

CLERK'S OFFICE

APPROVED

Date: 3-18-03

Submitted by: Assemblymember Tesche

Prepared by: Department of Assembly

For reading: March 18, 2003

ANCHORAGE, ALASKA

AR NO. 2003- 63

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A
2 MINOR MODIFICATION TO AN EXISTING CONDITIONAL USE WHICH PERMITS THE
3 SALE OF ALCOHOLIC BEVERAGES TO CORRECT THE PREMISES FLOOR PLAN
4 LOCATED AT ANCHORAGE ORIGINAL TOWNSITE, BLOCK 40, LOTS 7 THROUGH
5 12, GENERALLY LOCATED ON THE NORTH SIDE OF WEST 5TH AVENUE BETWEEN
6 "H" AND "G" STREETS (BREWS BROTHERS, LLC, D/B/A GLACIER BREWHOUSE
7 AND ORSO).

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10 THE ANCHORAGE ASSEMBLY RESOLVES:

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12 Section 1. The existing conditional use permit for a beverage dispensary license, a
13 duplicate beverage dispensary license, a brewpub license, and a recently approved duplicate brewpub
14 license located at Anchorage Original Townsite, Block 40, Lots 7 through 12, is hereby modified and
15 approved subject to the following conditions:

- 16
17 1. A notice of Zoning Action shall be filed with the District Records Office within
18 Sixty (60) days of the date that the Department of Planning informs the Applicant
19 that such Notice is prepared and ready for filing; and
20
21 2. The floor plan which is attached to this Resolution is hereby approved as the
22 premises approved for this conditional use allowing the sale and service of alcoholic
23 beverages and the accessory use as a brewpub brewery for the licenses issued by the
24 Alcoholic Beverage Control Board. Any change in the premises shall require a
25 modification of the conditional use.
26
27 3. All conditions previously imposed by the existing conditional use shall remain in full
28 force and effect; and
29
30 4. The conditions of approval of the duplicate brewpub license, which was approved
31 January 25, 2003, shall apply to this conditional use.
32

33 Section 2. Failure of the Applicant to comply with the conditions of the conditional use
34 as amended or modified shall constitute grounds for revocation of the conditional use.
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36 Section 3. This Resolution shall become effective immediately upon passage and approval
37 by the Anchorage Assembly.
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1 PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____
2 2003.

