

# KENAI PENINSULA BOROUGH

## Office of the Borough Clerk

144 North Binkley Street  
Soldotna, AK 99669  
Phone 907-714-2160  
Fax 907-714-2388

Johni Blankenship, MMC  
Borough Clerk

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### MEMORANDUM

**To:** Gary Knopp, Assembly President  
Members of the Assembly

**Thru:** Johni Blankenship, Borough Clerk *B*

**From:** Katie Ring, Borough Clerk Secretary *KR*

**Date:** April 3, 2012

**RE:** Transfer of Liquor License Ownership and Location  
Transfer From: K.G.B. & Associates LLC dba Clam Shell Lodge, Clam Gulch  
Transfer To: JFS, Inc. dba Log Cabin Liquor, within Borough/Funny River  
License No. 2795 (Package Store)

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Kenai Peninsula Borough Code 7.10.010 provides for mandatory Assembly review of all applications for liquor license transfers located within the Borough. Accordingly, the attached application filed by JFS, Inc. dba Log Cabin Liquor is being submitted to you for review and action.

The Borough Finance Department has reviewed the application and recommends the transfer and relocation application of the business listed to be conditionally approved based on an agreement between the Borough and K.G.B. & Associates which provides for payment of all taxes, penalties, fees and interest to be paid out of escrow upon closing of the sale of the license.

The Planning Department has reviewed the application for proximity to churches and/or schools and has no objection to the transfer of the license based on location.

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**RECOMMENDATION:**

That the Assembly authorize a conditional letter of non-objection to the transfer of the referenced liquor license as requested by **JFS, Inc. dba Log Cabin Liquor.**

cc: Clam Shell Lodge  
Log Cabin Liquor

# Memorandum

**To:** Johni Blankenship, Borough Clerk  
**Thru:** Craig Chapman, Finance Director *JAB CC*  
**From:** *W*Lauri Lingafelt, Delinquent Accounts Specialist  
**Date:** March 14, 2012  
**Subject:** Transfer of Liquor License Ownership & Location

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## Package Store License #2795

### Transfer:

*From: K.G.B. & Associates LLC dba Clam Shell Lodge  
16895 Sterling Hwy, Clam Gulch, AK 99568*

*To: JFS, INC. dba Log Cabin Liquor  
37133 Funny River Rd, Soldotna, AK 99669*

The Finance Department has reviewed all relevant tax accounts related to the business **JFS, INC.** and found the licensee JFS Inc. to be in compliance, however there are past due sales tax for K.G.B. & Associates dba Clam Shell Lodge.

Please be advised that the Finance Department recommends the transfer and relocation application of the business listed be conditionally approved based on an agreement between the Borough and K.G.B. & Associates which provides for payment of all taxes, penalties, fees and interest to be paid out of escrow upon closing of the sale of the license.

Please forward us a copy of the assembly approval/objection letter for our records. Thank you for your consideration in this matter.

State of Alaska  
**Alcoholic Beverage Control Board**

**RECEIVED**

FEB 27 2012

Date of Notice: February 27, 2012

KPB - Clerks Office

Application Type: **NEW** \_\_\_\_\_

**TRANSFER**  
 Ownership  
 Location  
 Name Change

Governing Body: **Kenai Peninsula Borough**  
 Community Councils: None

License #: 2795  
 License Type: Package Store  
 D.B.A.: Log Cabin Liquor  
 Licensee/Applicant: JFS, Inc.  
 Physical Location: 37133 Funny River Road (Property ID #0660118), Soldotna, AK 99669  
 Mail Address: 30485 Rosland Street, Soldotna, AK 99669  
 Telephone #: 907-398-9463  
 EIN: 32-0358425

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
JFS, Inc.	30485 Rosland Street Soldotna, AK 99669	907-398-9463	11/07/2011 Alaska	Yes

**Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.**

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
John F. Segesser President	01/24/1955	30485 Rosland Street Soldotna, AK 99669	907-398-9463	51%
Terri L. Segesser Secretary / Treasurer	04/19/1959	30485 Rosland Street Soldotna, AK 99669	907-398-9463	49%

If transfer application, current license information:

