

CLERK'S OFFICE

APPROVED

Date: 9-15-98

Submitted by: Chairman of the
Assembly at the Request
of the Mayor
Prepared by: Community Planning and
Development
For reading September 15, 1998

Anchorage, Alaska
AR 98- 283

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING
A CONDITIONAL USE FOR SALES OF ALCOHOLIC BEVERAGES (BREW PUB
LICENSE) LOCATED AT HILLSTRAND SUBDIVISION, TRACT A, LOTS 6, 7, 8,
9, 10, 11, AND 12, GENERALLY LOCATED ON THE EAST SIDE OF SPENARD
ROAD AND NORTH OF WEST 26TH AVENUE.

(Jadon, Inc. d.b.a. Chilkoot Charlie's)(Case 98-127-2)

THE ANCHORAGE ASSEMBLY RESOLVES

Section 1. The conditional use permit for brewpub license located at Hillstrand
Subdivision, Tract A, Lots 6, 7, 8, 9, 10, 11, and 12 is approved subject to the
following conditions:

1. A notice of Zoning Action shall be filed with the District Records Office
within 120 days of the Alcoholic Beverage Control Board's approval of the
license.
2. All construction and uses shall conform with the plans and narrative
submitted.
3. Building permits will be required for the proposed alterations and
additions.
4. Resolve parking and landscaping issues with Land Use Enforcement.
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

1 permit or negligently fail to prevent the occurrence of illegal activity on the
2 property.

3 Section 2. Failure to comply with the conditions of this conditional use permit
4 shall constitute grounds for its revocation

5 Section 3. This resolution shall become effective immediately upon passage and
6 approval by the Anchorage Assembly.

7 ~~PASSED~~ AND APPROVED by the Anchorage Assembly this 15th
8 day of September 1998.

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ATTEST:

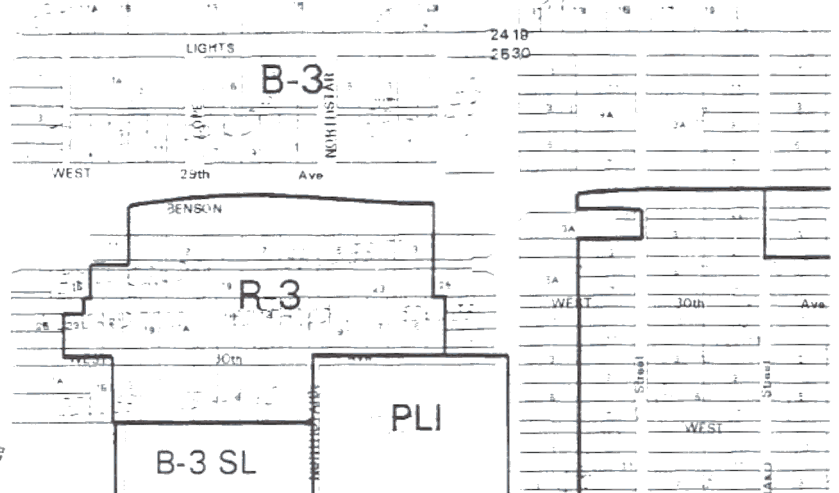
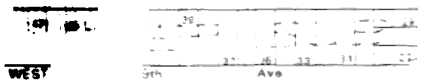
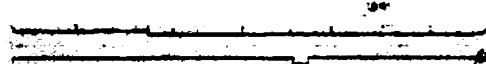
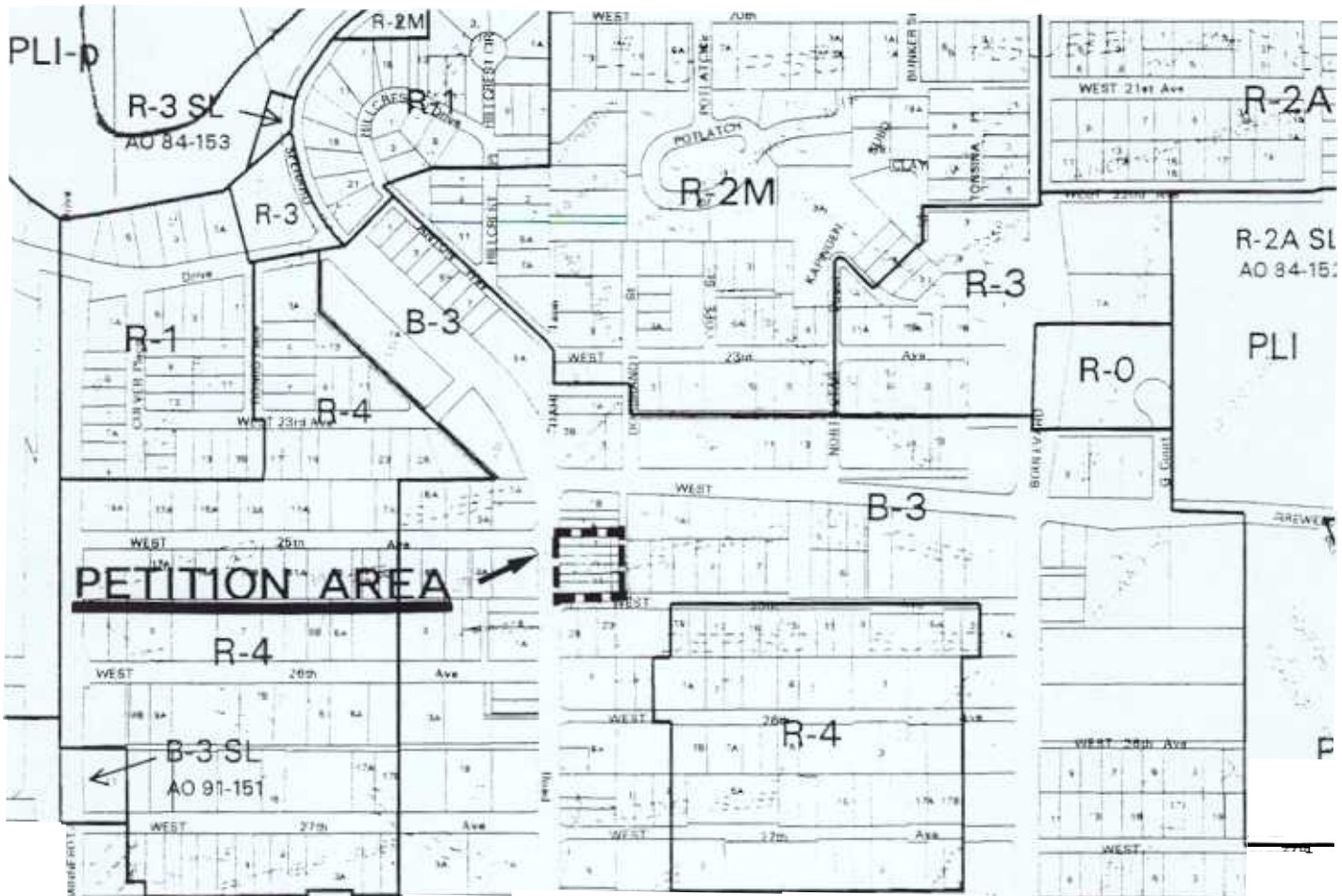
Fay Von Lemmingen
Chairman

Lizanne Ferguson
Municipal Clerk

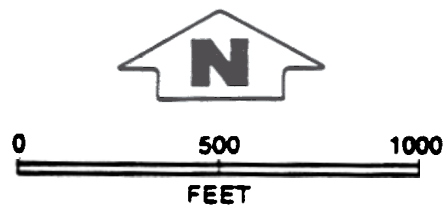
98-127-2

CONDITIONAL USE

LIQUOR



- 100 Year Floodplain
- 500 Year Floodplain



COMMUNITY PLANNING AND DEVELOPMENT

PLANNING STAFF ANALYSIS

CONDITIONAL USE

DATE: September 15, 1998
CASE NO.: 98-127-2
APPLICANT: Jadon, Inc. d.b.a. Chilkoot Charlie's
REQUEST: Brewpub license
LOCATION: Hillstrand Subdivision, Tract A, Lots 6, 7, 8, 9, 10, 11, and 12, generally located on the east Spenard Road and north of West 26th Avenue.
STREET ADDRESS: 2429 Spenard Road
ATTACHMENTS
1. Application
2. Location Map
3. Departmental Comments
4. Historical Information
5. Posting Affidavit
TAX PARCEL 001-252-49, 82, 83, 84, 85, 86, and 87

RECOMMENDATION SUMMARY:

Approval of the conditional use permit subject to conditions.

SITE:

Acres: 0.64
Vegetation: None observed
Zoning: B-3
Topography: Level
Existing Use: Commercial Building
Soils: Good

COMPREHENSIVE PLAN

Classification: Commercial
Density: N/A

SURROUNDING AREA

	NORTH	EAST	SOUTH	WEST
Zoning:	B-3	B-3	B-3	B-3
Land Use:	Commercial	Commercial	Commercial	Commercial

SITE DESCRIPTION AND PROPOSAL:

The proposal is to install a brewpub license on the Chilkoot Charlie's premises. The Assembly recently approved the addition of a duplicate beverage dispensary at the north end of the facility. The Assembly was advised by the applicant the brewpub license application was pending. The application site is located in a building housing the existing Chilkoot Charlie's complex. The site is seven non-conforming lots of record. Under the terms of the nonconforming section of the zoning ordinance, these lots would be considered as an undivided parcel.

