

Application for Special Land Use Permit for Alcohol

Municipality of Anchorage
 Planning Department
 PO Box 196650
 Anchorage, AK 99519-6650



PETITIONER*		PETITIONER REPRESENTATIVE (if any)	
Name (last name first)	Gallo, Abraham	Name (last name first)	Johnston, Renee
Mailing Address	PO BOX 111846	Mailing Address	PO BOX 111846
	Anchorage, AK 99511		Anchorage, AK 99511
Contact Phone - Day	907-444-4929	Contact Phone - Day	907-771-6060
Evening		Evening	
Fax	907-344-6714	Fax	907-344-6714
E-mail	gallostk@gmail.com	E-mail	renee.gallos@outlook.com

*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY OWNER AUTHORIZATION* (if petitioner is not property owner)

(I)(WE) hereby grant permission to and acknowledge that person shown as the petitioner on this application is applying for a special land use permit for the retail sales of alcoholic beverages on a property under (MY)(OUR) ownership and that as part of the special land use permit process the Assembly may apply conditions which will be (MY)(OUR) responsibility to satisfy.

Signature: *Abraham Gallo* Date: 5/15/2019

Print Name: Abraham Gallo

*Disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE PROPOSED

Beverage Dispensary
 Brew Pub
 Recreational Site
 Beverage Dispensary, Duplicate
 Brewery
 Other (please explain):
 Beverage Dispensary-Tourism
 Club
 Beverage Dispensary-Tourism, Duplicate
 Package Store

Is the proposed license: New Transfer of location from:
 Amendment

ABC license number: 4350

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition for a retail sale of alcoholic beverages special land use permit in conformance with Title 21 of the Anchorage Municipal, Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the special land use permit. I also understand that assigned hearing dates are tentative and may have to be postponed by the Planning Department, Municipal Clerk, or the Assembly, for administrative reasons.

Signature: *Abraham Gallo* Date: 05/15/2019

Petitioner Representative Date

(Representatives must provide written proof of authorization from petitioner)

Accepted by: <i>FM</i>	Poster & Affidavit: <i>2+ affidavits</i>	Fee: <i>\$1,130.00</i>	Case Number: <i>2019-0093</i>	Requested Meeting Date: <i>09/10/19</i>
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Print Name _____

PROPERTY INFORMATION		
Property Tax # (000-000-00-000):	013-071-54-000	
Site Street Address:	135 W Diamond Blvd Ste 120 + 121	
Current legal description: (use additional sheet in necessary)	Martens Industrial #1 TR 2A-1	
Zoning: I-1	Acreage: 3.63	Grid #: SW2230

COMPREHENSIVE PLAN INFORMATION			
Anchorage 2020 Urban/Rural Services: <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural			
Anchorage 2020 Major Elements – site is within or abuts:			
<input type="checkbox"/> Major employment center	<input type="checkbox"/> Redevelopment/mixed use area	<input type="checkbox"/> Town center	
<input type="checkbox"/> Neighborhood commercial center	<input type="checkbox"/> Industrial reserve		
<input type="checkbox"/> Transit - supportive development corridor	<input type="checkbox"/> District/area plan area: _____		
Chugiak-Eagle River Land Use Classification:			
<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Parks/open space	<input type="checkbox"/> Public lands/institutions
<input type="checkbox"/> Transportation/community facility	<input type="checkbox"/> Alpine/slope affected	<input type="checkbox"/> Special study area	<input type="checkbox"/> Development reserve
<input type="checkbox"/> Residential at _____ dwelling units per acre	<input type="checkbox"/> Environmentally sensitive area		
Girdwood- Turnagain Arm Land Use Classification			
<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Parks/open space	<input type="checkbox"/> Public lands/institutions
<input type="checkbox"/> Transportation/community facility	<input type="checkbox"/> Alpine/slope affected	<input type="checkbox"/> Special study area	<input type="checkbox"/> Reserve
<input type="checkbox"/> Residential at _____ dwelling units per acre	<input type="checkbox"/> Mixed use	<input type="checkbox"/> Rural homestead	

ENVIRONMENTAL INFORMATION (All or portion site affected)					
Wetland Classification:	<input checked="" type="checkbox"/> None	<input type="checkbox"/> "C"	<input type="checkbox"/> "B"	<input type="checkbox"/> "A"	
Avalanche Zone:	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Blue Zone	<input type="checkbox"/> Red Zone		
Floodplain:	<input checked="" type="checkbox"/> None	<input type="checkbox"/> 100 year	<input type="checkbox"/> 500 year		
Seismic Zone (Harding/Lawson):	<input checked="" type="checkbox"/> "1"	<input type="checkbox"/> "2"	<input type="checkbox"/> "3"	<input type="checkbox"/> "4"	<input type="checkbox"/> "5"

RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion site)	
<input type="checkbox"/> Rezoning - Case Number:	
<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat - Case Number(s):	
<input type="checkbox"/> Conditional Use - Case Number(s):	
<input type="checkbox"/> Zoning variance - Case Number(s):	
<input type="checkbox"/> Land Use Enforcement Action for	
<input type="checkbox"/> Building or Land Use Permit for	
<input type="checkbox"/> Wetland permit: <input type="checkbox"/> Army Corp of Engineers <input type="checkbox"/> Municipality of Anchorage	

APPLICATION REQUIREMENTS (Only one copy of applicable items is required for initial submittal)	
1 copy required:	<input type="checkbox"/> Signed application (original) <input type="checkbox"/> Ownership and beneficial interest form (if applicable) <input type="checkbox"/> Completed Alcoholic Beverage Control Board liquor license application form (filed with ABC Board) including all drawings and attachments
15 copies required	<input type="checkbox"/> Signed application (copies) <input type="checkbox"/> Approved parking and landscape plan from Land Use Review <input type="checkbox"/> Site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location <input type="checkbox"/> Building plans to scale depicting: floor plans indicating the location of sales and service areas; building elevations (photographs are acceptable) <input type="checkbox"/> Photographs of premises from each street frontage that include and show relationship to adjacent structures and the premises visible street address number <input type="checkbox"/> Narrative explaining the project; construction schedule and open for business target date; analysis of approval criteria on page 3

FACILITY OPERATIONAL INFORMATION	
What is the proposed or existing business name? (Provide both if name is changing) <i>Coyote Santo, LLC dba Saint Coyote Restaurant & Lounge</i>	
What is the gross leasable floor space in square feet? <i>41,347 sq ft Combined Ste 120 2014 sq ft see 121 2/20 sq ft</i>	
What will be the normal business hours of operation? <i>11-1 M-Sun</i>	
What will be the business hours that alcoholic beverages will be sold or dispensed? <i>11-1 M-Sun</i>	
What do you estimate the ratio of food sales to alcohol beverage sales will be?	
<i>20</i> %	Alcoholic beverage sales
<i>80</i> %	Food sales
Type of entertainment proposed: (Mark all that apply) <i>Other: wine tasting dinner, comedy show</i>	
<input checked="" type="checkbox"/> Recorded music <input checked="" type="checkbox"/> Live music <input type="checkbox"/> Floor shows <input checked="" type="checkbox"/> Patron dancing <input type="checkbox"/> Sporting events <input checked="" type="checkbox"/> Other <input type="checkbox"/> None	
Do you propose entertainment or environmental conditions in the facility that will meet the definition of "indecent material" as set forth in AMC 8.50.020 or "adult entertainment" as set forth in AMC 10.40.050? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Do you propose conditions in the facility that fall under AMC 10.40.050 Adult oriented establishment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

DISTANCE FROM CHURCHES, DAY CARE, AND SCHOOLS	
Locate and provide the names and address of all churches, day care, and public or private schools within 200 feet of the site property lines.	
Name	Address

PACKAGE STORES	
Provide the projected percentage of alcoholic product inventory in the store where the retail unit price is:	
<i>N/A</i> %	less than \$5.00
%	\$5.00 to \$10.00
%	\$10.00 to \$25.00
%	greater than \$25.00

SPECIAL LAND USE PERMIT FOR ALCOHOL APPROVAL CRITERIA	
The Assembly may only approve the special land use permit for alcohol if it finds that all of the following approval criteria are satisfied. Each standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. <i>See attached</i>	
1. The proposed use is consistent with the comprehensive plan and all applicable provisions of this title and applicable state and federal regulations.	

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.
3. The proposed use is consistent with any applicable use-specific standards set forth in chapter 21.05.
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.
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.
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).
7. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent feasible.
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, 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.

STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES
 In the exercise of its powers and under AS 04.11.480 and 15 AAC 104.145 to protest issue, renewal, and transfer or alcoholic beverage licenses within the Municipality of Anchorage, the Assembly shall consider whether the proposed license meets each and every factor and standard set forth below.

CONCENTRATION AND LAND USE
 Whether transfer of location or issue of the requested license will negatively impact the community through an increase in the concentration of uses involving the sale or service of alcoholic beverages within the area affected.

How many active liquor licenses are located on the same property as your proposed license?
only ours

Within 1,000 feet of your site are how many active liquor licenses?
none, La Mex closest

How would you rate this area's license concentration on a scale of 1 to 5 with 5 = high?
1

How many active liquor licenses are within the boundaries of the local community council?
20

TRAINING
 If application is made for issue, renewal, or transfer of a license, the applicant must be able to demonstrate prospective or continued 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 (T.A.M.).

OPERATIONS PROCEDURES
 If application is made for issue, renewal, or transfer of a license, whether the applicant can demonstrate prospective or continued compliance with operations procedures for licensed premises set forth in section 10.50.035 of municipal code.

