

CLERK'S OFFICE

APPROVED

Date: 3-19-02

Submitted by

Chair of the Assembly at the  
Request of the Mayor

Prepared by:  
For reading

Planning Department  
February 26, 2002

Anchorage, Alaska  
AR 2002- 60

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A  
CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES (BEVERAGE  
DISPENSARY LICENSE) CONDITIONAL USE IN THE B-3 DISTRICT FOR A  
RESTAURANT PER AMC 21.40.180D.8 GENERALLY LOCATED ON BLUEBERRY  
LAKE SUBDIVISION, LOT 3, BLOCK 5 AT 2830 C STREET.

(Boston Pizza Restaurant) (Case 2002-047)

THE ANCHORAGE ASSEMBLY RESOLVES.

**Section 1.** The conditional use permit for an Alcoholic Beverages (Beverage Dispensary License) Conditional Use in the B-3 district for a restaurant per AMC 21.40.180D.8 generally located on Blueberry Lake Subdivision, lot 3, block 5 at 2830 C Street, meets the applicable standards of AMC 21.50.020 and AMC 21.50.160.

**Section 2.** The conditional use permit for an Alcoholic Beverages (Beverage Dispensary License) Conditional Use in the B-3 district for a restaurant per AMC 21.40.180D.8 generally located on Blueberry Lake Subdivision, lot 3, block 5 at 2830 C Street, 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 Assembly's approval of a final conditional use approval for a restaurant/eating place serving alcohol B-3 District.
2. All uses shall conform to the plans and narrative submitted.
3. 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.
4. Prior to this conditional use becoming effective, the applicant shall demonstrate compliance with a Liquor Server Awareness Training Program approved by the

1 State of Alaska Alcoholic Beverage Control Board, such as or similar to the  
2 program Techniques of Alcohol Management (T.A.M.).

3 5. A copy of the conditions imposed by the Assembly in connection with this  
4 conditional use approval shall be maintained on the premises involved at a  
5 location visible to the public.

6 6. Alcohol sales shall constitute no more than 30% of total gross receipts.

7 7 The size of the Alcohol Beverage Conditional Use shall be limited to 5,620 square  
8 feet gross area with alcohol sales in the public seating area limited to 3,800 square  
9 feet with 80 fixed seats and 171 non-fixed seats.

10

11

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

14

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

17

18 PASSED AND APPROVED by the Anchorage Assembly this 19<sup>th</sup>

19 day of March, 2002.

20

21

22

23

ATTEST:

  
Chair

  
Municipal Clerk

(2002-047)  
(009-036-46)



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

**No. AM 166-2002**

**Meeting Date: February 26, 2002**

**From: Mayor**

**Subject: AR 2002- 60      Alcoholic Beverages Conditional Use  
(Beverage Dispensary License) in the B-3  
District for a restaurant per AMC  
21.40.180D.8**

1 Boston Pizza has made application for a new conditional use permit for an  
2 alcoholic beverages conditional use for a Beverage Dispensary License in  
3 the B-3 District for a restaurant per AMC 21.40.180D.8 The applicant  
4 plans to purchase and transfer a beverage dispensary license to this  
5 location. The restaurant will occupy approximately 5,620 square feet of  
6 gross area with alcohol sales throughout the public seating area,  
7 approximately 3,800 square feet. The location is Blueberry Lake  
8 Subdivision, lot 3, block 5 with a street address of 2830 C Street.

9 The restaurant is new and currently under construction. The site had  
10 previously been vacant and the applicant has not had a conditional use or  
11 an ABC license for the sale of alcoholic beverages at this location.

12 The number of beverage dispensary licenses has reached the maximum  
13 based on State population standards. Therefore, it will be necessary for  
14 the applicant to locate, purchase and transfer a suitable license. As of this  
15 date, the applicant has not filed an application for transfer of a dispensary  
16 license with the Alcoholic Beverage Control Board or with the Municipal  
17 Clerk's Office.

18 Within 1,000 feet of this application there are four Restaurant/eating  
19 place licenses, one Beverage dispensary and one Beverage dispensary-  
20 tourism license.

21 At the time of this case preparation, the Spenard Community Council had  
22 not commented for the issuance of a dispensary liquor license.

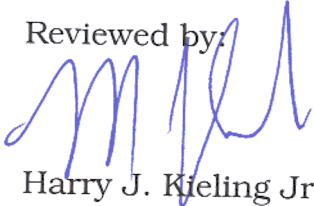
23 As this will be a transfer of an existing license, the Department of Health  
24 and Human Services (DHHS) finds that the approval of this conditional  
25 use would not exceed the number of restaurant licenses for the population  
26 limits set by State statute. There are no public nuisance or sanitation  
27 complaints on file. DHHS does request that this application be reviewed  
28 "in regards to public health and safety as it regards sanitation,  
29 neighborhood safety and family protection." DHHS notes that should the  
30 restaurant cease to operate, a bar could operate at this location. DHHS is

also concerned that this license could be a net gain for Spenard CC if a license is transferred in from another Community Council and recommends that a decision on this license be delayed until the license transfer matter is settled.

Alaska Statue 04.11.410 Beverage Dispensary License states that a premises may not be located in a building with a public entrance within 200 feet of a school ground or church building, if those structures are in use prior to the issuance of a license. To our knowledge there are no churches or schools within a radius of 200-feet of the restaurant. There are daycare centers several blocks away across from the Sears Mall on E. Benson Blvd and at Arctic and Northern Lights. A church is located near A Street and Northern Lights Blvd. North Star and Stellar schools are located on Fireweed Lane, north of this property. No comments have been received from any of these organizations.

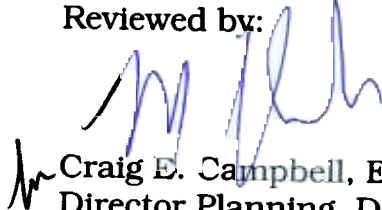
This conditional use for alcoholic beverages (dispensary license) served in a restaurant in the B-3 District generally meets the required standards of Title 21.

Reviewed by:



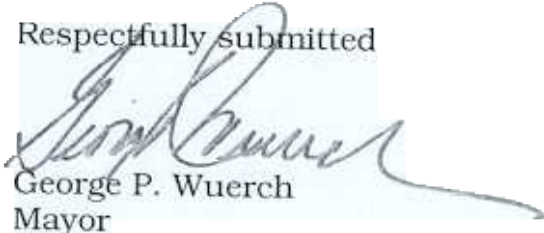
Harry J. Kieling Jr.  
Municipal Manager

Reviewed by:



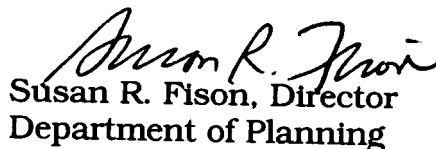
Craig E. Campbell, Executive  
Director Planning, Development and  
Public Works

Respectfully submitted



George P. Wuerch  
Mayor

Prepared by:



Susan R. Fison, Director  
Department of Planning



**2002-047**



01



Map: Parcels



Scale 1:10000

Legend:

Txt streetsano: Text

● alcohol

☐ parcels

1000 FT

SUBJECT PROPERTY



# Alcohol Extract from List Report

Report Date: 01/22/2002

Case Number: 2002-047

<u>Parcel</u> <u>Business Name</u>	<u>Parcel Owner Name</u> Business Owner Name	<u>Parcel Owner Address</u> Business Address	<u>City</u> <u>Lic. Number</u>	<u>State</u> <u>Lic. Zone</u>	<u>Zip</u> <u>Lic. Type</u>
00903709000 Harry's Restaurant	FOSS C R LIVING TRUST & Senner, Samuel	3000 A STREET #200 101 W. Benson Blvd	ANCHORAGE 323	AK B3	99503 Beverage Dispensary
00903368000 Northern Lights Hotel	BONGO II INC Cusack Sr, Mike L	598 W NORTHERN LIGHTS BLVD 598 W. Northern Lights	ANCHORAGE 1652	AK B3	99503 Beverage Dispensary Tour
00902424000 Young Bin Restaurant	OBEIDIS LTD Tapia, Jose G.	3502 ARCTIC BLVD 555 W. Northern Lts, #105	ANCHORAGE 2908	AK B3	99503 Restaurant/Eating Place
00904115000 Pizza Hut #2	CALAIS CO INC Kurani, Ali Kurban	PROPERTY TAX DEPT #0555 100 E. Benson Blvd	BENTONVILLE 3712	AR B3	72716 Restaurant/Eating Place
00903641000 Oriental Garden	DEBENHAM FAMILY LIMITED Hyang, Wei Neng	2932 C STREET STE C 2960 C St.	ANCHORAGE 4050	AK B3	99503 Restaurant/Eating Place

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

**DATE:** February 26, 2002

**CASE NO.:** 2002-047

**APPLICANT:** Zan Inc., dba Boston Pizza; Donald McMillan, petitioner

**REQUEST:** An Alcoholic Beverages Conditional Use for a Beverage Dispensary License in a B-3 Zone District for Boston Pizza restaurant per AMC 21.40.180D.8; 21.50.020 and 21.50.160.

**LOCATION:** Blueberry Lake SD, Lot 3 Block 5, generally located west of C Street, between Northern Lights Blvd. and Benson Blvd.

**STREET ADDRESS:** 2830 C Street

**COMMUNITY COUNCIL:** Spenard Community Council

**TAX PARCEL:** 009-036-46/ Grid 1630

**ATTACHMENTS**

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

**RECOMMENDATION SUMMARY:**

Approval with conditions

**SITE:**

Acres: 1.01  
Vegetation: Restaurant under construction  
Zoning: B-3  
Topography: Level  
Existing Use: Restaurant under construction  
Soils: Public Water and Sewer onsite

### **COMPREHENSIVE PLAN**

Classification: Major employment center/Redevelopment/Mixed use  
Density: Minimum 12 du/ac if developed as residential

### **SURROUNDING AREA**

	<b>NORTH</b>	<b>EAST</b>	<b>SOUTH</b>	<b>WEST</b>
<b>Zoning:</b>	B-3	B-3	B-3	B-3
<b>Land Use:</b>	Bank, office, retail	Office and fast food restaurant	Office, retail	Warehouse, restaurant

### **SITE DESCRIPTION AND PROPOSAL:**

The applicant has stated this application will transfer an existing beverage dispensary license to be applied to a new restaurant, Boston Pizza at 2830 C Street. As of February 1, there is no transfer application on file with the Municipal Clerk's Office and DHHS reports that as of January 29 a transfer application is not on file with ABC .

The restaurant will have approximately 5,620 square feet gross area with alcohol sales throughout the 3,800 square foot public seating area. The floor plan indicates there will be approximately 127 seats in the restaurant area, 74 seats in bar/pool room/game room and 58 outdoor patio seats. The application states there are 80 fixed seats and 171 non-fixed seats. The proposed hours of operation for the restaurant and alcohol service are Monday through Sunday 11:00 a.m. to 2:00 a.m. The petitioner estimates that 30% of his total sales will be from alcohol. He has stated that all of the restaurant employees (up to 15 working on any one shift) will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program. Inside and outside the restaurant will be constantly monitored.

Within 1,000 feet of this application there are seven licenses: five Restaurant/eating place licenses, one Beverage dispensary license and one Beverage dispensary-Tourism license. Within the Spenard Community Council area there are 112 licenses: 43 Beverage dispensary licenses (including Tourist beverage dispensary), 43 Restaurant/ eating place, 19 Package store, 6 Club, and 1 Recreation site license.

There were 69 Public Hearing Notices mailed on January 24 (and again on February 1 to correct the legal advertisement). As of this printing no comments had been received. Two letters had been returned as undeliverable. Spenard Community Council has not commented.

## **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 2020 Comprehensive Plan* does not specifically address the sale of alcoholic beverages in the community. A strategy of the adopted *Anchorage 2020*, however, does call for the development of locational standards and criteria for retail sales/service of alcoholic beverages. Several goals of the *Anchorage 2020* do address related issues such as recreational and economic opportunities. The sales of alcoholic beverages are part of the social, recreational and economic environment of the community. The plan emphasizes the need for centrally locating the commercial uses, and the need for small-scale, local entrepreneurship. The use of this site as a restaurant in a Major employment center/Redevelopment/Mixed use area complies with the plan.

Major employment centers are intended to provide high concentrations of office employment with supportive uses such as restaurants, banking and shopping. New building construction should be oriented to the street with parking behind. Redevelopment/use mixed areas are intended for infill of vacant parcels which support and connect to major employment centers. Town Centers are the focus of community activity for sub-areas of Anchorage. They are intended to include a mix of retail and services surrounded by medium to high density residential. Pedestrian access connects the core uses, residential areas and transit facilities.

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

This standard is met.

The B-3 General business district provides for alcoholic beverage sales through the conditional use permit process: AMC 21.40.180D.8. liquor stores, restaurants, tearooms, cafes, private clubs or lodges, and other places serving food and beverages involving the retail sale, dispensing or service of alcoholic beverages in accordance with section 21.50.160.

- 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 petition site is in the B-3 general business district and is designated as a major employment center and redevelopment/mixed use area. The current surrounding land uses are mostly commercial (office, retail, restaurant, bank, warehouse, fast food) and will not be negatively impacted. There will be no live entertainment on site; televisions and recorded music are planned.

There are seven liquor licenses within 1,000 feet of this location. Young Bin Restaurant on Northern Lights Blvd., Oriental Garden on C Street, Pizza Hut at 101 Benson Street, Bombay Restaurant, in the same strip center as Young Bin Restaurant, and Alaska Bagel all have Restaurant/eating place licenses. Northern Lights Hotel has a Beverage dispensary-Tourism license, Harry's Restaurant at Benson and C Streets has a Beverage dispensary license. There are no churches, daycare centers or schools within 200 feet. Stellar Alternative School and North Star Elementary are over 500 feet distant. Northern Lights Baptist Church is about 1,000 feet away. There are daycare centers on Benson across from the Sears Mall and at Northern Lights and Arctic.

- 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 is met.*

As part of the permitting process, Boston Pizza has submitted site plans and the issues of parking, lighting, sidewalks, vehicle and pedestrian circulation have been reviewed.

The Traffic Department did not report any parking or pedestrian access complaints.

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

*This standard is met.*

The addition of a dispensary license on the petition site will not impact public services. Water and sewer are available on site and there are no trails or trail easements affected by the proposed use.

There are People Mover routes along C, Benson and Northern Lights.

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

*This standard is met.*

The addition of a dispensary license will not cause any environmental pollution other than solid waste normally associated with a restaurant.

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

*This standard is met.*

The zoning, land use and the general area land use will not change as a result of this conditional use permit for a dispensary license. A restaurant use with alcohol license is consistent with the employment center/redevelopment/mixed use area concept. This is a retail and office area.

