



## MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: March 31, 2020

FROM: Glen Klinkhart, Interim Director

RE: 3113 Trail Lake Lodge

**Requested Action:** Transfer of ownership

**Statutory and Regulatory 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.”

- AS 04.11.400(d): “The board may approve
- (1) the issuance of a new beverage dispensary or restaurant or eating place license without regard to (a) of this section if it appears that the issuance will encourage the tourist trade by encouraging the construction or improvement of
    - (A) a hotel, motel, resort, or similar business relating to the tourist trade with a dining facility or having kitchen facilities in a majority of its rental rooms and at least a minimum number of rental rooms required according to the population of the incorporated city, unified municipality, or population area established under (a) of this section in which the facility will be located, as follows:
      - (i) 10 rental rooms if the population is less than 1,501;
      - (ii) 20 rental rooms if the population is 1,501 — 2,500;
      - (iii) 25 rental rooms if the population is 2,501 — 5,000;
      - (iv) 30 rental rooms if the population is 5,001 — 15,000;
      - (v) 35 rental rooms if the population is 15,001 — 25,000;
      - (vi) 40 rental rooms if the population is 25,001 — 50,000; and
      - (vii) 50 rental rooms if the population is greater than 50,000; or
    - (B) an airport terminal; and”
  - (2) the renewal or transfer of ownership of a beverage dispensary or restaurant or eating place license issued under (1) of this subsection if the
    - (A) holder of the license operates a hotel, motel, resort, or similar business relating to the tourist trade that
      - (i) has a dining facility on the licensed premises or kitchen facilities in a majority of its rental rooms; and

- (ii) maintains at least the minimum number of rental rooms that the hotel, motel, resort, or similar business had at the time of initial licensure or that were required at the time of initial licensure; or
- (B) licensed premises are located inside an airport terminal.

**Staff Rec.:** Approve the transfer

**Background:** This is an application to transfer the ownership of a Beverage Dispensary – Tourism license in the Kenai Peninsula Borough.

AS 04.11.400(d)(2)(A)(ii) requires that the facility must maintain at least the minimum number of rental rooms required at original licensure. Staff has determined that the license was compliant with the room number requirements when originally issued.

The applicant offers 18 rental rooms and the establishment has a full-service restaurant.

Attachment: Tourism Statement  
AB-01  
AB-02

# Trail Lake Lodge

Mile 29.5 Seward Hwy.



March 19, 2020

Alaska Alcohol Beverage Control Board  
550 W 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

RE: 3113 dba Trail Lake Lodge License Application Tourism Statement

Dear ABC Board:

Trail Lake Lodge offers 18 rooms for nightly rental, a full-service dining and bar facility, along with a lakeside pavilion to host group events. Its central location provides an excellent base camp for travelers and visitors to explore the myriad of outdoor recreational opportunities and tourist activities along the Seward Highway corridor and the greater Kenai Peninsula area.

We are the only full-service bar/restaurant in the local Moose Pass area. The nearest establishments offering dining and onsite alcohol consumption are in Cooper Landing, 18 miles to the west, and Seward, 29 miles to the south. None of our rooms have kitchen facilities nor do we stock alcoholic beverages in guest rooms.

The lodge has been approved and operating under its current Beverage Dispensary license for the last 12 years. The dining room, bar area, and pavilion configurations will remain the same as previously designated and approved.

Trail Lake Lodge provides dining services, lodging, and other amenities that encourage travelers to visit the central Kenai area and helps support other tourism businesses along the Seward Highway corridor.

Trail Lake Lodge Corp, which is owned by two brothers Tim and Scott Rohr, will operate Trail Lake Lodge.

Sincerely,

A handwritten signature in blue ink that reads "Scott Rohr". The signature is fluid and cursive.

Scott Rohr  
President  
Trail Lake Lodge Corp.



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-01: Transfer License Application**

**What is this form?**

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing 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, AS 04.11.280, AS 04.11.290, 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 - Transferor Information**

Enter information for the *current* licensee and licensed establishment.

