

CLERK'S OFFICE  
AMENDED AND APPROVED  
Date: 3-5-02

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Planning Department  
For reading February 12, 2002

Anchorage, Alaska  
AR 2002-40

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A  
2 CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN  
3 THE B-3 SL DISTRICT FOR A BEVERAGE DISPENSARY USE/LICENSE PER AMC  
4 21.40.180D.8, FOR APPLEBEE'S RESTAURANT, LOCATED ON LOT 3, K T SQUARE  
5 SUBDIVISION; GENERALLY LOCATED ON THE NORTH SIDE OF DEBARR ROAD  
6 BETWEEN CREEKSIDE STREET AND MULDOON ROAD

7  
8 (Northeast Community Council) (Case 2002-031)  
9

10 THE ANCHORAGE ASSEMBLY RESOLVES:  
11

12 Section 1. The conditional use permit for an Alcoholic Beverages Conditional Use in the B-  
13 3 SL District for a Beverage Dispensary Use/License per AMC 21.40.180D.8, for Applebee's  
14 Restaurant, located on Lot 3, K T Square Subdivision, meets the applicable provisions of  
15 AMC 21.50.020 and AMC 21.50.160.  
16

17 Section 2. The conditional use permit for an Alcoholic Beverages Conditional Use for a  
18 Beverage Dispensary Use/License is for 2,800 square feet of a 5,635 square foot restaurant  
19 located on Lot 3, K T Square Subdivision.  
20

21 Section 3. The conditional use permit is approved subject to the following conditions:  
22

- 23 1. A Notice of Zoning Action shall be filed with the District Recorders Office within  
24 120 days of the Assembly's approval of a final conditional use approval for an  
25 Alcoholic Beverages Conditional Use in the B-3 SL District for a Beverage  
26 Dispensary Use/License.  
27
- 28 2. All uses shall conform to the application, plans and narrative submitted.  
29
- 30 3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the  
31 B-3 SL District for a Beverage Dispensary Use/License per AMC 21.40.180D.8 for  
32 2,800 square feet of a 5,635 square foot building, for Applebee's Restaurant located  
33 on Lot 3 K T Square Subdivision.  
34 \* See amendment insert following page.
- 35 4. Liquor sales shall constitute no more than 25% of total gross receipts except on  
36 school days between the hours 11:00 a.m. to 4:00 p.m. during which time liquor sales  
37 shall not exceed 10% of total gross receipts.  
38

Insert @ line 33 and new paragraph to read:

In addition, the design and the construction of the horseshoe shaped bar as depicted on the floor plan and as actually constructed is such that no more than eighteen (18) bar stools can be accommodated at the horseshoe bar. Any change in the size of the horseshoe bar which results in any additional seating being accommodated at the horseshoe bar, shall require a modification to the conditional use permit.