**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 this application there are seven licenses: five restaurant/eating place, one beverage dispensary, one beverage dispensary-tourism.

The estimated 1996 Spenard Community Council area population was 17,300. Year 2000 Census counts for the Council area are not yet available. However, 2000 estimate is 19,300. Within the Spenard Community Council area there are 112 licenses. There are 43 Beverage dispensary licenses (including Tourist beverage dispensary), 43



Restaurant/ eating place, 19 Package store, 6 Club, and 1 Recreation site license.

**LICENSES WITHIN 1,000 FEET OF APPLICANT**

Name	Address	License type
Young Bin Restaurant	555 W. Northern Lights	Restaurant
Harry's Restaurant	101 W. Benson	Dispensary
Northern Lights Hotel	598 W. Northern Lights	Dispensary- Tourism
Pizza Hut Restaurant	100 E. Benson	Restaurant
Oriental Garden Restaurant	2960 C St.	Restaurant
Bombay Restaurant	555 W. Northern Lights	Restaurant
Alaska Bagel	113 W. Northern Lights	Restaurant

- 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 is met.

The applicant states that all employees in direct contact with alcohol will be trained in accordance with the ABC Board's Liquor Server Awareness Training Program.

- 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.

No happy hour, contests promoting drinking, nor encouragement/solicitation of alcohol consumption will take place. Public transportation is available. Non-alcoholic drinks are available. Penalty notices regarding DWI will be posted.

- 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 is met.

The applicant proposes no special precautions beyond the server awareness T.A.M. training and the outside area will be constantly monitored. There have been no reports of sanitation or public nuisance incidents in this location.

- 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.

There are no delinquent Personal Property Taxes & or Real Property Taxes owing at this time according to the Treasury Division.

- 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 is a new business. The property was previously vacant, there is no history for the applicant at this location.

DHHS requests this application be reviewed with regard to public health and safety due to the possible impacts on sanitation, childcare, neighborhood safety and family protection. DHHS reports no adverse comments, incidents or public nuisance violations regarding this location. Daycare Licensing reports two child care centers several blocks away: Klever Kids at 500 E. Benson Blvd. (across from Sears Mall) and Northern Lights Preschool at 703 W. Northern Lights Blvd (at Arctic Blvd). Any impact is expected to be minimal.

This beverage dispensary license requires the transfer of an existing license as the maximum number of dispensary licenses for the population limits set by State statute has been reached. A license transfer is not yet on file. Because there is a relatively high concentration of alcohol licenses in the Spenard Community Council area and because the Community Council might not recommend approval for a transfer of a license from outside the Council area, DHHS recommends this petition should be DENIED (or postponed) until the issue of a transfer license has been settled. DHHS further cautions that should the restaurant cease to operate this license will allow a bar to operate.

- 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:**

This application for a conditional use for alcoholic beverages in the B-3 District for a beverage dispensary license in a restaurant generally meets the required standards of Title 21.

If after a public hearing on the matter, the Anchorage Assembly finds that the required standards have been met, staff recommends the following conditions of Approval:

1. A notice of Zoning Action shall be filed with the District Records Office within 120 days of the Assembly's approval of a final conditional use approval for a restaurant/eating place serving alcohol B-3 District.
2. All uses shall conform to the plans and narrative submitted.
3. 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.
4. Prior to this conditional use becoming effective, 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 Techniques of Alcohol Management (T.A.M.).
5. A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premises involved at a location visible to the public.
6. Alcohol sales shall constitute no more than 30% of total gross receipts.

7. The size of the Alcohol Beverage Conditional Use shall be limited to 5,620 square feet gross area with alcohol sales in the public seating area limited to 3,800 square feet with 80 fixed seats and 171 non-fixed seats.

**DEPARTMENTAL  
COMMENTS**

## Reviewing Agency Comment Summary

### Case No.: 2002-047

Agency	Comments Included in Packet	No Comments and/or Objections	No Response
Spenard Community Council			
Anchorage Police			
Alaska DOT/PF			
AWWU	X		
Community Development			
DHHS	X		
Federation of Community Councils			X
Fire Prevention			X
ML&P		X	
Parks and Recreation	X		
Public Works	X		
School District			X
Transit			X
Traffic	X		
Treasury	X		

**Sixty-nine (69) public hearing notices were mailed out. As of February 1, 2002 no comments had been received; two items were returned as undeliverable.**

**FILE COPY**

**MUNICIPALITY OF ANCHORAGE**

**RECEIVED**

**DEPARTMENT OF CULTURAL & RECREATIONAL SERVICES**

**PARKS & RECREATION DIVISION**

**JAN 29 2002**

**MEMORANDUM**

**MUNICIPALITY OF ANCHORAGE  
COMMUNITY PLANNING & DEVELOPMENT**

**DATE:** January 25, 2002

**TO:** Jerry T. Weaver, Platting Supervisor, Planning Department

**THROUGH:** John Rodda, Manager 

**FROM:**  Mada Hansen, Land Manager

**SUBJECT:** Comments, Assembly Public Hearing, February 26, 2002

**02-047**      **Blueberry Lake, Lot 3 Block 5; Conditional Use to Permit a restaurant serving alcohol;**

No park lands or trail systems will be adversely effected by this Conditional Use; therefore, Parks & Recreation Division has no comment.





**MUNICIPALITY OF ANCHORAGE**  
Traffic Department



**MEMORANDUM**

**DATE:** January 29, 2002  
**TO:** Jerry T. Weaver, Platting Supervisor, Planning Department  
**THROUGH:** Ronald Thiel, P.E., Traffic Engineer  
**FROM:** Mada Hansen, Traffic Engineering Technician  
**SUBJECT:** Comments, Assembly Public Hearing, February 26 2002

**RECEIVED**  
**JAN 29 2002**  
MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION

**02-047**

**Blueberry Lake, Lot 3 Block 5; Conditional Use to permit a restaurant serving alcohol; Grid 1630**

Traffic has no comment regarding this proposed Conditional Use Permit. We want to mention, however, that this parking layout, with only one access to Eide Street, is an acceptable alternative to the parking layout that was submitted with the Building Permit Application.



George P. Wuerch  
Mayor

# Municipality of Anchorage

## Department of Health and Human Services

825 "L" Street  
P.O. Box 196650 Anchorage, Alaska 99519-6650  
<http://www.ci.anchorage.ak.us>



January 29, 2002,

Carrie Longoria, Safe City Program  
Mary Ann Mosely, Principal Enforcement Code Officer  
Martha Anderson, Program Manager, Child and Adult Care

From: Joan Diamond, Community Health Promotion, Injury Prevention

**Case No. 2002-047:** Enclosed is a Conditional Use Permit application for **Boston Pizza**, for a Beverage Dispensary License to sell alcohol in the **Spenard Community Council**.

Please review this Conditional Use Permit for a Beverage Dispensary license to sell beer, wine and spirits at the above location.

Please note: The application was misleading because it was marked as a restaurant license, not a bar. As such, this permit would allow the establishment to continue as a bar if the pizza part of the business should close.

In addition, the city has more full beverage licenses than state law allows; therefore Boston Pizza must purchase an existing license. Historically, Community councils do not approve full beverage licenses for transfer from outside their community council areas in order to control for the number and density of liquor outlets in the neighborhood. This is a prevention measure to minimize the violence and traffic injuries from alcohol related problems. At this time, a license transfer has not been filed with the Alcohol Beverage Control Board. Since Spenard Community Council has a high concentration and number of liquor establishments in their area as well as a high incidence of police calls for alcohol related disturbances, it is in the best interests of the Municipality to deny this Conditional Use Permit until transfer application is filed.