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Happy hours?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Games or contests that include consumption of alcoholic beverages?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Patron access and assistance to public transportation?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Notice of penalties for driving while intoxicated posted or will be posted?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Non-alcoholic drinks available to patrons?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Solicitation or encouragement of alcoholic beverage consumption?

Project Description:

License 4350 approved and licensed by AMCO; Coyote Santo or now Saint Coyote Restaurant & Lounge, has been approved and renewed by MOA on April 23, 2019. Since the formation and approval of restaurant, Saint Coyote has decided to expand the business to include two (2) banquet rooms. The restaurant specializes in top cuisine. The addition or banquet rooms will be utilized for weddings, birthdays, retirement parties, fundraising events and other similar functions. We have attached pictures and diagrams of what it is been proposed.

This application and consideration of approval will be for the two additional banquet rooms which were carefully designed in the same location as the restaurant, as the banquet rooms will be adjacent to each other. In Anchorage, there is a need for this type of venue as there is not many available to service our community.

1. The proposed use is consistent with the comprehensive plan and all applicable provisions of this title and applicable state and federal regulations.

Our plan has been reviewed and it is consistent with provisions mandated by the State and Local agencies. This includes the Anchorage 2020 Plan.

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.

Our project is located in an I-1 zoning which is allowable per Title 21 Chapter 4 and all specifications were and are being followed.

3. The proposed use is consistent with any applicable use-specific standards set forth in chapter 21.05.

This site is consistent with all applicable standards set forth in Chapter 21.05 and in sections 21.05.050 21.05.020A.

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.

As carefully designed and planned, this site will be ideal to accommodate the intentions set forth for the banquet rooms.

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.

We will not alter nor negatively impact the use of surrounding areas. Our intent is to help improve the quality of the surrounding neighborhood.

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).

We are not altering the exterior of the existing building. Our site is located in a very nice and appealing strip mall.

7. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent feasible.

We do not foresee any adverse impacts with the addition of the banquet rooms.

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, connectivity, off-site parking impacts, transit availability, impacts on pedestrian, bicycle, and transit circulation, and safety for all modes.

There is public transportation available in this area. There are no impacts on pedestrians as the proposed site is located in a strip mall.

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.

We are located within the service areas of AWWU, Chugach Electric, Anchorage Police Department, Anchorage Fire Department and Solid Waste Services.

PUBLIC SAFETY

When application is made for the renewal or transfer of location or transfer of ownership of a beverage dispensary license restaurant or eating place license, or package store license, the Assembly shall consider whether the operator can demonstrate the ability to maintain order and prevent unlawful conduct in a licensed premises. In determining the operator's demonstrated ability to maintain order and prevent unlawful conduct, the Assembly may consider police reports, testimony presented before the Assembly, written comments submitted prior to or during the public hearing, or other evidence deemed to be reliable and relevant to the purpose of this subsection. For purposes of this section and Section 10.50.035 "licensed premises" shall include any adjacent area under the control or management of the licensee.

What are the proposed precautions to maintain order and prevent unlawful conduct at the licensed premises?

Inside facility:
We will always have employees in the banquet rooms monitoring and employees will be aware of customers drink consumption, not over serve, and not serve anyone that appears intoxicated.

Outside facility:

Alcoholic beverages will not be allowed to leave premises.

PAYMENT OF TAXES AND DEBTS

When application is made for renewal of a license the assembly shall consider, pursuant to AS 4.11.330, whether the applicant is delinquent in payment of taxes owed to the Municipality. When application is made for transfer of ownership of a license the Assembly shall consider, pursuant to AS 4.11.360, whether the municipality has received either payment or adequate security, for the payment of any debts or taxes, including any estimated taxes for the current year, arising from the conduct of the licensed business. Adequate security" for the payment of debts and taxes may be in the form of: 1) escrowed funds sufficient to Pay the debts and taxes claimed and any escrow fees; 2) actual payment of debts and taxes claimed; or, 3) a guarantee agreement in accordance AMC 10.50.030. Any guarantee agreement shall be in writing. signed by the transferor, transferee and Municipality

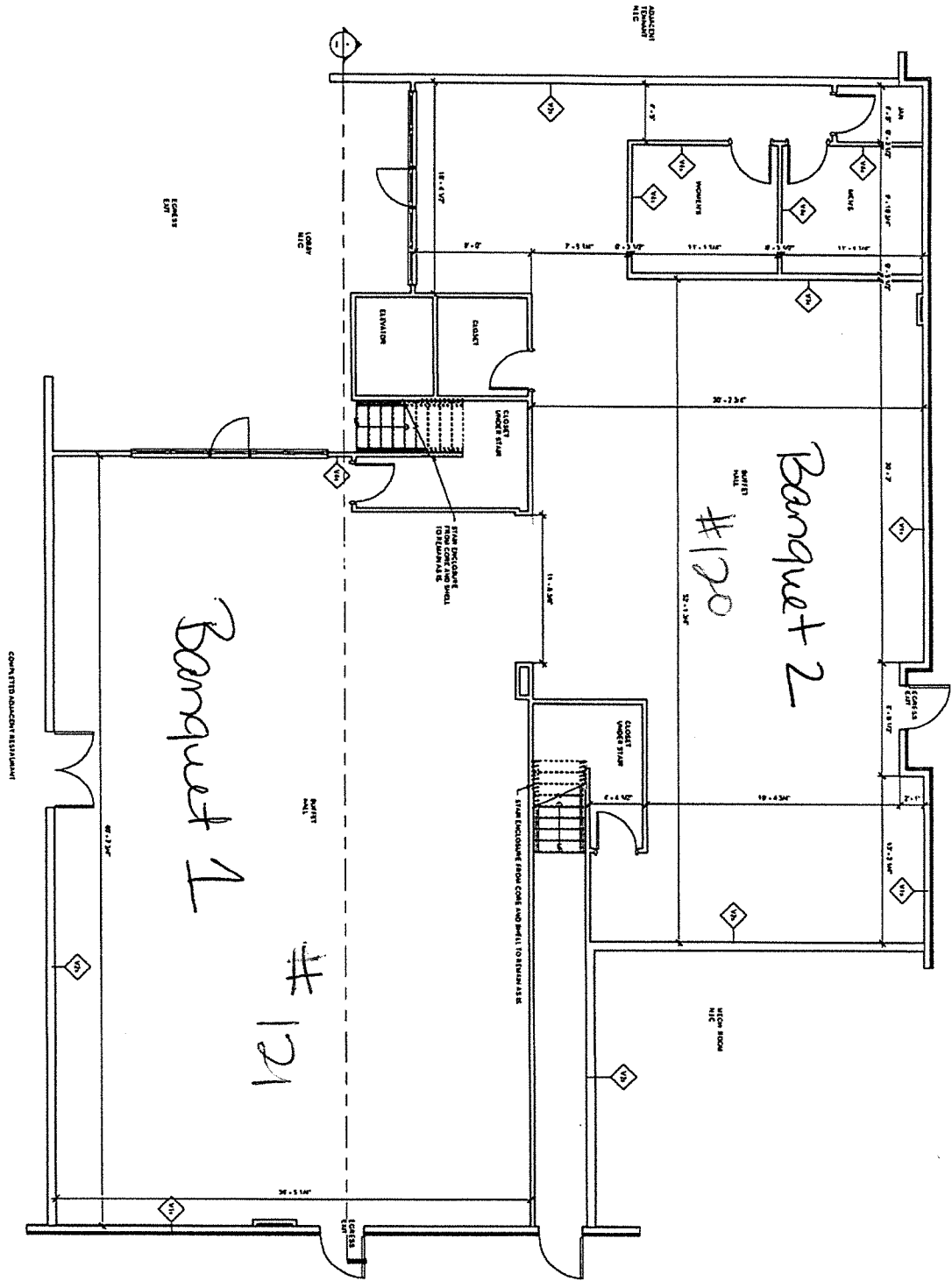
- Yes No Are real estate and business property taxes current?
- Yes No Are there any other debts owed to the Municipality of Anchorage?

PUBLIC HEALTH

If application is made for the renewal or transfer of location or transfer of ownership of a license, the Assembly shall consider whether the operator has engaged in a pattern of practices injurious to public health or safety, such as providing alcohol to minors or intoxicated persons, committing serious violations of State law relevant to public health or safety, or other actions within the knowledge and control of the operator which place the public health or safety at risk. In determining if a pattern of practices injurious to public health or safety exists, the Assembly may consider criminal convictions, credible proof of illegal activity even if not prosecuted, police reports, testimony presented before the Assembly, written comments submitted prior to or during the public hearing, or other evidence deemed to be reliable and relevant to the purpose of this subsection.

- Yes No As the applicant and operator can you comply? If no explain:

1 Final 1/10/19



CHANGE ORDER
 IF THE PARTS LIST IS IN THE 37" X 37" IT IS A REVISION
 DO NOT SCALE DIMENSIONS FROM DRAWINGS

PROJECT NO.	13525
PROJECT NAME	COYOTE SANTO RESTAURANT
DATE	1/10/19
BY	...
CHECKED	...
SCALE	1/4" = 1'-0"
DATE	1/10/19

COYOTE SANTO RESTAURANT
 135 West Dimond Blvd., Anchorage, Alaska

ROHDE ARCHITECTS
 Architecture Planning Design/Interim
 11825 Old Glenn Hwy., Suite 201, Eagle River, AK 99577
 907.457.7646
 224001@ROHDEARCHITECTS.COM ROHDE_ARCHITECTS

NO.	REVISION



COPY

NOTICE OF ZONING ACTION

This notice announces that a zoning conditional use has been duly approved by the Municipal Assembly of the Municipality of Anchorage providing for the development of the herein described property in accordance with the provisions of the Anchorage Municipal Code of Ordinances and the terms and conditions of the zoning conditional use approval as set forth in the Municipal zoning file 2014-0178. Under the provisions of the specified ordinance the subsequent development of the subject property shall be in accordance with the terms of the approved zoning conditional use or any subsequent amendments hereto.

