



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 22-121

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK II
DATE: JULY 25, 2022
SUBJECT: NEW LIQUOR LICENSE FOR SWELL TACO

The City Clerk's Office has been notified by the AMCO Board of a New Liquor License Permit for a Restaurant Eating Place – Seasonal within the City of Homer, for the following license:

License Type: Restaurant Eating Place - Seasonal
License #: 6056
DBA Name: Swell Taco
Service Location: 4025 Homer Spit Road #4
Homer, AK 99603
Licensee: Swell Taco, LLC
Contact Person: Mili Lundgren

RECOMMENDATION: Voice non objection and approval for the New Liquor License Application. Fiscal Note: Revenues.



July 7, 2022

City of Homer, Kenai Peninsula Borough

VIA Email: mjenkins@kpb.us; ivanhoose@kpb.us; jratky@kpb.us; cjackinsky@kpb.us; maldridge@kpb.us; ncarver@kpb.us; slopez@kpb.us jblankenship@kpb.us; assemblyclerk@kpb.us; [mjacobson@ci.homer.ak.us](mailto:mjacobsen@ci.homer.ak.us); clerk@cityofhomer-ak.gov

License Type:	Restaurant Eating Place – Seasonal	License Number:	6056
Licensee:	Swell Taco LLC		
Doing Business As:	Swell Taco		
Premises Address	4025 Homer Spit Road, #4		

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 provide that the board will deny a license application if the board finds that the license is prohibited under 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 located 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

Amended 5/30/22



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1000
 Anchorage, AK 99501
 alcohol.licensing@alaska.gov
<http://www.commerce.alaska.gov/web/amco>
 Phone: 907.268.0350

Alaska Alcoholic Beverage Control Board
Form AB-00: New License Application

What is this form?

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 04.11.760 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 - Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Swell Taco LLC		
License Type:	Restaurant, Eating Place - Seasonal	Statutory Reference:	AS 4.11.100
Doing Business As:	Swell Taco		
Premises Address:	4025 Homer Spit Road #4		
City:	Homer	State:	AK ZIP: 99603
Local Governing Body:	Kenai Peninsula Borough City of Homer (KPB)		
Community Council:	Homer City Council		

Mailing Address:	945 Ben Walters Ct		
City:	Homer	State:	AK ZIP: 99603

Designated Licensee:	Milli Lundgren		
Contact Phone:	907.205.0333	Business Phone:	907.205.0333
Contact Email:	swelltacohomer@gmail.com manager @swelltacook.com		

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

OFFICE USE ONLY			
Complete Date:	License Year:	License #:	60056
Board Meeting Date:	Transaction #:	100357503	
Issue Date:	ARC:	KPS/RTC	

Form AB-00 (rev 10/10/2016)

Page 1 of 5

AMCO Received 3/25/22

AMCO Rcvd 6/3/2022



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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.

5.4 Miles

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.

5.2 Miles

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:	

Amended 5/30/22



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Alcohol and Marijuana Control Office
500 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.license@alaska.gov
https://www.commerce.alaska.gov/amb/amco
Phone: 907.269.0350

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 company, 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: Mill Lundgren
Title(s): Owner/Operator Member Phone: 907.205.0333 % Owned: 100
Address: 945 Ben Walters Ct
City: Homer State: AK ZIP: 99603

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

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

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



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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 #:	10186245	AK Formed Date:	2/6/2022	Home State:	AK
Registered Agent:	Mili Lundgren		Agent's Phone:	907.205.0333	
Agent's Mailing Address:	945 Ben Walters Ct				
City:	Homer	State:	AK	ZIP:	99603

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:



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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.

ML

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

ML

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.

ML

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.

ML

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

ML

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.

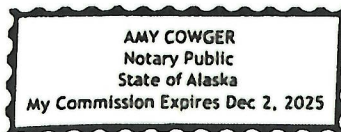
M. L.
 Signature of licensee

Amy Cowger
 Signature of Notary Public

MILLIE M LUNDGREN
 Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 12/2/2025



Subscribed and sworn to before me this 28 day of February, 2022.



