CLERK'S OFFICE APPLOVED 4-13-43 Submitted by:

Chair of the Assembly at the Request of the Mayor

Prepared by:

Planning Department

For reading:

April 22, 2003

Anchorage, Alaska AR 2003-102

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A MINOR AMENDMENT TO AN EXISTING CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE TRANSITION (T) DISTRICT FOR HOST INTERNATIONAL INC. (DBA FRONTIER LOUNGE), A BEVERAGE DISPENSARY-TOURISM USE TO TRANSFER ITS LOCATION WITHIN THE TED STEVENS ANCHORAGE INTERNATIONAL AIRPORT, SOUTH TERMINAL, CONCOURSE 'B', PER AMC 21.40.240 D.5, LOCATED ON THE WEST ONE-HALF, SECTION 34, TOWNSHIP 13 NORTH, RANGE 4 WEST, S.M., AK; GENERALLY LOCATED AT THE WEST END OF WEST INTERNATIONAL AIRPORT ROAD.

(Frontier Lounge) (Case 2003-056)

## THE ANCHORAGE ASSEMBLY RESOLVES:

<u>Section 1</u>. The existing conditional use permit for Host International Inc.(dba Frontier Lounge), a beverage dispensary tourism license located within the Ted Stevens Anchorage International Airport, South Terminal, Concourse 'B,' located on the West one-half, Section 34, Township 13 North, Range 4 West, S.M., AK, is hereby amended and approved subject to the following conditions:

1 A Notice of Zoning Action shall be filed with the District Recorder Office within 120 days of the Assembly's approval of the minor amendment for a transfer of location to the final conditional use approval for a beverage dispensary use in the Transition District.

 2. All uses shall conform to the plans and narrative submitted with this conditional use application as follows:

a. Frontier Lounge Tenant Improvement for Anchorage International Airport, Concourse 'B,' Face Sheet G1; prepared by Rohde Associates Architects; dated January 21, 2003.

b. Frontier Lounge Tenant Improvement for Anchorage International Airport, Concourse 'B,' 2<sup>nd</sup> Floor Plan, Sheet G2; prepared by Rohde Associates Architects; dated January 21, 2003.

- c. Frontier Lounge Tenant Improvement for Anchorage International Airport, Concourse 'B,' Lounge Floor Plan Sheet A1.1; prepared by Rohde Associates Architects; dated January 21, 2003.
- d. Frontier Lounge Tenant Improvement for Anchorage International Airport, Concourse 'B,' Interior Elevation Sheet A3.11; prepared by Rohde Associates Architects; dated January 21, 2003.
- 3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the "T" District for a Beverage Dispensary Tourism Use per AMC 21,40.240 D.5 for approximately 674 SF lounge area within the Ted Stevens International Airport, Domestic Terminal, Concourse 'B' located in the West One-Half of Section 34, T13N, R4W, S.M., AK. The lounge area proposes a bar, beer cooler, and storage room. Plans indicate 13 tables with non-fixed seating for 34.
- 4. On-premise sale of alcohol beverages seven (7) days a week, Monday through Sunday, 10:00 AM to 2:00 AM. Liquor sales represent 80% compared to 20% food sales.
- 5. Upon demand the applicant shall demonstrate compliance with a Liquor Server Awareness Training Program approved by the State of Alaska Alcoholic Beverage Control Board, such as or similar to the program for Techniques in Alcohol Management (T.A.M.).
- 6. The use of the property by any person for the permitted purposes shall comply with all current and future Federal, State and local laws and regulations including, but not limited to, laws and regulations pertaining to the sale, dispensing, service and consumption of alcoholic beverages and the storage, preparation, sale, service and consumption of food. The owner of the property, the licensee under the Alcoholic Beverage Control license and their officers, agents and employees shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the property.
- 7. A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premise at a location visible to the public.
- <u>Section 3</u>. Failure to comply with the conditions of this conditional use permit shall constitute grounds for its modification or revocation.
- <u>Section 4.</u> This resolution shall become effective immediately upon passage and approval by the Anchorage Assembly.

