

MUNICIPALITY OF ANCHORAGE



Community Development Department
Planning Division

Phone: 907-343-8301
Fax: 907-343-8200

Mayor Dan Sullivan

June 26, 2015

Tara Petricca
Baked Alaska Alehouse
P.O. Box 773412
Eagle River, AK 99577

SUBJECT: Administrative Site Plan Review, Case #2015-0058

Dear Applicant:

The Community Development Department has reviewed the application for an administrative site plan review for a restaurant eating place serving beer and wine for the property located at 3048 Mountain View Drive. The property is zoned B-3 (general business) district. The application was reviewed in accordance with Anchorage Municipal Code (AMC) 21.50.500. Based upon the submitted plans, the Department finds that the site is sufficient to handle the intensity of a restaurant, serving beer and wine only.

The Department determined that the restaurant or eating place license, in an existing building, generally satisfies the requirements of AMC 21.50.020 and does not have a permanent negative impact substantially greater than that anticipated from permitted development for the following:

- pedestrian and vehicular traffic circulation and safety;
- the demand for and availability of public services and facilities;
- noise, air, water or other forms of environmental pollution; and
- the maintenance of compatible and efficient development patterns and land use intensities.

The Community Development Department **APPROVES** the request subject to the following conditions:

1. A notice of zoning action shall be filed with the State Recorder's Office within 120 days of this approval. Proof of filing shall be submitted to the Community Development Department.
2. All uses shall conform to the plans and narrative submitted with this administrative site plan review, except that the licensee may change the hours of operation listed on the application, including the hours of alcohol service, in accordance with all applicable laws without having to modify the administrative site plan approval.

3. This is an alcoholic beverage administrative site plan approval for a restaurant serving beer and wine only in the B-3 (general business) district, with approximately 2,081 square feet (sf) of alcohol area within a 2,081 sf restaurant, located within Mountain View Development Subdivision, Tract 1A-1, Fragment Lot 7, generally located south of Mountain View Drive and north of the Glenn Highway. The owner may choose to operate all hours as permitted by law. Alcohol sales are limited to 50 percent of gross receipts in accordance with AS 04.11.110.
4. Upon demand, the applicant shall demonstrate compliance with a "Liquor Server Awareness Training Program," approved by the State of Alaska Alcoholic Beverage Control Board, such as or similar to, the program for Techniques in Alcohol Management (TAM).
5. The use of the property by any person for the permitted purposes shall comply with all current and future federal, state and local laws and regulations including, but not limited to, laws and regulations pertaining to the sale, dispensing, service and consumption of alcoholic beverages and the storage, preparation, sale, service and consumption of food. The owner of the property, the licensee under the Alcoholic Beverage Control license and their officers, agents and employees, shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the property.
6. A copy of the conditions imposed by the Community Development Department in connection with this approval shall be maintained on the premise at a location visible to the public.

This decision is final upon the date of this letter, unless appealed within 15 days to the Assembly. An appeal may be filed by the applicant or by a petition of at least one-third of the owners (excluding rights-of-way) of the privately owned land within 500 feet of the petition site. If the appeal is filed timely, the Assembly shall hold a public hearing at the next available meeting.

Sincerely,



Jerry T. Weaver, Jr.
Director, Community Development Department

Attachment: Department Findings

cc: Alcoholic Beverage Control Board
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501

Barbara Jones, Municipal Clerk



For Official Use Only

Case Number:	2015-0058
Reviewer:	Shawn Odell
Submittal Date:	May 15, 2015
Due Date:	June 26, 2015

**MUNICIPALITY OF ANCHORAGE COMMUNITY DEVELOPMENT
DEPARTMENT**

*PO Box 196650 Anchorage, Alaska 99519-6650 * 907-343-7900*
Planning Division
SITE PLAN CHECKLIST

The following is a checklist which will be followed when reviewing a restaurant/eating place administrative site plan submittal to the Municipality of Anchorage Community Development Department. Planning staff will review applications using this checklist. Staff comments may be provided to further define any incompleteness.

PETITIONER: Tara Petricca		
PROPERTY OWNER: JL Glenn Square, LLC		
SITE LEGAL DESCRIPTION: Mountain View Development Subdivision, Tract 1A-1, Fragment Lot 7		
SITE STREET ADDRESS: 3048 Mountain View Drive, Anchorage, AK 99501		
SITE TAX ID: 004-082-37		
PETITIONER REPRESENTATIVE CONTACT INFORMATION: Name: Tara Petricca Mailing Address: P.O. Box 773412, Eagle River, AK 99577 Phone: 907-947-5515 Fax: E-mail:		
Restaurant Name: Baked Alaska Alehouse		
Restaurant serving Beer and Wine License Number: 5390		
APPROVED:	<input checked="" type="checkbox"/>	REVIEWER SIGNATURE: <i>Shawn Odell</i> DATE: 6/22/15
DENIED:		REVIEWER SIGNATURE: DATE:

ADMINISTRATIVE SITE PLAN REVIEW RESTAURANT/EATING PLACE SERVING BEER & WINE ONLY - GENERAL INFORMATION WITH APPLICATION -			
#	REQUIRED ITEM	COMMENTS	COMPLIES/ DOES NOT COMPLY
1.	Property owner's name, address, and telephone number	Yes	Complies
2.	Letter of authorization from property owner	Yes, the property owner signed the application.	Complies
3.	Petitioner's name, address, and telephone number	Yes	Complies
4.	Representative name, address, and telephone number	Yes	Complies
5.	Restaurant name used for license	Baked Alaska Alehouse	Complies
6.	Tax map, block, and parcel	004-082-37 Mountain View Development Subdivision, Tract 1A-1, Fragment Lot 7	Complies
7.	Zoning district	B-3, general business district	Complies
8.	Use permitted: Restaurant serving beer and wine only	Yes	Complies
9.	ABC floor plan, drawn to scale with scale noted; with photos of building showing elevations	Submitted with ABC application	Complies
10.	Location Maps / Photos / Diagram	On File	Complies
11.	Square footage of restaurant or added space	±2,081 sf of alcohol area within a restaurant	Complies
12.	Public Notice in paper	Yes	Complies
13.	ABC permit applied for	Yes, copy is located in the file	Complies
14.	Days/Hours of Operation	As permitted by law	Complies
15.	Ratio of Food Sales to Alcohol Sales	50% food and 50% alcohol	Complies
16.	Proposed Entertainment	None	Complies
17.	Facility Occupancy/Capacity	138	Complies
18.	Number of Fixed / Non-Fixed Seating	0 fixed/ 50 non-fixed seats	Complies
19.	Number of Active Liquor License within 1,000 Feet	5	Complies
20.	Parking:	The restaurant requires 21 parking spaces. All occupied spaces in the mall as of the date of this approval require 547 parking spaces (including the 21 restaurant spaces), and 888 spaces exist at the site.	Complies

ADMINISTRATIVE SITE PLAN REVIEW STANDARDS FOR RESTAURANT/EATING PLACE SERVING BEER & WINE ONLY (AMC 21.50.500)			
#	REQUIRED ITEM	COMMENTS	COMPLIES/ DOES NOT COMPLY
1.	Public participation process, including mail out, advertisement, and Community Council noticing.	Two hundred and twenty-seven notices were mailed on May 26, 2015. No responses were received. No comments were received from the Mountain View Community Council or Airport Heights Community Council.	Complies
2.	Meets the criteria for its approval established under this title (AMC 21.50.500). The standards in AMC 21.50.020 shall apply.	Yes. This is a restaurant (a permitted principal use) that will sell beer and wine only as accessory to the restaurant.	Complies
3.	It will not have a permanent negative impact on those items listed in this subsection substantially greater than that anticipated from permitted development for pedestrian and vehicular traffic circulation and safety.	The pedestrian and vehicular patterns are already established at this site. The site has direct access to Mountain View Drive.	Complies
4.	It will not have a permanent negative impact on those items listed in this subsection substantially greater than that anticipated from permitted development for the demand for and availability of public services and facilities.	No additional facilities are required. Electricity, gas, and public restrooms are located on-site.	Complies
5.	It will not have a permanent negative impact on those items listed in this subsection substantially greater than that anticipated from permitted development for noise, air, water or other forms of environmental pollution.	A negative impact greater than that caused by permitted development is not anticipated.	Complies
6.	Will not have a permanent negative impact on those items listed in this subsection substantially greater than that anticipated from permitted development for the maintenance of compatible and efficient development patterns and land use intensities.	This restaurant/eating place license does not appear to negatively impact neighboring uses. The proposed restaurant/eating place license will be accessory to the restaurant which is a permitted use.	Complies

FINDINGS:

- The petitioner provided proof of application to the Alcoholic Beverage Control Board.
- The restaurant will be selling beer and wine only.
- The Community Development Department provided proper notification to surrounding residents. Two hundred and twenty-seven notices were mailed to the public on May 26, 2015 by the Planning Division, and no responses were received. The Mountain View Community Council and Airport Heights Community Council did not comment.
- The off-street parking requirement is met in the B-3 district. The restaurant requires 21 parking spaces. All occupied spaces in the mall as of the date of this approval require 547 parking spaces (including the 21 restaurant spaces), and 888 spaces exist at the site.

- The Department has determined that the addition of beer and wine will not have substantially greater impacts than the existing development.

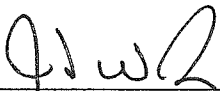
CONDITIONS OF APPROVAL:

1. A notice of zoning action shall be filed with the State Recorder's Office within 120 days of this approval. Proof of filing shall be submitted to the Community Development Department.
2. All uses shall conform to the plans and narrative submitted with this administrative site plan review, except that the licensee may change the hours of operation listed on the application, including the hours of alcohol service, in accordance with all applicable laws without having to modify the administrative site plan approval.
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4. Upon demand, the applicant shall demonstrate compliance with a "Liquor Server Awareness Training Program," approved by the State of Alaska Alcoholic Beverage Control Board, such as or similar to, the program for Techniques in Alcohol Management (TAM).
5. The use of the property by any person for the permitted purposes shall comply with all current and future federal, state and local laws and regulations including, but not limited to, laws and regulations pertaining to the sale, dispensing, service and consumption of alcoholic beverages and the storage, preparation, sale, service and consumption of food. The owner of the property, the licensee under the Alcoholic Beverage Control license and their officers, agents and employees, shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the property.
6. A copy of the conditions imposed by the Community Development Department in connection with this approval shall be maintained on the premise at a location visible to the public.

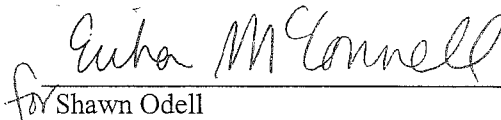
NOTICE OF APPEAL: This decision is final upon the date of this decision, unless appealed within 15 days to the Assembly. An appeal may be filed by the applicant or by a petition of at least one-third of the owners (excluding rights-of-way) of the privately owned land within 500 feet of the petition site. If the appeal is filed timely, the Assembly shall hold a public hearing at its next available meeting.

Reviewed by:

Prepared by:



Jerry T. Weaver, Jr.
Director, Community Development Department



Shawn Odell
Senior Planner

(Case 2015-0058; Parcel ID No. 004-082-37)

CC: Barbara Jones, Municipal Clerk
Sarah Oates, Alcoholic Beverage Control Board