

Kenai Peninsula Borough
Planning Department

MEMORANDUM

TO: Brent Johnson, Assembly President
Kenai Peninsula Borough Assembly Members

THRU: Robert Ruffner, Planning Director *RR*
Samantha Lopez, River Center Manager *SL*

FROM: Ryan Raidmae, Planner *RR*

DATE: March 5, 2024

RE: Application for New Liquor License; **Application:** Odyssey Lodge; **Landowner of New Premises:** China Bay LLC; **License #:** 6193; **Parcel #:** 193-270-03; **Property Description:** T 7S R 12W SEC 15 SEWARD MERIDIAN HM 0001539 US SURVEY 1539 (CHINA POOT BAY); **Location:** 54932 China Poot Bay REM SW, Halibut Cove, Alaska.

As requested, the Planning Department has reviewed the above application for a new liquor license that will be operated from 54932 China Poot Bay Rem SW, Halibut Cove, to determine if there are any churches or schools within 500 feet (KPB 7.10).

A radius search identified no churches or schools within 500-feet of KPB Parcel #193-270-03, 54932 China Poot Bay Rem SW, Halibut Cove, AK.

The property complies with all the requirements of KPB 7.10.020(A)(2)(a-e).

Please see the attached Planning Review map for reference.



December 27, 2023

Kenai Peninsula Borough
Multiple Emails

Via:	Outdoor Recreation Lodge	License Number:	6193
Licensee:	China Bay LLC		
Doing Business As:	Odyssey Lodge		
Premises Address:	54932 China Poot Bay REM		

From Toni Croft(deceased) to Croft Vineyards LLC

- New Application**
 Transfer of Ownership Application
 Transfer of Location Application
 Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provides that the board will deny a license application if the board finds that the license is prohibited as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant’s proposed licensed premises are in a place within the local government where a local zoning ordinance prohibits the alcohol establishment unless the local government has approved a variance from the local ordinance.

Sincerely,
Joan Wilson Director
amco.localgovernmentonly@alaska.gov



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
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

Why is this form needed?

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 Anchorage 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:	China Bay LLC		
License Type:	Outdoor Recreation Lodge	Statutory Reference:	04.11.225
Doing Business As:	Odyssey Lodge		
Premises Address:	54932 China Poot Bay REM		
City:	China Poot	State:	AK ZIP: 99603
Local Governing Body:	Kenai Peninsula Borough		
Community Council:	N/A		

Mailing Address:	952 Alameda Padre Serra		
City:	Santa Barbara	State:	CA ZIP: 93103

Designated Licensee:	Gary Fisher		
Contact Phone:	805-453-9795	Business Phone:	805-453-9795
Contact Email:	fishergaryalan@gmail.com		

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

OFFICE USE ONLY			
Complete Date:		License Years:	License #: _____
Board Meeting Date:		Transaction #:	106721885
Issue Date:		Examiner:	

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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.

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.

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:	

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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:	Gary Fisher				
Title(s):	Member Manager	Phone:	805-453-9795	% Owned:	100
Address:	952 Alameda Padre Serra				
City:	Santa Barbara	State:	CA	ZIP:	93103

Entity Official:	Zack Patton				
Title(s):	Affiliate	Phone:	805-453-9765	% Owned:	0
Address:	54932 China Poot Bay REM				
City:	China Poot	State:	AK	ZIP:	99603

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 #:	10052976	AK Formed Date:	3/3/2017	Home State:	CA
Registered Agent:	Reeves Amodio Corporate Services Inc.		Agent's Phone:	907-222-7100	
Agent's Mailing Address:	500 L ST STE 300				
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?

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):

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:

Jessica Brown - Legal Counsel
 Andrew Klair - Legal Counsel

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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.

GAF

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

GAF

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.

GAF

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.

GAF

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

GAF

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.

GAF

Signature of licensee

Signature of Notary Public

GARY A FISHER
Printed name of licensee

Notary Public in and for the State of Alaska

NOTARY PUBLIC
Karen Garvey
STATE OF ALASKA
My Commission Expires January 21, 2026

My commission expires: 01-21-26

Subscribed and sworn to before me this 10th day of October, 2023.

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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Why is this form needed?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A **menu** or expected menu listing the meals, including entrées prepared on-site and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

Section 1 – Establishment Information

Enter information for licensed establishment.