Licensee:	5-4 LLC	License #:	3113
License Type:	Beverage Dispensary - Tourism	Statutory Reference:	AS 04.11.400(d)
Doing Business As:	Trail Lake Lodge		
Premises Address:	33654 Depot Rd		
City:	Moose Pass	State:	AK
		ZIP:	99631
Local Governing Body:	Kenai Borough		

**Transfer Type:**

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

OFFICE USE ONLY			
Complete Date:		Transaction #:	1222477
Board Meeting Date:		License Years:	
Issue Date:		BRE:	



AMCC  
 DEC 24 2019



Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

**Section 2 – Transferee Information**

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	Trail Lake Lodge Corp				
Doing Business As:	Trail Lake Lodge				
Premises Address:	33654 Depot Rd				
City:	Moose Pass	State:	AK	ZIP:	99631
Community Council:					

Mailing Address:	4773 Deeboyar Ave				
City:	Lakewood	State:	CA	ZIP:	90712

Designated Licensee:	Scott Rohr				
Contact Phone:	310-433-9323	Business Phone:			
Contact Email:	Scott@TrailLakeCorp.com				

Seasonal License?  Yes  No If "Yes", write your six-month operating period: \_\_\_\_\_

**Section 3 – 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.

400 feet

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.

200 feet







Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

**Section 4 – Sole Proprietor Ownership Information**

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.  
 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:	

**Section 5 – 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 6.  
 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:	Scott Rohr				
Title(s):	President	Phone:	310-433-9323	% Owned:	50
Address:	4773 Deeboyar Ave				
City:	Lakewood	State:	CA	ZIP:	90712



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)  
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 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

Entity Official:	Timothy Rohr				
Title(s):	Secretary	Phone:	206-935-4704	% Owned:	50
Address:	4456 50th Ave SW				
City:	Seattle	State:	WA	ZIP:	98116

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

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

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 #:	10117106	AK Formed Date:	1/7/19	Home State:	AK
Registered Agent:	Steven Busby	Agent's Phone:	907-980-8179		
Agent's Mailing Address:	410 K Street				
City:	Anchorage	State:	AK	ZIP:	99501

Residency of Agent: Yes  No

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

*Handwritten signature*





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Alaska Alcoholic Beverage Control Board  
**Form AB-01: Transfer License Application**

**Section 6 – Other Licenses**

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee 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?

LR

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):

**Section 7 – 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?

LR

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



DEC 24 2019





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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

**Section 8 - Transferor Certifications**

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

David D. Fulton

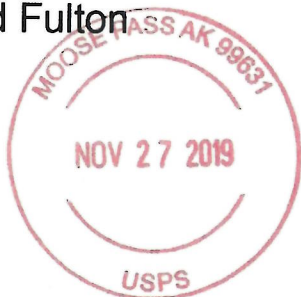
Signature of transferor

David Fulton

Printed name of transferor

Subscribed and sworn to before me this 27<sup>th</sup> day of November, 2019.

David Fulton



Melanie Homberger

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: with office per ASMI12.2

Signature of transferor

Printed name of transferor

Subscribed and sworn to before me this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature of Notary Public

Notary Public in and for the State of \_\_\_\_\_

My commission expires: \_\_\_\_\_



Alaska Alcoholic Beverage Control Board  
**Form AB-01: Transfer License Application**

**Section 9 – Transferee 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. SR
  - I certify that all proposed licensees have been listed with the Division of Corporations. SR
  - 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. SR
  - 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. SR
  - I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application. SR

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.

  
Signature of transferee  
**Scott Rohr**  
Printed name

Subscribed and sworn to before me this 23<sup>rd</sup> day of NOVEMBER, 2019.

*See attachment.*

~~Signature of Notary Public  
Notary Public in and for the State of \_\_\_\_\_  
My commission expires: \_\_\_\_\_~~



# Jurat Certificate California only

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

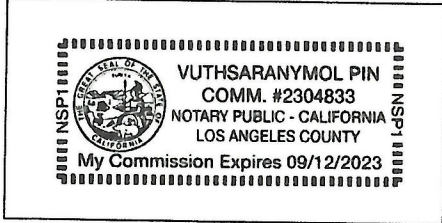
Subscribed and sworn to (or affirmed) before me on this 23<sup>rd</sup>

day of November, 2019, by Scott Thomas Rohr

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Place Seal Here

Signature [Handwritten Signature]



### Description of Attached Document

Type or Title of Document  
Form AB-01: Transfer License Application

Document Date None Number of Pages 1

Signer(s) Other Than Named Above  
None

DSG 3018 CA (Rev 02-2/15)

AMCO  
DEC 24 2019



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 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.