LEGAL: Within Martens Industrial Subdivision, Addition Number 1, Tract 2A-1, per Plat 2001-72, S.M. Anchorage Recording District, Anchorage, Alaska. Generally located north of West Dimond Boulevard and west of King Street, in Anchorage.

PETITIONER: Coyote Santo, LLC dba Coyote Santo
REQUEST: A resolution of the Anchorage Municipal Assembly APPROVING an alcoholic beverages conditional use for a beverage dispensary use and license number 4350, in the I-1 (light industrial) district for Coyote Santo, LLC dba Coyote Santo located at 135 West Dimond Boulevard, Suite G, Anchorage, Alaska.

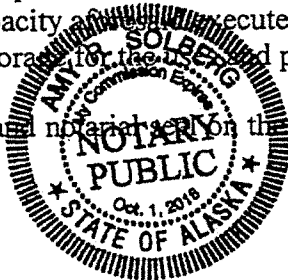
Attachment: Copy of Anchorage Municipal Assembly Resolution No. AR 2015-4.

Jamie Heimfor
Municipal Clerk
Municipality of Anchorage
Assembly

STATE OF ALASKA)
)
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 29 day of January, 2015 before me, the undersigned, a Notary Public in and for Alaska, personally appeared Barbara A. Jones, to me known to be the duly appointed Municipal Clerk of the Municipal Assembly and acknowledged to me that she had in her official capacity executed the forgoing instrument as an act and deed of the Municipality of Anchorage for the purposes therein stated.

WITNESS my hand and notary seal on the 29 day of January, 2015 in this certificate first above written.



[Signature]
Notary Public in and for Alaska
My Commission expires: 10/1/16

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Community Development
Department
For reading: January 13, 2015

CLERK'S OFFICE

APPROVED

Date: 1-13-15
Anchorage, Alaska
AR 2015-4

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A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A BEVERAGE DISPENSARY USE AND LICENSE NUMBER 4350, IN THE I-1 (LIGHT INDUSTRIAL) DISTRICT FOR COYOTE SANTO, LLC., DBA COYOTE SANTO; AT 135 WEST DIMOND BOULEVARD, SUITE G, WITHIN MARTENS INDUSTRIAL SUBDIVISION, ADDITION NUMBER 1, TRACT 2A-1, PER PLAT 2001-72; GENERALLY LOCATED NORTH OF WEST DIMOND BOULEVARD AND WEST OF KING STREET, IN ANCHORAGE.

(Taku/Campbell Community Council) (Case 2014-0178)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. A conditional use permit is hereby approved for a beverage dispensary use and license number 4350, in the I-1 (light industrial) district for Coyote Santo, LLC., dba Coyote Santo; at 135 West Dimond Boulevard, Suite G, within Martens Industrial Subdivision, Addition Number 1, Tract 2A-1, per Plat 2001-72; generally located north of West Dimond Boulevard and west of King Street, in Anchorage. This conditional use generally meets the applicable provisions of Anchorage Municipal Code ch. 10.50, AMC (Old Code) 21.15.030, AMC (Old Code) 21.40.200B.1.k., AMC (Old Code) 21.50.020 and AMC (Old Code) 21.50.160.

Section 2. This conditional use is approved subject to the following conditions:

1. A notice of zoning action shall be filed with the State of Alaska Recorder's Office within 120 days of the Assembly's approval for this beverage dispensary license.
2. All uses shall conform to the plans and narrative submitted with this conditional use application. Service of alcoholic beverages is limited to only the hours of 11:00 am to 11:00 pm on Sunday through Thursday, and 11:00am to 1:00 am on Friday and Saturday (including 12:00 am to 1:00 am on Saturday and Sunday).
3. This alcoholic beverages conditional use approval is for a beverage dispensary use and license number 4350 in the I-1 (light industrial) district in accordance with AMC 10.50, AMC (Old Code) 21.15.030, AMC (Old Code) 21.40.200B.1.k., AMC (Old Code) 21.50.020 and AMC (Old Code) 21.50.160 for a 3,840-square foot restaurant/bar, located at 135 West

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Dimond Boulevard, Suite G, within Martens Industrial Subdivision,
Addition Number 1, Tract 2A-1, per Plat 2001-72.

- 4. On-premise sale of alcoholic beverages may be seven days a week as permitted per Anchorage Municipal Code section 10.50.010. and Alaska Alcoholic Beverage Control Board requirements.
- 5. Servers will be trained in accordance with the Alcoholic Beverage Control Board's "Liquor Server Awareness Training Program," in accordance with Alaska Statute 04.21.025. 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 (T.A.M.)."
- 6. 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.
- 7. A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premise at a location visible to the public.

Section 3. Failure to comply with the conditions of this conditional use permit shall constitute grounds for its modification or revocation.

Section 4. This resolution shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 13th
day of January 2015.

Dick Jones
Chair

ATTEST:

Barbara A. Jones
Municipal Clerk

A
L
A
S
K
A

2017-027329-0

Recording Dist: 301 - Anchorage

7/17/2017 08:07 AM Pages: 1 of 12



AGREEMENT TO PROVIDE SHARED PARKING FOR MULTIPLE USES
ON A SINGLE PARCEL WITH PARKING REDUCTION

The Municipality of Anchorage (hereinafter the "Municipality") and Gallo Limited Partnership (hereinafter the "Owner(s),") enter into the following AGREEMENT TO PROVIDE SHARED PARKING FOR MULTIPLE USES ON A SINGLE PARCEL (hereinafter "this Agreement") which shall become effective on the date the Agreement is fully executed. This Agreement shall run with the land and shall be binding on the Owner(s) and his/her/their heirs, successors, and assigns.

The Owner(s) is/are a(n) Gallo Limited Partnership, and Abraham Gallo execute(s) this Agreement on behalf of the Owner(s) in the capacity of President and warrant(s) he/she/they has/have authority to execute this Agreement on behalf of the Owner(s).

The Owner(s) own(s) a parcel of real property (hereinafter "the subject property") described as: Martens Industrial #1, TR 2A-1, Parcel ID# 013-071-54-000 per plat 010072, located in the Anchorage Recording District, Third Judicial District, State of Alaska, shown on the map attached hereto as Appendix A. The subject property is developed with multiple principal uses as defined and regulated by the Anchorage Municipal Code. The uses on the subject property are:

Use 1: Suite #100 Verizon

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F 10a-8p, Sa 10a-7p

Basis of parking requirement: 1/350 retail sales/ services

Number of required parking spaces (considered separately): 9.22

Use 2: Suite #101 & 102 Uptown Athletic

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F 5a-8p, Sa 7a -8p

Basis of parking requirement: 1/300 fitness center

Number of required parking spaces (considered separately): 20.23

Use 3: Suite #103 Vacant

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F, 9a-6p

Basis of parking requirement: 1/350 retail sales/ services

Number of required parking spaces (considered separately): 6.08

Use 4: Suite #104 Vacant

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F, 9a-6p

Basis of parking requirement: 1/350 retail sales/ services

Number of required parking spaces (considered separately): 7.81

Use 5: Suite #105 Signature Nails

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-Sa 10a-8p, S 11a -5p

Basis of parking requirement: 1/400 personal services

Number of required parking spaces (considered separately): 5.41



Use 6: Suite #106 Pho Dimond Restaurant

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-Sa 10a-10p, S 11a -8p

Basis of parking requirement: 1/100 restaurant

Number of required parking spaces (considered separately): 21.7

Use 7: Suite #107 Vacant

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F, 9a-6p

Basis of parking requirement: 1/350 retail sales/ services

Number of required parking spaces (considered separately): 6.9

Use 8: Suite #108 & 109 Armed Forces Recruiters

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F, 9a-6p

Basis of parking requirement: 1/400 personal services

Number of required parking spaces (considered separately): 11.4



Use 9: Suite #110 Boxing

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F 5p-9p, Sa 2p -4p

Basis of parking requirement: 1/300 fitness center

Number of required parking spaces (considered separately): 7.4

Use 10: Suite #111 Dimond Restaurant

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-S, 5p-2a

Basis of parking requirement: 1/100 restaurant

Number of required parking spaces (considered separately): 30.1

Use 11: Suite #112 & 115 Dimond Restaurant Banquet Hall

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: F-S, 6p-2a

Basis of parking requirement: 1/100 restaurant

Number of required parking spaces (considered separately): 42.19

Use 12: Suite #116 Vacant

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F, 9a-6p

Basis of parking requirement: 1/300 amusement establishment

Number of required parking spaces (considered separately): 4.88



Use 13: Suite #117 Baskin Robbins

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-S, 11a-11p

Basis of parking requirement: 1/250 food store

Number of required parking spaces (considered separately): 6.15

Use 14: Suite #118 proposed TAGS

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F, 9a-6p

Basis of parking requirement: 1/350 retail sales/ services

Number of required parking spaces (considered separately): 3.86

Use 15: Suite #119 Kickspike.Com

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F, 9a-6p

Basis of parking requirement: 1/350 retail sales/ services

Number of required parking spaces (considered separately): 4.80



Use 16: Suite #201 Building Administration Office

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F, 9a-6p

Basis of parking requirement: 1/350 office

Number of required parking spaces (considered separately): 4.09

Use 17: Suite #202 SOHO Hair Salon

Legal Description: Martens Industrial #1, TR 2A-1

Parcel ID#: 013-071-54-000

Hours of operation: M-F 10a-7p, Sa 10a -6p

Basis of parking requirement: 1/400 personal services

Number of required parking spaces (considered separately): 5.06



The Municipality and the Owner(s) agree that a total of 197 off-street parking spaces are required by Section 21.07.090E of the Anchorage Municipal Code to serve the uses specified above at their respective hours of operation specified above.

