

# MUNICIPALITY OF ANCHORAGE



Planning Department  
Current Planning Division

Phone: 907-343-7901  
Fax: 907-343-7927

*Mayor Ethan Berkowitz*

January 19, 2018

Adrienne McIntosh  
That Wing Place, LLC  
360 Boniface Parkway, Unit B-12  
Anchorage, AK 99504

SUBJECT: Special Land Use Permit for Alcohol, Case 2018-0012

Dear Applicant:

The Planning Department has reviewed the application for a special land use permit for alcohol for the property located at 360 Boniface Parkway, Unit B-12. The property is zoned B-3 SL (general business) district. The application was reviewed in accordance with Anchorage Municipal Code (AMC) 21.03.040. 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 21.03.080D. 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 Planning 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 Planning Department.
2. All uses shall conform to the plans and narrative submitted with this special land use permit for alcohol 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 this approval. Alcohol sales are limited to 50% of gross receipts in accordance with AS 04.11.110.

3. This is a special land use permit for alcohol in the B-3 SL district with approximately 3,240 square feet of gross leasable floor area within a restaurant located within Wonder Park #8 Subdivision, Tract B, generally located north of Camelot Drive, east of Lionheart Court, south of Caribou Avenue, and west of Boniface Parkway.
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 Planning 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,



Hal H. Hart, AICP  
Director, Planning Department

Attachment: Department Findings

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

Barbara Jones, Municipal Clerk



For Official Use Only

|                        |                       |
|------------------------|-----------------------|
| <b>Case Number:</b>    | 2018-0012             |
| <b>Reviewer:</b>       | Francis<br>McLaughlin |
| <b>Submittal Date:</b> | December 7, 2017      |
| <b>Due Date:</b>       | January 19, 2017      |

**MUNICIPALITY OF ANCHORAGE**  
*PO Box 196650 Anchorage, Alaska 99519-6650 \* 907-343-7900*  
Planning Department  
**SPECIAL LAND USE PERMIT FOR ALCOHOL  
RESTAURANT OR EATING PLACE LICENSE  
REVIEW CHECKLIST**

The following is a checklist which will be followed when reviewing a special land use permit for alcohol application to the Municipality of Anchorage Planning Department. Planning staff will review applications using this checklist. Staff comments may be provided to further define any incompleteness.

|  |          |   |
|--|----------|---|
| <b>PETITIONER:</b> Adrienne McIntosh, LLC  |          |   |
| <b>PROPERTY OWNER:</b> Ingrim Investments, Inc.  |          |   |
| <b>SITE LEGAL DESCRIPTION:</b> Wonder Park #8 Subdivision, Tract B   |          |   |
| <b>SITE STREET ADDRESS:</b> 360 Boniface Parkway, Anchorage, AK 99504  |          |   |
| <b>SITE TAX ID:</b> 006-296-24   |          |   |
| <b>PETITIONER REPRESENTATIVE CONTACT INFORMATION:</b><br><b>Name:</b> Adrienne McIntosh<br><b>Mailing Address:</b> 360 Boniface Parkway, Unit B-12, Anchorage, AK 99504<br><b>Phone:</b> 907-334-9464<br><b>Fax:</b> 907-334-9484<br><b>E-mail:</b> oursauceisboss@gmail.com |          |   |
| <b>Restaurant Name:</b> That Wing Place, LLC   |          |   |
| <b>Restaurant/Eating Place Serving Beer and Wine License Number:</b> Not yet assigned by AMCO  |          |   |
| <b>APPROVED:</b>   | <b>X</b> | <b>REVIEWER SIGNATURE:</b><br><i>Francis McLaughlin</i> |
|  |          | <b>DATE:</b><br><i>1-19-18</i>                          |
| <b>DENIED:</b>   |          | <b>REVIEWER SIGNATURE:</b>                              |
|  |          | <b>DATE:</b>  |

| <b>ADMINISTRATIVE SITE PLAN REVIEW - GENERAL INFORMATION WITH APPLICATION</b> |  |   |  |
|---|--|---|--|
| <b>#</b>  | <b>REQUIRED ITEM</b>   | <b>COMMENTS</b>   | <b>COMPLIES/<br/>DOES NOT<br/>COMPLY</b> |
| 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   | That Wing Place   | Complies                                 |
| 6.  | Tax map, block, and parcel   | 006-296-24<br>Wonder Park #8 Subdivision, Tract B   | Complies                                 |
| 7.  | Zoning district.   | B-3 SL, general business district per AO 90-78 and 79-191A  | 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  | 3,240 SF  | 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  | Monday through Thursday 11:00 a.m. to 11:00 p.m.; Friday and Saturday 11:00 a.m. to 12:00 a.m.; Sunday 12:00 p.m. to 9:00 p.m. for business hours and alcohol service | Complies                                 |
| 15.   | Ratio of Food Sales to Alcohol Sales   | 50% food and 50% alcohol  | Complies                                 |
| 16.   | Proposed Entertainment   | Live and recorded music   | Complies                                 |
| 17.   | Number of Active Liquor License within 1,000 Feet  | 1   | Complies                                 |
| 18.   | Parking:   | The off-street parking requirement is met.  | Complies                                 |