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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:	Swell Taco LLC	License Number:	
License Type:	Eatery, Take Out		
Doing Business As:	Swell Taco		
Premises Address:	4025 Homer Spit Road		
City:	Homer	State:	AK
		ZIP:	99603



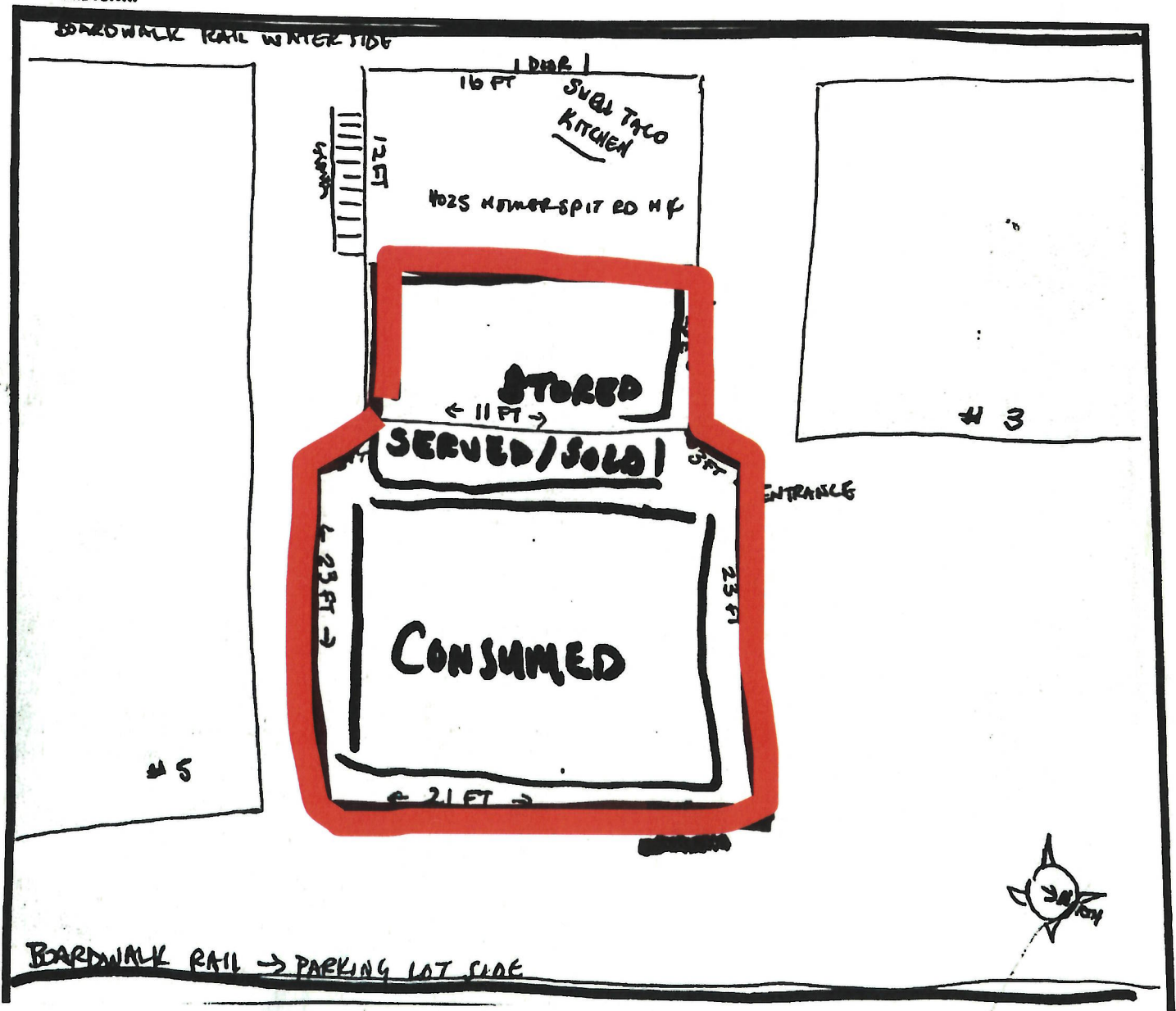
Amended

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.