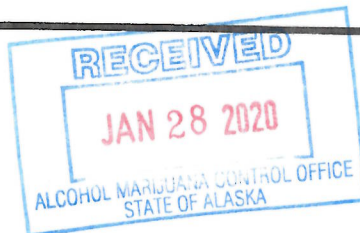
Yes No

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:	Trail Lake Lodge Corp	License Number:	3113	
License Type:	Beverage Dispensary - Tourism			
Doing Business As:	Trail Lake Lodge			
Premises Address:	33654 Depot Rd			
City:	Moose Pass	State:	Moose Pass	ZIP: AK



JAN 28 2020





Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board  
**Form AB-02: Premises Diagram**

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**Section 2 – Detailed Premises Diagram**

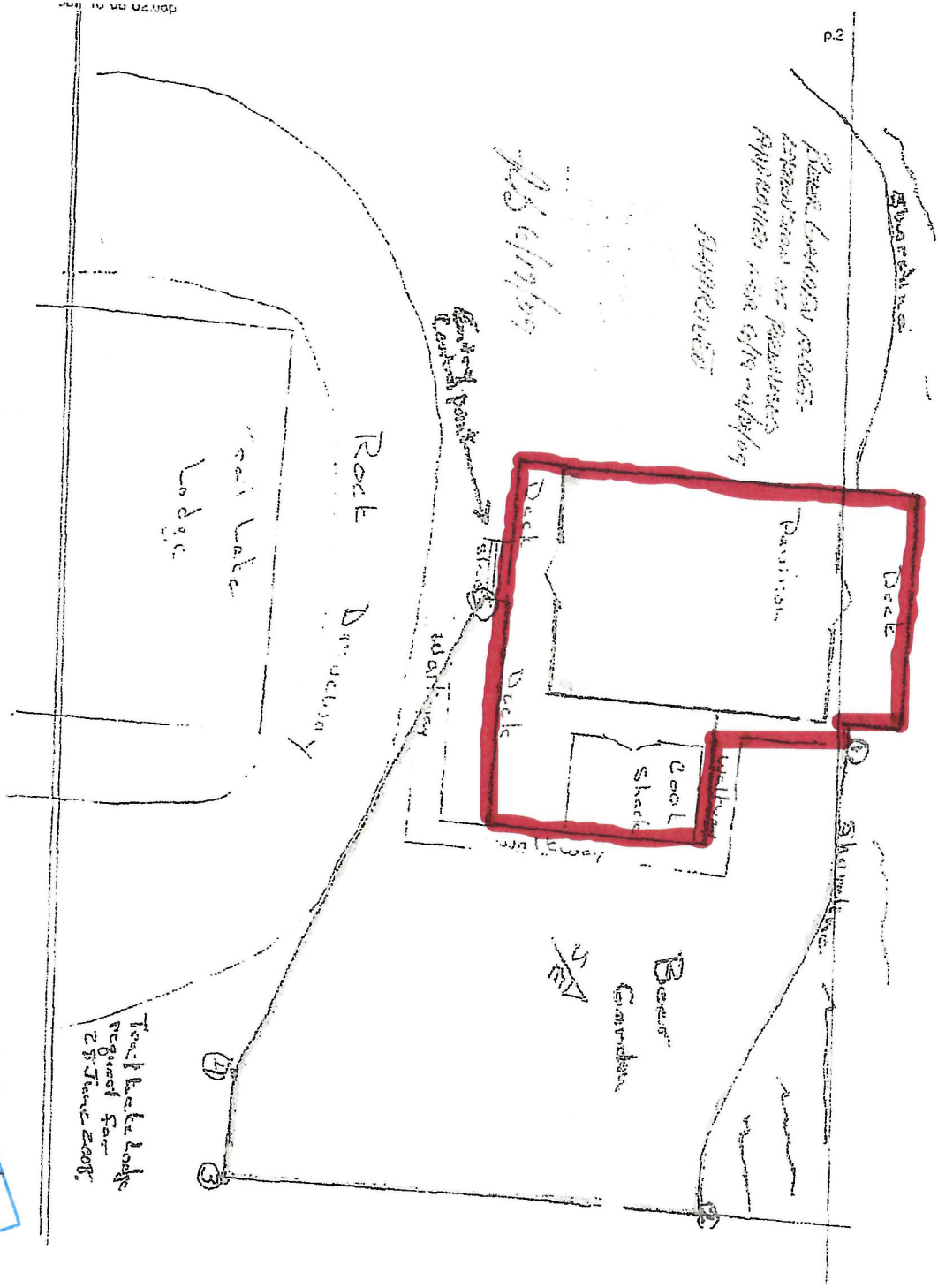
Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas 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.