Access to the site is via Spenard Road with limited parking in front of the building. The Chilkoot Charlie's complex has parking on other lots in the area.

Within 1,000 feet of this site are two restaurant licenses, six beverage licenses, four beverage duplicate licenses, three package stores, and a private club. Chilkoot Charlie's accounts for six of these licenses.

The complex will be open from 10:30 AM to 3:00 AM with liquor available during all open hours. The petitioner estimates that 95% of his total sales will be for liquor. He states that two employees will be trained in handling inebriated patrons. Security will be handled by Chilkoot Charlie's and entertainment is to be recorded and live music, patron dancing, and sporting events.

FINDINGS

A. *Furtheres the goals and policies of the Comprehensive Development Plan and conforms to the Comprehensive Development Plan in the manner required by Chapter 21.05.*

The Anchorage Bowl Comprehensive does not specifically address the sales of alcoholic beverages. However, there are goals in the Comprehensive Plan to address recreational and economic opportunities. Establishments that sell alcoholic beverages are part of the social, recreational and economic environment of this community.

B. *Conforms to the standards for that use in this title and regulations promulgated under this title.*

This standard is met.

Title 21 provides no specific standards and the Assembly has not adopted zoning regulations for alcoholic beverage sales. The B-3 General Business District provides for alcoholic beverage sales thorough the conditional use permit process.

C. *Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district.*

This standard is met.

The location of the Chilkoot Charlie's is in a commercial area that is expected to remain in that land use category. Chilkoot Charlie's has several liquor licenses and the addition of this brewpub license is likely to go unnoticed. The surrounding land uses are also commercial uses that will not be negatively impacted by the addition of a brewpub license to this property.

D. *Will not have a permanent negative impact on the items listed below substantially greater than that anticipated from permitted development:*

1. Pedestrian and vehicular traffic circulation and safety.

This standard may not be met.

Land Use Enforcement reports "the seating plan provided (for the entire complex) indicates there will be 870 seats which would require 290 parking spaces. It is not clear from the information submitted how that number of parking spaces will be provided. If required parking is to be provided on the lots between Fireweed Lane and West 25th Avenue, calculations for the buildings on those lots need to be provided. A variance for parking on nonabutting lots and joint parking agreements will also likely be required to utilize these lots for parking. A variance was granted for the other parking lot shown across 25th Avenue on the corner of Spenard Road. There was a requirement for perimeter landscaping that is not accounted for on the site plan provided. The number of spaces shown on all three parking lots is less than the required 290."

The parking issues raised by Public Works indicates this standard may not be met and must be resolved between Public Works and Jadon Inc.

2. The demand for and availability of public services and facilities.

This standard is met.

The addition of the brewpub license to the complex will not have a significant impact on public services.

3. Noise, air, water, or other forms of environmental pollution.

This standard is met.

The addition of the brewpub license will not cause any environmental pollution.

4. The maintenance of compatible and efficient development patterns and land use intensities.

This standard is met.

The site land use and the general area land use will not change as a result of this conditional use permit amendment.

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

A. 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 will conform to the separate standards of AMC 21.50.020.

This standard is met.

Within 1,000 feet of this site are two restaurant licenses, six beverage licenses, four beverage duplicate licenses, three package stores, and a private club. This is a total of 16 licenses. Chilkoot Charlie's accounts for six of these licenses.

gross acreage within 1,000 feet:	87.7
net acreage within 1,000 and zoned to allow use	40.8

	Current	If application approved
gross acre/license	5.5	5.2
net acre/license	2.6	2.4

This is a moderate to high concentration of licenses. The location of these licenses is in a small area which may reduce any negative impact to the community. The concentration of licenses is in the same structure as the proposed license.

BLACK ANGUS MEAT MARKET	1101 W FIREWEED LANE	BEV
CHILKOOT CHARLIE'S	2435 SPENARD ROAD	BEV
FRIENDLY FIRESIDE LOUNGE	2419 SPENARD ROAD	BEV
LA MEX	2552 SPENARD ROAD	BEV
HONG KONG RESTAURANT	2412 SPENARD ROAD	BEV

LAST FRONTIER SOUTH	2612 SPENARD ROAD	BEV
CHILKOOT CHARLIE'S	2435 SPENARD ROAD	BEVD
CHILKOOT CHARLIE'S (UPSTAIRS)	2435 SPENARD ROAD	BEVD
CHILKOOT CHARLIE'S	2435 SPENARD ROAD	BEVD
CHILKOOT CHARLIE'S	2435 SPENARD ROAD	BEVD
AMERICAN LEGION POST #1	840 FIREWEED LANE	CLUB
BUSH LIQUORS	2435 SPENARD ROAD	PACK
SEVEN-ELEVEN LIQUOR #009	2401 SPENARD RD.	PACK
BROWN JUG - CHILKOOT	2534 SPENARD ROAD	PACK
HOGG BROTHERS CAFE & WATERING	1049 W NORTHERN LIGHTS BLVD	REST
MOMMA O'S ASSORTED SEAFOOD	2636 SPENARD ROAD	REST

- B. Training.** If application is made for issue, renewal or transfer of a beverage dispensary license, restaurant or eating place license, or package store license, whether the applicant can 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.). Until such plan is approved, training by a licensee's employees in the T.A.M. shall constitute compliance with this ordinance.

This standard appears to be met.

The applicant states that two employees will be trained in handling inebriated or under aged persons.

- C. 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 this code.

This standard is met.

The application is for a new brewpub license. However, the license owner has had beverage dispensary licenses without any documented violations.

- D. 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.

This standard appears to be met.

The applicant proposes no increased security measures as a result of the addition of this new license. The current security arrangements for Chilkoot Charlie's are to be used.

- E. 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

This standard is met.

This is a new license. However, no reports have been received of debts or taxes owed to the Municipality of Anchorage by this applicant.

- F. 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.

This standard is met.

No evidence has been presented that depicts this license holder as a threat to the public health.

- G. Municipality of Anchorage Alcoholic Beverage Licensee Compliance Form.** In order to determine whether applicants seeking issue, renewal or transfer of alcoholic beverage licenses have complied with the provisions of this chapter, applicants shall, at the request of the Assembly, submit to the municipal clerk such information as is required on a municipal form prepared by the municipal clerk known as the Municipality of Anchorage Alcoholic Beverage Licensee Compliance Form. Upon request, operators shall also provide the municipal clerk with certificates from all current employees demonstrating that those employees have successfully completed a "Liquor Service Awareness Training Program" such as the program for techniques in alcohol management (T.A.M.) as approved by the State of Alaska Alcoholic Beverage Control Board.

This form was not requested of this applicant.

RECOMMENDATION:

Staff finds this application for conditional use permit for a new brewpub license meets the standards set forth in Title 10 and Title 21 and may be approved. We believe the issue of parking should be resolved before the conditional use permit is effective. We believe this issue is closely related to the alcoholic beverage sales use. This application is somewhat unique with the existing licenses on the overall premises. However, the brewpub license is an enhancement of the land use.

Staff recommends approval of the conditional use permit subject to the following:

1. A notice of Zoning Action shall be filed with the District Records Office within 120 days of the Alcoholic Beverage Control Board's approval of the license.
2. All construction and uses shall conform with the plans and narrative submitted.
3. Building permits will be required for the proposed alterations and additions.
4. Resolve parking and landscaping issues with Land Use Enforcement.

98-127 Conditional use to permit the sales, dispensing, or service of alcoholic beverages, Hillstrand, Tract A, Lots 6 and 7; located within the SE ¼ Section 24, T13N R4W SM; grid 1529; tax code numbers 001-252-82 and 83; zoned B-3; Michael W. Gordon; Mountain Mike's 7 Summits Bar and Grill and Chilkoot Charlie's Brew Pub

PROJECT MANAGEMENT AND ENGINEERING

Project Management and Engineering has no adverse comments regarding this case.

(Reviewer: Randy Ross, P.E.)

FLOODPLAIN

I have no comments on this case.

(Reviewer: Jack Puff)

LAND USE ENFORCEMENT

Zoning history: Information available in our office indicates the following:

1. Annexed to the old City of Anchorage in the North Spenard Annexation Area #1344 and #1353. June 30, 1959.
2. January 21, 1960, zoning map: Shown as B-2 zoning.
3. September 13, 1965, zoning map: Shown as B-3 zoning which it remains today.

Platting: Plat P-59A, filed April 18, 1947, created these lots.

Lot area/width: These lots are nonconforming lots of record in the B-3 district having less than 6,000 square foot lot area and less than 50 foot lot width and having been platted prior to zoning. AMC 21.55.020.B., Nonconforming lots of record states: "If two or more lots with continuous frontage in single ownership and containing less than 6,000 square feet of area in each lot are of record on November 27, 1990, and are nonconforming by virtue of this title or any amendment thereto, the lands involved shall be considered to be an undivided parcel for the purpose of this title, and no portion of such parcel shall be sold or used which does not contain a lot area of 6,000 square feet or a lot width of 50 feet."

Enforcement actions:

CETS lists Case 97-06667, building without a permit. The activity log indicates the complaint was unfounded and the case was closed November 17, 1997.