Licensee:	China Bay LLC				
License Type:	Outdoor Recreation Lodge	License Number:			
Doing Business As:	Odyssey Lodge				
Premises Address:	54932 China Poot Bay REM				
City:	China Poot	State:	AK	ZIP:	99603
Contact Name:	Gary Fisher	Contact Phone:	8054539795		

Section 2 – Type of Designation Requested

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

- Dining after standard closing hours: AS 04.16.010(c)
- Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
- Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- Employment for any persons under 21 years of age: AS 04.16.049(c)
 NOTE: Under AS 04.16.049(d), a Department of Labor and Workforce Development work permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY	
Transaction #:	Initials:



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 3 – Minor Access

Review AS 04.16.049(a)(2); AS 04.16.049(a)(3); AS 04.16.049(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the Kitchen.)

Guest minors will only be allowed in the dining area. Employed minors will only be present in the kitchen.

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

ID's will be checked before alcohol service is provided to anyone who appears to be under the age of 40 years old. All staff will be trained to supervise and monitor dining area and insure no consumption by minors.

Yes No

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

Section 4 – DEC Food Service Permit

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/fss/food/>

Please follow this link to the Municipality Food Safety Website:

<http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssfood.aspx>

If you are unable to certify the below statement, please discuss the matter with the AMCO office:

Initials

I have attached a copy of the current food service permit for this premises OR the plan review approval.

*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.

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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Hours of Operation

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

6:00 AM to 12:00 AM Daily

Section 6 – Entertainment & Service

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes

No

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

Live music and dancing as permitted by AS 04.11.100(g)(2); wedding events which include the same.

Food and beverage service offered or anticipated is:

table service

buffet service

counter service

other

If "other", describe the manner of food and beverage service offered or anticipated:

Lodge guests who are leaving the lodge to participate in remote activities will be served bag lunches to take with them on their adventure.

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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 7 – Certifications and Approvals

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

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.

GAF

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons. This menu includes entrées that are regularly sold and prepared by the licensee at the licensed premises.

GAF

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.

GAF

I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted.

GAF

(AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)

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.

GAF

Gary Fisher

Printed name of licensee

Gary Fisher

Signature of licensee

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

Approved

Denied

Signature of local government official

Date

Printed name of local government official

Title

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Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review: _____ Enforcement Recommendation: Approve Deny

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Date

Enforcement Recommendations:

AMCO Director Review: _____ Approved Denied

Signature of AMCO Director

Printed name of AMCO Director

Date

Limitations:

THE MEANDERING GOAT

Odyssey Lodge

MENU

Inspired by the fresh seafood, vegetables' and what's in season and available in Alaska farmer markets, the chefs create a menu that highlights produce at its peak of freshness, sustainably raised meat and seafood, local ingredients, and other high-quality provisions made from scratch

BREAKFAST

Odyssey Special*

Two Biscuit Halves with Sausage Patties Smothered in Country Gravy,
Served with Two Eggs and Home Fries*

Belgian Waffle*

Waffle, Two Eggs, and Choice of Ham, Bacon, or Sausage

Two Egg Breakfast*

Served with Home Fries and Choice of Toast, English Muffin, Biscuit or Tortillas

Veggie Omelet

Spinach, mushroom, tomato, onion, and bell pepper.

Coffee, Latte, Tea, Orange Juice, Milk

LUNCH

Smoked Salmon BLT*

Thinly-Sliced Smoked Salmon, Bacon, Lettuce, Tomato, Picked Red Onion,
Smoked Salmon Spread, Brioche Bun

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Grilled Shrimp Caesar Salad*

Romaine, Shaved Parmesan-Reggiano, Croutons, White Anchovies', Black
Garlic Caesar dressing

House Made Veggie Burger*

Avocado, Mixed Greens, Tomato, Firestick Onions, Herb Mayonnaise,
Melted Swiss Cheese, Wheat Bun

Crispy Chicken Sandwich*

Buttermilk Fried Chicken, Havarti Cheese, Sweet Slaw, Almonds, Tomato,
Arugula, Honey Mustard, Herb Mayonnaise, Sesame Bun

SIDES

Basket of Fries
Demi Mixed Greens
Fried Brussel Sprouts
Roasted Potatoes

DINNER

APPETIZERS

Fried Cauliflower'

Cucumber, Yogurt Sauce, Herbs

Mussels*

Alaska Mussels, Chipotle Cream, White Wine, Leek & Shallot, Corn, Garlic & Herb
Butter