For DHHS programs, please evaluate this application in regards to public health and safety as it regards sanitation, childcare, neighborhood safety and family protection. The State of Alaska regulates the sale and transfer of liquor licenses and the Municipality of Anchorage regulates the number and location where alcohol is sold.

Conditional Use Permits, once approved, will allow alcohol sales at this location for as long as there is a liquor establishment operating, without interruption for more than 60 days. It is well established that the number and location of alcohol outlets contributes to traffic crashes and neighborhood violence. The opportunity to approve new or continuing operations of an alcohol outlet and to take action if necessary, is an important feature of public health. This regulatory provision goes beyond economic considerations



George P. Wuerch  
Mayor

**Municipality of Anchorage**  
**Department of Health and Human Services**  
825 "L" Street  
P.O. Box 196650 Anchorage, Alaska 99519-6650  
<http://www.ci.anchorage.ak.us>



The Anchorage 20/20 plan in Policy #21 has a provision that says: "location standards and criteria for retail sales/services of alcoholic beverages are to be in place." To date, no such standards have been adopted therefore we do not have any specific standards that guide our evaluation for alcohol sales by location or number of outlets in one area for public health of the community. The Department of Health and Human Services will continue to work on these standards.

**Please return your comments by January 29, 2002. Community Planning has notified me that our comments must be on time to be considered in the review.**

**Case No. 2002-047**

**Mary Ann Moseley, Principal Code Enforcement Officer**

The Arby's Restaurants in Anchorage are owned by Zan Inc. and are managed by the Navarre family. They have always complied with all public nuisance and sanitation codes. I do not see any reason to deny their conditional use permit.

**Karen DeWinter, Child Care Licensing**

I have reviewed the conditional use materials for Boston Pizza, which is planned for the C Street/Benson area near the new Arbys. The closest childcare centers are each several blocks away. They are:

- Klever Kids at 500 E. Benson across from the Sears Mall
- Northern Lights Preschool at 703 W. Northern Lights (at Arctic).

Because of the distances involved and the fact that the principal activity will be consumption of food, the impact on childcare appears to be minimal.

I understand that you will forward this information to Community Planning. Thanks!

**Municipality of Anchorage  
Treasury Division  
Memorandum**

---

**RECEIVED**  
JAN 18 2002  
MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION

**Date:** January 17, 2002  
**To:** Rich Cartier, Planning Dept.  
**From:** Susan Aikins, Revenue Officers *SA*  
**Subject:** Liquor License Conditional Use Comments

Donald McMillan DBA Boston Pizza. Liquor License Conditional Use Application Case # 2002-047.

Real Property Account # 009-036-46/Business Personal Property Tax account # N/A.  
Address: 2830 C Street.

There are no delinquent Real Property taxes owing. There are no Business Personal Property taxes owing at this time.

Business license # 420512 issued 11/8/01 in the name of: Boston Pizza Anchorage  
Owner of license: GWN (LLC)

**FILE COPY**

Municipality Of Anchorage  
ANCHORAGE WATER & WASTEWATER UTILITY

**MEMORANDUM**

**RECEIVED**

**JAN 28 2002**

MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION

**DATE:** January 25, 2002  
**TO:** Zoning and Platting Division, CP&D  
**FROM:** Hallie Stewart, Engineering Technician *H Stewart*  
**SUBJECT:** Municipal Assembly Hearing of February 26, 2002  
AGENCY COMMENTS DUE January 29, 2002

AWWU has reviewed the case material received on January 16, 2002, and has the following comments.

**02-047** Blueberry Lake, Block 5, Lot 3 (conditional use) Grid 1630

1. AWWU water mains are located within the Northern Lights Boulevard, Benson Boulevard and Eide Street rights-of-way.
2. An AWWU sanitary sewer main is located within the Benson Boulevard right-of-way.
3. AWWU has no objection to the proposed conditional use to allow a restaurant serving alcohol in the B-3 general business district.

If you have any questions, please call me at 343-8009 or the AWWU Planning Section at 564-2739.



**FILE COPY**

**Municipality of Anchorage**  
Development Services Department  
Building Safety Division

**RECEIVED**

JAN 28 2002

MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION



**MEMORANDUM**

---

**DATE:** January 25, 2002

**TO:** Jerry T. Weaver, Jr., Platting Officer, CPD

**FROM:** *James Cross* James Cross, PE, Program Manager, On-Site Water & Wastewater

**SUBJECT:** Comments on Cases due January 29, 2002

---

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2002 - 047

A request for approval of a conditional use to permit a restaurant serving alcohol.

No objections.

**3**

# **APPLICATION**



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: <u>AB</u>
Verify Own: <u>RC</u>
Poster and Affidavit: <u>AB</u>
Fee \$ <u>750</u>
Hearing Date <u>2/26/02</u>

Case Number: 2002-047

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

<input checked="" type="checkbox"/> Beverage Dispensary	<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 checked="" 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.

LOT 3 BLOCK 5 BLUEBERRY LAKE SUB

2. Site address

2830 C STREET ANCHORAGE

3. Petitioner's Name (Last - First)

MCMILLAN DONALD

Address: 420 L STREET SUITE 500 350-4555

City: Anchorage

State: Alaska

Phone Number: 907-276-1700

Zip: 99501-1989

Jan

4 Petitioner's representative

FINK MATTHEW

Address: 3111 C STREET STE 100

City: Anchorage

State: Alaska

Phone Number: 907-261-7620

Zip: 99503

5 Property owner if petitioner is not property owner

ZAN INC - NAVARRA MIKE

Address: P.O. Box 2009

City: Kenai

State: Alaska

Phone Number: 907-283-5636

Zip: 99611

6. Current Zoning:

B3

7. Petition Acreage:

1.01

8. Grid Number:

SW 1/4

1630

9. Principal Tax Number:

00903646

10. No. of Tax Parcels:

1

Applied  
For

11. Community Council:

Spencer Community Council

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: Jan 15/02.

Signature:

[Signature]

\*Agents must provide written proof or 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) ,

Lot 3 Bk 5 Blueberry Lake Subdivision

### 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.

Yes - It conforms

- 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.

Yes

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.

The location has good Access and ample parking

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

Use the same as adjoining properties

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

NONE

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

Compatible

## 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 of 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?

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

4
12345

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

NO - We are a NATIONAL family style restaurant.

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?

ALL
-----

15 employees

- 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.

Yes No

Games or contests that include consumption of alcoholic beverages?

Patron access and assistance to public transportation?

Notice of penalties for serving intoxicated posted or will be posted?

Non-alcoholic drinks available to patrons?

Solicitation or encouragement of alcoholic beverage consumption?

✓	
✓	
✓	
	✓

- 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:*

Fully trained managers + staff who are not only aware of the law but will strictly enforce it. A code of conduct for all patrons and staff to adhere to.

*outside facility:*

will be checked on a daily basis and will be monitored constantly. As well as secured.