2. CETS lists Case 97-01358, bungy jumping in parking area. The case was closed April 10, 1997.

Nonconformities: Nonconforming lots of record. A survey was not provided to determine if there are any other nonconformities.

Use determination: Restaurants are permitted in the B-3 district. Sale of alcoholic beverages is permitted by Assembly conditional use. Accessory use brew pubs are permitted.

Parking space requirements: The seating plan provided indicates there will be 870 seats which would require 290 parking spaces. It is not clear from the information submitted how that number of parking spaces will be provided. If required parking is to be provided on the lots between Fireweed Lane and West 25th Avenue, calculations for the buildings on those lots need to be provided. A variance for parking on nonabutting lots and joint parking agreements will also likely be required to utilize these lots for parking. A variance was granted for the other parking lot shown across 25th Avenue on the corner of Spenard Road. There was a requirement for perimeter landscaping that is not accounted for on the site plan provided. The number of spaces shown on all three parking lots is less than the required 290. Needs resolved.

Permits: Demolition permit 97-6092 was issued for a leanto structure and interior walls on Lot 6. Sign permit 97-5848 was issued for the restaurant on Lot 7. Building permits will be required for the proposed alterations and additions.

Landscaping requirements: Any areas of new development will require landscaping to current standards.

OS&HP setbacks: Spenard Road is a Class II minor arterial requiring a 40 feet from centerline development setback in addition to the zoning district setback. Only 30 feet of dedication exists.

Recommendations: If approval of this case is granted, Land Use Enforcement recommends the following:

Building permits will be required for the proposed alterations and additions.

2. Resolve parking and landscaping issues with Land Use Enforcement.

(Reviewer: Kathy Johnson)

TRAFFIC ENGINEERING

Traffic Engineering has no objection to this conditional use.

(Reviewer: Mada Hansen)

STREET MAINTENANCE

I have no comments on this case.

(Reviewer: Elvin Jensen)

ADDRESSING

I have no comments on this case.

(Reviewer: John DeVries)

BUILDING SAFETY PLAN REVIEW AND INSPECTION

I have no comments on this case.

(Reviewer: James Gray, P.E.)

Department position: If approval of this case is granted. Public Works recommends the following:

- 1 Building permits will be required for the proposed alterations and additions.
- 2 Resolve parking and landscaping issues with Land Use Enforcement.

ki:c:word:\a980714.wrd

Municipality Of Anchorage
ANCHORAGE WATER & WASTEWATER UTILITY

M E M O R A N D U M

DATE: June 9, 1998

TO: Zoning and Platting Division, DCPD

FROM: Roberta Piper, P.E., Planning Engineer, AWWU *R. Piper* RECEIVED
JUN 11 1998
MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

RE: P & Z COMMISSION MEETING of July 14, 1998
AGENCY COMMENTS DUE June 16, 1998

AWWU has reviewed the case materials received on June 10, 1998, and has the following comments.

98-127 Hillstrand, Tract A, Lots 6 & 7 (Grid 1529)

1. An AWWU water mainline is located west of referenced lot within the Spenard Road right-of-way. Fire flow is estimated to be 2500 gpm at 20 psi with a static pressure of 62 psi.
2. Sanitary sewer mainlines are located east of the referenced lot within the Dorbrandt Street right-of-way and also west of the referenced lot within the Spenard Road right-of-way. Approximately 50% of the current sanitary sewer mainline capacity is currently in use.
3. AWWU has no objection to the proposed conditional use for a restaurant serving alcoholic beverages within the B-3 General Business District zone.

If you have any questions, please contact Hallie Stewart at 564-2721.

Fire Prevention Division 1301 E. 80th Ave. 267-4960

From: Bob Taylor

RECEIVED

**MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION**

Case # 98-127

Name Chilcott Charlies

Approved: Yes.....

Location 2429 Spenard Road

No comment

[illegible]

**MUNICIPALITY OF ANCHORAGE**

Department of Health and Human Services

P.O. Box 196650

Anchorage, Alaska 99519-6650



Date: June 15, 1998

To: Zoning & Platting, CPD

From: *[Signature]* James Cross, P.E., Program Manager, On-Site/Water Quality

Subject: Request for Comments on Case(s) - June 16, 1998

RECEIVED

JUN 15 1998

ENVIRONMENTAL SERVICES DIVISION

The Environmental Services Division, On-Site Services Program, has reviewed the following case and has these comments:

98-127: A request concept/final approval of a conditional use to permit the sales, dispensing, or service of alcoholic beverages in the B-3 general business district zone.

DHHS has not received notification of a change of ownership on this facility.

DHHS has not received any plans showing the addition of a brew pub and equipment supporting this activity. DHHS has not received plans showing the kitchen addition which includes a wood fired pizza oven or fryers.



Municipality of Anchorage
Department of Community Planning and Development
P.O. Box 196650
Anchorage, Alaska 99519-6650
**CONDITIONAL USE APPLICATION
ALCOHOLIC BEVERAGE SALES**

OFFICE USE
REC'D By: _____
Verify Own: _____
Poster and Affidavit: _____
Fee \$ _____
Hearing Date 7/14/98

Case Number: 98-127

This application for a alcoholic beverage sales conditional use is for the following:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Beverage Dispensary <u>Dugkete</u> | <input type="checkbox"/> Private Club | <input type="checkbox"/> Restaurant, exempt |
| <input type="checkbox"/> Beverage Dispensary-Tourism | <input type="checkbox"/> Public Convenience | <input type="checkbox"/> Theater |
| <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Recreational | <input type="checkbox"/> Other (Please explain): _____ |
| <input type="checkbox"/> Package Store | <input type="checkbox"/> Restaurant | |

A. Please fill in the information requested below. Print one letter or number per block.

1. Abbreviated legal description (T12N R2W SEC 2 LOT 45 or SHORT SUB BLK 3 LOT 34) Full legal on back page.

LOTS 6 + 7 WILSTRAND TRACT A

2. Site address

2429 SPENARD RD ANCHORAGE 99503

3. Petitioner's Name (Last - First)

GORDON INC.

Address:

1071 W. 25th Ave

City

Anchorage

State:

Alaska

Phone

Number:

277-3374

Zip:

99503

4. Petitioner's representative

GORDON, MICHAEL WILLIAM

Address:

2207 Sorbus Way

City

Anchorage

State:

Alaska

Phone

Number:

277-6691

Zip:

99503

5. Property owner if petitioner is not property owner

GORDON ENTERPRISES

Address:

1071 W. 25th Ave.

City

Anchorage

State:

Alaska

Phone

Number:

277-3374

Zip:

99503

6. Current Zoning:

B-13

9. Principal Tax Number:

001-252-82

7. Petition Acreage:

80010 SF

10. No. of Tax Parcels:

02

8. Grid Number:

1529

11. Community Council:

Spemard

B. I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I desire conditional use approval in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the conditional use application fee is nonrefundable and is to cover the costs associated with processing this applications, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Staff or the Assembly due to administrative reasons.

Date

4-15-98

Signature:

[Signature]

*Agents must provide written proof of authorization

C. Please check or fill in the following

1. Comprehensive Plan -- Land Use Classification

- | | | |
|--|--|---|
| <input type="checkbox"/> Alpine/Slope Affected | <input type="checkbox"/> Marginal Land | <input type="checkbox"/> Residential |
| <input checked="" type="checkbox"/> Commercial | <input type="checkbox"/> Parks/Open Space | <input type="checkbox"/> Special Study |
| <input type="checkbox"/> Commercial/Industrial | <input type="checkbox"/> Public Lands Institutions | <input type="checkbox"/> Transportation Related |
| <input type="checkbox"/> Industrial | | |

2. Comprehensive Plan Residential Land Use Intensity

- | | | |
|--|--|--|
| <input type="checkbox"/> Dwelling units per acre | <input type="checkbox"/> Alpine/Slope Affected | <input type="checkbox"/> Special Study |
|--|--|--|

D. The full legal description for legal advertisement (use separate paper if necessary)

Lots 6 + 7, Hillstrand Subdivision, Tract A

STANDARDS FOR CONDITIONAL USE APPROVAL

The petitioner should respond to the best of his/her ability to the following general standards for a conditional use. (See AMC 21.50.020). The Assembly may approve the conditional use application only if it finds that the application:

A. Further the goals and policies of the Comprehensive Development Plan and conforms to the Comprehensive Development Plan in the manner required by Chapter 21.05.

Use conforms to zoning plan + historical
use. Location has been a beverage
dispensary for 30+ years.

B. Conforms to the standards for that use in this title and regulations promulgated under this title.

yes

C. Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district.

There is essentially no change in the
historical use of this property over the
past 30+ years, except that it will now
be part of Chalkoot Charlie's overall operation.

- D. Will not have a permanent negative impact on the items listed below substantially greater than that anticipated from permitted development:

1. Pedestrian and vehicular traffic circulation and safety.

Location has been similar usage 30+ years.
Parking is grandfathered. Additional parking
is available in Chilkoot Charles Lots.

2. The demand for and availability of public services and facilities.

Will not add to traffic or pedestrian impact
beyond previous uses. Sanitary facilities will
be provided as required by code

3. Noise, air, water, or other forms of environmental pollution.

No increase beyond historical uses.