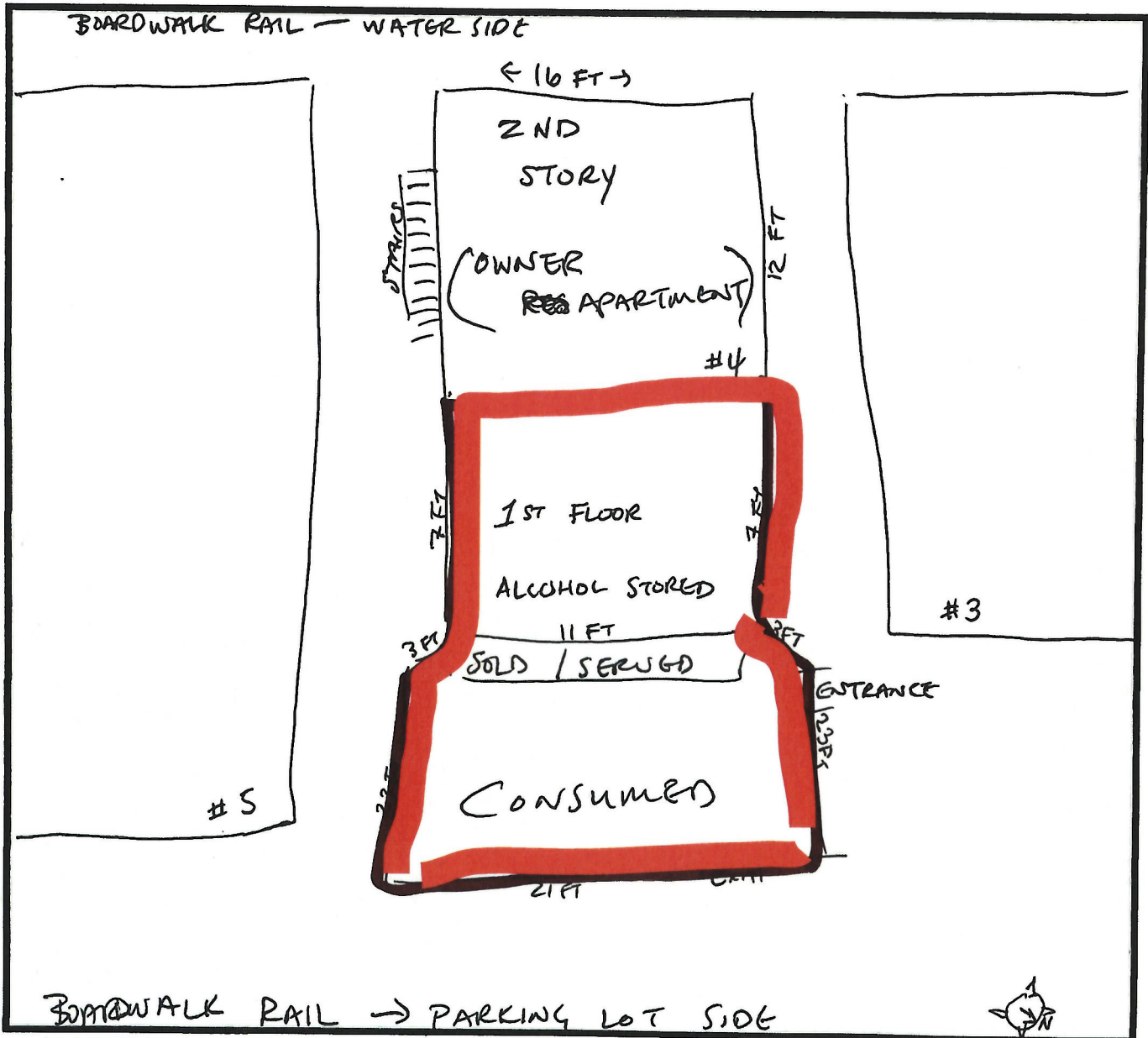




Alaska Alcoholic Beverage Control Board
Form AB-02: Premises Diagram

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