



## MEMORANDUM

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

DATE: October 15, 2018

FROM: Erika McConnell, Director

RE: 5711 The Old Tower Bar @  
Eaglecrest

**Requested Action:** New license application

**Statutory Authority:** AS 04.06.090(b): "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title."

**Staff Rec.:** Deny the application

**Background:** Eaglecrest is a ski resort owned by the City and Borough of Juneau. This application for a recreational site license does not appear to meet the statutory requirements of the license type:

Sec. 04.11.210. Recreational site license.

- (a) The holder of a recreational site license may sell beer and wine at a recreational site during and one hour before and after a recreational event that is not a school event, for consumption on designated areas at the site.
- (b) The biennial fee for a recreational site license is \$800.
- (c) In this section, "recreational site" includes a location where baseball games, car races, hockey games, dog sled racing events, or curling matches are regularly held during a season.

With the exception of operating during a season, Eaglecrest does not appear to fit the statutory requirements:

- There is no "event." Legislative Audit called out, among other things, bowling alleys and pool halls as ineligible businesses. Bowling and playing pool and skiing are all recreational activities. But there is no event associated with a bowling alley, a pool hall, or a ski resort (although the applicant mention hosting various events during the season). The activities begin and end at opening and closing times set by the business owners relating to daylight (it appears), not relating to any event. Their statement notes that they will stop serving

approximately one hour after the recreational site closes for daily operations, not one hour after the end of the recreational event as required by statute.

- Skiing/snowboarding as activities do not share the attributes of the list of examples provided in statute. There are no starting and ending times associated with an event, and if there are competitive events such as ski races, they happen infrequently. This is very different from, for example, a recreational site such as Mulcahy Stadium which only serves alcohol one hour before and during Alaska Baseball League games.

The improper issuance of recreational site licenses was identified in both the 2014 and 2018 legislative audits:

#### 2014 Audit

Recommendation #4: The board should issue recreational site licenses in accordance with statutory requirements.

*Recreational site licenses may be issued to businesses that host non-school-related recreational events held during a season.*

*Of the 32 recreational licensees active during the audit period, the audit found 15 businesses (47 percent) did not meet the criteria for a recreational license. Ineligible businesses include bowling alleys, a sports center and pub, an exercise gym, a gift shop, theatres, and pool halls. These business types did not meet the definition of a recreational site nor were operations limited to a season. The issuance of these licenses expanded the number of establishments licensed to sell alcohol over the number allowed by statute.*

*According to AS 04.11.210(a), the holder of a recreational site license may sell beer and wine at a recreational event during and one hour before and after recreational events. AS 04.11.210(c) defines recreational events as baseball games, car races, hockey games, or curling matches regularly held during a season.*

*Inquiries with board members revealed that the improper issuance of recreational site licenses was caused by an historic misunderstanding of what qualifies as a recreational event.*

*We recommend that the board issue recreational site licenses in accordance with statutory requirements.*

#### 2018 Audit

Recommendation #2: The board should issue recreational site licenses in accordance with statutory requirements.

*Ten of 29 recreational site licenses active during the audit period were judgmentally selected for testing. All 10 did not meet the statutory definition of a recreational site. Six of the 10 licensees were informed by the board that their license would not be renewed during the next renewal period since the business did not meet the statutory definition of a recreational site. This same finding was reported in the prior 2014 sunset audit.*

*According to AS 04.11.210(a), the holder of a recreational site license may sell beer and wine at a recreational site during and one hour before and after a recreational event that is not a school event. Alaska Statute 04.11.210(c) defines recreational sites as locations where baseball games, car races, hockey games, dog sled racing events, or curling matches are regularly held during a season. The 10 noncompliant licensees noted above included travel tour companies, bowling alleys, an art council, a pool hall, a movie theater, and a spa.*

*Review of board meeting minutes revealed that board members understood these businesses did not meet the definition of a recreational site license, yet believed it to be in the public interest to issue them. Furthermore, board members anticipated the criteria for recreational site licenses would be addressed in a future rewrite of AS 04.06. The issuance of these licenses expanded the number of establishments licensed to sell alcohol over the number allowed by statute.*

*We again recommend that the board issue recreational site licenses in accordance with statutory requirements.*

Attachment: Application

## Recreational Site Statement Guidelines-Questions Answered

1. We will be serving beer/wine, Thursday – Monday, between the hours of 11:00am and 5:00pm, during day light savings, we will be serving from 11:00am to 4:30pm. Approximately one hour after the recreational site closes for daily operations.
2. The daily operations will occur in the lodge at Eaglecrest, a city owned Ski Resort. Eaglecrest hosts various, competitive sporting events, attended by both locals and visitors throughout the winter season. I believe the type of competitive winter snow sport activities and daily operations held up at Eaglecrest; qualify us to apply for a Recreational Site License at this location.
3. Recreational Events (winter snow sports), will commence no earlier than November 1<sup>st</sup>, and will end on April 15<sup>th</sup>.