4. The maintenance of compatible and efficient development patterns and land use intensities.

Again, nothing changes except it will be
open to Chilkoot Charles.

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

- A. **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 and will conform to the separate standards of AMC 21.50.020.

Within 1,000 feet of your site are how many active liquor licenses? 7

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

12345

In your opinion is this quantity of licenses a negative impact on the local community?

No. I think the quality of the operations
is more important.

- B. **Training.** If application is made for issue, renewal or transfer of a beverage dispensary license, restaurant or eating place license, or package store license, whether the applicant can 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.). Until such plan is approved, training by a licensee's employees in the T.A.M. shall constitute compliance with this ordinance.

How many employees in direct contact with alcohol will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program?

7

* 3 of these are duplicates at Chilkoot Charles & one is
in different location.

- C. **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 this code.

Happy hours?

Games or contests that include consumption of alcoholic beverages?

Patron access and assistance to public transportation?

Notice of penalties for driving while intoxicated posted or will be posted?

Non-alcoholic drinks available to patrons?

Solicitation or encouragement of alcoholic beverage consumption?

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

- D. **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:

Mgmt. on premises at all times after 6:30 pm.

Trained professional security staff.

Cameras operating inside & in front of business.

Strict compliance with all Statutes & ordinances.

outside facility:

Trained professional security at front door

making regular sweeps of parking area.

Cameras.

- E. **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

Are real estate and business taxes current?

Are there any other debts owed to the Municipality of Anchorage?

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

- F. **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.

As the applicant and operator can you comply? If no explain

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

FACILITY OPERATIONAL INFORMATION

1. What is the proposed or existing business name:

Chilkoot Charlie's (Covered for FH. Sz. notes) during Phase Construction. Phase II (Final) mtn. mikes seven summits Bar + Grill

2. The facility occupant capacity?

Gross leaseable floor space in square feet:

Number of fixed seats(booth and non movable seats):

Number non-fixed seats(movable chairs, stools, etc.):

70
35

3. What will be the hours of operation?

Normal business hours will be from:

Alcoholic beverages will be available from:

A.M.		A.M.
10:30	to:	3:00
10:30	to:	3:00

4. An estimated ratio of food sales to alcohol beverage sales.

Alcoholic beverage sales in percentage

Food sales in percentage

Other

Phase I	Phase II
95 %	50 %
5 %	50 %
%	

5. Type of entertainment proposed:

	Check all that apply
Recorded music	<input checked="" type="checkbox"/>
Live music	<input checked="" type="checkbox"/>
Floor shows	<input type="checkbox"/>
Patron dancing	<input checked="" type="checkbox"/>
Sporting events	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>
None	<input type="checkbox"/>

Phase I

- 6 Does the operator propose entertainment or environmental conditions in the facility that will meet the definition of "indecent material" or "adult entertainment" as set forth by AMC 8.05.420 Minors-Disseminating indecent material or AMC 10.40.050 Adult oriented establishment?

Yes	No
	✓

7. If the application is for a package store, the projected percentage of alcoholic product inventory of the store where the retail unit price is:

	Percentage
less than \$5.00	%
\$5.00 to \$10.00	%
\$10.00 to \$25.00	%
greater than \$25.00	%

8. Site plans and other drawings depicting the following:
 (single copy if copy is 8½x11 or 8½x14 of each, otherwise 21 copies of each)
 site plan with building footprint, parking space layout and vehicle access points drawn to scale
 location of conditional use area if less than whole building
 identification of alcoholic beverage sales or service areas
 building elevations(photograph is acceptable)
 building floor plans drawn to scale

N/A

PROPERTY OWNER AUTHORIZATION and ACKNOWLEDGMENT of APPLICATION

(I)(WE) hereby grant permission to and acknowledge that JADON, INC. is applying for a conditional use permit for the retail sales of alcoholic beverages on a property under (MY)(OUR) ownership and that as part of the conditional use permit process the Assembly may apply conditions which will be the responsibility of the property owner to satisfy.

☐ (I)(WE) hereby assign _____ to act as (MY)(OUR) agent in this conditional use permit application.

☒ (I)(WE) will represent (MYSELF)(OURSELVES).

Signed this 15th of April 1998

Signature

Title

Donald S. Alspach, Deputy Director
Municipality of Anchorage
Dept. of Community Planning and Development
P. O. Box 196650
Anchorage, Alaska 99519-6650

April 19, 1998

Dear Mr. Alspach:

Thank you for your letter of April 9, 1997 concerning the requirement for a conditional use permit for the two new license applications by Jadon, Inc. I was unaware of the need since there are existing conditional use permits on both Lot 9, Hillstrand, Tract A, the existing beverage dispensary of Chilkoot Charlie's, where the brew pub license is to be situated, and on Lots 6 and 7, Hillstrand, Tract A. where The Roosevelt Cafe was recently situated.

Having inquired, as you suggested, I found that the Assembly does now require conditional use permits for any additional licenses at existing locations and am submitting them herewith. You suggested over the phone that we could handle both licenses with one conditional use permit, but I have used two different applications because the lots, the licenses and the circumstances are different to the degree that it was difficult to include the needs of both on one application. If we can process them as one though it would save on application fees, which would be appreciated.

I would further like to take some time to explain our project in detail so that there is no misunderstanding about what we intend to do with the properties and licenses in question.

The second phase of this project is to have completed a full-fledged restaurant on Lots 6 and 7 operating with a duplicate beverage dispensary license under the name of Mountain Mike's 7 Summits Bar and Grill within a two to three year period. It will occupy the same space as was occupied by The Roosevelt Cafe plus an additional 15 feet to be added to the east end of the building. Mtn. Mike's will have a stone pizza oven and will provide a gourmet selection of wood-fired pizzas. The menu also will include a large selection of burgers, fries, deep-fried halibut, caesar salad, green chili, etc., with draft beers, wines and distilled beverages. The kitchen will be behind the bar in full view of the public. The atmosphere will be an up-scale Alaskan log cabin lodge. In the evenings the restaurant will be open, through a double door on the south side, to Chilkoot Charlie's and will serve the eating requirements of the entire complex.

Chilkoot Charlie's

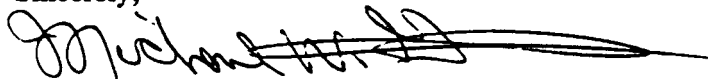
Rustic Alaskan Saloon

Now let's back up to phase one, which is the interim period during which the additional 15 feet is being added to the east side of lots 6 and 7. The construction of the additional 15 feet will be done outside of the existing building with a suitable fire escape provided for patrons. The existing old Roosevelt Cafe premises with existing bathrooms and bar will be decorated and used primarily on Friday and Saturday nights and on special occasions as an overflow area for Chilkoot Charlie's business, providing lighter entertainment such as blues and swing bands to our clientele. Chilkoot Charlie's frequently has to close its doors to the public at 11:00 p. m. on weekends and other busy nights due to occupancy requirements and needs the additional space now. Using the space during the expansion will also create some extra income to help pay for the project, which we are attempting to do, as much as possible, out of cash flow and reserves.

Once the addition of the 15 feet to the east of the building is completed, which we hope will be within a year or year and a half, and the new bathrooms and walk-in coolers, etc. are installed, we will shut down phase one and proceed with the installation of the restaurant. After the restaurant is completed and in operation we will no longer need the small kitchen we have on Lot 9 of Chilkoot Charlie's and that is where we intend to install the brew pub. We do not want to be trying to open a new brewery at the same time as trying to get a new restaurant up and running in addition to our continuing operation of Chilkoot Charlie's so that is why the brew pub is to be phase 3, upon which work will commence immediately upon getting the restaurant running smoothly.

I hope this serves to answer any questions you or the Assembly may have about our plans. The stockholders of Jadon, Inc., the staff of Chilkoot Charlie's and the landlord, Gordon Enterprises, are all very proud and excited to be taking an unfortunate situation (the failure of The Roosevelt Cafe) and turning it into a significant upgrade to the neighborhood and an expansion and maturation of Chilkoot Charlie's.