| <b>SPECIAL LAND USE PERMIT FOR ALCOHOL REVIEW STANDARDS, AMC 21.03.080D.</b> |   |  |  |
|--|---|--|--|
| <b>#</b>   | <b>REQUIRED ITEM</b>  | <b>COMMENTS</b>  | <b>COMPLIES/<br/>DOES NOT<br/>COMPLY</b> |
| 1.   | The proposed use is consistent with the comprehensive plan and all applicable provisions of this title and applicable state and federal regulations.  | The subject property is a “Neighborhood Center” in <i>Anchorage 2040</i> and in the 2014 <i>East Anchorage District Plan</i> .   | Complies                                 |
| 2.   | The proposed use is consistent with the purpose and intent of the zoning district in which it is located, including any district-specific standards set forth in chapter 21.04.   | Yes. This is a restaurant (a permitted principal use) that will sell beer and wine primarily as accessory to a restaurant. The proposed use is consistent with the district specific standards in AMC 21.04.030D., B-3: General Business District. | Complies                                 |
| 3.   | The proposed use is consistent with any applicable use-specific standards set forth in chapter 21.05.   | The proposed restaurant use is consistent with applicable use specific standards in AMC 21.05.050E.3., <i>Restaurant</i> .   | Complies                                 |
| 4.   | The site size, dimensions, shape, location, and topography are adequate for the needs of the proposed use and any mitigation needed to address potential impacts.   | The proposed alcoholic beverages license will be located in an existing restaurant. The site is adequate for the proposed restaurant and no mitigation is needed to address negative impacts.  | Complies                                 |
| 5.   | The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district.     | The proposed alcoholic beverages licenses will not alter the character of this restaurant which is located in a general business zoning district.  | Complies                                 |
| 6.   | The proposed use is compatible with uses allowed on adjacent properties, in terms of its scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts.) | This is a restaurant in the B-3 SL district. Restaurants are a permitted use. The introduction of a restaurant/eating place license to this location does not appear to negatively impact neighboring uses.  | Complies                                 |
| 7.   | Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent feasible.  | No negative impacts from the proposed use are anticipated. The proposed restaurant or eating place license will be located in an existing restaurant.  | Complies                                 |
| 8.   | The proposed use is appropriately located with respect to the transportation system, including but not limited to existing and/or planned street designations and improvements, street capacity, access to collectors or arterials,       | The petition site has a surface parking lot. Transportation patterns for this business are already established.  | Complies                                 |

|    |   |  |          |
|----|---|--|----------|
|    | connectivity, off-site parking impacts, transit availability, impacts on pedestrian, bicycle, and transit circulation, and safety for all modes.  |  |          |
| 9. | The proposed use is appropriately located with respect to existing and/or planned water supply, fire and police protection, wastewater disposal, storm water disposal, and similar facilities and services. | All of the required utilities are already in place. There is fire and police service in this area. The parcel is served with public water and sewer. | Complies |

**FINDINGS:**

- The petitioner provided proof of application to the Alcoholic Beverage Control Board.
- The restaurant will be selling beer and wine only.
- The Planning Department provided proper notification to surrounding residents. Four-hundred and thirteen notices were mailed on December 19, 2017. One response was received from the public, which supported granting the special land use permit for alcohol. The Northeast Community Council did not comment.
- The Department has determined that the addition of beer and wine will not have substantially greater impacts than the existing development.

**CONDITIONS OF APPROVAL:**

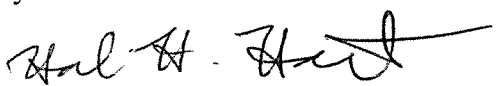
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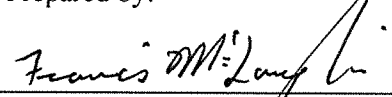
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Reviewed by:



Hal H. Hart, AICP  
Director, Planning Department

Prepared by:



Francis McLaughlin  
Senior Planner

(Case 2018-0012; Tax IDs: 006-296-24)

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