See attached drawings.

01.09.2019

AMCO

p.2



Remove low-level grass  
 Appropriate for pastures  
 Appropriate for site utility  
 Appropriate

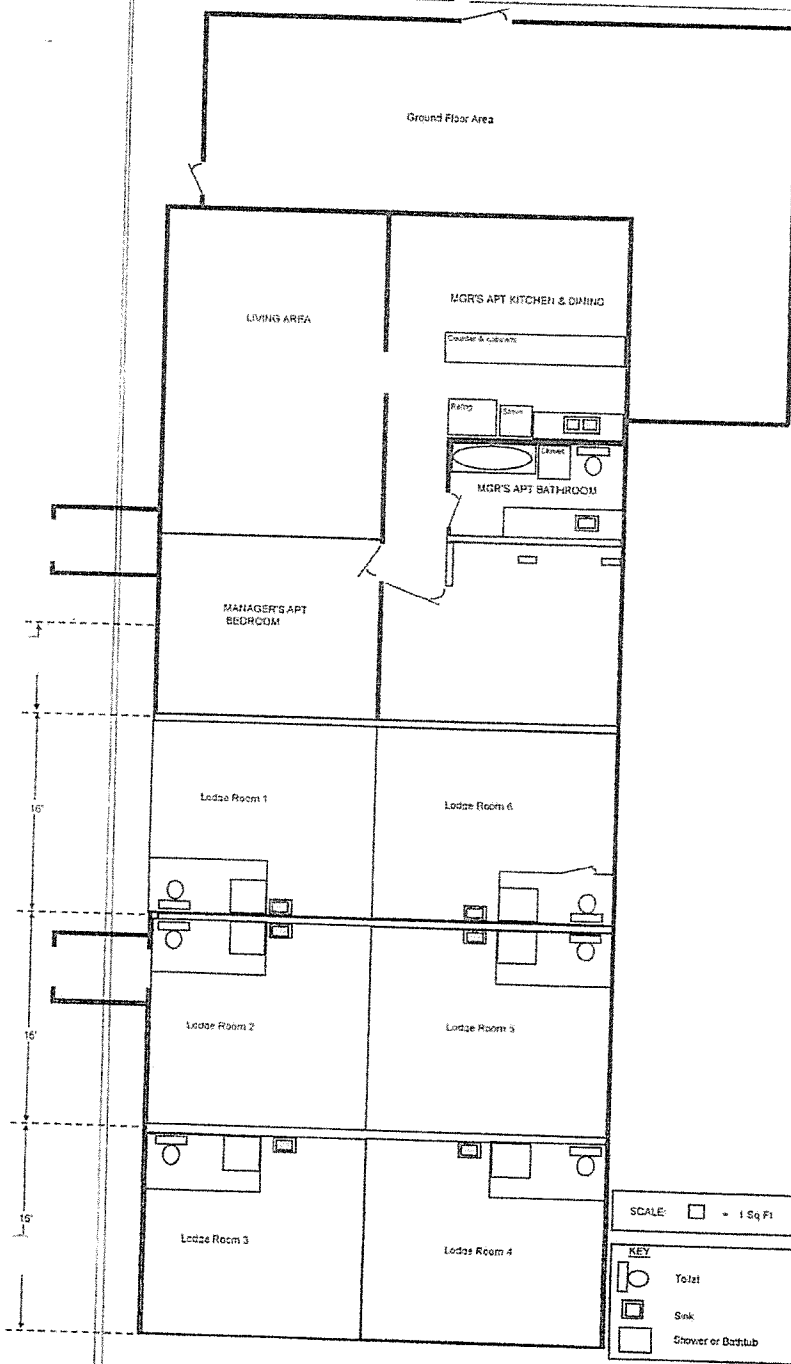
12/8/19/19

Rock Lake Lodge  
 Request for  
 2/8/19/2019



