



## MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: Tuesday, November 12, 2024

FROM: Joe Bankowski, Enforcement Supervisor

RE: AB-35, Al's Alaskan Inn

On November 5<sup>th</sup>, 2024 AMCO met with licensee Allen Choy of Al's Alaskan Inn to discuss his proposal to use an AB-35 (seasonal alternating premises request) to use a portion of the licensed premises as a cold weather warming shelter. This would be accomplished in conjunction with a contract from the Municipality of Anchorage.

Upon review of 3 AAC 306.655, it was noted under subsection (2) that approval will only be granted if the board finds that use of the identified area as alternating premises will stimulate tourism or promote activities open to the general public.

Historically, AB-35s have been delegated to Enforcement for approval. Given the unique nature of this proposal, I ask that Board consider this request.

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**3 AAC 306.655 Alternating licensed premises.** Upon a licensee's written request accompanied by a detailed premises diagram, the board may approve a portion of a premises of a retail license licensed for onsite consumption to alternate as a licensed or unlicensed premises under the following conditions:

- (1) the request is made on a form prescribed by the board, accompanied by a detailed premises diagram and \$250 fee;
- (2) approval will be granted only if the board finds that use of the identified area as alternating premises will stimulate tourism or promote activities open to the general public;
- (3) a debt that is incurred during times when the identified area is unlicensed will be considered a debt incurred in the operation of the licensed business for purposes of transfer of the license under AS 04.11.360;

*(4) at any time with written notice to the licensee, the board may withdraw its approval of use of the identified area as alternating premises.*

*(5) a permit issued under AS 04.09.610, 04.09.620, 04.09.630, 04.09.645, 04.09.650, 04.09.660, and 04.09.685 may be exercised in the alternating area during the times the identified area is unlicensed premises;*

*(6) during times the identified area is designated as an unlicensed premises, all alcoholic beverages must either be removed from the identified area or be stored in a location approved by the board to be secure from the public;*

*(7) a licensee may apply hours that it is operating as an alternating unlicensed premises to meet the operating requirement described under AS 04.11.330(a)(3). (Eff. 1/1/2024, Register 248)*



Alaska Alcoholic Beverage Control Board

Form AB-35: Seasonal Alternating Premises Request

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

This seasonal alternating premises request form is required for all liquor licensees seeking approval to alternate a portion of their premises as licensed and unlicensed under 3 AAC 304.185(f), on a seasonal basis. Fee: \$250

Section 1 – Licensee Information

Doing Business As:	Al's Alaskan Inn				
Licensee:	Allen Henry Choy, LLC	License #:	10		
License Type:	Beverage Dispensary-Tourism				
Premises Address:	7830 Old Seward Highway				
City:	Anchorage	State:	AK	ZIP:	99518

Please write the six-month period for which you are requesting the seasonally alternating portion of your licensed premises to be licensed:

Temporary pre-summer Tourism Season Nov, Dec, Jan, Feb, March, April

Section 2 – Detailed Premises Diagram

- ☒ Attach a copy of your most current premises diagram (AB-02 or AB-14). This diagram should meet the requirements listed on the current AB-02 form regarding contents and labeling. Outline that portion that you wish to be seasonally alternating in a color other than red. Note that the licensed and unlicensed areas must be clearly segregated.
- ☒ If your approved premises diagram indicates alcohol storage in the area to be seasonally alternating, you must indicate where alcohol will be stored during the time the identified area is unlicensed, by outlining the area in a color other than red and labeling it. The storage area must be secure from the public.

Section 3 – Declarations

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

Initials

I certify that I have read and understand the requirements for a seasonally alternating premises.

A.C.

I certify that I have attached all diagrams and information required by this form.

A.C.

I certify that I understand that a debt that is incurred during times when the identified area is unlicensed will be considered a debt incurred in the operation of the licensed business for purposes of transfer of license under AS 04.11.360.

A.C.

OFFICE USE ONLY			
Examiner:		Transaction #:	



Alaska Alcoholic Beverage Control Board

**Form AB-35: Seasonal Alternating Premises Request**

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.