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:	South of the Bridge, LLC		
License Type:	Recreational Site License	Statutory Reference:	04.11.210
Doing Business As:	The Old Tower Bar @ Eaglecrest		
Premises Address:	3000 Fish Creek Road		
City:	Juneau	State:	AK ZIP: 99801
Local Governing Body:	City and Borough of Juneau		
Community Council:	Juneau Assembly		

Mailing Address:	155 S. Seward Street		
City:	Juneau	State:	AK ZIP: 99801

Designated Licensee:	Abigail Williams		
Contact Phone:	907-723-9732	Business Phone:	907-723-9732
Contact Email:	louiesdouglasinn@gmail.com		

Seasonal License?  Yes  No If "Yes", write your six-month operating period: 11/01/18-04/15/19

OFFICE USE ONLY			
Complete Date:	9/4/18	License Years:	18/19 License #: 5711
Board Meeting Date:	10/16/18	Transaction #:	115318, 115319, 120002
Issue Date:		BRE:	CDC







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.

[Empty text box for school distance]

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.

[Empty text box for church distance]

**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:	Abigail Williams				
Title(s):	Member	Phone:	907-723-9732	% Owned:	33.4
Address:	6747 Marguerite Street				
City:	Juneau	State:	AK	ZIP:	99801

Entity Official:	James and Arbe Williams JTWROS				
Title(s):	Members	Phone:	907-364-3322	% Owned:	66.6
Address:	412 H Street				
City:	Douglas	State:	AK	ZIP:	99824

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 #:	10014173	AK Formed Date:	07/17/2013	Home State:	Alaska
Registered Agent:	Kevin J. Sullivan	Agent's Phone:	907-790-7104		
Agent's Mailing Address:	P.O. Box 32819				
City:	Juneau	State:	AK	ZIP:	99803

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):

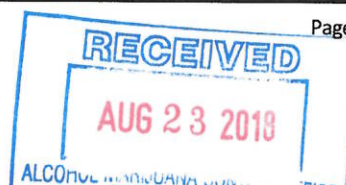
Abigail Williams 33.4%, Arbe Williams 33.3%, James Williams 33.3%  
 Bar/Tavern, Beverage Dispensary License #3695

**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:







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**

**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.

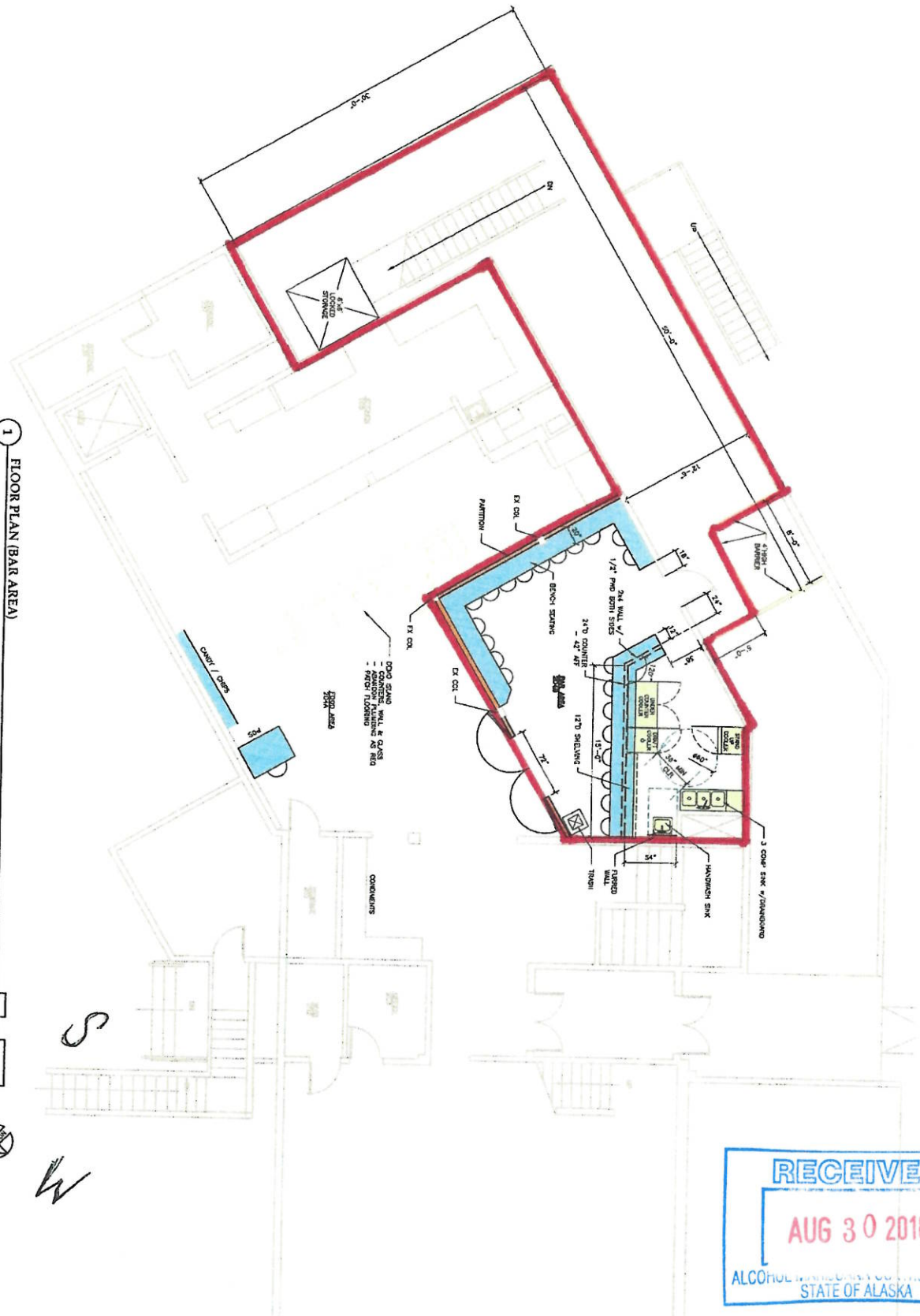
Licensee:	South of the Bridge, LLC	License Number:	
License Type:	Recreational Site License		
Doing Business As:	The Old Tower Bar @ Eaglecrest		
Premises Address:	3000 Fish Creek Road		
City:	Juneau	State:	AK
		ZIP:	99801