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Chair

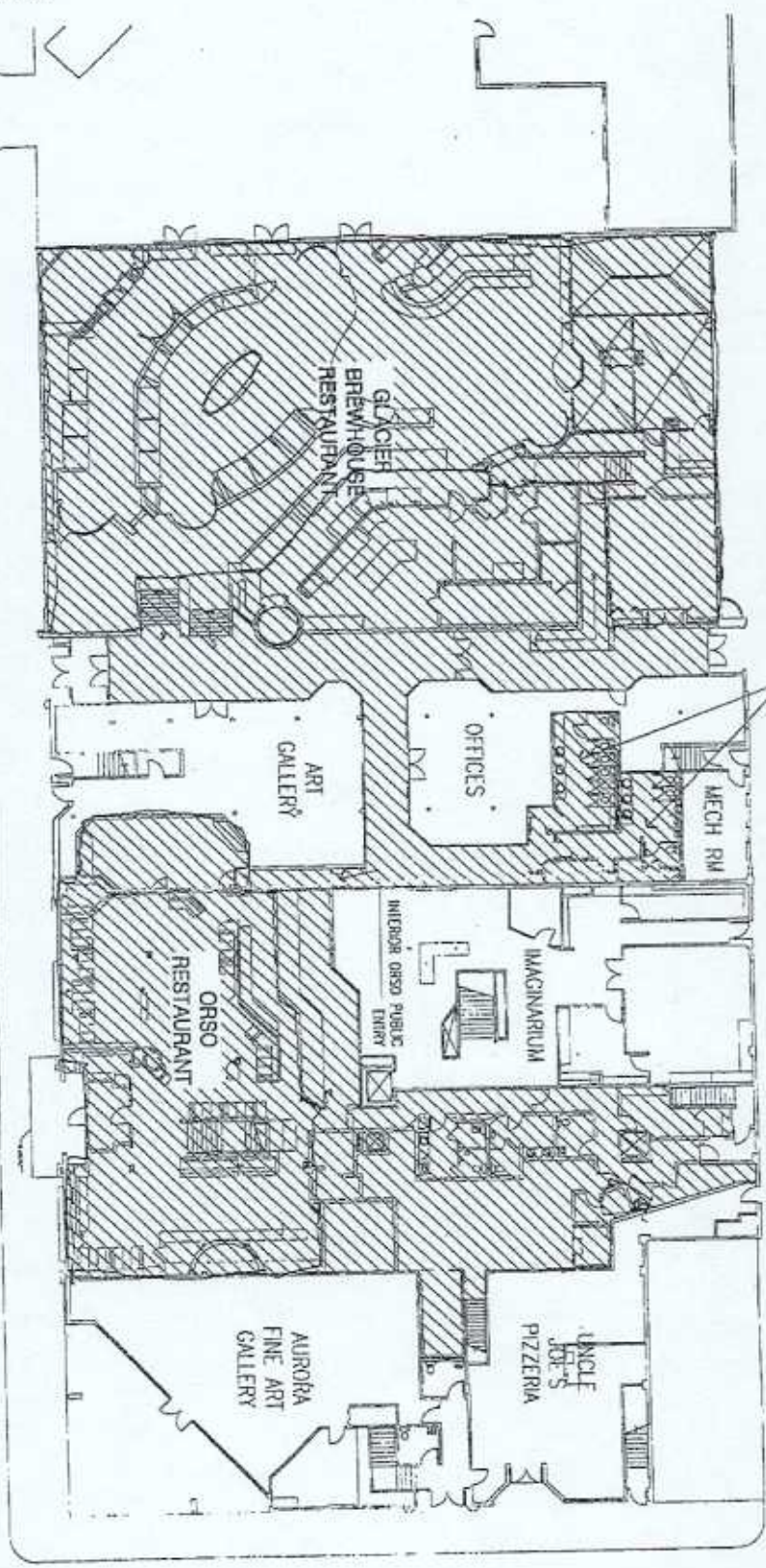
ATTEST:

Municipal Clerk

5-22-00

OK
5-22-00

FIFTH AVENUE
1 RENDEZVOUS BUILDING FLOOR PLAN
SCALE: 1/8" = 1'-0"