- 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 4.11.380, 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
✓	
	✓

- 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
✓	

### FACILITY OPERATIONAL INFORMATION

1. What is the proposed or existing business name:

Boston Pizza

2. The facility occupant capacity?

Gross leaseable floor space in square feet:	5600
Number of fixed seats(booth and non movable seats):	80
Number non-fixed seats(movable chairs, stools, etc.):	171

3. What will be the hours of operation?

Normal business hours will be from:	11 AM	to:	2 AM
Alcoholic beverages will be available from:	4 AM	to:	2 AM

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

Alcoholic beverage sales in percentage	30 %
Food sales in percentage	70 %
Other	%

5. Type of entertainment proposed:

	Check all that apply
Recorded music	✓
Live music	
Floor shows	
Patron dancing	
Sporting events	✓ TV
Other	
None	

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

✓
✓
✓
✓

### PROPERTY OWNER AUTHORIZATION and ACKNOWLEDGMENT of APPLICATION

(I)(WE) hereby grant permission to and acknowledge that GLWN LLC / BOSTON PIZZA 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 28<sup>th</sup> of DECEMBER 2001 199.

Signature

See Attached

Title

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 8.03.420 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 8 1/2 x 11 or 8 1/2 x 14 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

✓
✓
✓
✓

**PROPERTY OWNER AUTHORIZATION  
and  
ACKNOWLEDGMENT of APPLICATION**

(I)(WE) hereby grant permission to and acknowledge that GWN LLC / Boston Pizza 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 Matthew Fink to act as (MY)(OUR) agent in this conditional use permit application.

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

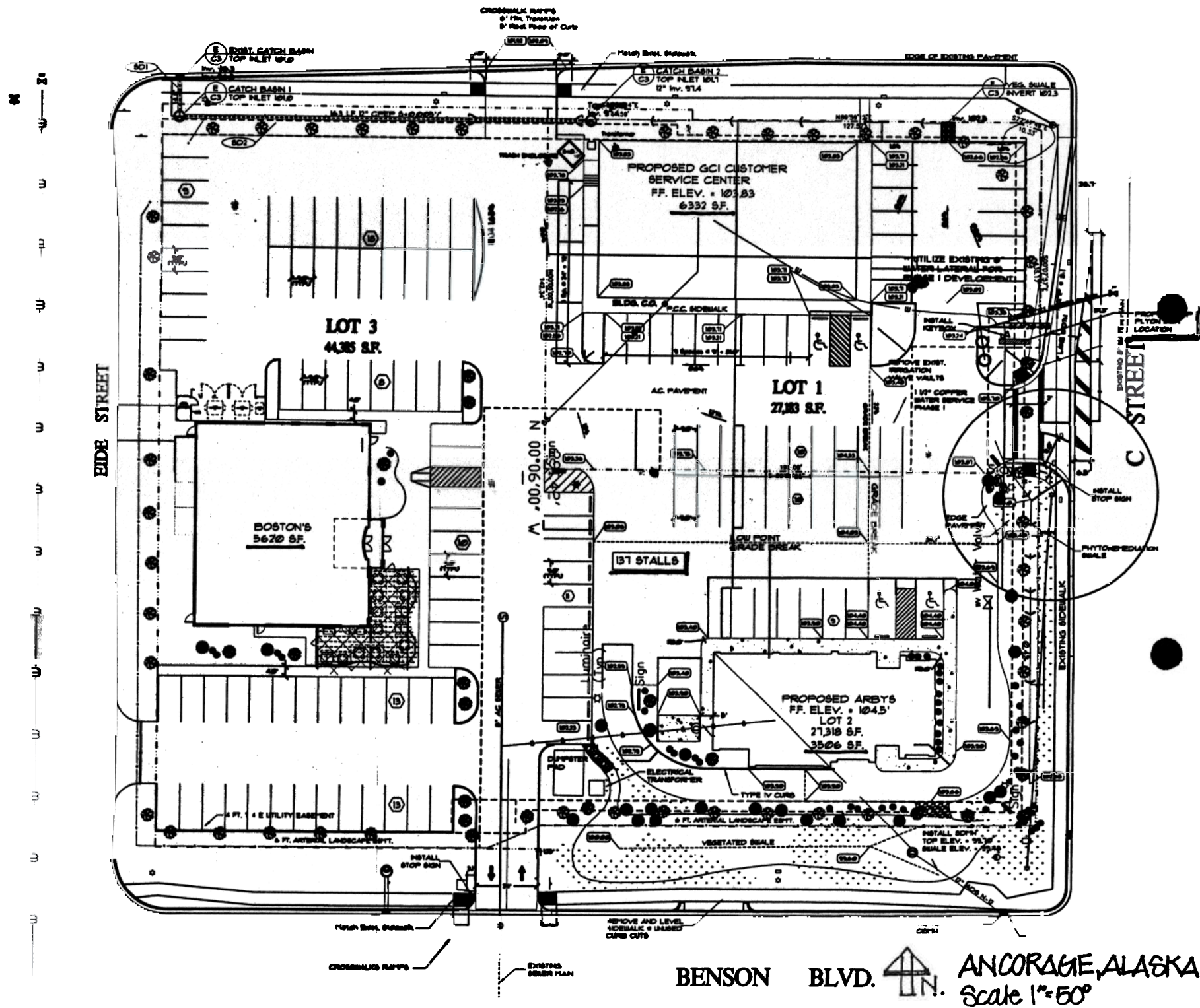
Signed this 28<sup>th</sup> of December 2001