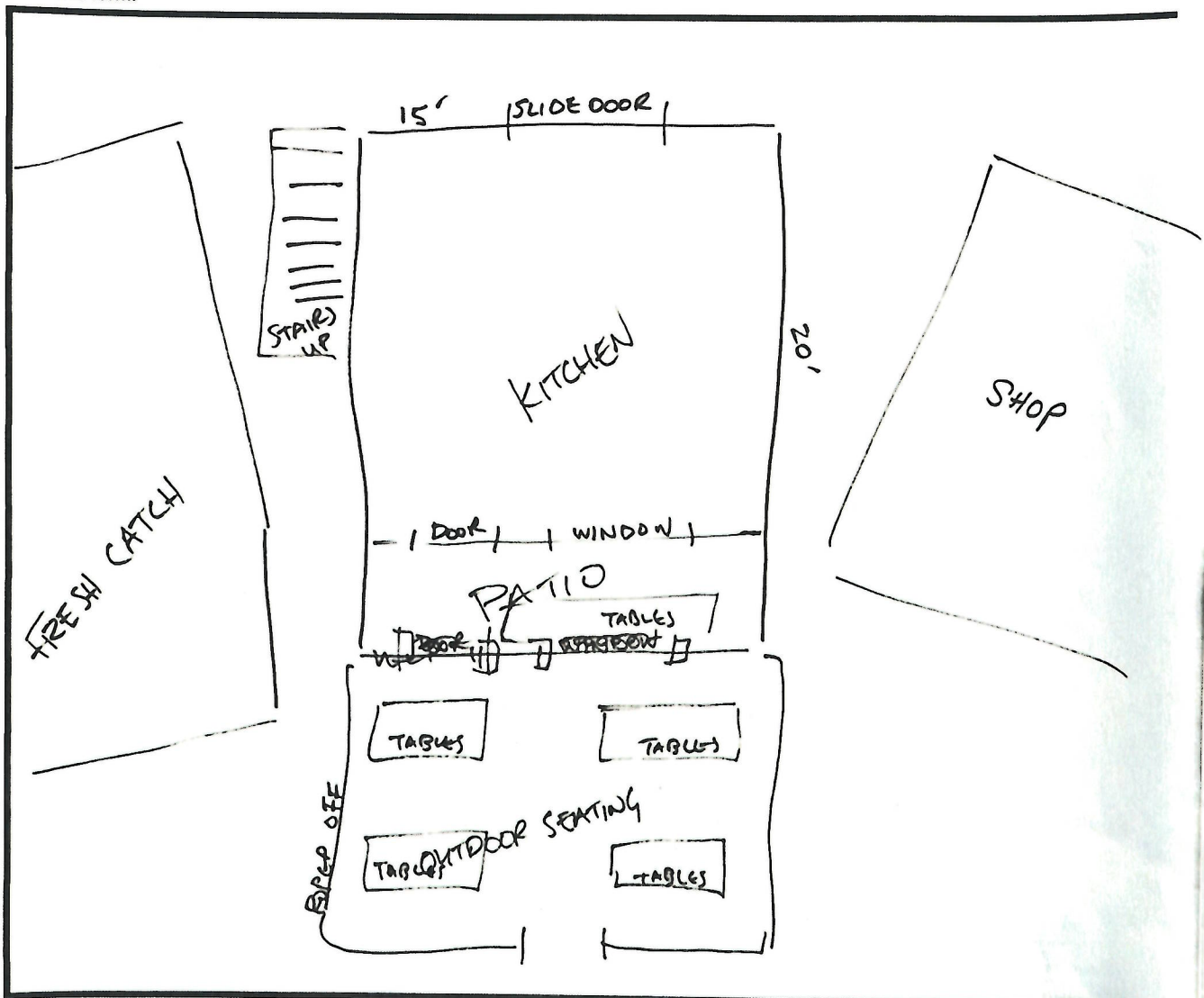




Alaska Alcoholic Beverage Control Board
Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