License #: 2795  
 Current D.B.A.: Clam Shell Lodge  
 Current Licensee: K.G.B. & Associates, LLC  
 Current Location: 16895 Sterling Highway, Clam Gulch, AK 99568

Additional comments:

*Conditionally approved -  
 - see memo -*

Liquor License Application Review	
TO:	<input checked="" type="checkbox"/> Delinquent Accounts <input type="checkbox"/> Planning Department
DATE:	<u>2-28-12</u>
Review and return to Borough Clerk with comments by: <u>4-5-12</u>	
For Assembly Meeting of <u>4-17-12</u>	
The <u>Finance</u> Department has no objection to the issuance of this license.	
Date:	<u>3/14/12</u> By <u>Kevin J. [Signature]</u>

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board and the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

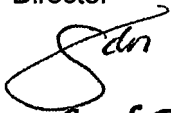
AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 15 AAC 104.145, Local Governing Body Protest.

**Note:** Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD  
Director

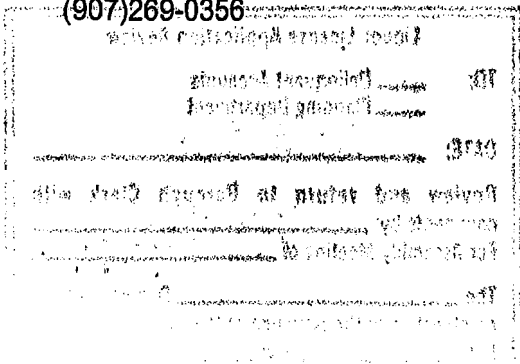


**Sarah D. Oates**

Business Registration Examiner

sarah.oates@alaska.gov

(907)269-0356





## **KENAI PENINSULA BOROUGH**

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

**PHONE:** (907) 714-2200 • **FAX:** (907) 714-2378


Toll-free within the Borough: 1-800-478-4441, Ext. 2200

[www.borough.kenai.ak.us](http://www.borough.kenai.ak.us)