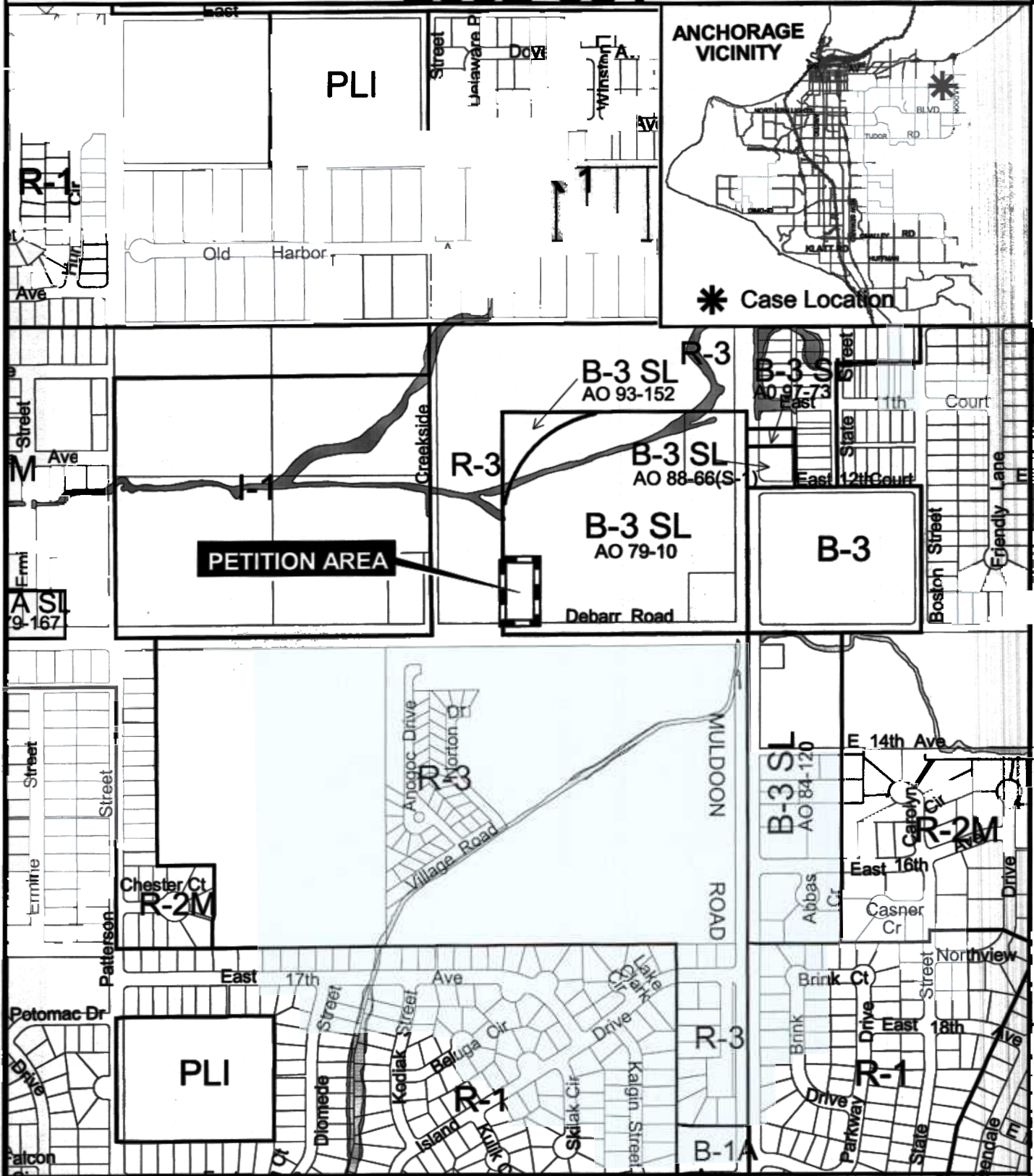
- 1 5. The applicant shall demonstrate compliance with a Liquor "Server Awareness  
2 Training Program approved by the State of Alaska Alcoholic Beverage Control  
3 Board, such as or similar to the program for Techniques in Alcohol Management  
4 (T.A.M.).  
5
- 6 6. The use of the property by any person for the permitted purposes shall comply with  
7 all current and future federal, state and local laws and regulations, including but not  
8 limited to laws and regulations pertaining to the sale, dispensing, service and  
9 consumption of alcoholic beverages and the storage, preparation, sale, service and  
10 consumption of food. The owner of the property, the licensee under the Alcoholic  
11 Beverage Control license and their officers, agents and employees shall not  
12 knowingly permit or negligently fail to prevent the occurrence of illegal activity on  
13 the property  
14
- 15 7. A copy of the conditions imposed by the Assembly in connection with this  
16 conditional use approval shall be maintained on the premise at a location visible to  
17 the public.  
18
- 19 8. The approved conditional use is reflected on the following plans:  
20
- 21 a. Site and Floor Plan for Applebee's Restaurant, Anchorage Alaska; Sheet No.  
22 A-1; Scale 1" = 20'; dated July 1, 2001; prepared by Rim Architects.  
23
- 24 Section 4. Failure to comply with the conditions of this conditional use permit shall  
25 constitute grounds for its modification or revocation.  
26
- 27 Section 5. This resolution shall become effective immediately upon passage and approval by  
28 the Anchorage Assembly.  
29
- 30 PASSED AND APPROVED by the Anchorage Assembly this 5th day of  
31 March, 2002.