Oysters on the Half Shell*

(Raw Oysters)

Half Dozen, Cucumber, Ginger Mignonette

SALAD

Classic Caesar*

Parmesan, Croutons, White Anchovy

Burrata Salad

Baby Arugula, Balsamic, Crispy Prosciutto, Grilled Tomato, Shaved Asparagus

Avocado & Heirloom Tomato, Caprese

Heirloom Tomatoes, Arugula, Fresh Mozzarella, Basil, Fig Vincotto, Olive Oil, Sea Salt, Cracked Pepper

MAIN COURSE

Pan Roasted Halibut*

Brown Butter, Hazelnuts, Potatoes, Lemon

Grilled Salmon*

Sprouting Cauliflower, Potato, Piperade, Black Walnut Vinaigrette

Fish & Chips*

Beer Battered Wild Alaska Cod, Tartar Sauce, Smoked Jalapeno Mayonnaise

Mushroom Ravioli*

Mixed Mushrooms, Leeks, Shallots, Mixed Vegetables, Madeira Cream, Ricotta, Spinach, Shaved Parmesan Cheese

Bavette Steak*

Raclette-Potato Gratin, Maitake, Steak Jus

DESSERT

Lava Cake

Rich Chocolate Cake. Molten-Belgian-Chocolate, Vanilla Ice-Cream

Tiramisu

Sea Salt Carmel, Coca-Butter

*. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs, may increase your risk of foodborne illness, especially if you have certain medical conditions. Thoroughly cooking foods of animal origin reduces the risk of foodborne illness.
If you have a food allergy or special dietary requirements, please inform a member of staff or ask for more information.

Alaska CHARR Training for Alcohol Professionals (TAP)® Webinar - 11/01

CERTIFICATE of COMPLETION

THIS ACKNOWLEDGES THAT

Gary Fisher

HAS SUCCESSFULLY COMPLETED THE

Online Alaska TAP® Responsible Beverage
Server and Seller Training Program

Date of Completion: November 1, 2023
This Certificate Expires on: **14 days from the date of completion.**



David Daniel

SIGNED, *David Daniel*, TAP Instructor



**NOTE - This is your temporary certification form. Your official certification card will be mailed to you within 5 business days.
This certificate is NOT valid if the person listed is under the age of 21.
Please contact Alaska CHARR at 907-274-8133 with questions regarding this certification**

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Alaska CHARR Training for Alcohol Professionals (TAP)® Webinar - 10/27

CERTIFICATE of COMPLETION

THIS ACKNOWLEDGES THAT

Zachary Patton

HAS SUCCESSFULLY COMPLETED THE

Online Alaska TAP® Responsible Beverage
Server and Seller Training Program



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Date of Completion: October 27, 2023

This Certificate Expires on: **14 days from the date of completion.**

David Daniel

SIGNED, David Daniel, TAP Instructor



NOTE - This is your temporary certification form. Your official certification card will be mailed to you within 5 business days.

This certificate is NOT valid if the person listed is under the age of 21.

Please contact Alaska CHARR at 907-274-8133 with questions regarding this certification



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 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 may not be 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 Anchorage 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:	China Bay LLC	License Number:	6193		
License Type:	Outdoor Recreation Lodge				
Doing Business As:	Odyssey Lodge				
Premises Address:	54932 China Poot Bay REM				
City:	China Poot	State:	AK	ZIP:	99603



