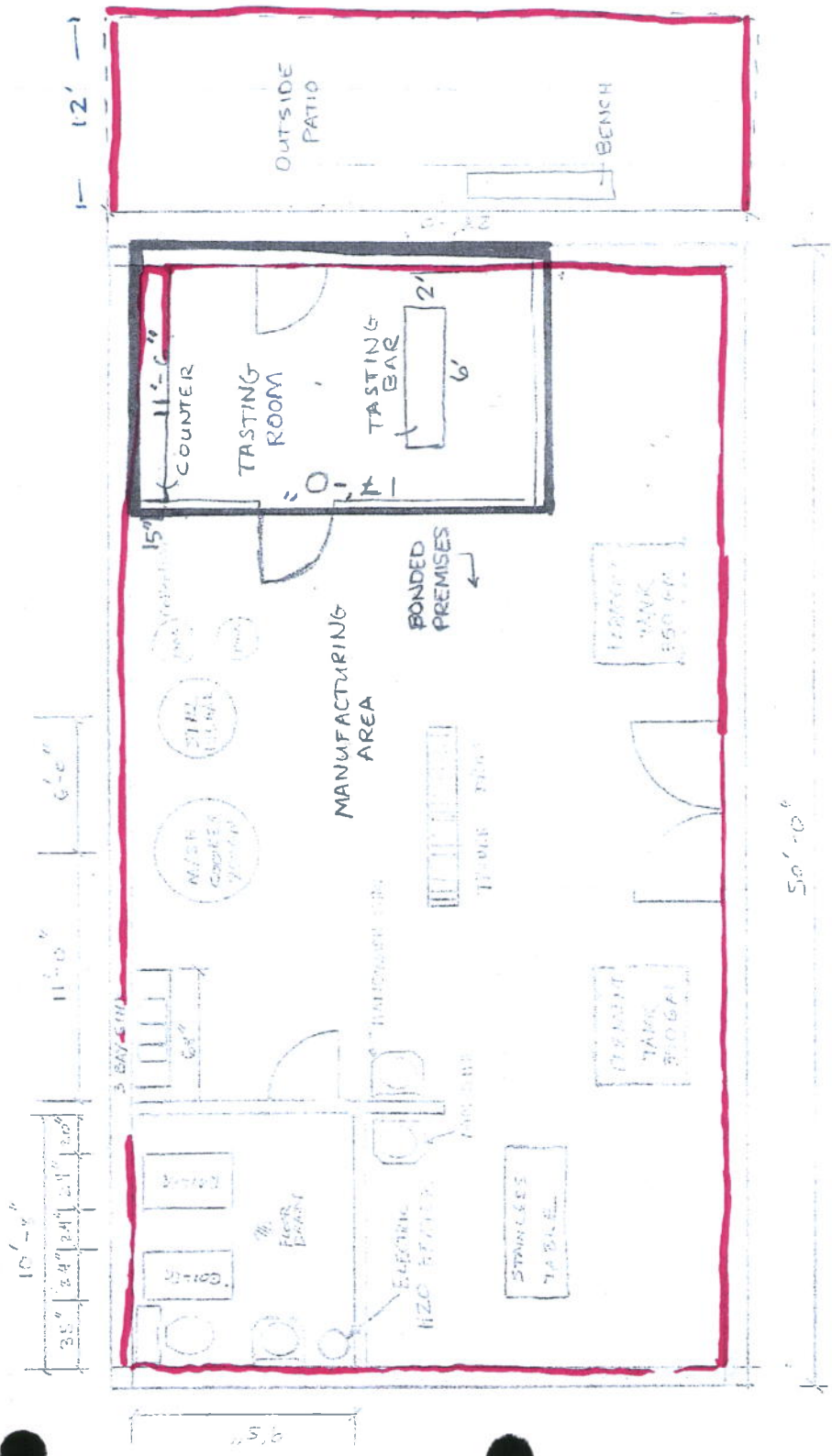


LICENSED PREMISES DIAGRAM

2015

PORTCHILFOOT DISTILLERY  
34 BLACKSMITH ST.  
HAINES, AK 99827

Length + width in feet = 28' x 62'



Form 2015-01-01  
2015 Board Meeting 2015-01-01