**MIKE NAVARRE**  
**BOROUGH MAYOR**

### MEMORANDUM

**TO:** Johni Blankenship, Borough Clerk

**FROM:**  Max Best, Planning Director

**RE:** Log Cabin Liquor Transfer License Application

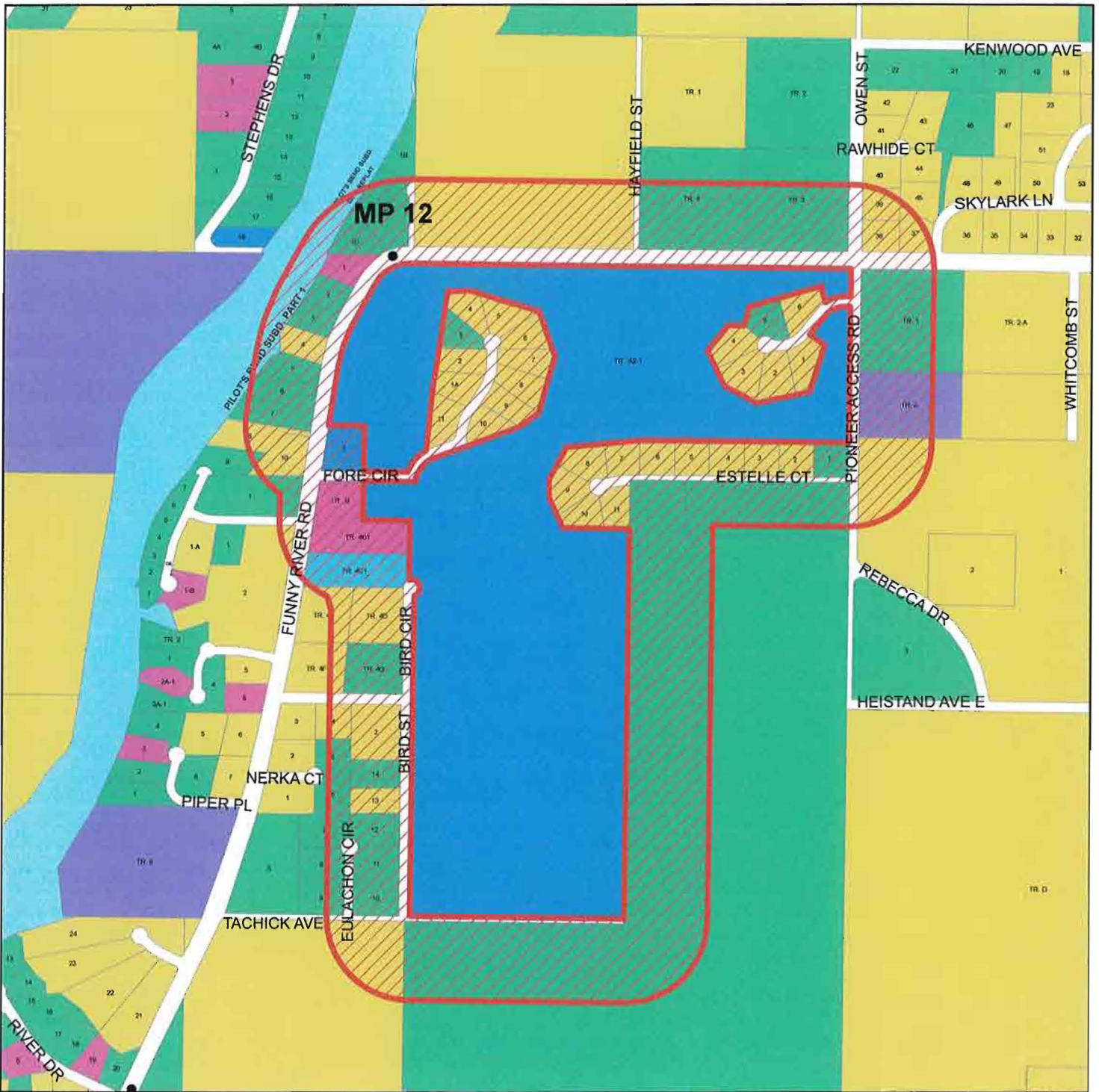
**DATE:** February 28, 2012

As requested, the Planning Department reviewed the Log Cabin Liquor transfer license application to determine if churches or schools are within 500 feet (KPB 7.10.020). The parcel number and physical address on the application are incorrect. The address 37133 Funny River Road has been assigned to a parcel that will be created when Bird Homestead Subdivision Part 5 is recorded. A parcel number for this address cannot be assigned until after the plat is recorded.

A 500-foot radius search was done for KPB Parcel 066-011-54, 37001 Fore Circle and 37109 Funny River Road (parent parcel of 37133 Funny River Road).

Churches and schools are shown as institutional on the land use map. The Institutional parcel shown within the 500-foot buffer is the Funny River Chamber of Commerce. Kenai Peninsula Borough records show no schools or churches within the 500-foot buffer.

Maps and land status information are attached.



Log Cabin Liquor  
 Transfer Liquor License Application  
 Land Use within 500 Feet



**LAND USE**

- Accessory Building
- Commercial
- Industrial
- Institutional
- Residential
- Timber/Farm
- Vacant


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



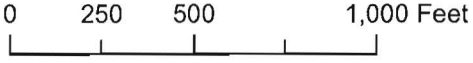

Map Generated: 2/28/12



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Kenai Peninsula Borough Planning Department  
Vicinity Map

2/28/12

Log Cabin Liquor Transfer License Application  
 Land Use within 500 Feet

PARCEL ID	06601020	PARCEL ID	06601020
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	ALASKA STATE D N R	OWNER	ALASKA STATE D N R
ACREAGE	40.00	ACREAGE	40.00
ADDRESS	550 W 7TH AVE STE 650	ADDRESS	550 W 7TH AVE STE 650
CITY, STATE, ZIP CODE	ANCHORAGE, AK 99501	CITY, STATE, ZIP CODE	ANCHORAGE, AK 99501
PARCEL ID	06601104	PARCEL ID	06601104
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	RIVENBARK W MARK & CYNTHIA ANN	OWNER	RIVENBARK W MARK & CYNTHIA ANN
ACREAGE	1.00	ACREAGE	1.00
ADDRESS	PO BOX 4684	ADDRESS	PO BOX 4684
CITY, STATE, ZIP CODE	HOUSTON, TX 77210	CITY, STATE, ZIP CODE	HOUSTON, TX 77210
PARCEL ID	06601108	PARCEL ID	06601108
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	RAMSEY DONALD	OWNER	RAMSEY DONALD
ACREAGE	1.56	ACREAGE	1.56
ADDRESS	35774 CARLISLE DR	ADDRESS	35774 CARLISLE DR
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669