AMC 21.07.090F allows a reduction in the required number of parking spaces when approved by the Municipality of Anchorage Planning Director and the Municipality of Anchorage Traffic Engineer. The qualifying site development standards in accordance with Title 21.07.090F.3 of the Anchorage Municipal Code, have been met and approved by the Municipality of Anchorage Traffic Engineer. The Owner(s) of this parcel covenant(s) and agree(s) that he/she/they shall provide 152 on-site parking spaces which is a reduction of 45 spaces for the use and benefit of the above described uses. This reduction is approved in accordance with the shared parking study demonstrating the feasibility of the proposed reduction and attached herewith as Appendix B. The Owner(s) further covenant and agree that neither the above-described uses, nor their respective hours of operation, nor the parking configuration shown on Appendix A shall be altered, changed or revised in any manner without the prior written consent of the Municipality and amendment of this Agreement.

Restriction of future uses (currently listed as vacant above) shall be limited to occupancies which generate parking requirements less than or equal to that of general retail establishments, unless the future tenant is replacing a like existing occupancy in the same space.

The Owner(s) covenant(s) and agree(s) that he/she/they shall be responsible for the maintenance of the parking facility on the subject property.

This Agreement shall terminate (1) on/in Indefinitely (not less than ten (10) years from the date this Agreement is fully executed), or (2) upon cessation of any of the above-described use of the subject property, or (3) upon the recording of a written release issued by the Municipality of Anchorage, whichever occurs first.

The Owner(s) agree(s) that upon termination of this Agreement, he/she/they shall either (1) meet the off-street parking requirements of the Anchorage Municipal Code by other means or (2) reduce the scope of the above-described uses of the subject property to the extent necessary to comply with the off-street parking requirements of the Anchorage Municipal Code. The Owner(s) specifically understand(s) and acknowledge(s) that reducing the scope of the above-described uses of the subject property to the extent necessary to comply with the off-street parking requirements of the Anchorage Municipal Code may have severe negative impacts on those uses and may render the uses not economically viable.



The Owner(s) understand(s) and agree(s) that violation of this Agreement constitutes a violation of Title 21 of the Anchorage Municipal Code, and will be subject to all the penalties and remedies provided by law for such a violation. The Owner(s) specifically understand(s) and acknowledge(s) that he/she/they may be liable for any violation of this Agreement by a tenant or lessee.

OWNER

Signature: Abraham Gallo
Name: ABRAHAM GALLO
Title: OWNER
Date: 7-10-17

OWNER

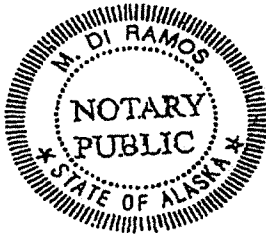
Signature: _____
Name: _____
Title: _____
Date: _____





STATE OF ALASKA) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 10th day of July, 2017, by Abraham Galo, the Planning Director of the Municipality of Anchorage or his/her designee, on behalf of the Municipality of Anchorage.



M. Di Ramos

Notary Public in and for Alaska
My commission expires 11-19-18

STATE OF ALASKA) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, in the capacity of _____.

Notary Public in and for Alaska
My commission expires _____



The shared parking study per Anchorage Municipal Code 21.07.090F.16 or the alternative calculation method per Anchorage Municipal Code 21.07.090F.16.c is hereby accepted. This Agreement is hereby approved as to form and content.

MUNICIPALITY OF ANCHORAGE

Signature: Hal H. Hart

Signature: Stephanie Mormilo

Name: Hal H. Hart, AICP

Name: Stephanie Mormilo, P.E.

Title: Planning Director

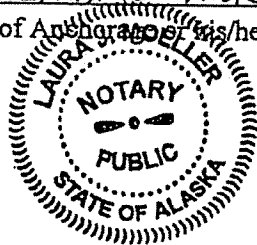
Title: Traffic Engineer

Date: 7/14/17

Date: 7/13/17

STATE OF ALASKA) ss.
THIRD JUDICIAL DISTRICT)

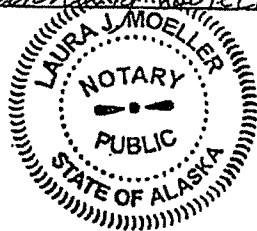
The foregoing instrument was acknowledged before me this 13th day of July, 2007, by STEPHANIE MORMILO, the Traffic Engineer of the Municipality of Anchorage or his/her designee, on behalf of the Municipality of Anchorage.



Laura J. Moeller
Notary Public in and for Alaska
My commission expires 2/22/21

STATE OF ALASKA) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 14th day of July, 2007, by HAL H. HART, in the capacity of Planning Director, Municipality of Anchorage

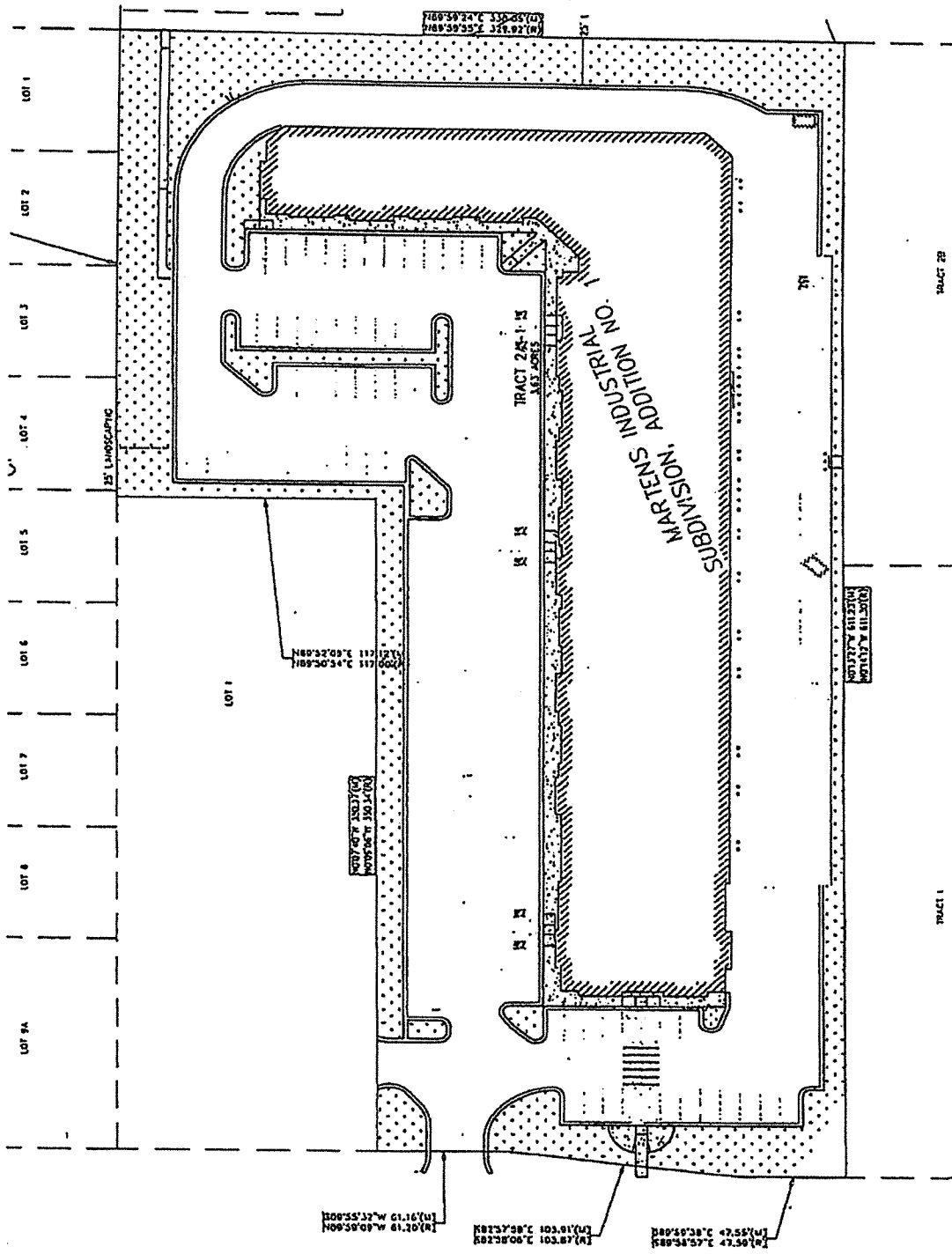


Laura J. Moeller
Notary Public in and for Alaska
My commission expires 2/22/21

Reference Building/Land Use Permit: _____

After recording return to:
Municipality of Anchorage, Planning Department
Attn: Sonnet Calhoun, Land Use Plan Reviewer
P.O. Box 196650, Anchorage, AK 99519-6650





APPENDIX A



11 of 12
2017-027329-0

APPENDIX B

Gallo Center Parking Study

DATE	TIME	CARS	DATE	TIME	CARS
Friday, June 23rd, 2017	9:00	34	Saturday, June 24th,	9:00	31
	10:00	41		10:00	40
	11:00	59		11:00	41
	12:00	74		12:00	42
	13:00	63		13:00	44
	14:00	65		14:00	44
	15:00	57		15:00	47
	16:00	59		16:00	52
	17:00	44		17:00	57
	18:00	53		18:00	60
	19:00	45		19:00	62
	20:00	37		20:00	51
	21:00	35		21:00	42