G STREET

PRELIMINARY

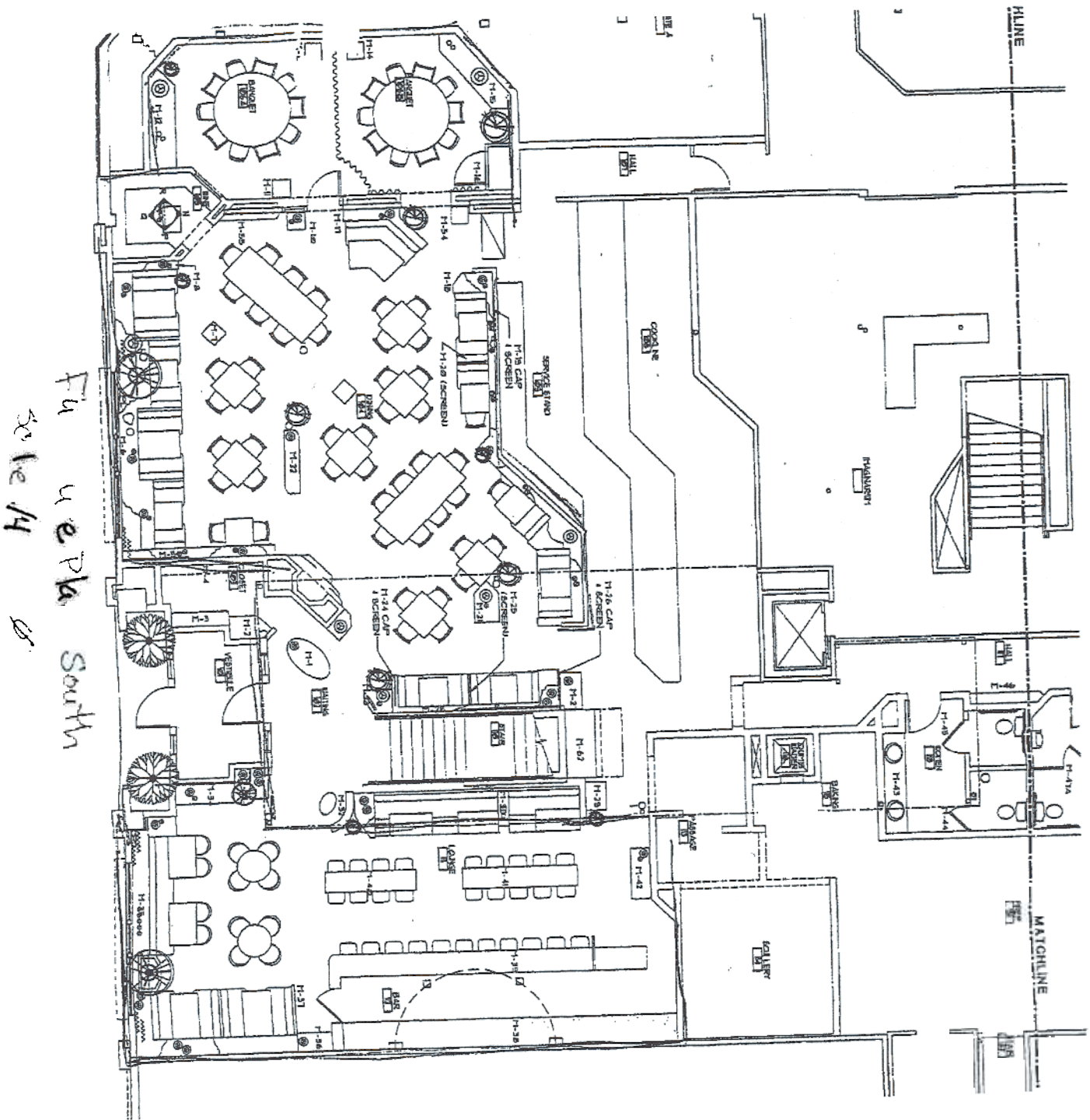
Drawn by	5-1-00
Checked by	5-1-00
Designated by	5-1-00
Scale	1/8" = 1'-0"
Sheet No.	EX-1