Mike Savane  
Signature

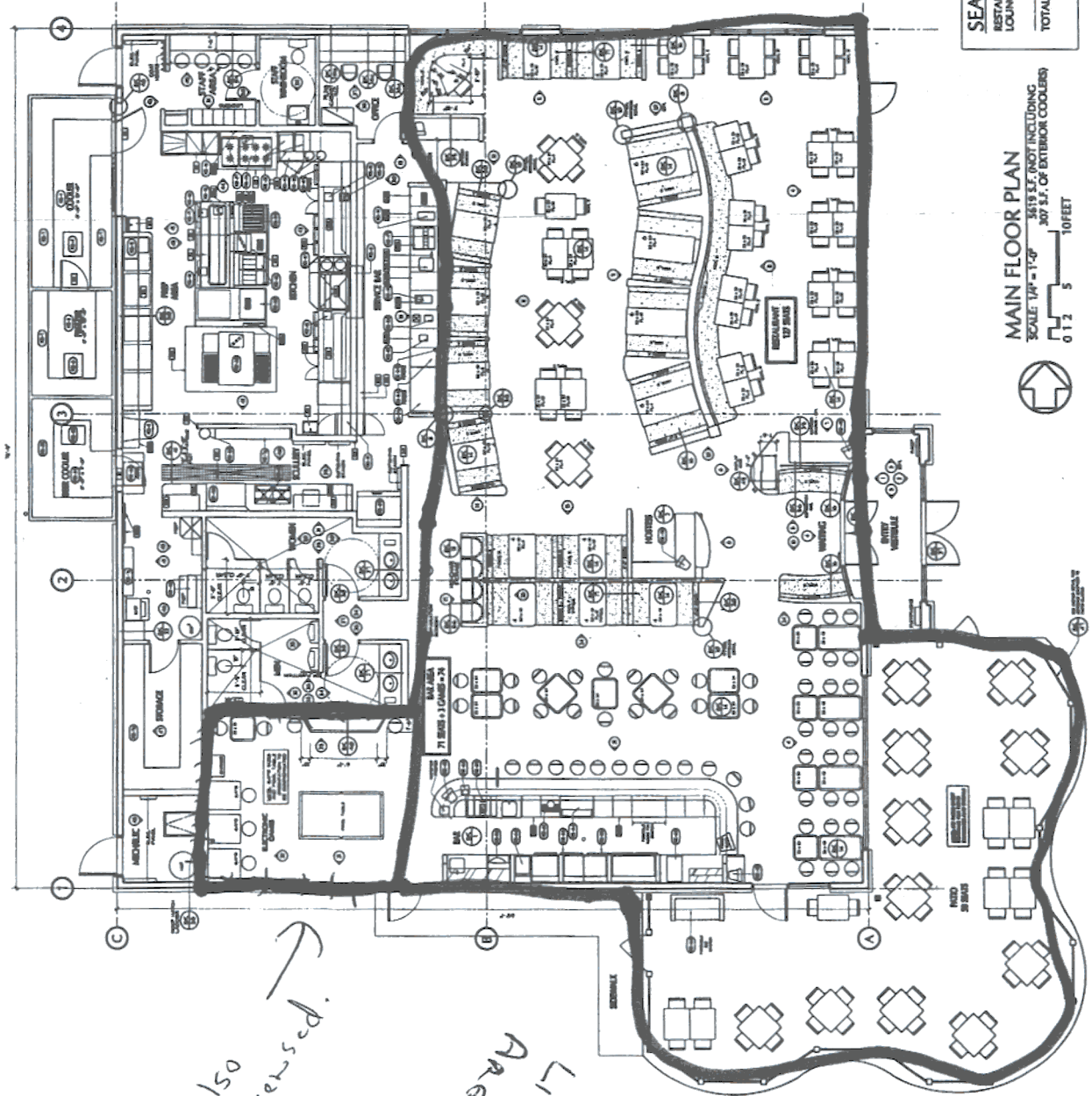
President - ZAN, Inc  
Title



## 031



Total  $\Delta$  562  
 Alcohol  $\approx$  00  
 Service Area

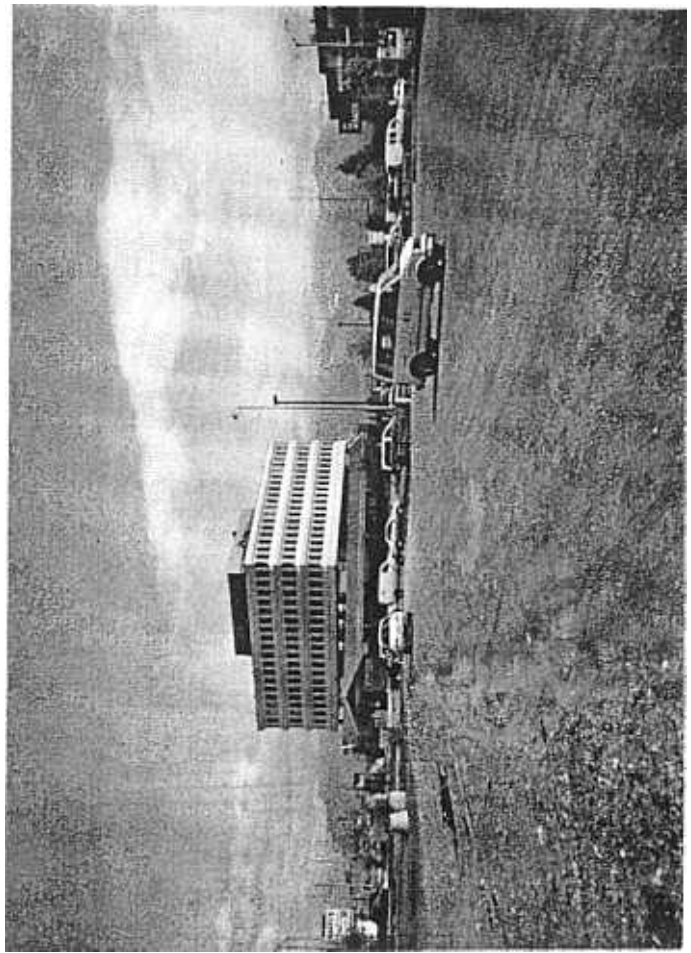
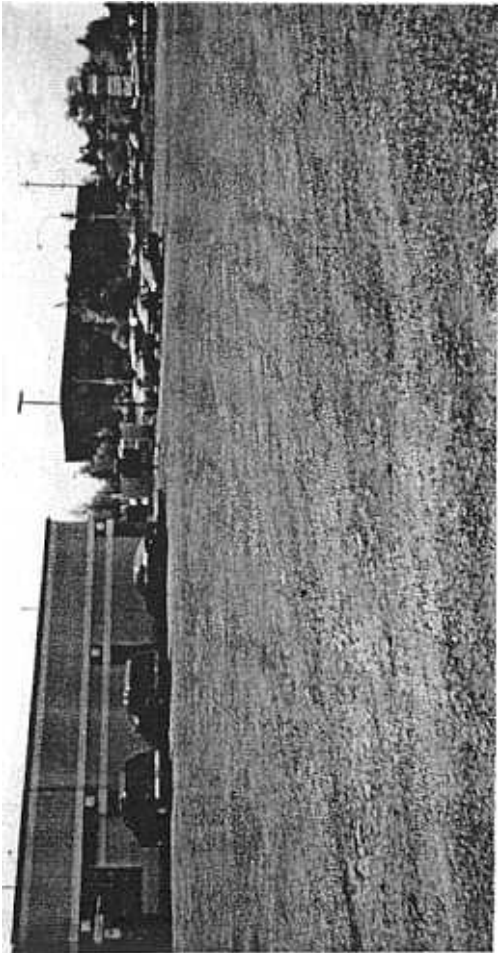
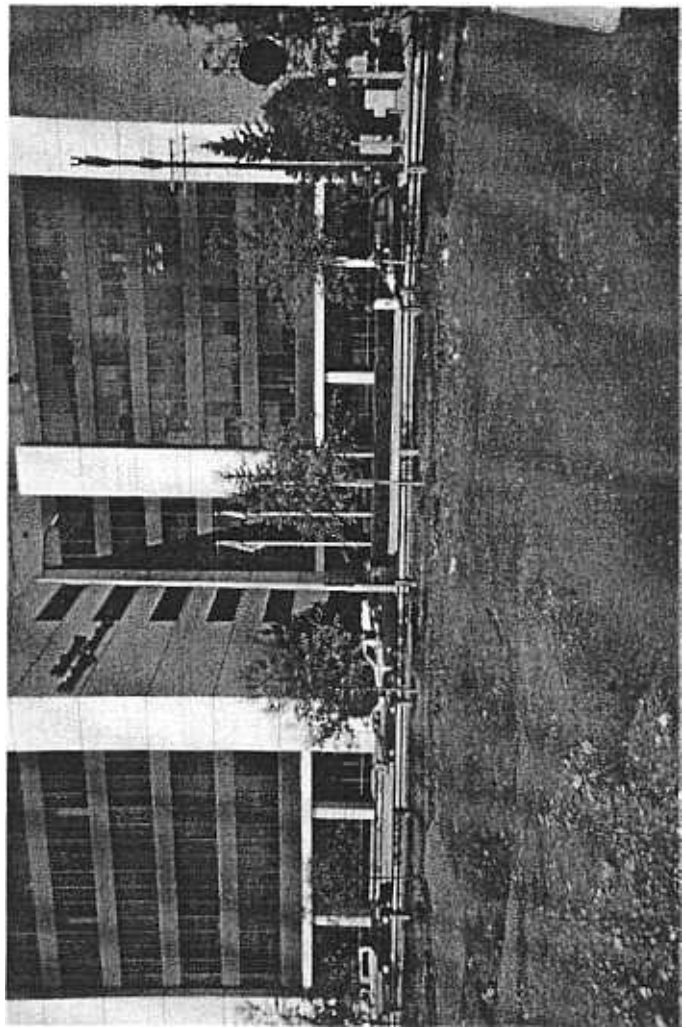
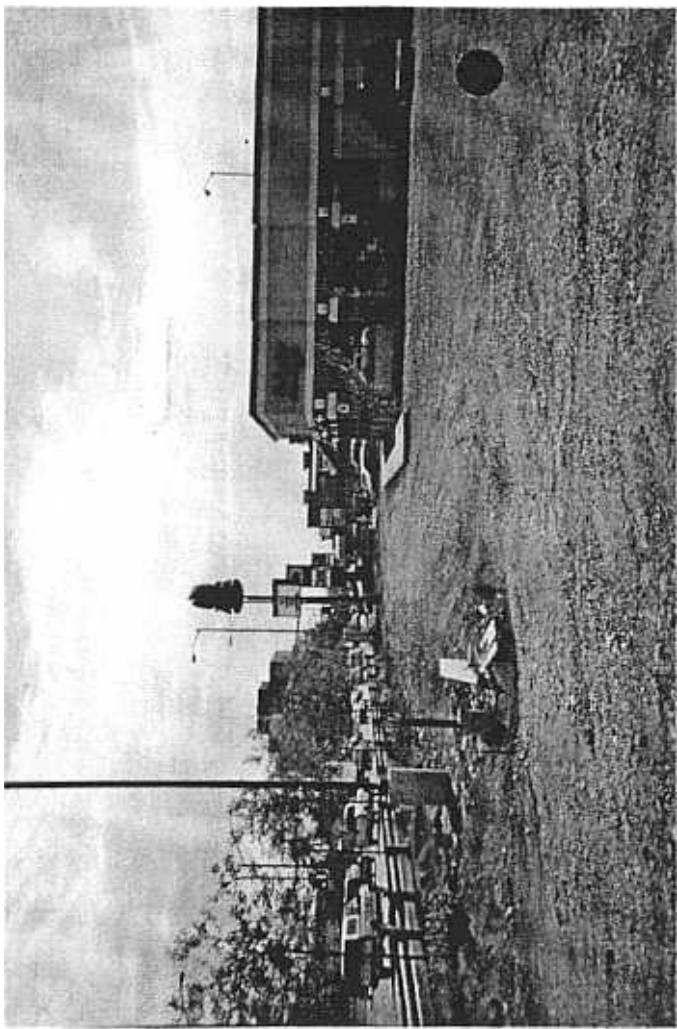


