

KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2160 • **FAX:** (907) 714-2388

Toll-free within the Borough: 1-800-478-4441 Ext. 2160

Email: assemblyclerk@borough.kenai.ak.us

**JOHNI BLANKENSHIP, MMC
BOROUGH CLERK**

August 26, 2015

Echo Lake Superior Meat and Processing, LLC
dba Ninilchik Trading
James and Sharon Clark
PO Box 346
Soldotna, AK 99669

**RE: Protest of Liquor License Application
License Type: Package Store
License No. : 493**

Dear James and Sharon:

The Planning Department has reviewed your Liquor License Application as referenced above.

It was determined the premises would be within 500-feet from the property line of Calvary Baptist Church, Methodist Church, and the Ninilchik School. ~~KPB 7.10.020 (A)(2)(c) provides in relevant part:~~

- "A. The assembly shall cause a protest to be filed with the State Alcohol Beverage Control Board on any application submitted for a new license for the sale of alcoholic beverages, or any application requesting approval of a relocation of the licensed premises, or any application requesting approval of a transfer of a license to another person, or the continued operation of a license for the second year of the biennial license period, within the borough, in the following situations:*
- 2. Where applications for a new license or request for approval of a relocation of the licensed premises in the following circumstances includes one of the following circumstances in areas of the borough outside cities:*
 - c. The public entrance of the licensed premises would be within 500 feet by straight line measurement from the property line of an established school or church or the outer boundaries of a playground;"*

A protest of your liquor license application is scheduled to come before the Kenai Peninsula Borough Assembly at its regularly scheduled meeting on September 1, 2015 at 6:00 P.M. Enclosed are copies of the documents that will be presented.

However, upon your request, the Assembly will not file a protest with the Alaska Alcoholic Beverage Control Board based on distance between property lines of less than 500-feet if it determines:

(1) that the governing or supervisory authority for the church, school or playground consents to the licensed location being closer than allowed by KPB 7.10.020(A)(2)(c); and


(2) that locating the premises within that distance would not unduly impact or interfere with access, the flow of traffic, or the operations of the school, church, or playground. In the absence of such determination or consent, the protest shall be filed as required by this section.

In the absence of such determination or consent, the protest shall be filed as required by KPB 7.10.020(A)(2)(c).

If consent is acquired, submission to the Borough Clerk prior to the scheduled meeting will ensure the Assembly has adequate time to review.

Should you have any questions, please contact the Borough Clerk's Office.

Sincerely,

A handwritten signature in cursive script that reads "Brion Havrilla".

Brion Havrilla
Borough Clerk Assistant

Encl.

cc: Randall S. Yost, 3410 Harrier Circle, Anchorage, AK 99504