RENDEZVOUS BUILDING
ACREE PROPERTIES
ANCHORAGE, ALASKA
RENDEZVOUS BUILDING CIRCULATION DIAGRAM

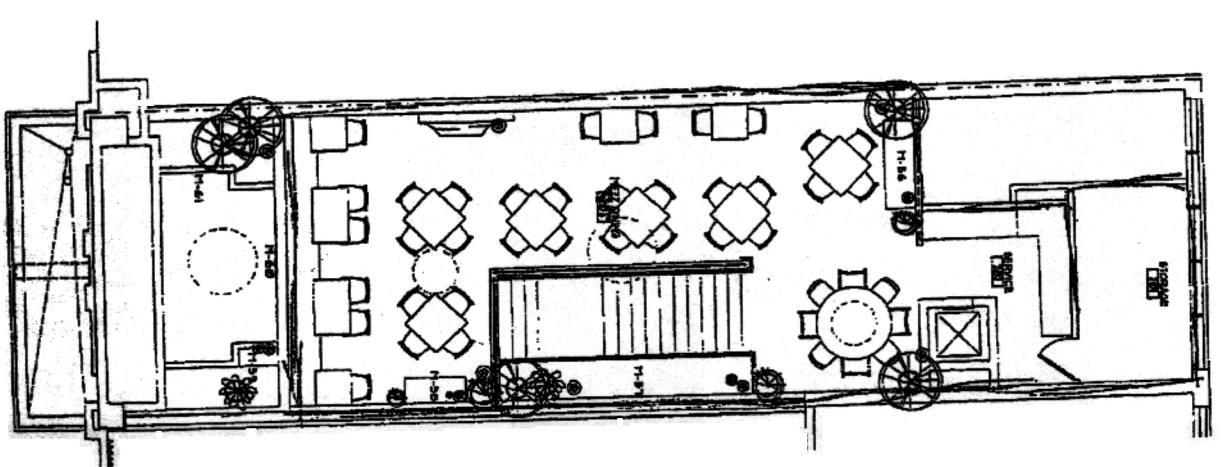


ANCHORAGE, ALASKA
ANCHORAGE, ALASKA
ANCHORAGE, ALASKA

EXHIBIT "A"