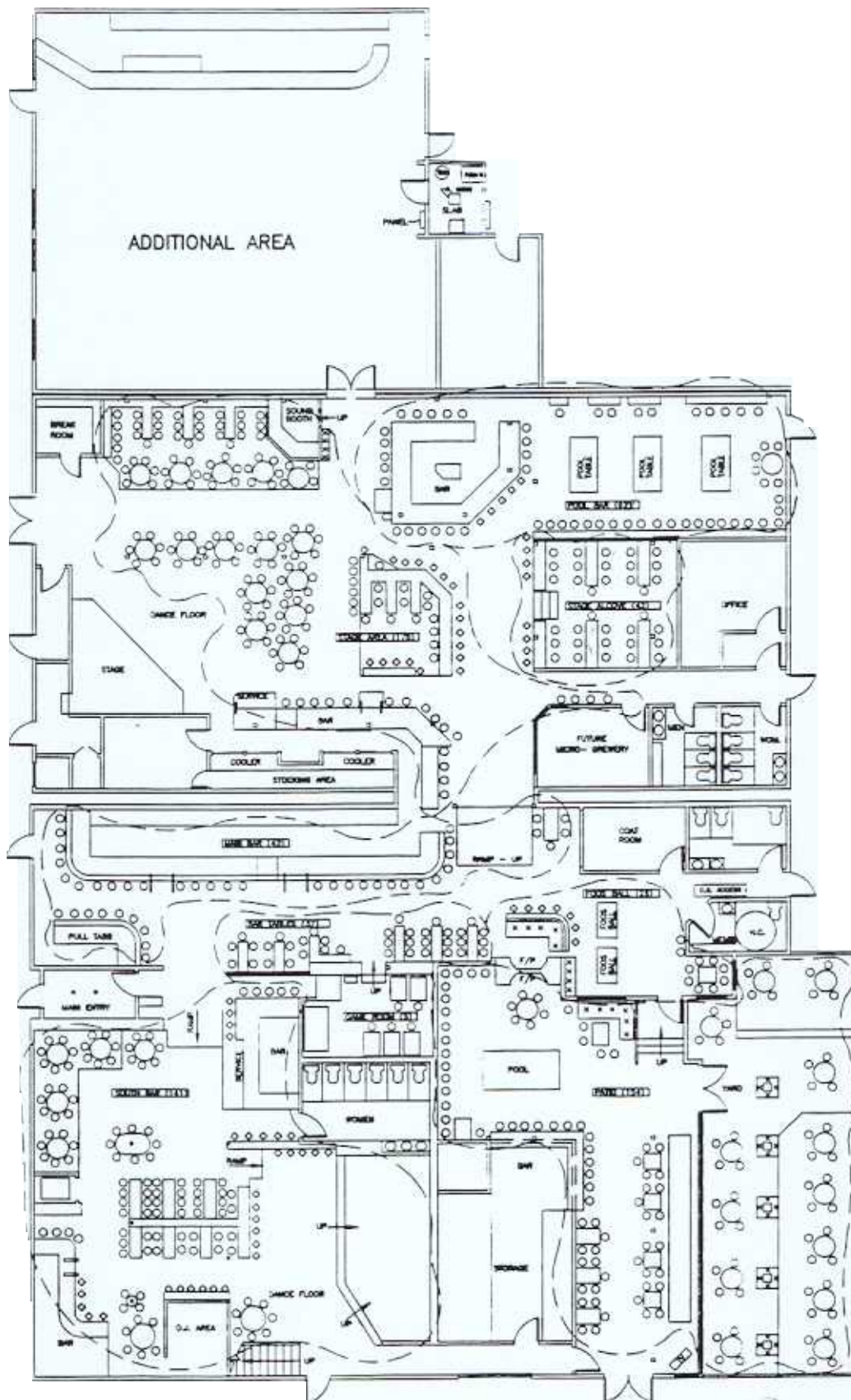
Sincerely,



Michael W. Gordon, President
Jadon, Inc. dba
Chilkoot Charlie's

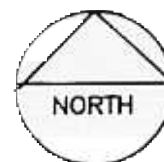
Chilkoot Charlie's

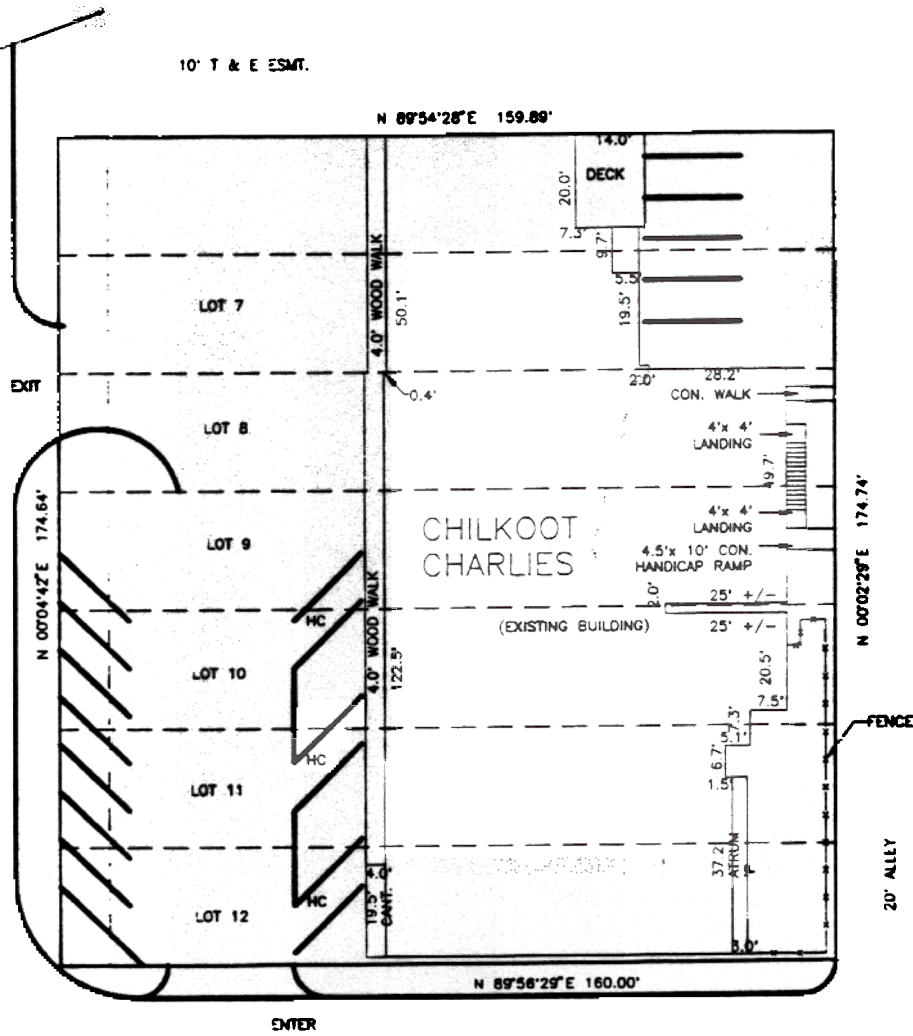
Rustic Alaskan Saloon



MAIN FLOOR PLAN

SCALE: N.T.S.





SPENARD ROAD

WEST TWENTY SIXTH AVE.

PARKING

EXISTING PARKING

159

WEST TWENTY FIFTH AVE

CHILKOOT

20' ALLEY

PROPERTY LINE

0 00'00" 00' 0 00'00" 00' 00'00"

0 00'00" 00' 0 00'00" 00' 00'00"

00'

00'

00'

00'

00'

00'

PARKING

25TH AVE.

180'

10

PARKING 9

(EXISTING BUILDING)

7A

6

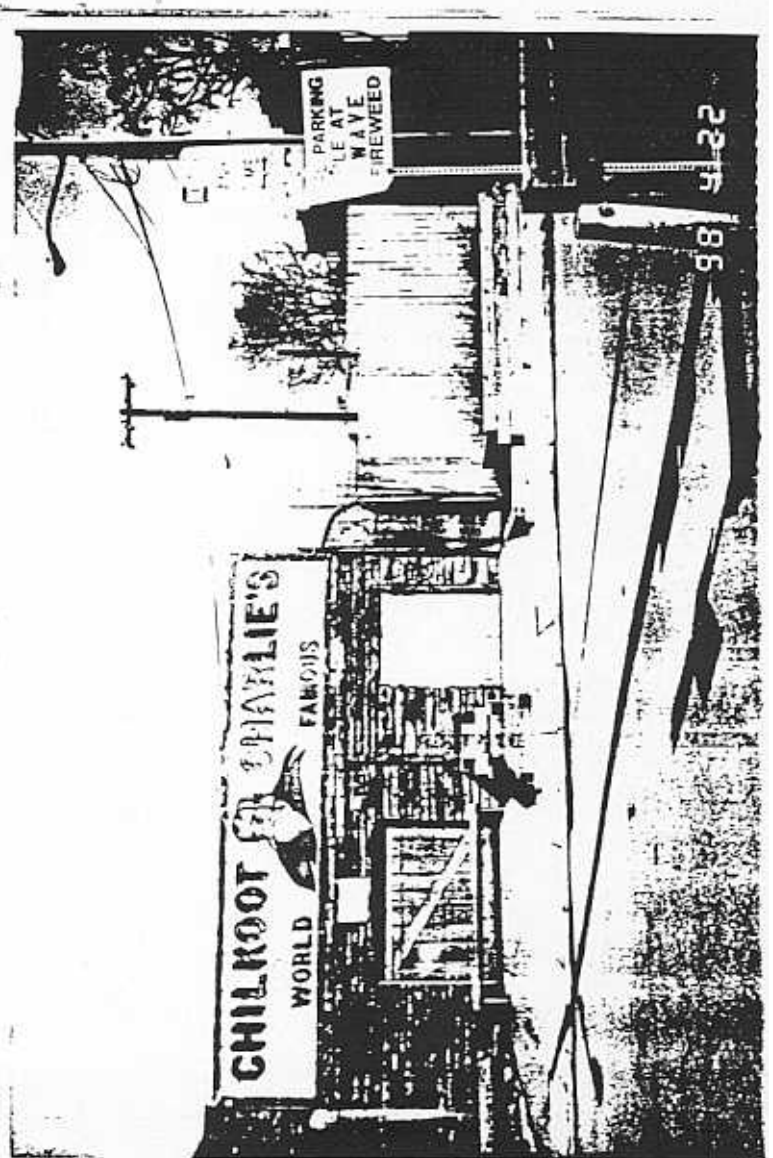
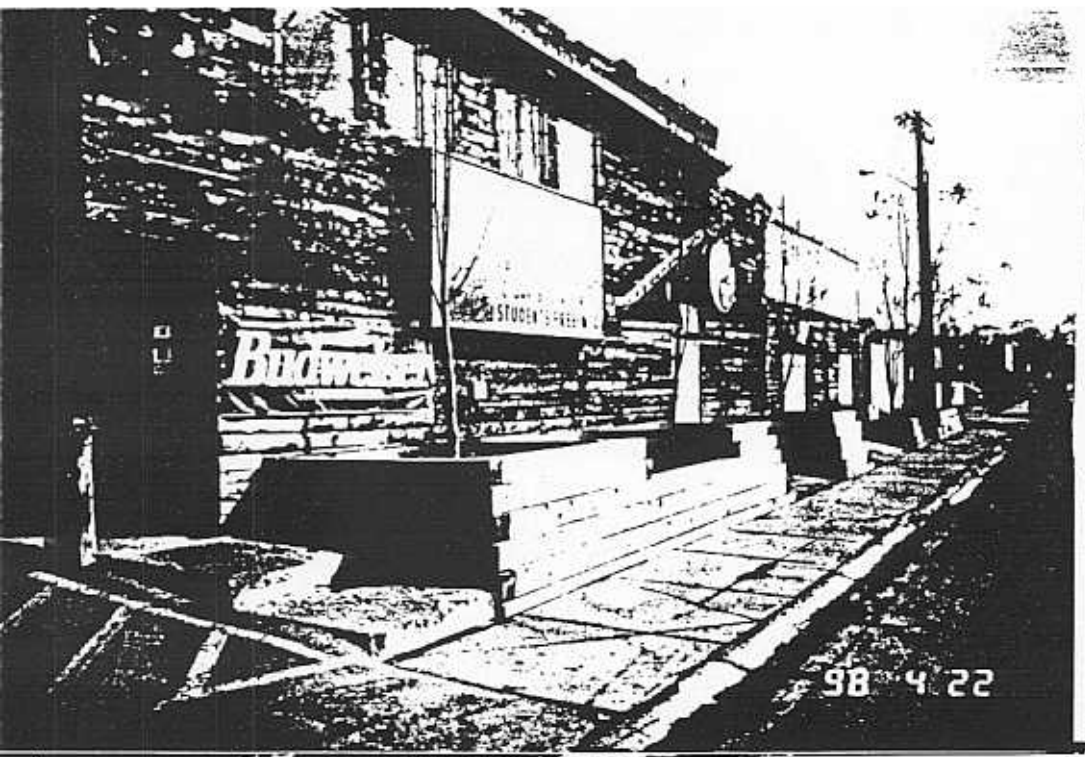
150'