ATTEST:

  
Chair  
Municipal Clerk(2002-031)  
(006-411-08)

# CONDITIONAL USE - LIQUOR

## 2002-031



Municipality of Anchorage  
Planning Department



Date: DECEMBER 22, 2001

Flood Limits



0 400 800 Feet







**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

**No. AM 125-2002**

**Meeting Date: February 12~~3~~, 2002**

**From: Mayor**

**Subject: AR 2002-40**      Alcoholic Beverages Conditional Use for a  
Beverage Dispensary Use in the B-3 SL  
District for Applebee's Restaurant per  
AMC 21.40.180D.8

1  
2 Apple Alaska LLC has made application for a new conditional use permit  
3 for an alcoholic beverages conditional use in the B-3 SL District for  
4 Applebee's Restaurant per AMC 21.40.180.D8 and an alcoholic beverages  
5 Beverage Dispensary license. The restaurant will occupy 2,800 square  
6 feet of a 5,635 square foot building that is under construction at 7611  
7 DeBarr Road.

8  
9 The applicant filed an application with the Alcoholic Beverage Control  
10 Board on December 26, 2001 to transfer an existing beverage dispensary  
11 license number 2456 held by Norman H. Dahl. The license was issued to  
12 the Rock U Bar located at 6119 Old Seward Highway.

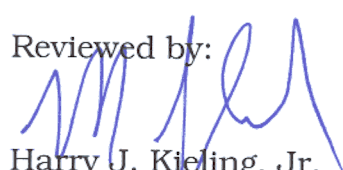
13  
14 The Northeast Community Council approved this location for a conditional  
15 use for a beverage dispensary use and transfer of a beverage dispensary  
16 liquor license with restrictions. The vote was 27 in favor, 10 opposed.  
17 The restrictions include (1) a liquor to food ratio of 25%/75% except on  
18 school days the ratio shall not exceed 10% to 90% between the hours of  
19 11 AM and 4 PM, (2) fixed seating at the bar shall not exceed 18 seats.

20  
21 *Alaska Statute 04.11.410, Restriction of Location Near Churches and*  
22 *Schools*, restricts beverage dispensary and package store licenses from  
23 being located in a building the public entrance of which is within 200-feet  
24 of the public entrance of a church building, or from being located within  
25 200-feet of school grounds. There are no churches or schools within 200  
26 feet of the proposed Applebee's Restaurant. There are three elementary  
27 schools in the Muldoon area: Creekside, Muldoon and Chester Valley, all  
28 of which are more than one-half mile away.


29  
30 AMC 21.50.160.B asks that a list of all alcohol licenses located within a  
31 minimum of 1,000 feet of the proposed conditional use be provided. There  
32 are two restaurant/eating place licenses and one beverage dispensary  
33 license within 1,000-feet of the proposed Applebee's Restaurant.  
34 Approving this beverage dispensary license would add a second beverage  
35 dispensary license.