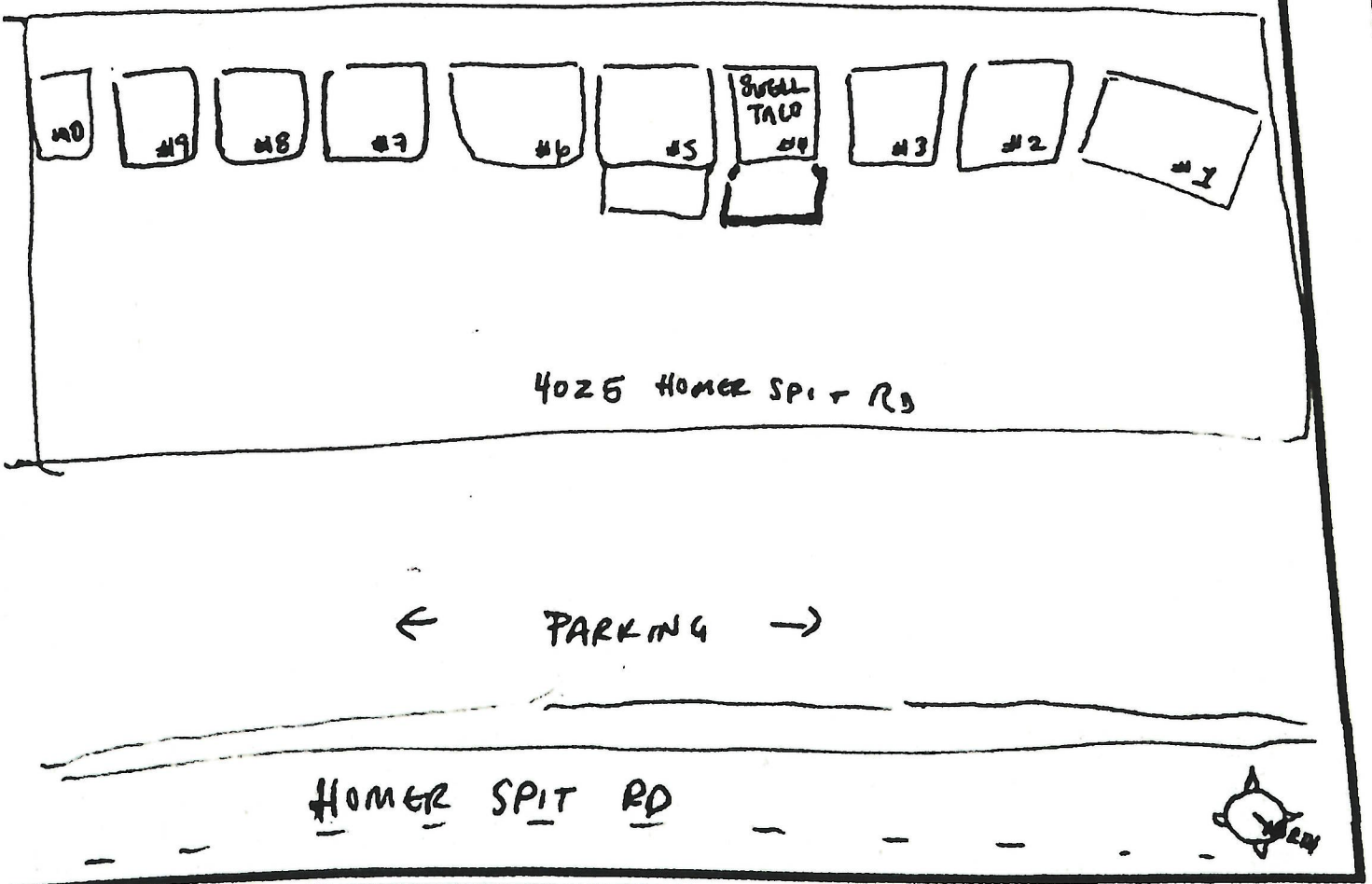
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KACHEMAK BAY / BEACH



SWELL TACO LLC
Outdoor/Indoor Serving Security Plan

- 1. All minors must be accompanied by an adult (age over 21) while in the restricted area when any alcohol is being served/sold/consumed.**
- 2. All new patrons are carded upon ordering alcohol.**
- 3. All staff is trained in the identification of fake IDs.**
- 4. 2.5 foot tall stanchion and rope is around the outdoor servicing area.**
- 5. Underaged persons will be monitored closely by our professionally trained alcohol servers.**
- 6. Proper egress from the outdoor service area will always remain unobstructed.**
- 7. ABC mandated posters as required by law are posted inside Swell Taco and at the entrances of the outdoor seating area.**
- 8. All entrances and exits will provide clear notice that NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.**
- 9. Keeping outdoor seating area viable without any increased risk to minors exposed to alcohol WILL continue to be a part of our training for our staff.**
- 10. All safety related operations for our current liquor service will additionally be enforced in the new service area.**
- 11. Proper signage at points of entry indicating no minors without a parent or legal guardian will be posted.**
- 12. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.**
- 13. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages.**
- 14. Servers will be present in the outdoor area to monitor consumption.**



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

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

What is this form?