C.C.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

C.C.

SARAH ANNALYN ALEXANDER

Alexa Heray Choy

Printed name of licensee

Signature of licensee





## Alaska Alcoholic Beverage Control Board

**Form AB-02: Premises Diagram****Why is this form needed?**

A detailed diagram of the proposed licensed premises is required for all alcohol license applications, per AS 04.11.260, 3 AAC 305.630 and 3 AAC 305.660. 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.

**This form must be completed and submitted to AMCO's Anchorage office before any license application will be considered complete. You may attach blueprints or other detailed drawings that meet the requirements of this form.**

**The diagram MUST include:**

- You must use a **solid, contiguous red line** to outline the outer perimeter of your premises with no breaks or separations.
  - The red outline is required to follow a physical barrier (wall, fence and even across doorways).
  - There should be no red lines within the perimeter
- Each area should be clearly labeled in any color other than red where alcohol is:
  - Stored
  - Served/Sold
  - Manufactured
  - Consumed
- All diagrams must include:
  - Dimensions (AMCO does not accept diagrams drawn to scale)
  - Cross streets
  - Points of reference, such as a compass rose indicating True North
  - All entrances, exits, walls, bars, and fixtures
- If your premises include multiple floors, please include a separate diagram of each floor.
  - You must identify the stairs between each floor, and each hallway/corridor that leads to each set of stairs.
- If your premises includes multiple floors, please include a separate diagram of each floor. You must identify the stairs between each floor, and each hallway/corridor that leads to each set of stairs.
- 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.
- **Any license applications that include outdoor space** are required to submit a security plan that includes information about the barriers, practices, and personnel that are to be used to ensure that alcohol is not introduced or removed from the permitted premises and to prevent the access of alcohol by a minor during the permitted event. A security plan may be requested for other proposed locations on a case-by-case basis.

**Section 1 – Establishment Information**

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

<b>Licensee:</b>	Allen Henry Choy, LLC	<b>License Number:</b>	10		
<b>License Type:</b>	Beverage Dispensary-Tourism				
<b>Doing Business As:</b>	Al's Alaskan Inn				
<b>Premises Address:</b>	7830 Old Seward Highway				
<b>City:</b>	Anchorage	<b>State:</b>	Alaska	<b>ZIP:</b>	99518



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

### Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. See above for detailed instructions.

**\*SEE ATTACHED EXHIBIT "A"**

(Temporary premises Diagram change for Pre-Tourist Season Time Period for Temporary Municipality of Anchorage Warming Shelter Use)



# EXHIBIT "A" AMCO AB-02 PREMISES DIAGRAM

"COLD WEATHER WARMING SHELTER"  
(SOUTH COMMUNITY WELLNESS CENTER/MOA)

(1) (2)

- NOTES:
1. WITH THE EXCEPTION OF HANDICAPPED ACCESSIBLE SPACES WHICH ARE 8'-0" WIDE ALL PARKING SPACES ARE 9'-0" WIDE 18'-0" DEEP PLUS 2'-0" OF CURB OVERHANG (TOTAL 20'-0").
  2. ALL SPACES SHOWN AS DIAGONAL ARE 45 DEGREE ANGLED PARKING 9'-0" WIDE BY 19'-4" IN DEPTH PLUS 1'-8" OF CURB OVERHANG.

NOTE:

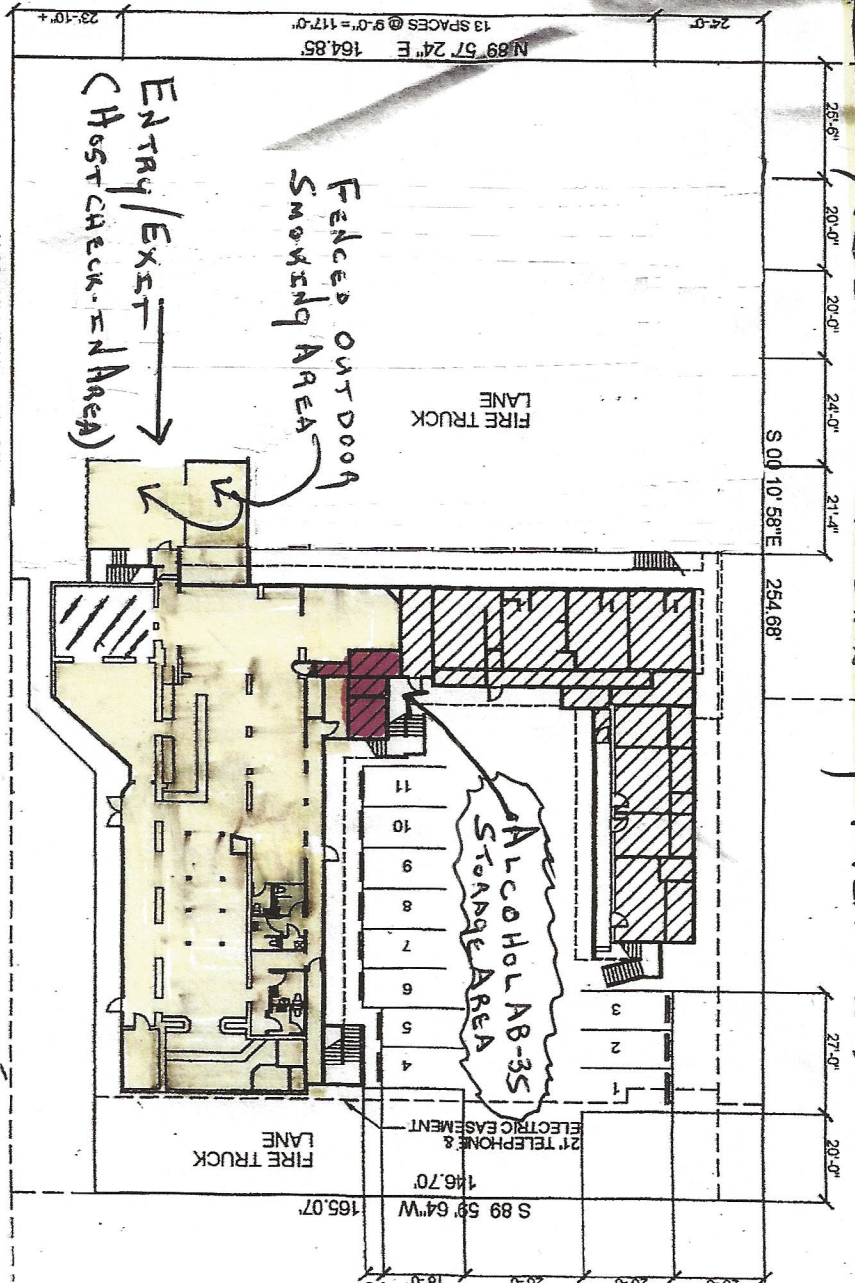
YELLOW = DESIGNATED ALCOHOL AREA  
PINK = ALCOHOL STORAGE AREA

LOT 28B, BELLA VISTA SUBDIVISION, NO. 1  
GRID 2231 PLAT NO. 81-316  
B-3 ZONE

SCALE: 1" = 20'-0"

## SITE & PARKING PLAN

EAST 79TH AVENUE



OLD SEWARD HIGHWAY

N 00 08 00" W 118.03'

APPROXIMATELY 6,500

DESIGNATED ALCOHOL AREA (COLD WEATHER WARMING SHELTER AREA)

Amco → (SEASONAL DE-DESIGNATION AB-35 FROM ALCOHOL TO NON-ALCOHOL FOR NOVEMBER 2024 THRU APRIL 2024)

Ariel Henry Choy, LLC  
DIBA "SOUTH COMMUNITY WELLNESS CENTER"

\* AMCO AB-35 DEAGRAM \*  
(SEASONAL ALTERNATING PREMISES)