1 This conditional use for alcoholic beverages in the B-3 SL District for a  
2 beverage dispensary use and license generally meets the required  
3 standards of Title 21.  
4  
5

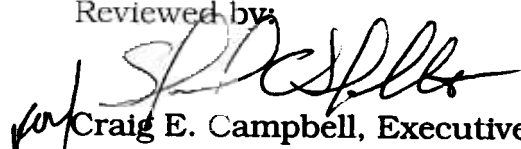
Reviewed by:

  
Harry J. Kieling, Jr.  
Municipal Manager

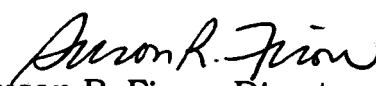
Respectfully submitted

  
George P. Wuerch  
Mayor

Reviewed by:

  
Craig E. Campbell, Executive  
Director Office of Planning,  
Development and Public Works

Prepared by:

  
Susan R. Fison, Director  
Department of Planning

**PLANNING DEPARTMENT  
STAFF ANALYSIS  
CONDITIONAL USE - ALCOHOLIC BEVERAGE SALES**

**DATE:** February 12, 2002

**CASE NO.:** 2002-031

**APPLICANT:** Apple Alaska LLC - Applebee's Restaurant

**REPRESENTATIVE:** Dan K. Coffey Law Firm

**REQUEST:** Conditional Use for an Alcoholic Beverages Conditional Use in the B-3 SL District for a Restaurant Beverage Dispensary Use/License per AMC 21.40.180.D.8

**LOCATION:** KT Square Subdivision, Lot 3, per Plat 93-39; generally located on the north side of DeBarr Road between Creekside Street and Muldoon Road.