Full view South
 side of



Pizza restaurant
 Plan

EXHIBIT

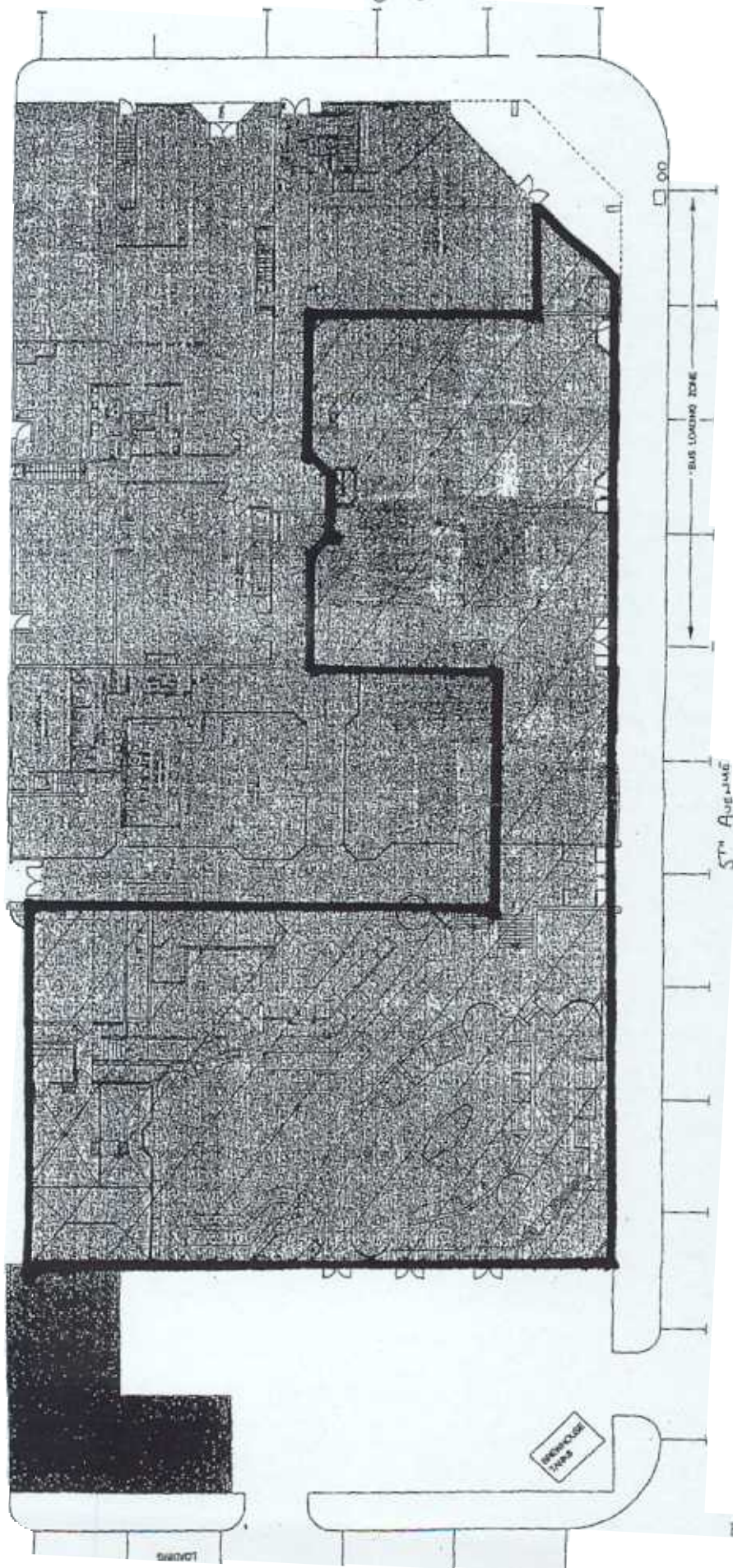


EXHIBIT C

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MEMO TO ASSEMBLY

LAW OFFICES OF DAN K. COFFEY, PC
207 East Northern Lights Blvd
Suite 200
Anchorage, Alaska, 99503
Facsimile: (907) 274-4258
Phone: (907) 274-3385
e mail: dcoffey@coffey-law.net

TO: MUNICIPAL CLERK
ATTN: ASSEMBLYMAN ALLAN TESCHE
FROM: THE LAW OFFICES OF DAN COFFEY, PC
RE: MINOR MODIFICATION OF CONDITIONAL USE FOR BREWS
BROTHERS, LLC.
DATE: 3/13/03

Our firm represents Brothers, LLC, d/b/a Glacier Brewhouse and Orso's. We previously submitted an application for a duplicate brewpub license which the Assembly approved in mid January, 2003. At that time, the Planning Department staff reviewed the existing conditional use for the licensed premises. As a result of that review and subsequent discussions with staff, our Client filed a request for a minor modification to the current conditional use.

As noted, our Client has an existing conditional use for the sale of alcoholic beverages for both of its operating restaurants located at 737 W. 5th Ave. This conditional use was modified on September 14, 1999 at the time the duplicate liquor license for Orso's Restaurant was applied for and approved by the Assembly and the ABC Board. This existing conditional use provides for the sale of alcoholic beverages on the Glacier Brewhouse and Orso premises and for an accessory use for a brewery associated with the existing brewpub license.

During the duplicate license application process, certain discrepancies were found in the floor plans between those submitted to the ABC Board and those submitted to the Planning Department in 1999. This difference occurred because of corrections made on the floor plan arising out of discussions with the ABC Board. The modified floor plan was never submitted to the Planning Department. While the differences between the two floor plans are small, the premises should be accurately and consistently described in both the City Conditional Use Permit and the ABC Board Permit.

The attached floor plans (Exhibits "A" & "B") correct the Conditional Use Permit to reflect the actual premises for which the

Conditional Use Permit was granted. Exhibit "A" reflects the correct floor plan which is currently on file with the ABC Board, but not the Planning Department. Exhibit "B" reflects a more detailed floor plan for Orso's showing the seating. This floor plan also shows the upstairs area which was not clearly depicted on the original submittal to the Planning Department even though this area has been used since the commencement of operation of Orso's. Approval of this minor modification will correct the discrepancy and result in an accurate depiction of the licensed premises in the Planning Department's record.

This minor modification will in no way change the actual use of the licensed premise. The minor modification is required only to establish the correct floor plan of the business. The total production under the brew pub license will not be increased. There will be no retail sales on the Orso premises. The duplicate brew pub license merely allows Orso's to brew and wholesale additional beer within the same total capacity cap. In short, absent the inaccurate floor plan previously submitted, this modification would not be required.