Also  
 licensed.

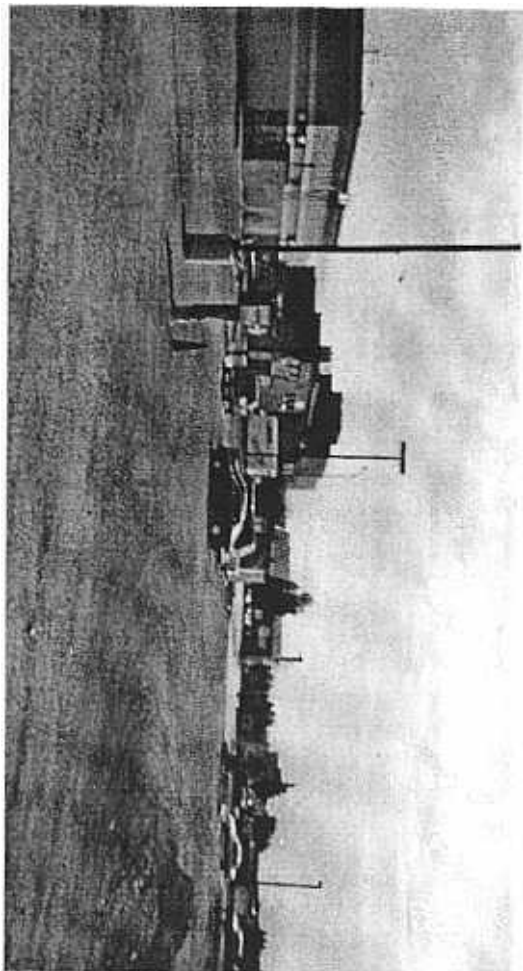
LIC  
 AREA

80 fixed  
 71 movable









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**4**

**POSTING**

**AFFIDAVIT**



# AFFIDAVIT OF POSTING

CASE NUMBER: 02-047

I, DON McMILLAN 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 Beverage Dispensary. The notice was posted on Feb 01 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 5<sup>th</sup> day of FEBRUARY, 2002

  
Signature

## LEGAL DESCRIPTION

Tract or Lot

Block

Subdivision \_\_\_\_\_

**5**

# **HISTORICAL INFORMATION**

# PARCEL INFORMATION

## OWNER

ZAN INC

PO BOX 2009

KENAI

AK 99611 2009

Deed 3690 0000074

CHANGES: Deed Date Sep 13, 2000

Name Date Dec 15, 2000

Address Date Dec 15, 2000

## PARCEL

Parcel ID 009-036-46-000

Status

Renumber ID 000-000-00-000-00

Site Addr 2830 C ST

Comm Concl SPENARD

Comments REF 009-036-04,18/24,27,28,36.  
38 PLAT 90-113

01

## TAX INFO

2001 Tax

8,787.60 Balance 0.00

District 003

## LEGAL

BLUEBERRY LAKE

BLK 5 LT 3

Unit SQFT 44,385

Plat 900113

Zone B3 Grid 001630

## HISTORY

	Year	Building	Land	Total
Assmt Final	1999	0	399,500	399,500
Assmt Final	2000	0	399,500	399,500
Assmt Final	2001	0	488,200	488,200
Exemptions				0
State Credit				0
Tax Final				488,200

## PROPERTY INFO

#	Type	Land Use
01	COMMERCIAL	RESTAURANT

## SALES DATA

Mon	Year	Price	Source	Type
09	2000	1,800,000		LAND SALE

## REZONING MAIN MENU

### APPRAISAL INFORMATION

Legal BLUEBERRY LAKE  
BLK 5 LT 3

Parcel 009-036-46-000  
Owner ZAN INC

# 01

# Descr RESTAURANT  
Site Addr 2830 C ST

PO BOX 2009  
KENAI

AK 99611 2009

### REZONE

2002-047

Case Number 2002-047 # of Parcels 1 Hearing Date 01/15/2002  
Case Type Assembly conditional use for a restaurant serving alcohol  
Legal An Alcoholic Beverage (Restaurant) Conditional Use in the B-3 District for Boston Pizza Restaurant per AMC 21.40.180.D.8 . Located in Blueberry Lake Subdivision, Block 5, Lot 3; at 2830 C Street.