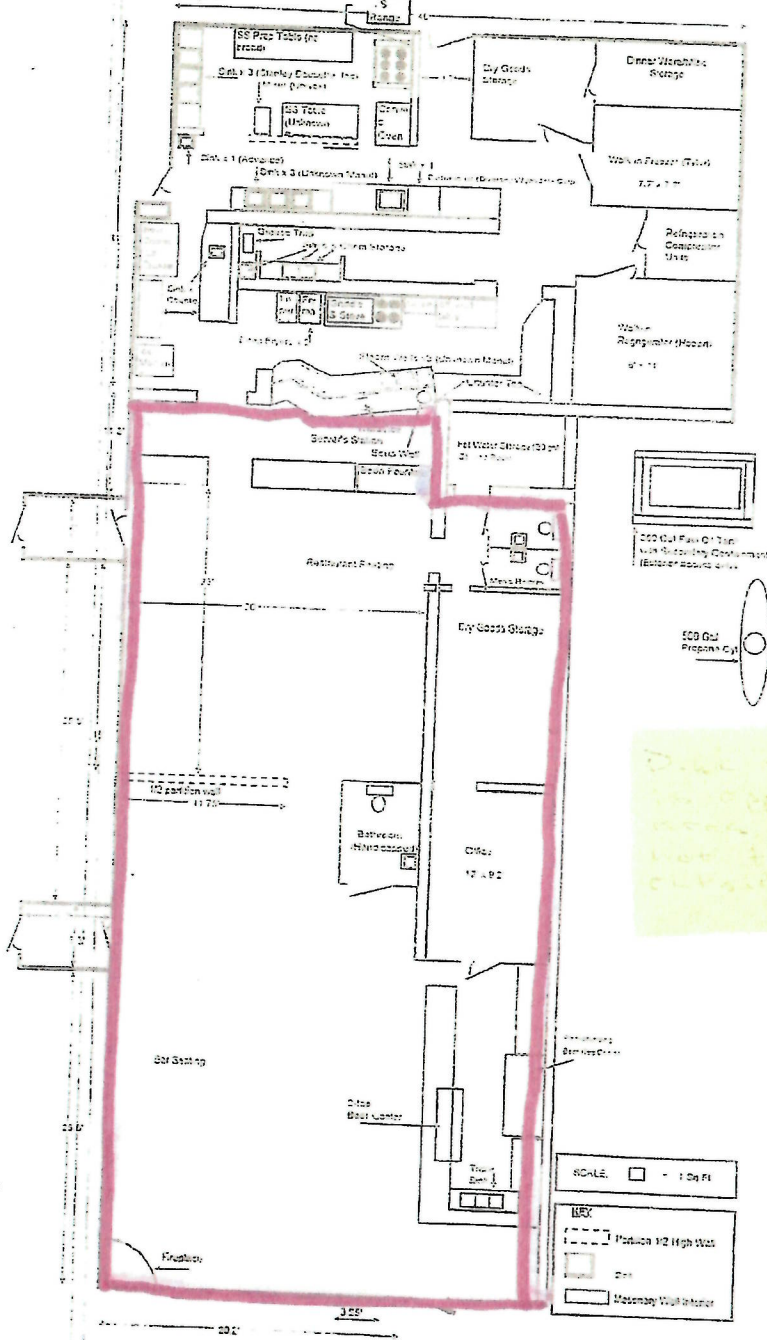
Trail Lake Lodge  
Moose Pass, AK

2nd Floor Lodge Floorplan



Trail Lake Lodge  
Moose Pass, AK

1st Floor Lodge Floorplan

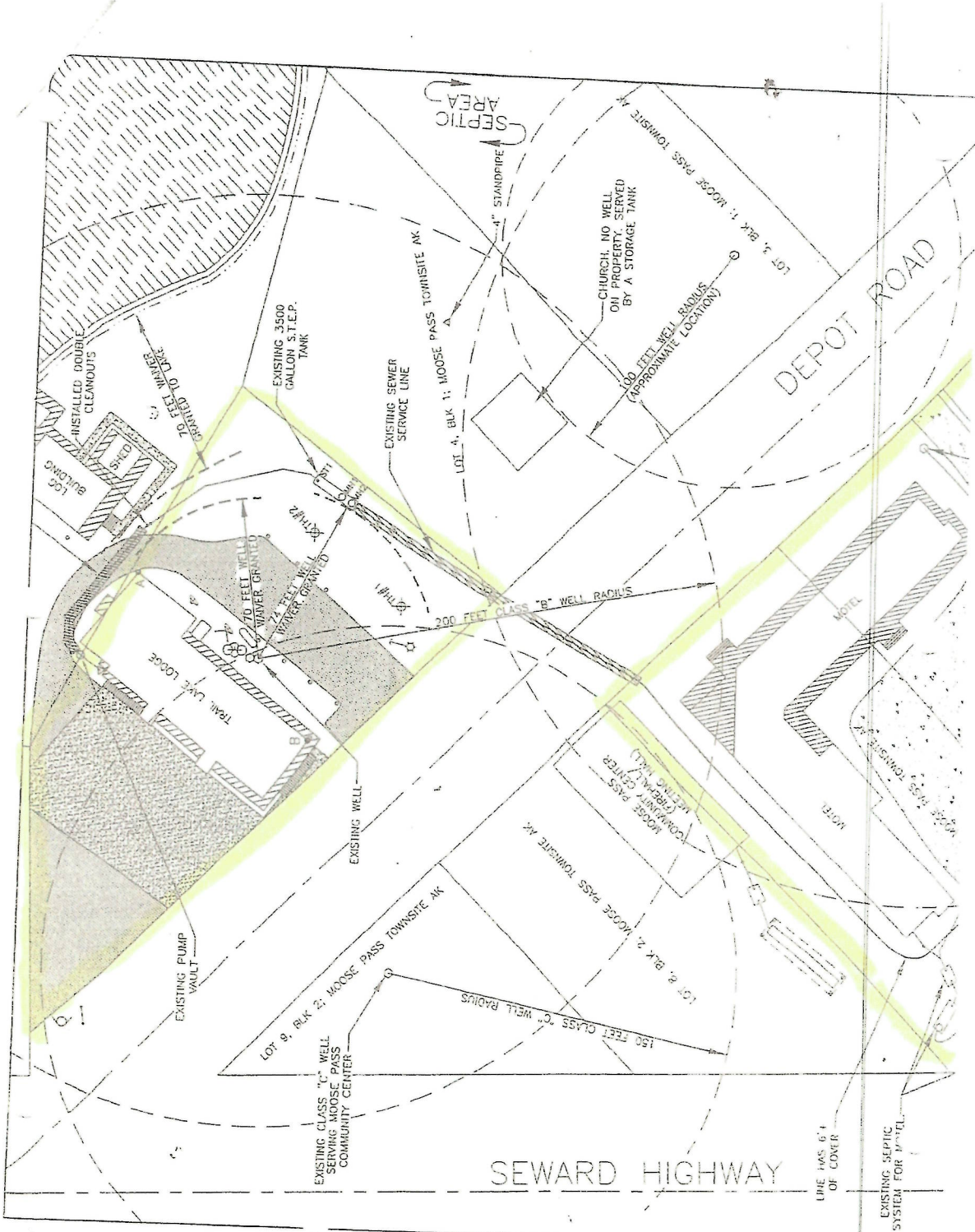


*Handwritten note on a yellow sticky note:*  
 This kitchen area  
 was approved during  
 the permit process  
 for the kitchen  
 outside.

**RECEIVED**  
**JAN 28 2020**  
 ALCOHOL MARIJUANA CONTROL OFFICE  
 STATE OF ALASKA

AMCC  
 1/28/2020





EXISTING SEPTIC SYSTEM FOR MOTEL  
LINE HAS 6" OF COVER