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 entrees prepared onsite and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHS 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

Table with fields: Licensee: Swell Taco LLC; License Type: Eatery, Take Out, Restaurant, Eating Place - Seasonal; License Number: ; Doing Business As: Swell Taco; Premises Address: 4025 Homer Spit Road #4; City: Homer; State: AK; ZIP: 99603; Contact Name: Mili Lundgren; Contact Phone: 907.205.0333

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):

- 1. Dining after standard closing hours: AS 04.16.010(c)
2. Dining by persons 16 - 20 years of age: AS 04.16.049(a)(2)
3. Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
4. Employment for persons 16 or 17 years of age: AS 04.16.049(c)
NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY
Transaction #:
Index:

AMCO Received 3/25/22

AMCO Rcvd 6/3/2022



Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
Alcohol.licensing@alaska.gov
<http://www.commerce.state.ak.us/amb/amb3>
Phone: 907.269.0350

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.)

Minors with out adults over 21 will not be allowed in cordoned off area for beer or wine consumption.
Employed Minors will have access inside restaurant, prepping and cooking area.

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.

Swell Taco will post placards stating non admittance in cordoned off area. Employees will be trained to recognize if rules are not being followed and take action.
Adult (21+) managers will always be on site to insure minors either dining or employed do not have access to alcohol.
Alcohol will be stored in the kegerator or be monitored by the managers.
All servers of alcohol have or will have a current TAPS card.

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

Yes No

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/hs/food/>
Please follow this link to the Municipality Food Safety Website:
<http://www.muni.org/Departments/health/Admin/environment/FSS/7pages/hsfood.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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 550 W 7th Avenue, Suite 1600
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alcohol.licensing@alaska.gov
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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:

11 am to 9 pm, 7 days a week

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:

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:

Customers order at window and seating is at tables out side, one cordoned off for those with beer or wine, and others in open outside area on the boardwalk.



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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.

ml

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

ml

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.

ml

I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted. (AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)

ml

I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

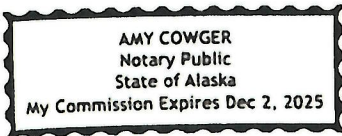
ml
 Signature of licensee

Amy Cowger
 Signature of Notary Public

MILLIE LUNDGREN
 Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 12/2/2025



Subscribed and sworn to before me this 28th day of February, 20 22

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:

AMCO Received 3/25/22



SWELL TACO

BRING THE GOODNESS WITH YOU.

CARNITAS

\$6

CARNE ASADA

\$6.50

WHITE FISH

\$7

RED FISH

\$7

CHIPS +SALSA

\$5, ADD GUAC \$3

CEVICHE TOSTADA*

\$14

BEER \$6.50

AGUA FRESCA \$4.50

MEXICAN COKE \$3

ROOTBEER + CREAM SODA \$2.5

**contains (or may contain) raw or undercooked ingredients*

AMCO Received 3/25/22



**Alaska Food Code
2022 Establishment Permit**
Division of Environmental Health
Food Safety & Sanitation Program

Permit Number: 12865
Issued to: SWELL TACO LLC
For: Swell Taco
For Operation of: FF-6 Deli/Takeout/Drive-in Food Service
Located at: 4025 N Homer Spit RD UNIT 4 Homer, AK 99603

This permit, issued under the provisions of 18 AAC 31, is valid until the noted expiration date or unless suspended or revoked by the department.

This permit is not transferable for change of ownership, facility location, or type of operation. It must be posted in plain view in the establishment and is the property of the State of Alaska.

Expiration Date:
December 31, 2022

Program Manager:

A handwritten signature in black ink, appearing to read "Annaly 8/21", is written over the printed name of the Program Manager.

**If you have questions or concerns regarding
safe food handling practices call toll free:**

1-87-SAFE-FOOD

(In Anchorage call 334-2560)



AMCO Received 3/25/22