**STREET ADDRESS:** 7611 DeBarr Road

**COMMUNITY COUNCIL:** Northeast

**TAX PARCEL:** 006-411-08/ Grid 1340

**ATTACHMENTS**

1. Location Map
2. Departmental Comments
3. Application
4. Posting Affidavit
5. Historical Information

**RECOMMENDATION SUMMARY:**

Approval with conditions of approval

**SITE:**

Acres: 40,009 SF

Vegetation: Commercial landscaping

Zoning: B-3 SL

Topography: Level

Existing Use: Applebee's Restaurant

Soils: Public Sewer & Water

**2002-031**



\* Case Location

## PETITION AREA

**B-3 SL**  
AO 93-152

**B-3 SL**  
AO 88-66(S

**B-3 SL**  
AO 79-10

Debarr Road

## B-3

**B-3 SL**

E 14th Ave

East 16th

Casper

	Cr	
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East

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R-1

way			
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### Flood Limits

### 100 Year Floodplain

### 500 Year Floodplain

### Floodway



0      400      800 Feet

002



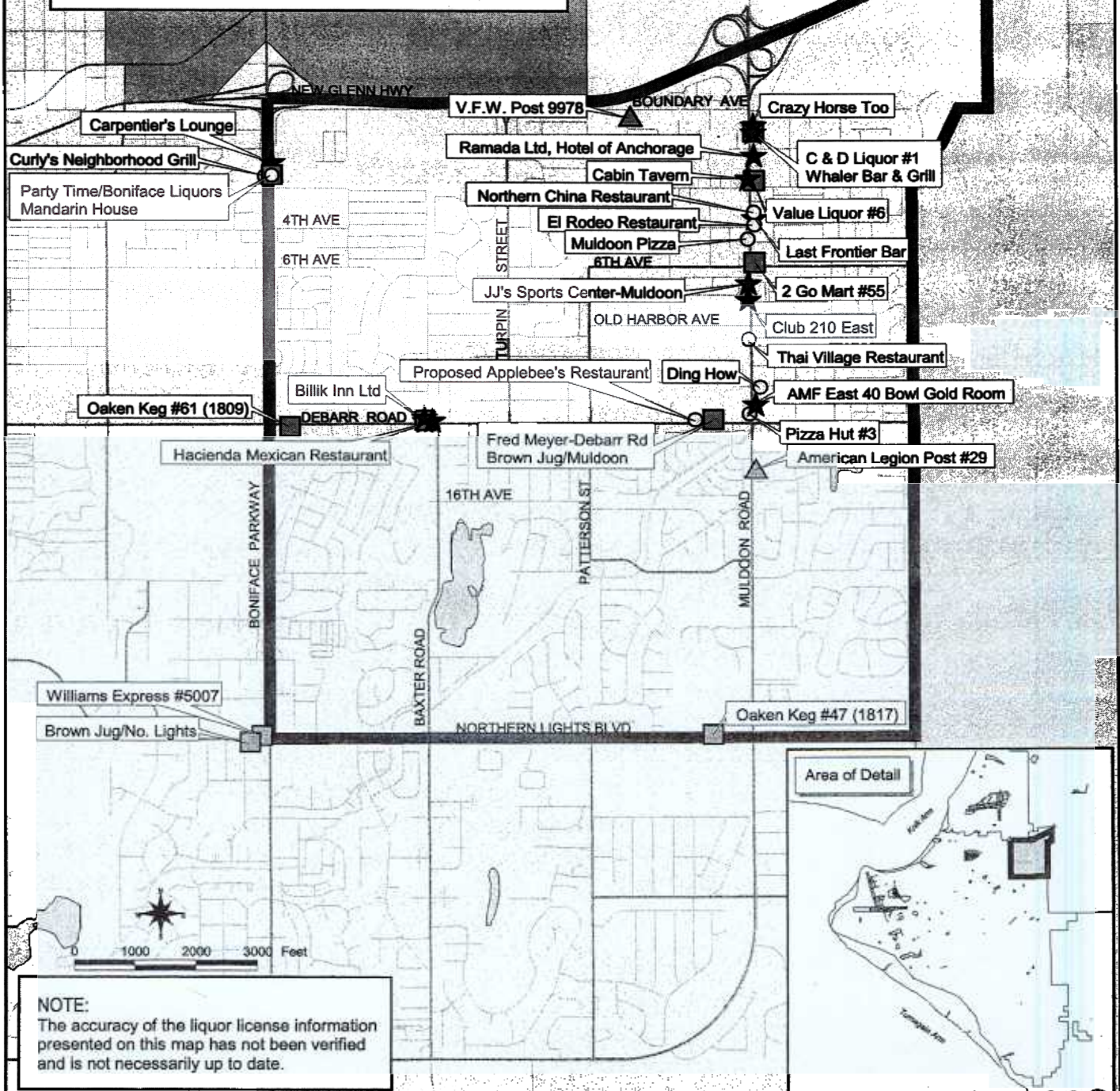
# Liquor Licenses Within the Northeast Community Council Area



Municipality of Anchorage  
Planning Department  
January, 2002

## Key to Features

- ▲ Club
- ★ Beverage Dispensary
- Package Store
- Restaurant/Eating Place
- ▭ Northeast Community Council Boundary