The application for a minor modification is complete. The fees have been paid. My office has met with the Planning Department staff on two occasions to review the application and answer staff's questions. The application for the minor modification has now been approved by the staff.

On Tuesday, my office received notice that this matter will be considered by the Anchorage Assembly on April 22, 2003. However, if it is possible for this item to be considered at an earlier date my client would greatly appreciate it as this would allow the production of Orso beer at a much earlier date.

Thank you for your consideration of this request. Should you have any questions or concerns please feel free to contact me at anytime.

Law Offices of Dan K. Coffey, PC

By: _____
Dan K. Coffey
Senior Attorney

AUTHORIZATION FOR REPRESENTATION

TO: MUNICIPALITY OF ANCHORAGE
FROM: BREWS BROTHERS, LLC
RE: MINOR MODIFICATION OF EXISTING CONDITIONAL
AUTHORIZATION FOR REPRESENTATION

DATE 2/5/03

TO WHOM IT MAY CONCERN:

THE PURPOSE OF THIS MEMO is to inform the Municipality of Anchorage that BREWS BROTHERS, LLC, an Alaskan Limited Liability Company, d/b/a Glacier Brewhouse and Orso's Restaurant, which is applying for minor modification to an existing Conditional Use Permit,

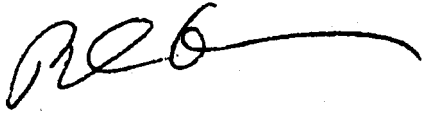
HEREBY AUTHORIZES the Law Offices of Dan K. Coffey, PC, Dan K. Coffey and his staff to represent the Company with regard to all aspects of its application for the minor modification of the Conditional Use Permit; and

FURTHER AUTHORIZES the Law Firm to execute such forms and applications as may be required to transfer the ownership and location of such license and to obtain the conditional use permit.

Questions concerning this authorization may be directed to Company at 274-2739.

DATED at Anchorage, Alaska this 15 day of February, 2003

Brews Brothers, LLC

By: 
Its: Managing Member

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 9-14-99

Submitted by: Chairman of the Assembly at the
Request of the Mayor
Prepared by: Community Planning and
Development
For reading : SEPTEMBER 14, 1999

Anchorage, Alaska.
AR 99- 237

SEP 27 1999

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN
2 AMENDMENT TO A CONDITIONAL USE FOR SALES OF ALCOHOLIC BEVERAGES TO
3 ADD A BEVERAGE DISPENSARY LICENSE, BEVERAGE DISPENSARY LICENSE
4 DUPLICATE, AND A BREWPUB TO THE PREMISES LOCATED AT ANCHORAGE ORIGINAL
5 TOWNSITE, BLOCK 40, LOTS 7 THROUGH 12, GENERALLY LOCATED ON THE NORTH
6 SIDE OF WEST 5TH AVENUE AND BETWEEN "H" & "G" STREETS
7
8 (Brews Brothers, LLC, d.b.a. Glacier Brewhouse)(Case 99-164)

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10 THE ANCHORAGE ASSEMBLY RESOLVES:

11 Section 1. The conditional use permit for a restaurant and eating place license and brewery
12 license located on Anchorage Original Townsite, Block 40, Lots 7 through 12, is amended to a
13 beverage dispensary license, beverage dispensary license duplicate, ~~restaurant and eating~~
14 ~~place license~~; and a brewpub and approved subject to the following conditions:

- 15
16 1. A notice of Zoning Action shall be filed with the District Recorders Office within 120 days
17 of the Alcoholic Beverage Control Board's approval of the license.
18
19 2. All construction and uses shall substantially conform to the plans and narrative
submitted.
20
21 3. The use of the property by any person for the permitted purposes shall comply with all
22 current and future federal, state and local laws and regulations including but not limited
23 to laws and regulations pertaining to the sale, dispensing, service and consumption of
24 alcoholic beverages and the storage, preparation, sale, service and consumption of
25 food. The owner of the property, the licensee under the Alcoholic Beverage Control
26 license and their officers, agents and employees shall not knowingly permit or
negligently fail to prevent the occurrence of illegal activity on the property.