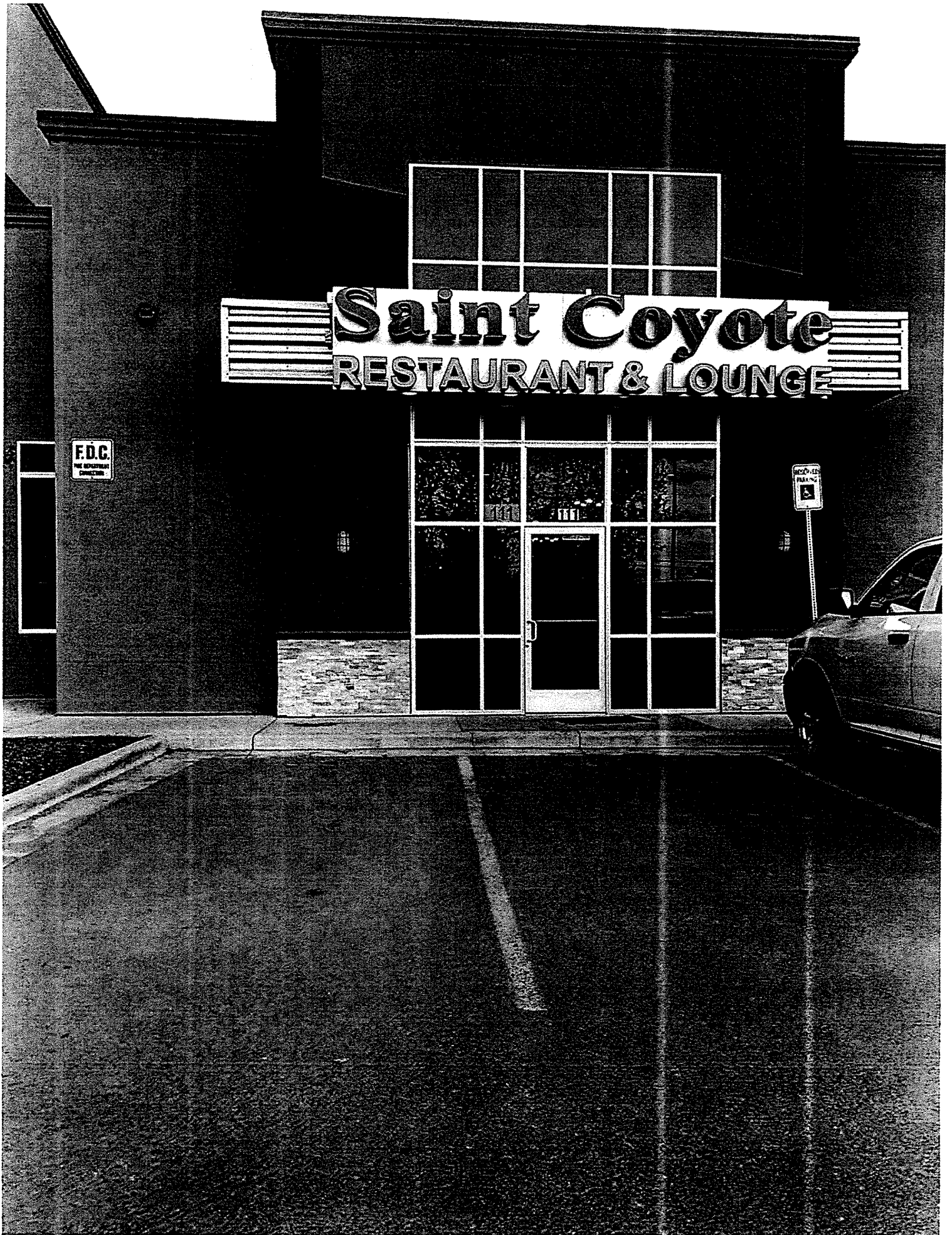


Saint Coyote

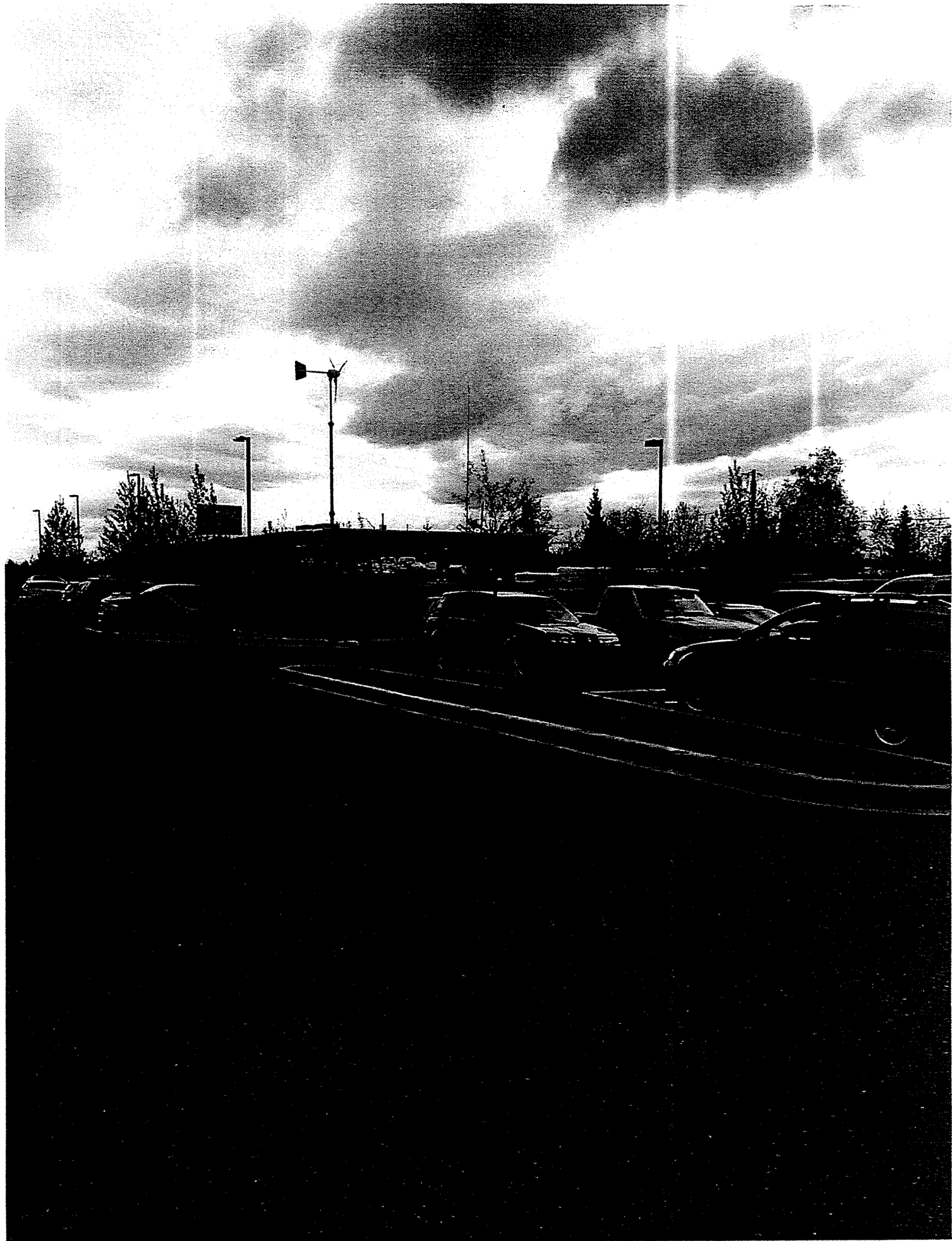
RESTAURANT & LOUNGE

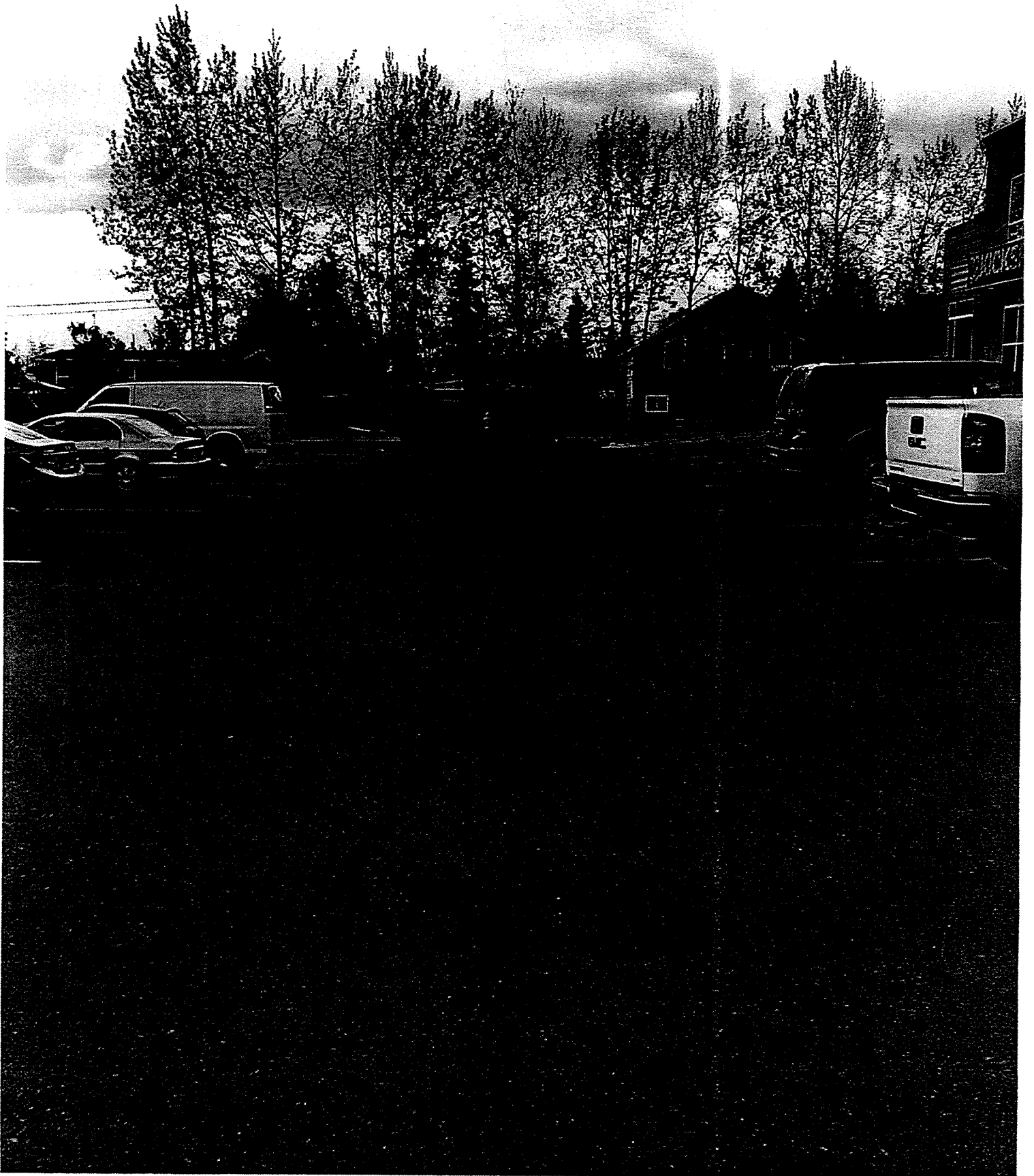
F.D.C.
FIRE DEPARTMENT
CONTRACT

RESERVED
PARKING

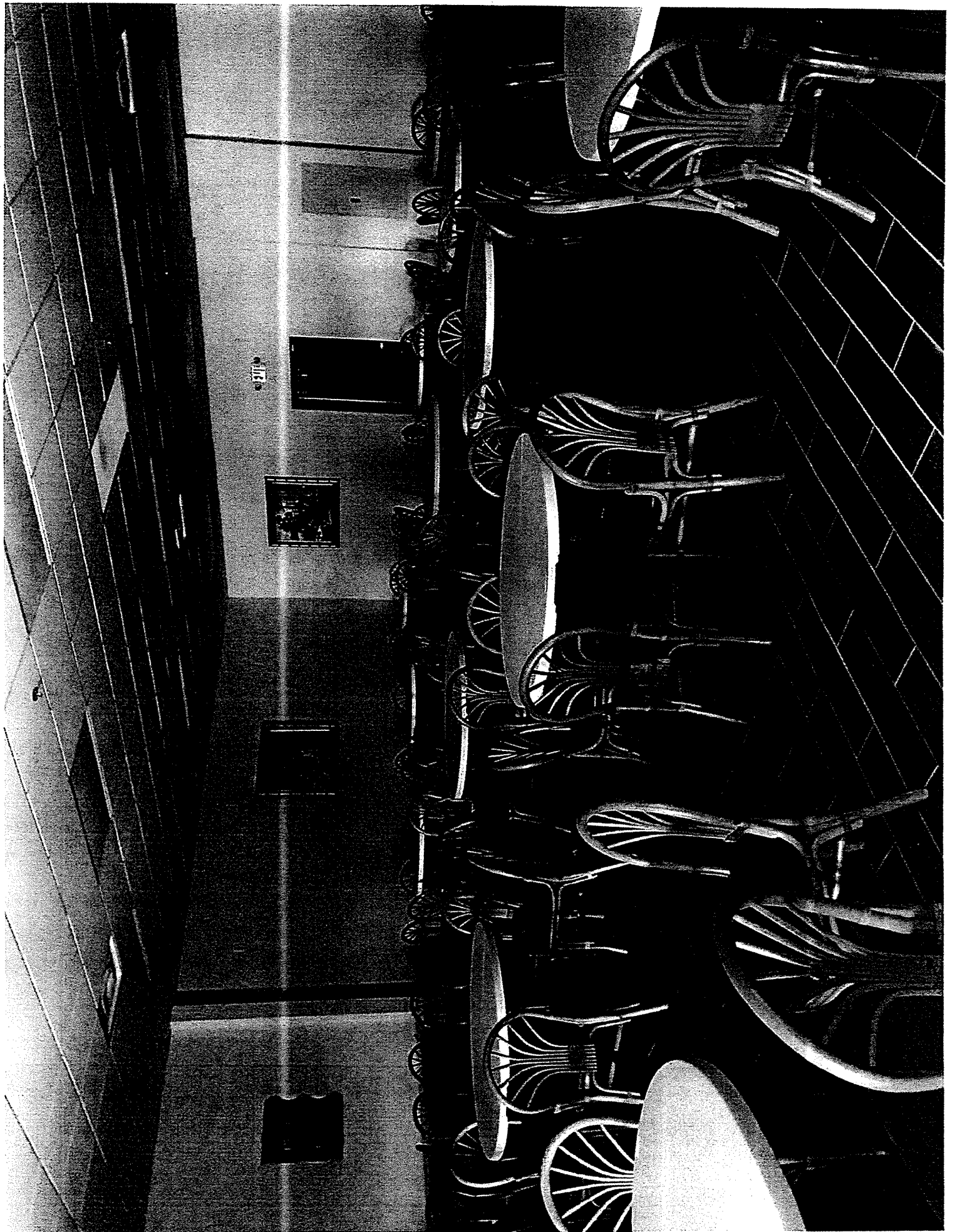














Alaska Business License # 1114714

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business and Professional Licensing
P.O. Box 110806, Juneau, Alaska 99811-0806

This is to certify that

SAINT COYOTE RESTAURANT AND LOUNGE

PO BOX 111846 ANCHORAGE AK 99511

owned by

COYOTE SANTO, LLC

is licensed by the department to conduct business for the period