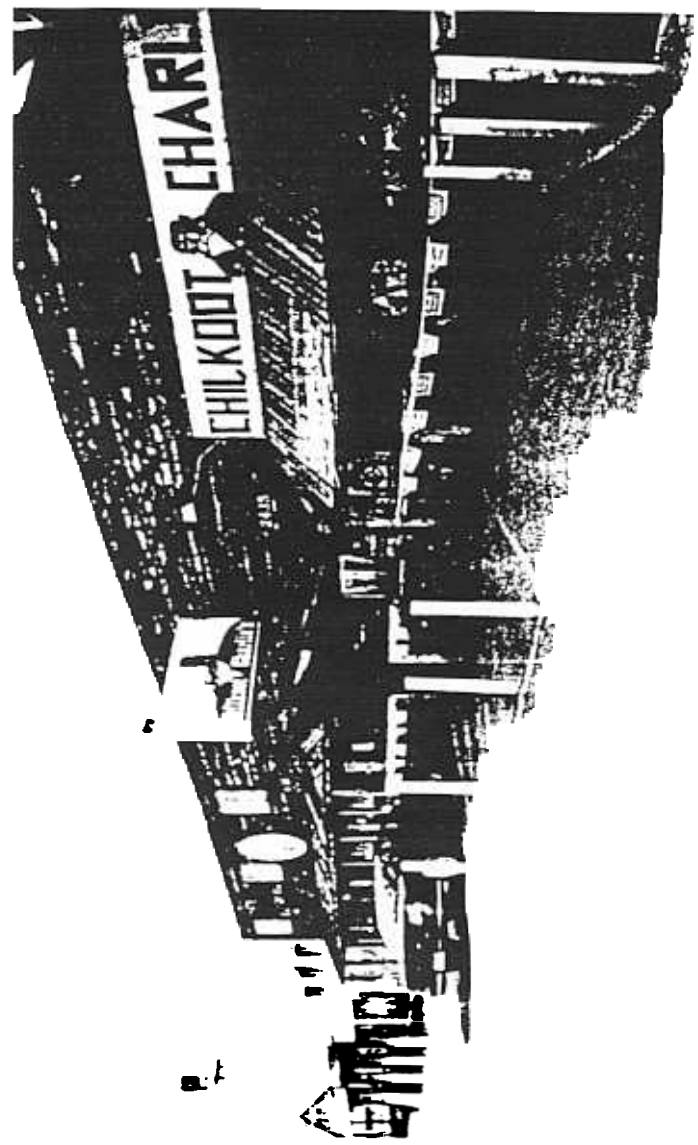
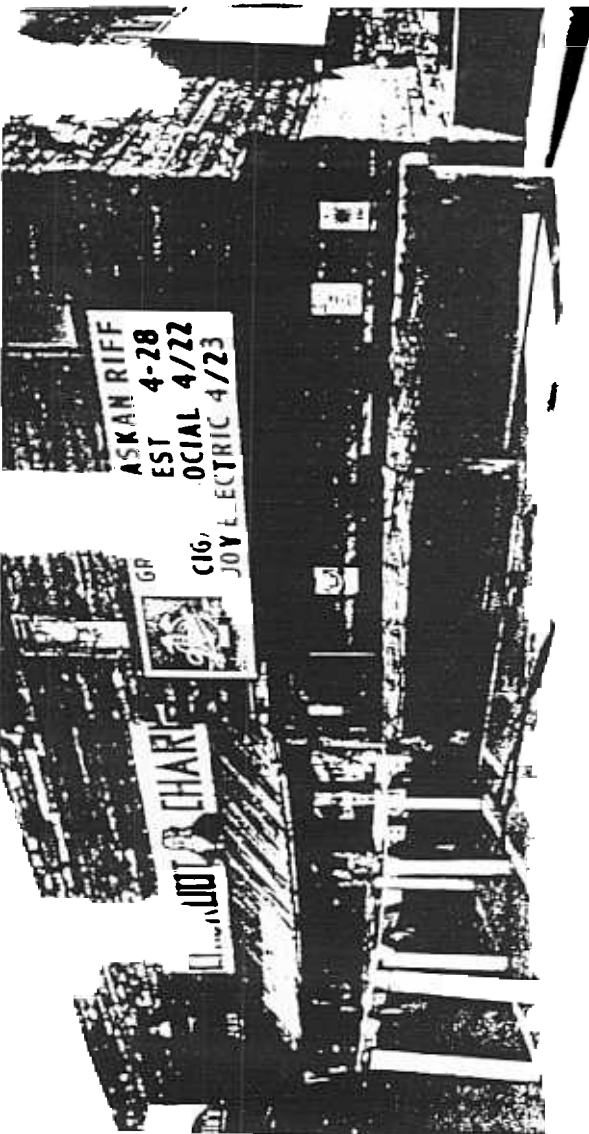
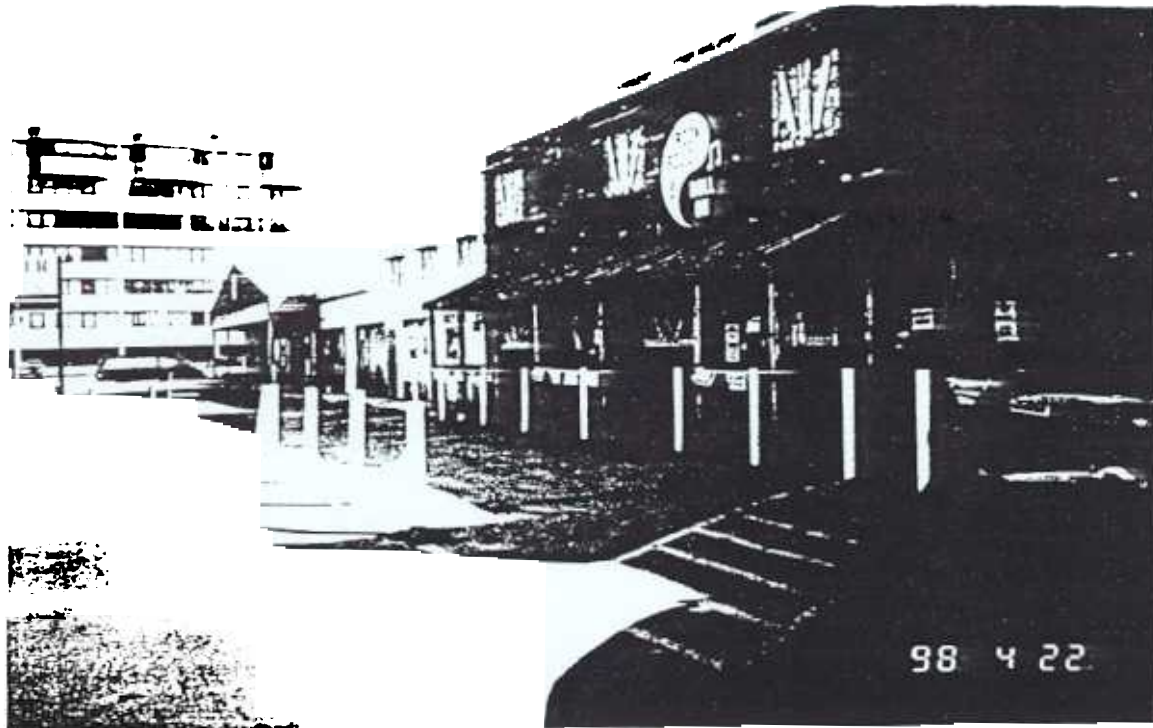
1A
(EXISTING STORE)