Alcohol and Marijuana Control Office

550 W 7th Avenue, Suite 1600

Anchorage, AK 99501

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

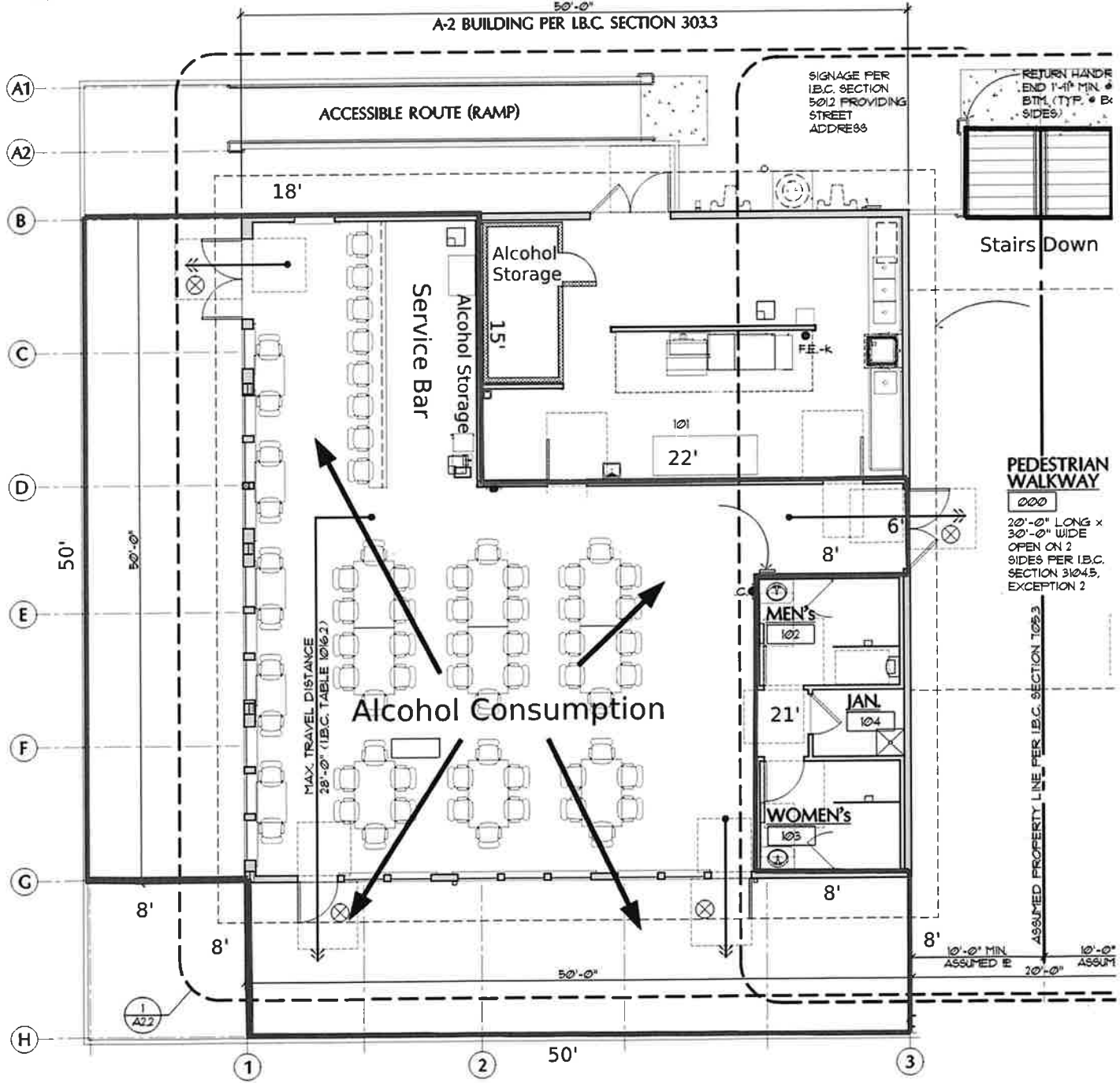
Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. 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.

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DECK NOTES:
 HANDRAILS AND GUARDRAILS TO CONFORM w/ I.B.C. SECTIONS 1012 & 1013, AND 1607.2.1 FOR LOAD RESISTANCE.
 PROVIDE 2" h. EDGE PROTECTION PER ADAAGS, AT ALL DECK AND RAMP EDGES, REF. 1/A4.1.