Log Cabin Liquor Transfer License Application  
 Land Use within 500 Feet

PARCEL ID	06601122	PARCEL ID	06601122
USAGE	110 Residential Dwelling - single	USAGE	110 Residential Dwelling - single
OWNER	BIRD JUSTIN S & AMANDA	OWNER	BIRD JUSTIN S & AMANDA
ACREAGE	1.00	ACREAGE	1.00
ADDRESS	36530 ESTELLA CT	ADDRESS	36530 ESTELLA CT
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669
PARCEL ID	06601126	PARCEL ID	06601126
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	BUCHANAN MATTHEW	OWNER	BUCHANAN MATTHEW
ACREAGE	1.00	ACREAGE	1.00
ADDRESS	8782 STONY CREEK DR	ADDRESS	8782 STONY CREEK DR
CITY, STATE, ZIP CODE	COLORADO SPRINGS, CO 80924	CITY, STATE, ZIP CODE	COLORADO SPRINGS, CO 80924
PARCEL ID	06601130	PARCEL ID	06601130
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	WEBB GARY & SYLVIA	OWNER	WEBB GARY & SYLVIA
ACREAGE	1.24	ACREAGE	1.24
ADDRESS	52995 HOYT LN	ADDRESS	52995 HOYT LN
CITY, STATE, ZIP CODE	KENAI, AK 99611	CITY, STATE, ZIP CODE	KENAI, AK 99611

Log Cabin Liquor Transfer License Application  
 Land Use within 500 Feet

PARCEL ID	06601135	PARCEL ID	06601135
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	LINK FAITH M	OWNER	LINK FAITH M
ACREAGE	0.98	ACREAGE	0.98
ADDRESS	PO BOX 1963	ADDRESS	PO BOX 1963
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669
PARCEL ID	06601139	PARCEL ID	06601139
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	KIRBY DANIEL & KIRBY LORI	OWNER	KIRBY DANIEL & KIRBY LORI
ACREAGE	1.00	ACREAGE	1.00
ADDRESS	3800 JESTER CT NW	ADDRESS	3800 JESTER CT NW
CITY, STATE, ZIP CODE	OLYMPIA, WA 98502	CITY, STATE, ZIP CODE	OLYMPIA, WA 98502
PARCEL ID	06601143	PARCEL ID	06601143
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	WARREN NEIL & KATHLEEN	OWNER	WARREN NEIL & KATHLEEN
ACREAGE	0.94	ACREAGE	0.94
ADDRESS	5893 CANYON CREEK DR	ADDRESS	5893 CANYON CREEK DR
CITY, STATE, ZIP CODE	DUBLIN, OH 43016	CITY, STATE, ZIP CODE	DUBLIN, OH 43016

Log Cabin Liquor Transfer License Application  
 Land Use within 500 Feet

PARCEL ID	06601149	PARCEL ID	06601149
USAGE	110 Residential Dwelling - single	USAGE	110 Residential Dwelling - single
OWNER	TOM COLIN F	OWNER	TOM COLIN F
ACREAGE	2.81	ACREAGE	2.81
ADDRESS	98-130 LIPOA PL	ADDRESS	98-130 LIPOA PL
CITY, STATE, ZIP CODE	AIEA, HI 96701	CITY, STATE, ZIP CODE	AIEA, HI 96701
PARCEL ID	06601154	PARCEL ID	06601154
USAGE	350 General Commercial	USAGE	350 General Commercial
OWNER	BIRD ELMER RAY & PATSY J	OWNER	BIRD ELMER RAY & PATSY J
ACREAGE	135.05	ACREAGE	135.05
ADDRESS	PO BOX 3186	ADDRESS	PO BOX 3186
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669
PARCEL ID	06601158	PARCEL ID	06601158
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	BIRD ELMER RAY & PATSY J	OWNER	BIRD ELMER RAY & PATSY J
ACREAGE	1.07	ACREAGE	1.07
ADDRESS	PO BOX 3186	ADDRESS	PO BOX 3186
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669