### PLAT

S10830

Case Number S10830 Grid 1630 Proposed Lots 1 Existing Lots 3  
Action Type  
Legal Blueberry Lake Subdivision, Block 5, Lots 1, 2 & 3, located within the NW 1/4 of Section 30, T13N, R3W, S.M., Alaska

### PERMITS

01 5951

Permit # 01 5951 Project BOSTON PIZZA  
Work Desc 5618 sq.ft. type V-N new bldg.  
Use RESTAURANT

### BZAP

005708

Action No. 90-113  
Action Date 12/28/1990  
Resolution Status APR Ruling Approved  
Type PN Plat Notes

### ALCOHOL LICENSE

Business Address Applicants Name Conditions  
License Type Status

Print date	: 12/08/99	Date TEXT created	04/03/92
Requested by	: RAK	Executed from	BZAP/BZ20
Action number	: 90-113		
Action date	: 12/28/90	Expiration date	/ /
Reference type	: PN	Description	PLAT NOTES
Reference status	: APR	Description	RULING APPROVED

-----  
1 page follows -

Case #s-8956 blueberry lake subdivision

1. Prior to issuance of building permits, access to c street, northern lights boulevard and benson boulevard must be coordinated with the state of alaska dept of transportation and public facilities.
2. T & e means telecommunications and electric
3. The arterial landscape easement shall not preclude placement o of driveways, signs, lighting, etcetera, therein.
4. Prior written approval from the utility must be obtained before any landscaping may be done in the electrical and telecommunication easements. The landscaping in the easements is subject to the utilities right to cut, trim, remove and controll the growth of, trees, shrubs, and other vegetation on, above or adjoining such lands which, in the sole, good faith judgement of the utilities, may interfere with the proper functioning and maintenance of the utilities facilities.



# CONDITIONAL USE - LIQUOR

## 2002-047



Municipality of Anchorage  
Planning Department



Date: JANUARY 16, 2002



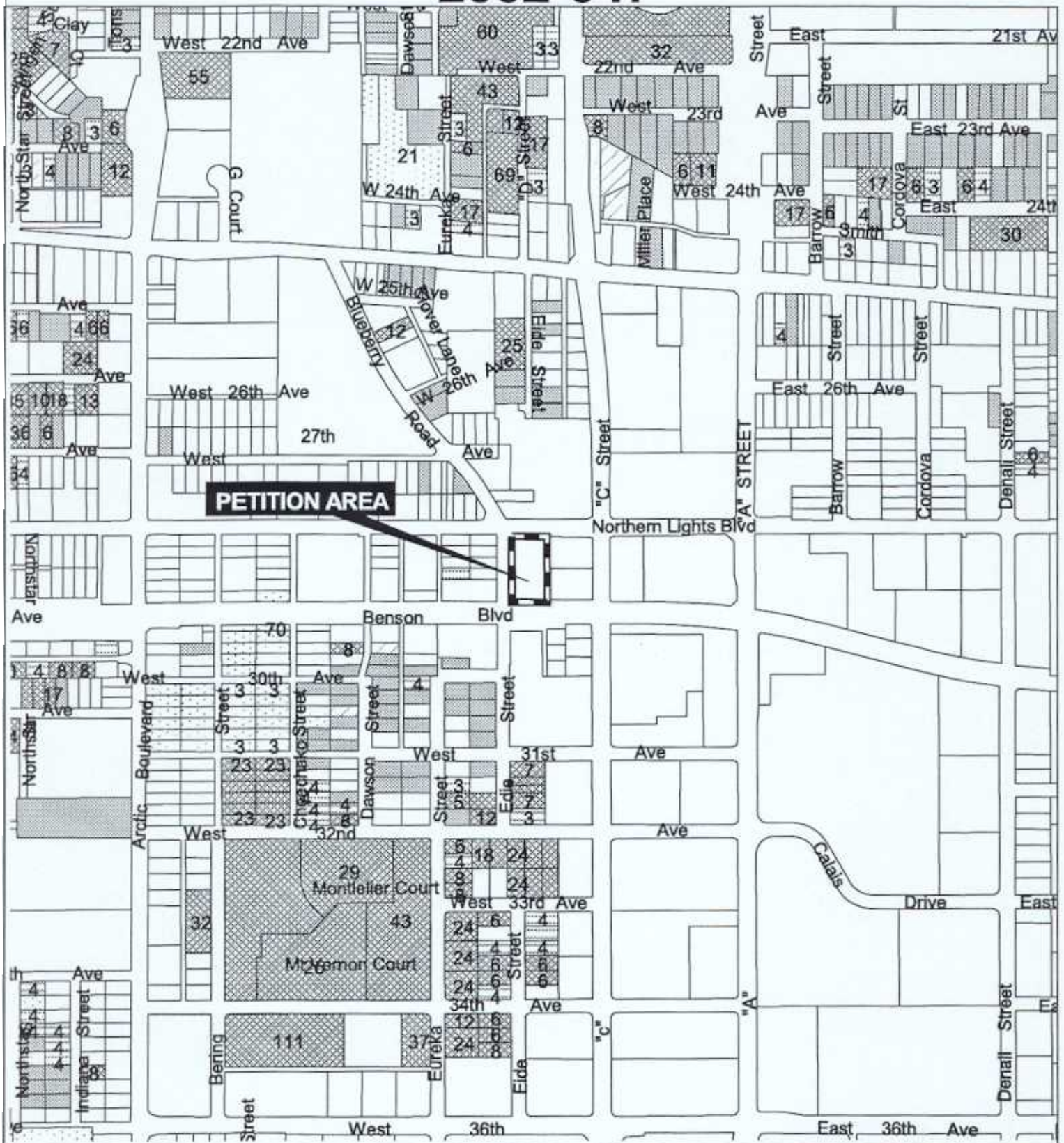
Date of Aerial Photography: 1996

041



# CONDITIONAL USE - LIQUOR

## 2002-047



Municipality of Anchorage  
Planning Department



Date: JANUARY 16, 2002

- Single Family Detached
- Single Family Attached, Duplex
- Mobile home
- Multi - Family 3 & 4 Plex
- Multi - Family 5+



0 500 1000 Feet

Source: Housing Stock based on 1998 Land Use Inventory  
Planning Department, MOA

042

Municipality of Anchorage  
MUNICIPAL CLERKS OFFICE  
Agenda Document Control Sheet

*AR 2002-60*

<b>1</b>	<b>SUBJECT OF AGENDA DOCUMENT</b>  <b>Boston Pizza restaurant Conditional Use for an Alcoholic Beverage Conditional Use for Beverage Dispensary License in the B-3 District for a restaurant per AMC 21.40.180D.8.</b>  <b>(Spenard Community Council)</b> <b>(Case 2002-047)</b>	<b>DATE PREPARED</b> 01/31/02	<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> <b>Planning Department</b>	<b>DIRECTOR'S NAME</b> Susan R. Fison, Director	
<b>3</b>	<b>THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY</b> J. 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 Police	<i>M</i>	<i>2/18</i>
<b>2</b>	Office of Planning, Development, & Public Works Development Services Facility Management		
<b>1</b>	Planning Project Management & Engineering Street Maintenance Traffic Public Transportation Department Purchasing	<i>AKJ</i>	<i>2-4-02</i>
<b>3</b>	<b>Municipal Attorney</b> <i>1053</i> <b>Municipal Clerk</b>	<i>J</i>	<i>2-6-02</i>
<b>5</b>	<b>SPECIAL INSTRUCTIONS/COMMENT</b>  Pre-advertised for 02/26/02 Assembly Meeting  <div style="text-align: right; font-style: italic; font-size: 1.2em;">             New Public Hearings           </div>		
<b>6</b>	<b>ASSEMBLY MEETING DATE REQUESTED</b>	<b>7</b>	<b>PUBLIC HEARING DATE REQUESTED</b> February 26, 2002

2002 FEB 19 AM 8 54  
 M.O.A.  
 CLERK'S OFFICE