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LOT 2
USS 3609

LOT 1
USS 3609

PROPERTY BOUNDARY

U.S. SURVEY NO. 1539

PROPERTY BOUNDARY

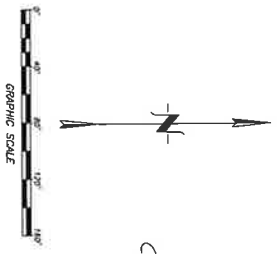
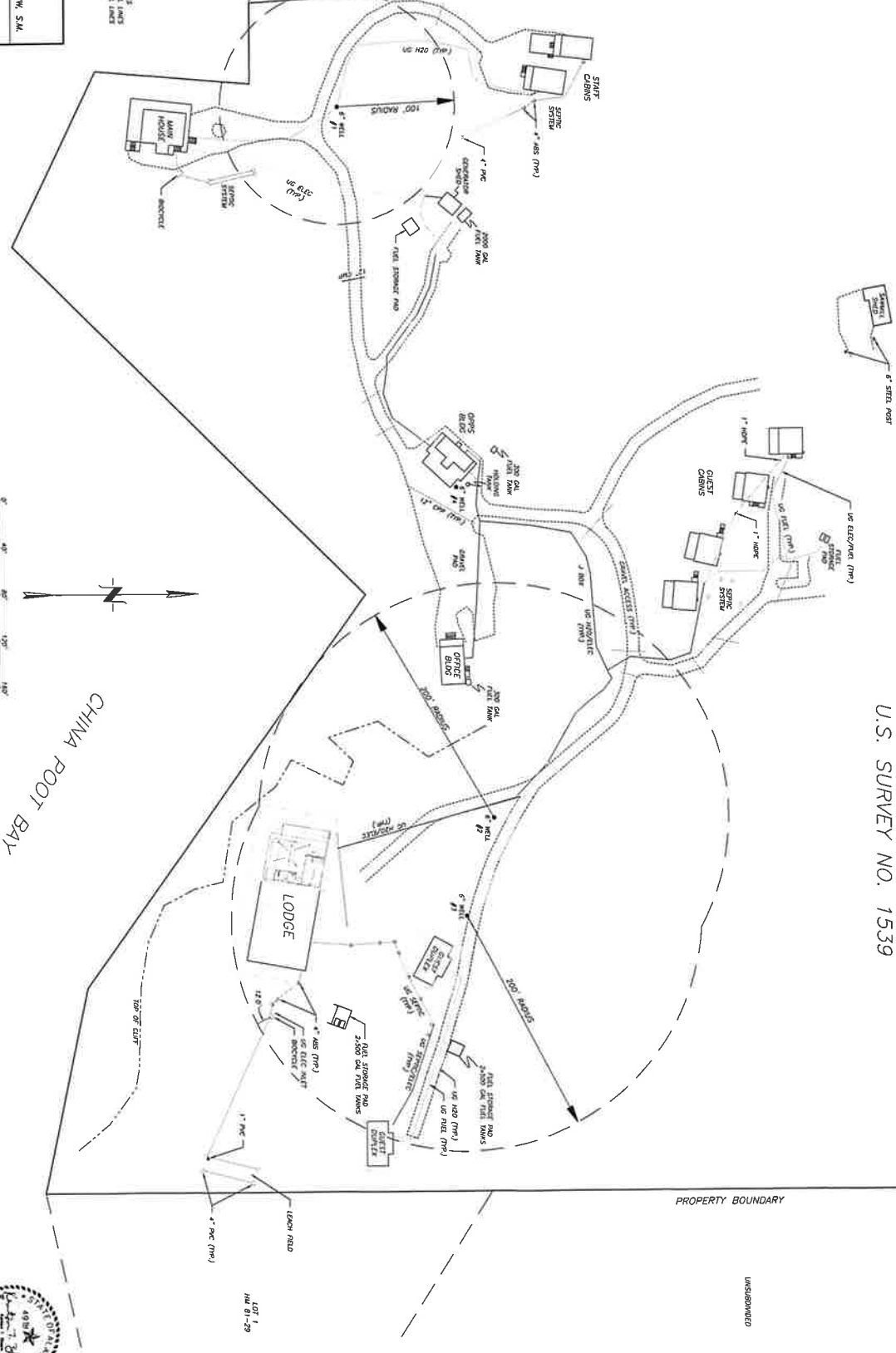
UNRECORDED

LOT 1
H&B-29

ODYSSEY LODGE
 ASBUILT SURVEY
 THIS PARCEL IS OWNED BY
 U.S. SURVEY NO. 1539 SEC. 19, T. 2N, R. 12W, S.14.
 SPANBRIGHT SURVEY + DESIGN
 1041 4th Street, S.E.
 Kent, WA 98012
 DATE: 3/10/2023 SCALE: 1"=40' SHEET #1 OF 1

LEGEND

- US 1.5" HIGH LINE
- US ELECTRICAL LINE
- US FUEL LINE
- US FUEL LINE
- US ADVISORY/PROHIBITION LINE
- US ADVISORY/PROHIBITION LINE
- 1" PC
- 6" PC
- 12" PC
- 1" WALL



CHINA ROOT BAY

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