Log Cabin Liquor Transfer License Application  
 Land Use within 500 Feet

PARCEL ID	06602026	PARCEL ID	06602026
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	GRAHAM MARY A	OWNER	GRAHAM MARY A
ACREAGE	7.32	ACREAGE	7.32
ADDRESS	PO BOX 235	ADDRESS	PO BOX 235
CITY, STATE, ZIP CODE	LIBBY, MT 59923	CITY, STATE, ZIP CODE	LIBBY, MT 59923
PARCEL ID	06630006	PARCEL ID	06630006
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	DINNEBECK PATSY	OWNER	DINNEBECK PATSY
ACREAGE	2.39	ACREAGE	2.39
ADDRESS	36535 CARIBOU CIR	ADDRESS	36535 CARIBOU CIR
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669
PARCEL ID	06630016	PARCEL ID	06630016
USAGE	120 Residential Cabin - single	USAGE	120 Residential Cabin - single
OWNER	HIGGINS ANDREW O	OWNER	HIGGINS ANDREW O
ACREAGE	1.14	ACREAGE	1.14
ADDRESS	7382 N 300 W	ADDRESS	7382 N 300 W
CITY, STATE, ZIP CODE	EARL PARK, IN 47942	CITY, STATE, ZIP CODE	EARL PARK, IN 47942

Log Cabin Liquor Transfer License Application  
 Land Use within 500 Feet

PARCEL ID	06630020	PARCEL ID	06630020
USAGE	110 Residential Dwelling - single	USAGE	110 Residential Dwelling - single
OWNER	JOHNSON THOMAS W & LORI M	OWNER	JOHNSON THOMAS W & LORI M
ACREAGE	1.26	ACREAGE	1.26
ADDRESS	35250 EULACHON CIR	ADDRESS	35250 EULACHON CIR
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669
PARCEL ID	06630024	PARCEL ID	06630024
USAGE	110 Residential Dwelling - single	USAGE	110 Residential Dwelling - single
OWNER	DERRY ROCKFORD E & MARY	OWNER	DERRY ROCKFORD E & MARY
ACREAGE	1.02	ACREAGE	1.02
ADDRESS	37095 NERKA CT	ADDRESS	37095 NERKA CT
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669
PARCEL ID	06639011	PARCEL ID	06639011
USAGE	112 Residential Dwellings 2-4	USAGE	112 Residential Dwellings 2-4
OWNER	ELMORE KENNETH T	OWNER	ELMORE KENNETH T
ACREAGE	8.82	ACREAGE	8.82
ADDRESS	11661 FRANCES ELAINE CIR	ADDRESS	11661 FRANCES ELAINE CIR
CITY, STATE, ZIP CODE	ANCHORAGE, AK 99515	CITY, STATE, ZIP CODE	ANCHORAGE, AK 99515

Log Cabin Liquor Transfer License Application  
 Land Use within 500 Feet

PARCEL ID	06639058	PARCEL ID	06639058
USAGE	100 Residential Vacant	USAGE	100 Residential Vacant
OWNER	KENNEDY BONNIE ADAMS	OWNER	KENNEDY BONNIE ADAMS
ACREAGE	1.00	ACREAGE	1.00
ADDRESS	PO BOX 776	ADDRESS	PO BOX 776
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669
PARCEL ID	06646003	PARCEL ID	06646003
USAGE	110 Residential Dwelling - single	USAGE	110 Residential Dwelling - single
OWNER	LAWRENCE LARRY L	OWNER	LAWRENCE LARRY L
ACREAGE	8.56	ACREAGE	8.56
ADDRESS	PO BOX 3096	ADDRESS	PO BOX 3096
CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669	CITY, STATE, ZIP CODE	SOLDOTNA, AK 99669