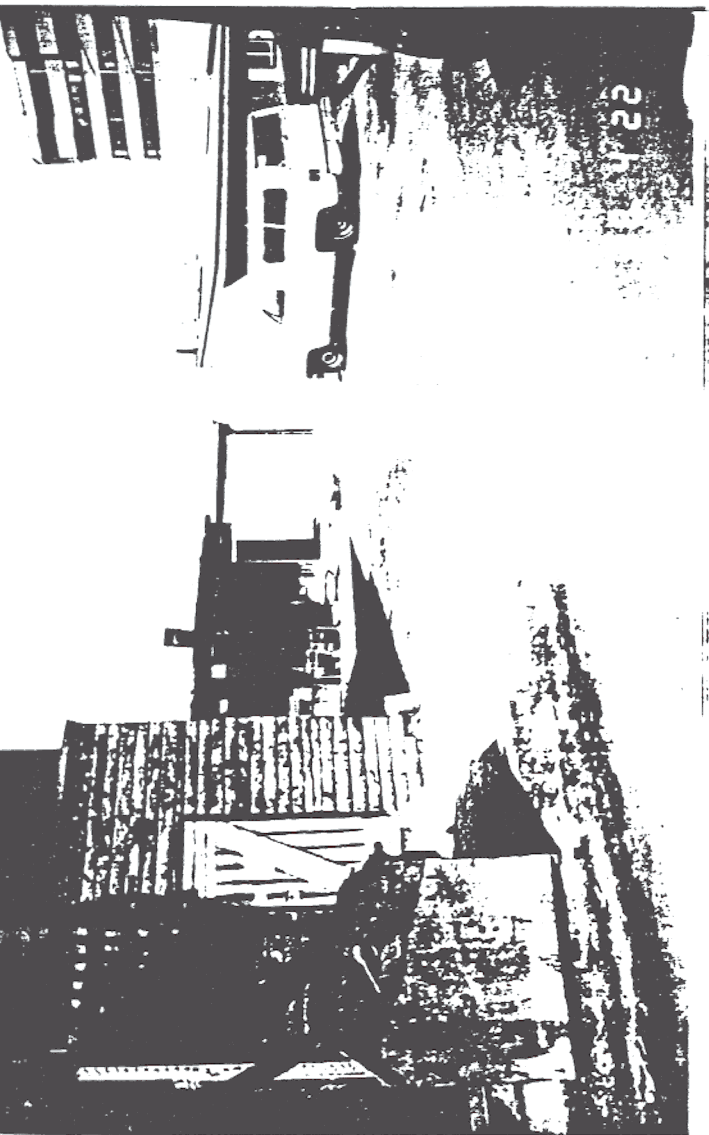
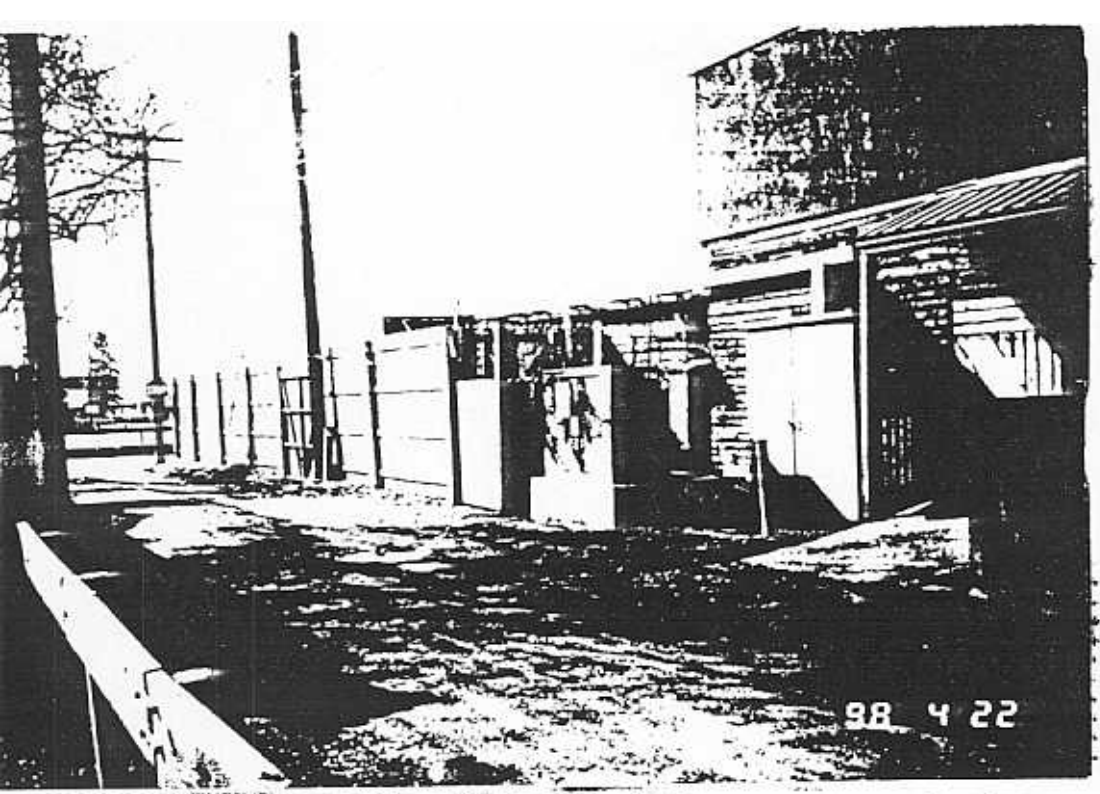
2A
(EXISTING PARKING)