# NORTHEAST COMMUNITY COUNCIL AREA

## Alcohol Extract from List Report

Parcel Business Name	Report Parcel Owner Name Business Owner Name	12/27/2001 Parcel Owner Address Business Address	Case 2002-031 City Lic. Number	State Lic. Zone	Zip Lic. Type
00603103000 V.F.W. Post 9978	NOYES JOHN R Johnson, Horace D.	101 OKLAHOMA STREET 101 Oklahoma Ave.	ANCHORAGE 1203	AK R3	99504 Club
00603182000 Crazy Horse Too	NORTH MULDOON INVESTMENTS Johnson, Jeanette H	3920 MT VIEW DRIVE 156 Muldoon Rd	ANCHORAGE 1078	AK B3	99508 Beverage Dispensary
00603308000 Cabin Tavern	DESAPIO EDWARD M & Zivanich, Daniel M	264 MULDOON ROAD 264 Muldoon Rd	ANCHORAGE 970	AK B3	99504 Beverage Dispensary
00604101000 C & D Liquor #1	MOORE YONG OK Schrage, Tim	PO BOX 91338 171 Muldoon Rd	ANCHORAGE 686	AK B3	99509 Package Store
00604101000 Whaler Bar & Grill	MOORE YONG OK Reese, Loyd Ray	PO BOX 91338 171 Muldoon Rd	ANCHORAGE 1456	AK B3	99509 Beverage Dispensary
00604526000 Value Liquor #6	MAPCO EXPRESS INC Raney, Carroll R	PO BOX 35527 283 Muldoon Rd #1	TULSA 660	OK B3	74153 Package Store
00604530000 Ramada Ltd, Hotel of Anchorage	KAER-MAYO LLC Mayo, Ai Liau Heusser	207 MULDOON ROAD 207 Muldoon Rd	ANCHORAGE 3795	AK B3	99504 Beverage Dispensary Tour
00604530000 Ramada Ltd, Hotel of Anchorage	KAER-MAYO LLC Mayo, Ai Liau	207 MULDOON ROAD 207 Muldoon Rd	ANCHORAGE 3796	AK B3	99504 Beverage Dispensary Tour
00605101000 2 Go Mart #55	COLEMAN ANGELA KATHRINA Tesoro Petroleum Corp	PO BOX 16290 545 Muldoon Rd	HOUSTON 1596	TX B3	77222 Package Store
00605315000 El Rodeo Restaurant	GOLDEN MALL LLC DeLatorre, Cliserio	PO BOX 90364 385 Muldoon Rd	ANCHORAGE 3082	AK B3	99509 Restaurant/Eating Place
00605316000 Last Frontier Bar	GOLDEN MALL LLC Brannon, Rance Paul	PO BOX 90364 369 Muldoon Rd	ANCHORAGE 135	AK B3	99509 Beverage Dispensary
00605317000 Northern China Restaurant	GOLDEN MALL LLC	PO BOX 90364 353 Muldoon Rd	ANCHORAGE 1582	AK B3	99509 Restaurant/Eating Place
00606201000 Muldoon Pizza	KBK CORPORATION	PO BOX 2444 450 Muldoon Rd	PALMER 761	AK B3	99645 Restaurant/Eating Place
00610241000 JJ's Sports Center-Muldoon	LINK JAMES A & ELAINE M James, Edward	8127 FRANK STREET 624 Muldoon Rd	ANCHORAGE 569	AK B1A	99518 Beverage Dispensary
00610246000 Club 210 East	ADAMS DANA & ETHEL M Adams, Dana	3215 DICKSON DR 720 Muldoon Rd	ANCH 2159	AK B1A	99504 Beverage Dispensary

004

Parcel Business Name	Parcel Owner Name Business Owner Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
00612277000 AMF East 40 Bowl/Gold Room	NOODLUM EQUITIES Watkins, John P.	3838 W 50TH AVENUE #1 1251 Muldoon Rd	ANCHORAGE 2289	AK B3	99502 Beverage Dispensary
00614102000 Hacienda Mexican Restaurant	GLOBAL FINANCE & INV CO INC Gallo, Abraham	2623 SECOND AVENUE 6307 Debarr Rd	SEATTLE 3508	WA B1A	98121 Beverage Dispensary
00615103000 Billik Inn Ltd	TAO NOW LLC Erickson, Virginia R	2211 CALIFORNIA AVENUE 6241 Debarr Rd	KLAMATH 122	OR B1A	97601 Beverage Dispensary
00615104000 Billik Inn Ltd	TAO NOW LLC Erickson, Virginia R	2211 CALIFORNIA AVENUE 6241 Debarr Rd	KLAMATH 123	OR B1A	97601 Package Store
00616113000 Oaken Keg #61 (1809)	CGF PROPERTIES INC Safeway, Inc.	5918 STONERIDGE MALL ROAD 5668 DeBarr Rd	PLEASANTON 799	CA B3	94588 Package Store
00629624000 Curly's Neighborhood Grill	CENTRAL CORE Pang, Soon Bok	110 MULDOON ROAD 360 Boniface Pkwy A30-31	ANCHORAGE 3746	AK B3	99504 Restaurant/Eating Place
00632242000 Williams Express #5007	TOPPERS OIL CORP INC #5007 Alligood, James	PO BOX 35527 5497 E. Northern Lights	TULSA 264	OK B3	74153 Package Store
00636306000 Oaken Keg #47 (1817)	NORTHERN LIGHTS & MULDOON Safeway, Inc.	4720 BUSINESS PARK BLVD #40 7731 E. Northern Lights	ANCHORAGE 2094	AK B3	99503 Package Store
00640306000 American Legion Post #29	AMERICAN LEGION Barrington, Marvin	1467 Muldoon Rd	ANCHORAGE 2806	AK B3	99504 Club
00641107000 Pizza Hut #3	KURANI KURBAN Kurani, Kurban	210 CENTER COURT 1254 Muldoon Rd	ANCHORAGE 3595	AK B3	99518 Restaurant/Eating Place
00642101000 Party Time/Boniface Liquors	HIGGINS CHARLES R & JOY Cappadona, Roy M.	174 FIREOVED DRIVE 341 Boniface Pkwy, #H	ANCHORAGE 834	AK I1	99508 Package Store
00642106000 Carpentier's Lounge	CARPENTIER DAVID M & KATHY A Carpentier, David M.	PO BOX 102360 335 Boniface Pkwy	ANCHORAGE 201	AK B3	99510 Beverage Dispensary
00701134000 Brown Jug/Northern Lights	O'NEILL PROPERTIES INC O'Neill, Edward Michael	PO BOX 190027 5400 E. Northern Lights	ANCHORAGE 1967	AK B3	99519 Package Store