1 FLOOR PLAN (BAR AREA)



N  
W  
S  
E



City & Borough of Juneau  
EAGLECREST LODGE  
**BAR LOUNGE**  
Juneau, Alaska

**Jensen Yorba Loft Inc.**  
423 West 10th Street  
Juneau, Alaska 99801  
Phone: 907-586-1670  
Fax: 907-586-8299  
jensenyorbaloft.com

DATE: 06/28/18	SCALE: 1/8" = 1'-0"
DRAWN BY: [Symbol]	SHEET TITLE: [Symbol]
CHECKED BY: [Symbol]	PROJECT: [Symbol]



## The Old Tower Bar @ Eagle Crest

### Security Plan

The purpose of this security plan is to address any unknowns or concerns set forth by the AMCO. The security plan as listed below, but not limited to, will hopefully assure AMCO that South of the Bridge, LLC DBA: The Old Tower Bar @ Eaglecrest, considers the safety of both our staff and customers a top priority. As a current BDL (License #3695) operator, DBA: Louie's Douglas Inn, we have had great success over the 4 years we've been in business by providing a safe, and fun place in which the community of Juneau can gather.

The design for The Old Tower Bar, allows for bar patrons to enter into the premises from one single location, a door leading into the premises from inside Eaglecrest's main lodge, with an exit on the west facing wall of the building. The exit, as you can see from the diagram leads out onto a deck where we plan on providing outside seating for people to enjoy their refreshments when the weather permits.

Patrons cannot initially enter from the exit door that leads onto the deck, but can make use of coming in and out once they are on the licensed premises. This door is also considered an emergency exit. All patrons entering the bar will be asked for their ID, from a TAPS certified staff member. Staffing on a typical day will be one bartender, and one waiter. Both will be equally responsible for checking ID's.

One staff member (primarily the bartender), will remain behind the bar, with a clear view of the entrance that is no more than 20 feet away. It will be the wait staff's primary responsibility to monitor and serve the customers sitting both inside the bar and out on the deck. The bartender can assist in the responsibilities of the deck area by monitoring through the windows facing out onto the premises, while also taking care of customers sitting directly at the bar.

The security plan we have in place to assure that minors have no access to alcohol, and to avoid alcohol being passed over to the prohibited area, is to set up two 4' high barriers (running the complete depth of the deck, approximately 12'6") secured to the deck. There will be a "person prohibited/alcohol prohibited" space of 8' between both barriers. This space will provide a clear separation between the alcohols designated area and the area in which no alcohol is permitted. Proper signage will be posted on both barriers.

You cannot access the alcohol designated area from anywhere other than the closely monitored front entrance. The access points onto the stairways will have latched gates. These stairways act as fire exits and cannot be permanently blocked off. An interior panic bar with an alarm will be installed on the exit only door, leading from the lodge mezzanine down to the deck. Proper signage prohibiting alcohol and minors from exiting the mezzanine will be affixed to the door. In an effort to keep patrons centrally located, outdoor seating will only be set up for patrons on the west facing side of the deck, a location in direct view of the bartender and also, easily monitored by the wait staff.

As part of our hiring process, we will require that any personnel working at The Old Tower Bar, have no less than 3 years' experience in the alcohol service industry, and that they are current on their TAPS certification prior to their start date.





# 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. aw

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

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. aw

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. aw

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

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.

a. williams  
Signature of licensee  
Abigail Williams  
Printed name of licensee



[Signature]  
Signature of Notary Public  
Notary Public in and for the State of Alaska  
My commission expires: 8/28/2019

Subscribed and sworn to before me this 8th day of June, 2018.