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

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

31 PASSED AND APPROVED by the Anchorage Assembly this 14th day of
32 September, 1999.

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34
35 ATTEST:


Chairman


Municipal Clerk

(99-164)
(002-105-18, 19, 20, 21, 52 and 53)

AM 816-99

NOTICE OF ZONING ACTION

This notice announces that a zoning conditional use has been duly approved by the Municipal Assembly of the Municipality of Anchorage providing for the development of the herein described property in accordance with the provisions of the Anchorage Municipal Code of Ordinances and the terms and conditions of the zoning conditional use approval as set forth in the Municipal zoning file 99-164. Under the provisions of the specified ordinance the subsequent development of the subject property shall be in accordance with the terms of the approved zoning conditional use or any subsequent amendments hereto.

LEGAL: Anchorage Original Townsite, Block 40, Lots 7 thru 12, S.M. Anchorage Recording District, Alaska. Generally located on the north side of West 5th Avenue and between "H" & "G" Streets

PETITIONER: Brews Brothers, LLC

REQUEST: A conditional use for a beverage dispensary/brew pub liquor license

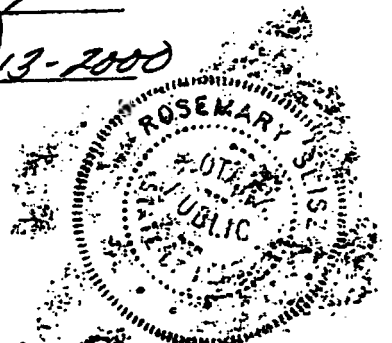
Lejane Ferguson
Municipal Clerk
Municipality of Anchorage

STATE OF ALASKA)
)
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the 27 day of September, 1999 before me, the undersigned, a Notary Public in and for Alaska, personally appeared Lejane Ferguson, to me known to be the duly appointed Municipal Clerk of the Municipal Assembly and acknowledged to me that she had in her official capacity aforesaid executed the forgoing instrument as an act and deed of the Municipality of Anchorage for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the 27 day of September, 1999 in this certificate first above written.

Rosemary Sluis
Notary Public in and for Alaska
My Commission expires: 4-13-2000



062238


ANCHORAGE
RECORDING DISTRICT

15-cc 1999 OC -1 PM 3:17

REQUESTED BY

D.O. Dan Coffey

ID: Dan L. Coffey
 207 E. Northern Lights
 Suite 200 99503
 Anch. AK. 274-3388

2	Assembly		THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER	
3	Assembly Counsel Administrative Assistant				4420	
4	COORDINATED WITH AND REVIEWED BY			INITIALS		DATE
	Mayor					
	Heritage Land Bank					
	Merrill Field Airport					
	Municipal Light & Power					
	Port of Anchorage					
	Solid Waste Services					
	Water & Wastewater Utility					
	Municipal Manager					
	Cultural & Recreational Services					
	Employee Relations					
	Finance, Chief Fiscal Officer					
	Fire					
	Health & Human Services					
	Office of Management and Budget					
	Management Information Services					
	Police					
	Planning, Development & Public Works					
	Development Services					
	Facility Management					
	Planning					
	Project Management & Engineering					
	Street Maintenance					
	Traffic					
	Public Transportation Department					
	Purchasing					
	Municipal Attorney					
	Municipal Clerk					
	Other					
5	Special Instructions/Comments					
						
6	ASSEMBLY HEARING DATE REQUESTED			PUBLIC HEARING DATE REQUESTED		
	3/18/03			7		

M.D.A.
 2003 MAR 14 PM 1:48
 CLERK OFFICE
 7D
 2003 MAR 13 AM 7:19
 CLERK OFFICE
 M.D.A.