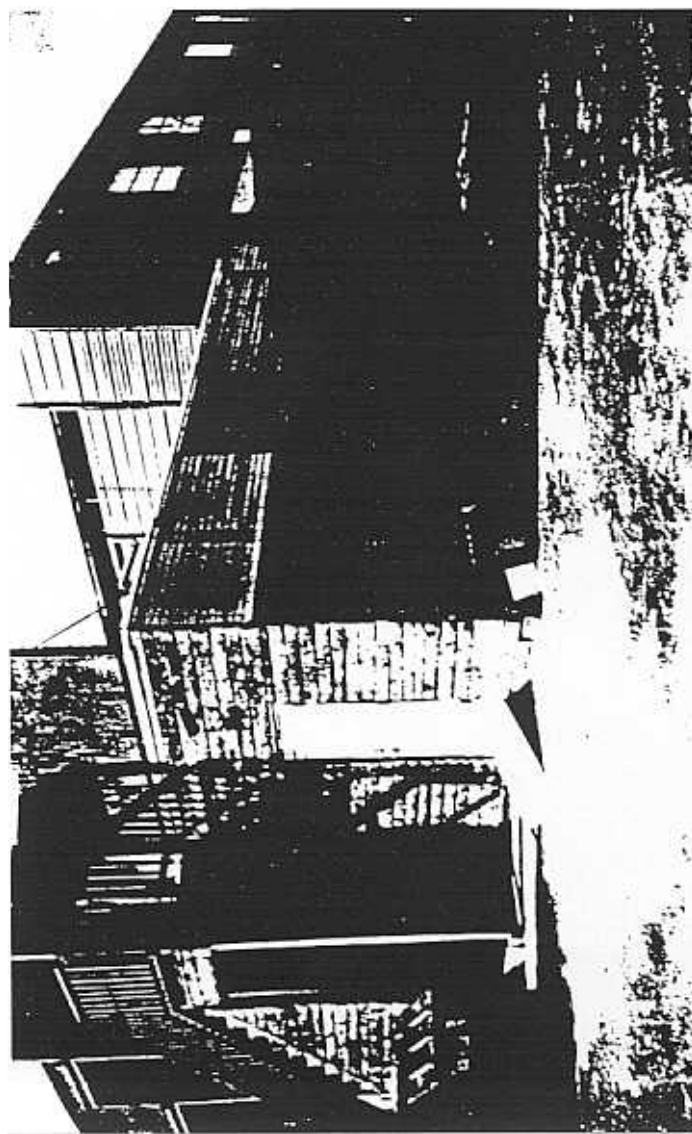
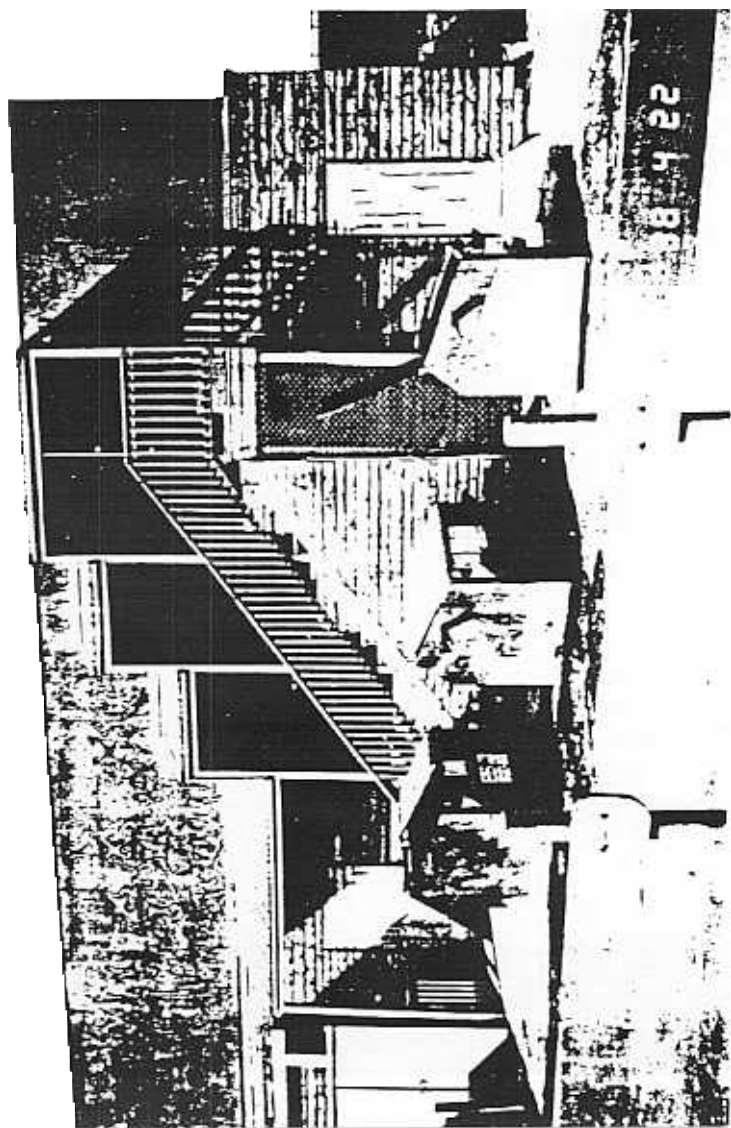
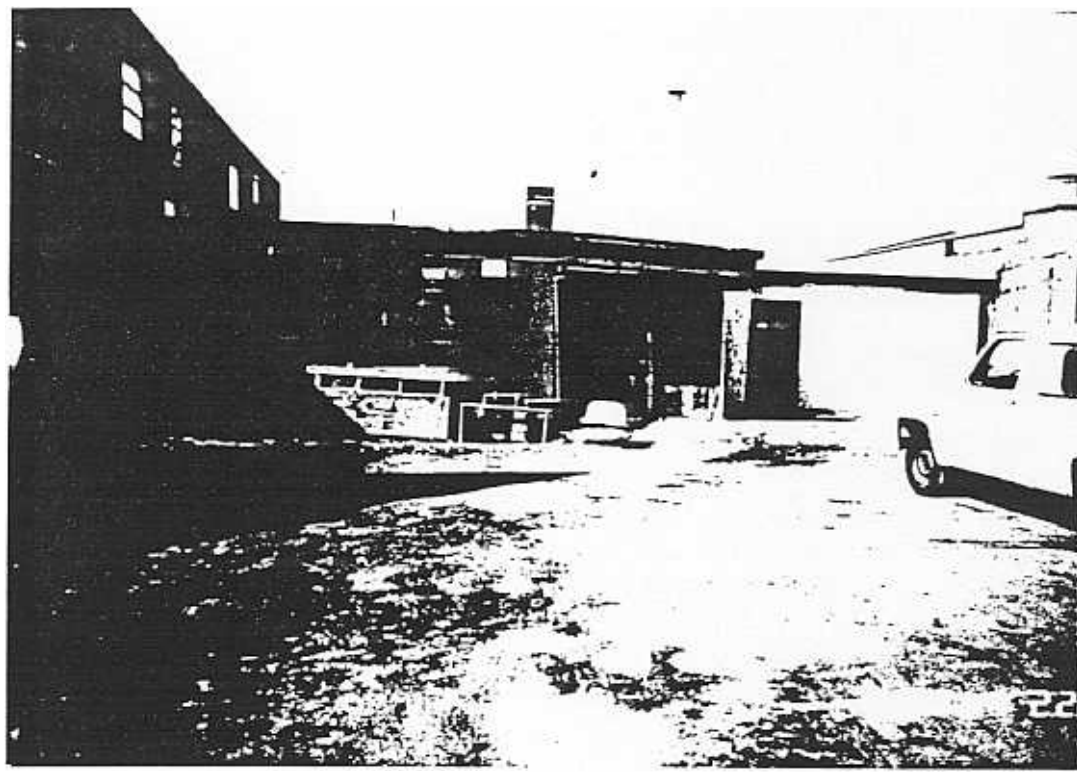
4A

FIREWEED LANE









ttn: Gloria Bartles
343-4220July 14 Hearing
Date

AFFIDAVIT OF POSTING

CASE NUMBER: 98-127

I, Shellie A. Day hereby certify that I have posted a Notice of Public Hearing as prescribed by Anchorage Municipal Code 21.15.005 on the property that I have petitioned for Conditional Use. The notice was posted on 5/28/98 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 29th day of May, 1998

Shellie A. Day
Signature

LEGAL DESCRIPTION

Tract or Lot Ce + 7

Block

Subdivision Hillstrand Tract A

Municipality of Anchorage
P. O. Box 196650
Anchorage, Alaska 99519-6650
(907) 343-4215

001 161 10 000
BRAUTIGAM ELDON P
1017 W FIREWEED LANE
ANCHORAGE AK 99503-0000

RECEIVED

AUG 23 1998
FIRST-CLASS MAIL
MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

98-127-2

NOTICE OF PUBLIC HEARING - - TUESDAY SEPTEMBER 15, 1998

The Assembly of the Municipality of Anchorage will hold a public hearing on a petition proposing a conditional use at its regular meeting of Tuesday September 15, 1998. The meeting begins at 6:00 p.m. in the Assembly Hall of the Z.J. Loussac Library, 3600 Denali Street. The petition is for the following:

CASE: 98-127-2
PETITIONER: Jadon, Inc.
REQUEST: Assembly action only conditional use for the sales, dispensing, or service of alcoholic beverages
TOTAL AREA: 0.64 acres
LEGAL/DETAILS: A BREWPUB LIQUOR LICENSE CONDITIONAL USE for Hillstrand Subdivision, Tract A, Lots 6, 7, 8, 9, 10, 11, and 12, generally located on the east Spenard Road and north of West 26th Avenue.
SITE ADDRESS: 2429 Spenard Road
CURRENT ZONE: B-3 General business district
SPENARD COMMUNITY COUNCIL

The Zoning Ordinance requires that you be sent notice because your property is within the vicinity of the petition area. This will be the only public hearing and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition this form may be used for your convenience. Mailing Address: Municipality of Anchorage, Community Planning and Development, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call 343-4215; FAX 343-4220

Name: _____

Address: _____

Legal Description: _____

Comments: We don't need more beer in Spenard!

98-127-2

Municipality of Anchorage
P. O. Box 196650
Anchorage, Alaska 99519-6650
(907) 343-4215

RECEIVED

AUG 28 1998

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

FIRST CLASS MAIL

001 251 58 000
LUNDGREN GARY J
2623 SECOND AVENUE
SEATTLE WA 98121-1294

98-127-2

NOTICE OF PUBLIC HEARING - - TUESDAY SEPTEMBER 15, 1998

38121-1211

The Assembly of the Municipality of Anchorage will hold a public hearing on a petition proposing a conditional use at its regular meeting of Tuesday September 15, 1998. The meeting begins at 6:00 p.m. in the Assembly Hall of the Z.J. Loussac Library, 3600 Denali Street. The petition is for the following:

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Name: GARY J. LUNDGREN

Address: 2623 2ND AVENUE, SEATTLE, WA 98121

Legal Description: _____

Comments: Strong Objection - Too many bars

in this area already

98-127-2

Municipality of Anchorage
P. O. Box 196650
Anchorage, Alaska 99519-6650
(907) 343-4215

RECEIVED

AUG 28 1998

001 251 72 000
GLOBAL FINANCE & INV CO INC
2623 SECOND AVENUE
SEATTLE WA 98121-0000

MUNICIPALITY OF ANCHORAGE
PLANNING & ZONING DIVISION

FIRST CLASS MAIL

98-127-2

NOTICE OF PUBLIC HEARING - - TUESDAY SEPTEMBER 15, 1998

98121-1211



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Name: Global Finance

Address: 2623 2nd Avenue, Seattle, WA 98121

Legal Description:

Comments: Strong Objection - Too many bars

in this area already

98-127-2