Municipality of Anchorage  
MUNICIPAL CLERKS OFFICE  
Agenda Document Control Sheet

*122002-40*

<b>1</b>	<b>SUBJECT OF AGENDA DOCUMENT</b>  The Applebee's Restaurant Conditional Use for an Alcoholic Beverage Conditional Use in the B-3 SL District for a Beverage Dispensary per AMC 21.40.180D.8; located on Lot 3, K T Square Subdivision, generally located on the north side of DeBarr Road between Creekside Street and Muldoon Road.  (Northeast Community Council) (Case 2002-031)	<b>DATE PREPARED</b> 01/14/02	<b>INDICATE DOCUMENTS ATTACHED</b> <input type="checkbox"/> AO <input checked="" type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM
<b>2</b>	<b>DEPARTMENT NAME</b> Planning Department	<b>DIRECTOR'S NAME</b> Susan R. Fison, Director	
<b>3</b>	<b>THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY</b> Jerry Weaver	<b>HIS/HER PHONE NUMBER</b> 343-4215	
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>	<b>DATE</b>
<b>5</b>	<b>Mayor</b>  Heritage Land Bank Merrill Field Airport Municipal Light & Power Port of Anchorage Solid Waste Services Water & Wastewater Utility		
<b>4</b>	<b>Municipal Manager</b>  Cultural & Recreational Services Employee Relations Finance, Chief Fiscal Officer Fire Health & Human Services Office of Management and Budget Management Information Services	<i>W</i>	<i>20</i>
<b>2</b>	<i>for</i> Office of Planning, Development, & Public Works Development Services Facility Management	<i>H. Hovnan</i>	<i>1/15/01</i>
<b>1</b>	Planning Project Management & Engineering Street Maintenance Traffic Public Transportation Department Purchasing	<i>MCJ</i>	<i>1-15-02</i>
<b>3</b>	Municipal Attorney (1018) Municipal Clerk	<i>JW</i>	<i>1-16-02</i>
<b>5</b>	<b>SPECIAL INSTRUCTIONS/COMMENT</b>  Pre-advertised for 02/12/02 Assembly Meeting  <div style="background-color: #f0f0f0; padding: 10px; display: inline-block;"> <i>14. New Public Hearings</i> </div>		
<b>6</b>	<b>ASSEMBLY MEETING DATE REQUESTED</b> <i>2/12/02</i>	<b>7</b>	<b>PUBLIC HEARING DATE REQUESTED</b> February 12, 2002

2002 JAN 28 AM 10:07  
 FILE