February 20, 2019 through December 31, 2019
for the following line of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.

Julie Anderson

AMCO
APR - 5 2019



AFFIDAVIT OF POSTING

CASE NUMBER: 2019-0093

I, Renee Johnston hereby certify that I have posted a Notice as prescribed by Anchorage Municipal Code 21.03.020H.5. on the property that I have petitioned for Alcohol Special Land Use Permit. The notice was posted on 6-27-19 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 27 day of June, 2019.

[Signature]
Signature

LEGAL DESCRIPTION

Tract or Lot:

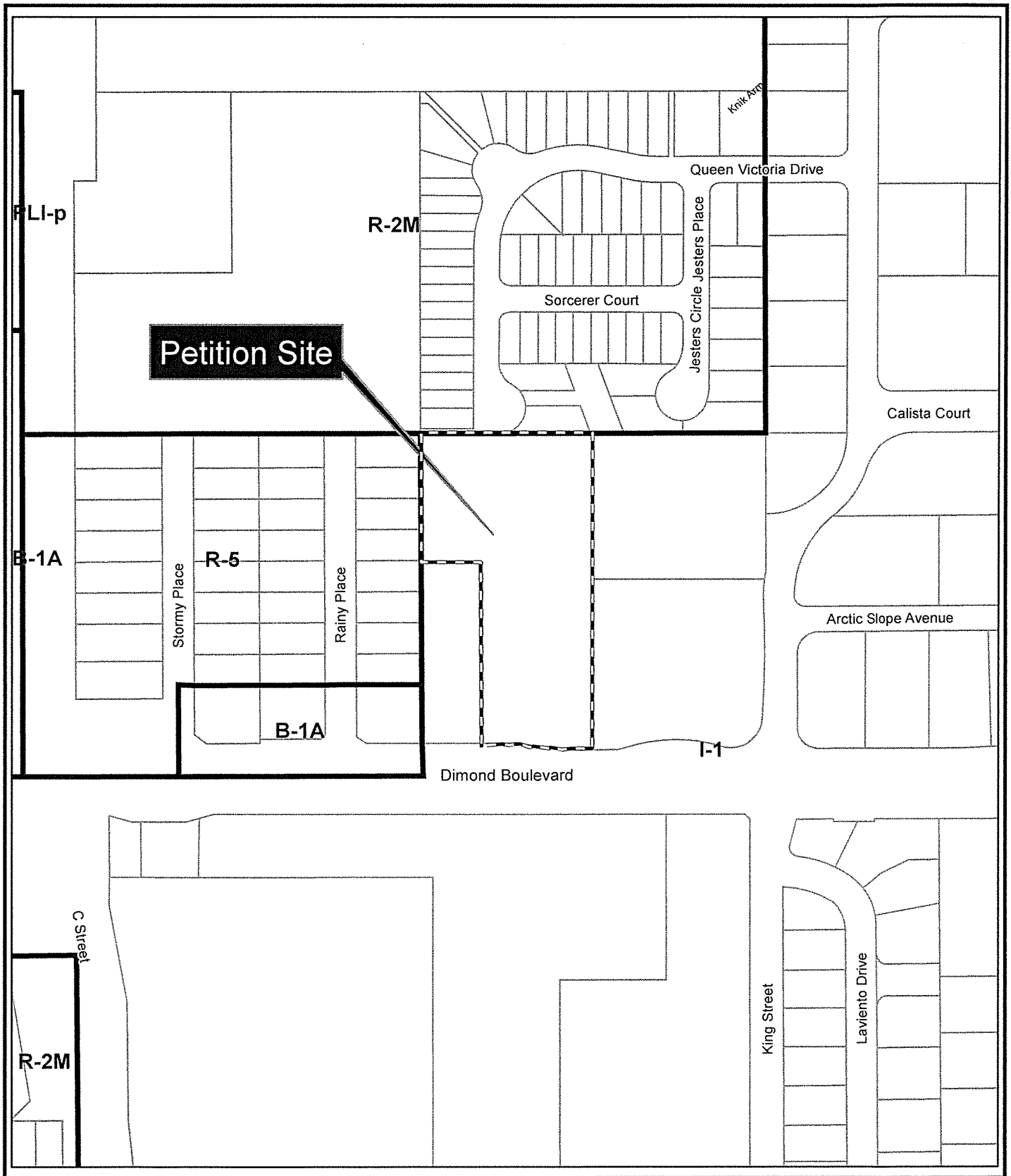
2A-1

Block:

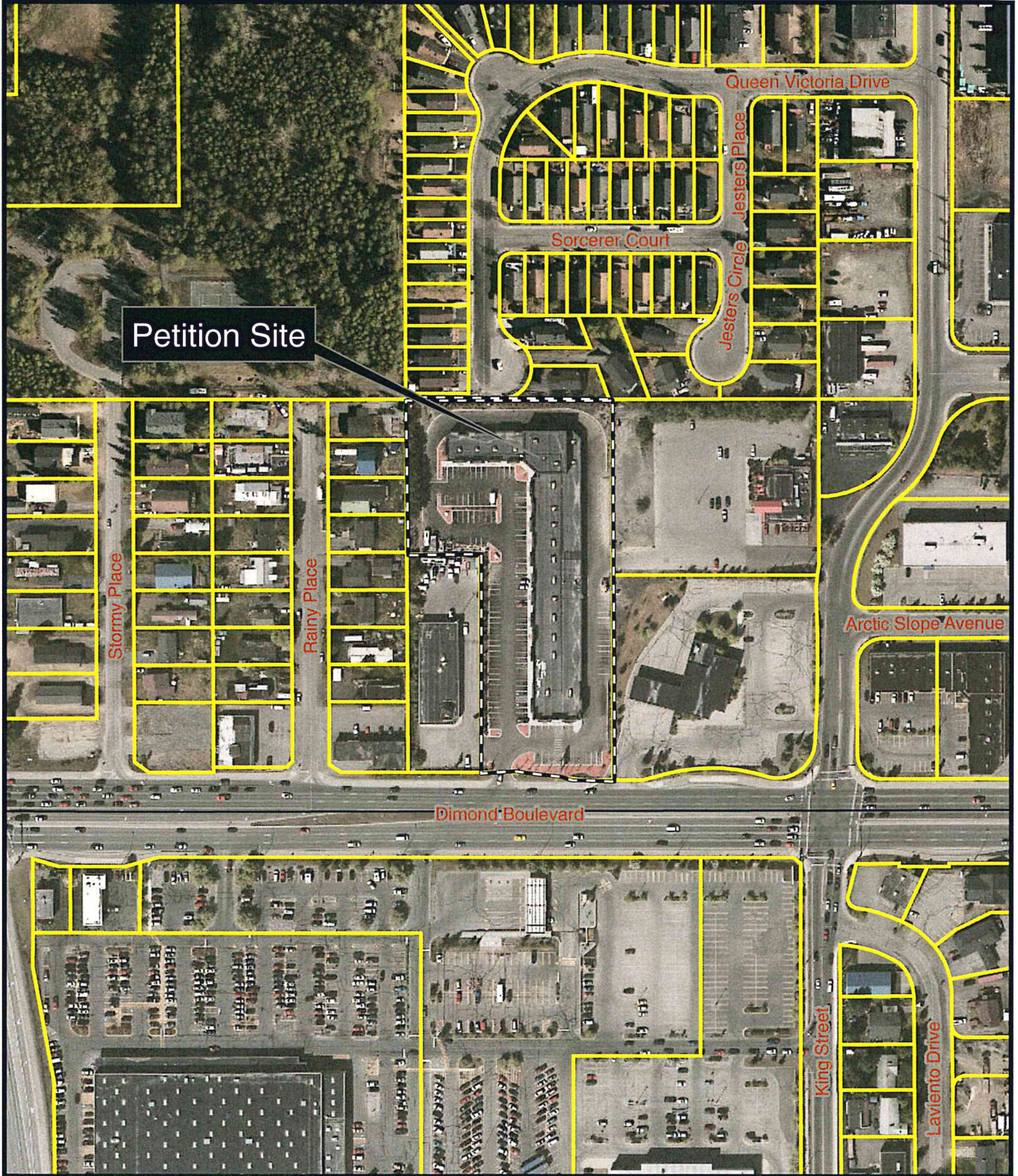
Subdivision:

Martens Industria | #1

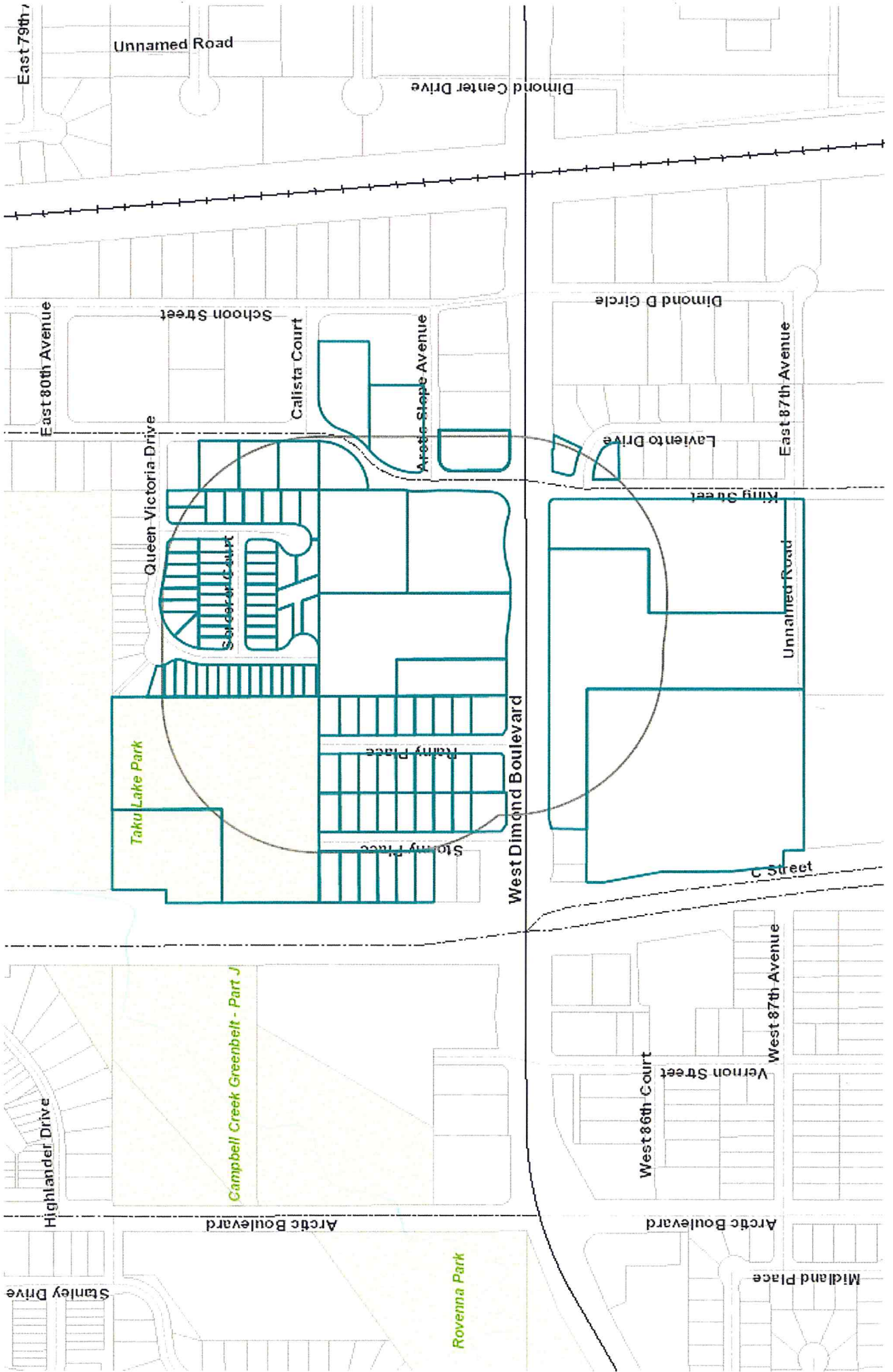
2019-0093



2019-0093

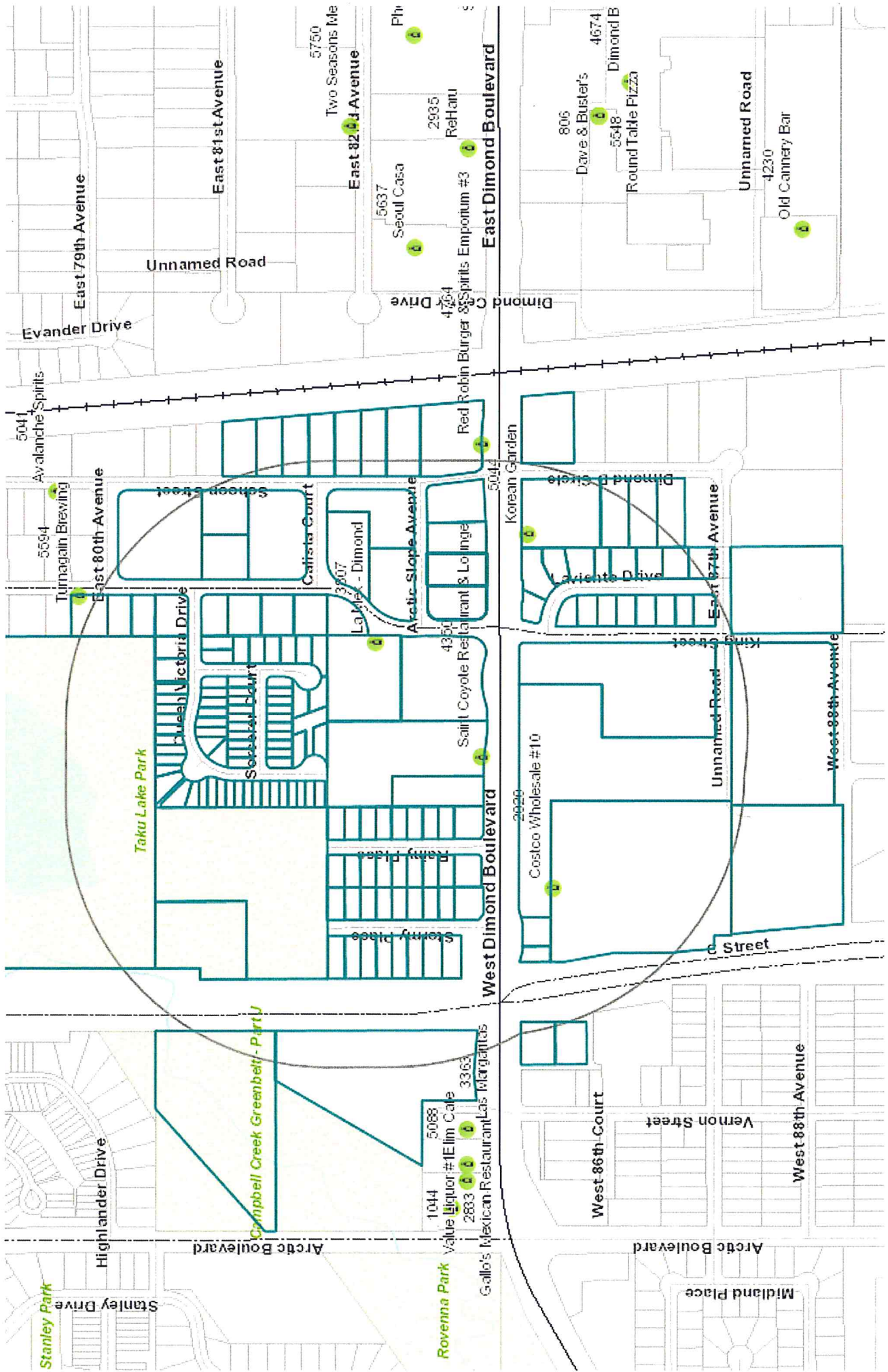


Anchorage



2019-0093 PHN map
Distance = 500' (106 parse/s)

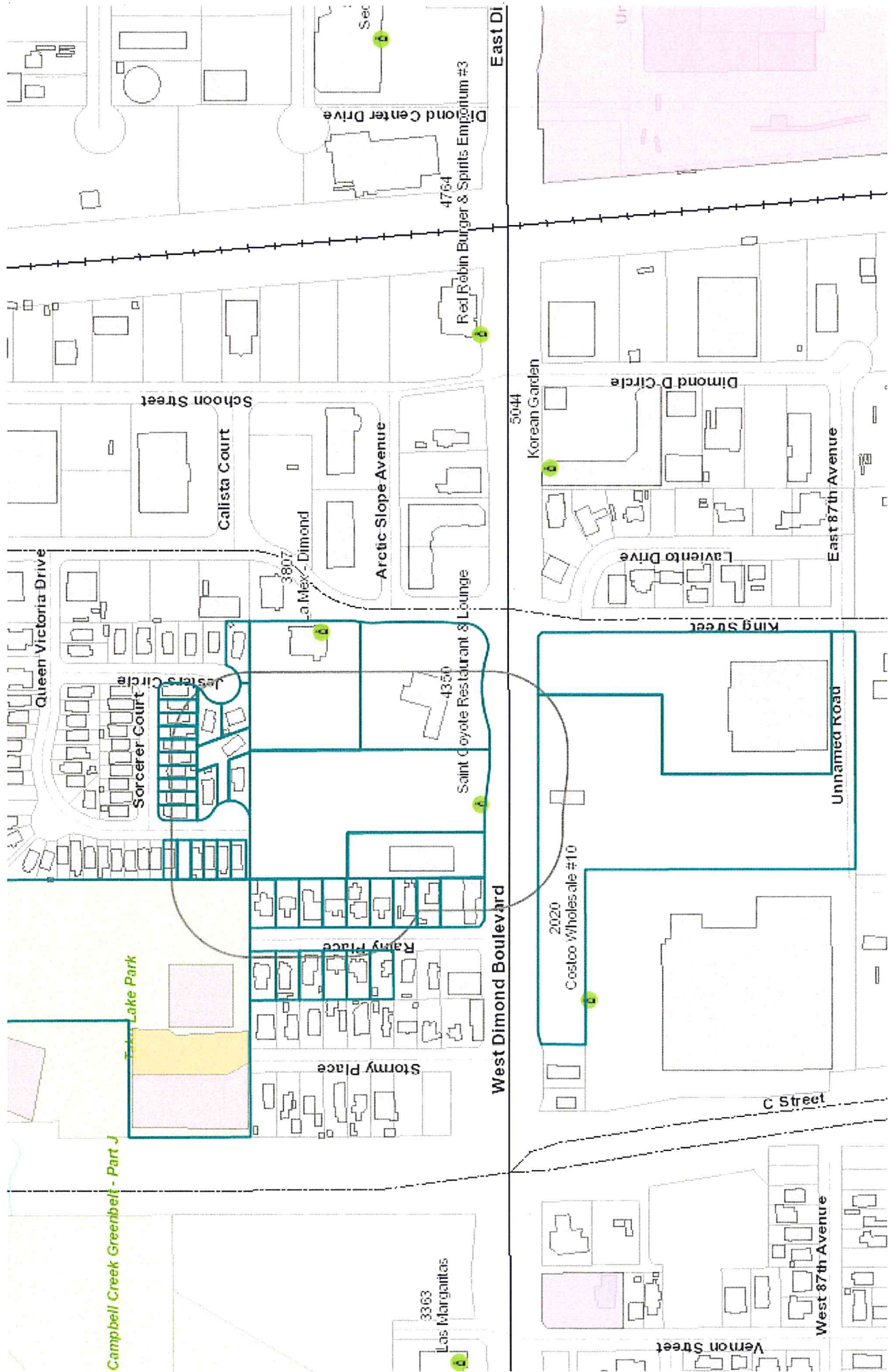
Anchorage



2019-0093 Alcohol Existing License map
 Distance = 1000'

Parcel Number	Parcel Owner Name	Parcel Owner Address	City	State	Zip
Business Name	Applicant	Business Address	ABC License Number	Lic. Zone	Classification
01305227000	KIM HENRY & CHARLOTTE LIVING TRUST KIM HYOUNG & CHARLOTTE K/TRSTE	23549 SE 52ND ST	ISSAQUAH	WA	98029--6813
King Street Brewing Company	King Street LLC	7924 King Street	5015	WA	Brewery
01305227000	KIM HENRY & CHARLOTTE LIVING TRUST KIM HYOUNG & CHARLOTTE K/TRSTE	23549 SE 52ND ST	ISSAQUAH	WA	98029--6813
Turnagain Brewing	Turnagain Brewing, LLC	7920 KING ST, ANCHORAGE, AK 99518	5594	AK	Brewery
01307150000	KING STREET PROPERTIES LLC	PO BOX 92480	ANCHORAGE	AK	99509--2480
La Mex - Dimond	King Dimond, Inc.	8330 KING ST, ANCHORAGE, AK 99518	3807	AK	Beverage Dispensary
01308217000	MCKENNA PROPERTIES LLC	6219 PETERSBURG STREET	ANCHORAGE	AK	99507
Genghiskan Mongolian BBQ	Han, Richard C & Young Ok	301 E DIMOND BLVD, ANCHORAGE, AK 99515	3821	AK	Restaurant/Eating Place
01308217000	MCKENNA PROPERTIES LLC	6219 PETERSBURG STREET	ANCHORAGE	AK	99507
Jimmy Sushi Restaurant	Jimmy Restaurant, Inc.	301 E DIMOND BLVD, Anchorage, AK 99515	5033	AK	Restaurant/Eating Place
01308236000	DIMOND CAPITAL COMPANY LLC	4450 CORDOVA ST STE 200	ANCHORAGE	AK	99503
Red Robin Burger & Spirits #3	Regency Management, Inc.	401 East Dimond	4764	AK	Beverage Dispensary

Anchorage



2019-0093 Alcohol Church + school map
Distance = 200'

2019-0093

Date : 07/26/2019

Alcohol Church and School List Report

Page:

1

Parcel Number Parcel Owner Name

Parcel Site Address

Description