	AR 2003-102 Page 3
1 2 3	PASSED AND APPROVED by the Anchorage Assembly this
4 5 6	ATTEST: Chair
	Lende S. Lein Municipal Clerk

(2003-056) (010-381-12)

# COMDITIONAL USE-LIQUOR 2003-056 Taxiway Postmark Drive Wes **PETITION AREA** East - West M 10,600' Runway N89 53'21"e Municipality of Anchorage Planning Department Single Family Detached Single Family Attached, Duplex Mobile home 1000 Feet Multi - Family 3 & 4 Plex Source: Housing Stock based on 1998 Land Use Inventory Planning Department, MOA Date: FEBRUARY 20, 2003 Multi - Family 5+



## MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 342-2003 Meeting Date: April 22, 2003

From: Mayor

Subject: AR 2003- 102 Minor Amendment to an Existing Alcoholic

Beverages Conditional Use for a Beverage

Dispensary Tourism Use in the Transition District for Host International, Inc. dba Frontier Lounge per

AMC 21.40.240 D. 5.

Host International, Inc. has a concession agreement with the Ted Stevens International Airport and leases floor space in the South Terminal for the Frontier Lounge. Due to remodeling and additions to the South Terminal, the Airport required the Frontier Lounge to relocate from its previous lease space to accommodate the Transportation Safety Administration.

The purpose of this application is to amend the existing conditional use for the Frontier Lounge to transfer the existing license and to correct the lease location and premises floor plan located in the South Terminal, Concourse 'B'. The existing conditional use/license was at the beginning of the South Terminal. The lounge will now be located at the west end of the departure ramp on the south side as one enters the 6-sided hexagon departure pod (Room SB2601). Tenant improvements will occupy approximately 674 square feet and include a full bar and storage room.

 The following businesses serve alcoholic beverages within 2,000-feet of the petition site. There are a total of three beverage dispensary licenses in the domestic terminal: Upper one, Cheers and the Frontier Lounge, and one beverage dispensary license in the International Airport Terminal, the: International Airport Lounge.

There are no delinquent Personal Property Taxes and or Real Property Taxes owing. No comments were received from the Department of Health and Human Services at the time the report was prepared. The Anchorage Police Department reports no incidents for the past two years.

This conditional use for alcoholic beverages in the Transition District for the existing Beverage Dispensary Tourism use generally meets the required standards of Title 21 and Title 10.

The Administration has no objection to the request.

 Assembly Memorandum No. AM 342-2003 AR 2003-102 Page 2

Reviewed by:

Harry J. Kieling, Jr. Municipal Manager

Reviewed by:

Michael J. Scott, Executive Director Office of Planning, Development and Public Works

Respectfully submitted,

George P. Wuerch

Mayor

Prepared by:

Susan R. Fison, Director Planning Department

## PLANNING DEPARTMENT STAFF ANALYSIS CONDITIONAL USE – ALCOHOLIC BEVERAGE SALES

**DATE:** April 22, 2003

**CASE NO.:** 2003-056

APPLICANT: Host International, Inc. dba Frontier Lounge

REPRESENTATIVE: Sherri Fessenden, General Manager

**REQUEST:** A Minor amendment to an Existing Conditional Use for

an Alcoholic Beverages Conditional Use in the T (Transition) District for a Beverage Dispensary - Tourism Use/License per AMC 21.40.240 D.5 for a transfer of location within the Ted Stevens Anchorage International Airport South Terminal, Concourse 'B'.

LOCATION: West ½, Section 34, T13N, R4W, S.M., AK; generally

located

STREET ADDRESS: 5000 W. International Airport Road - South Terminal

COMMUNITY COUNCIL:

Sand Lake; Turnagain; Spenard

**TAX PARCEL:** 010-381-12/ Grid 1924

**ATTACHMENTS** 1. Location Map

2. Departmental Comments

3. Application

4. Posting Affidavit

5. Historical Information

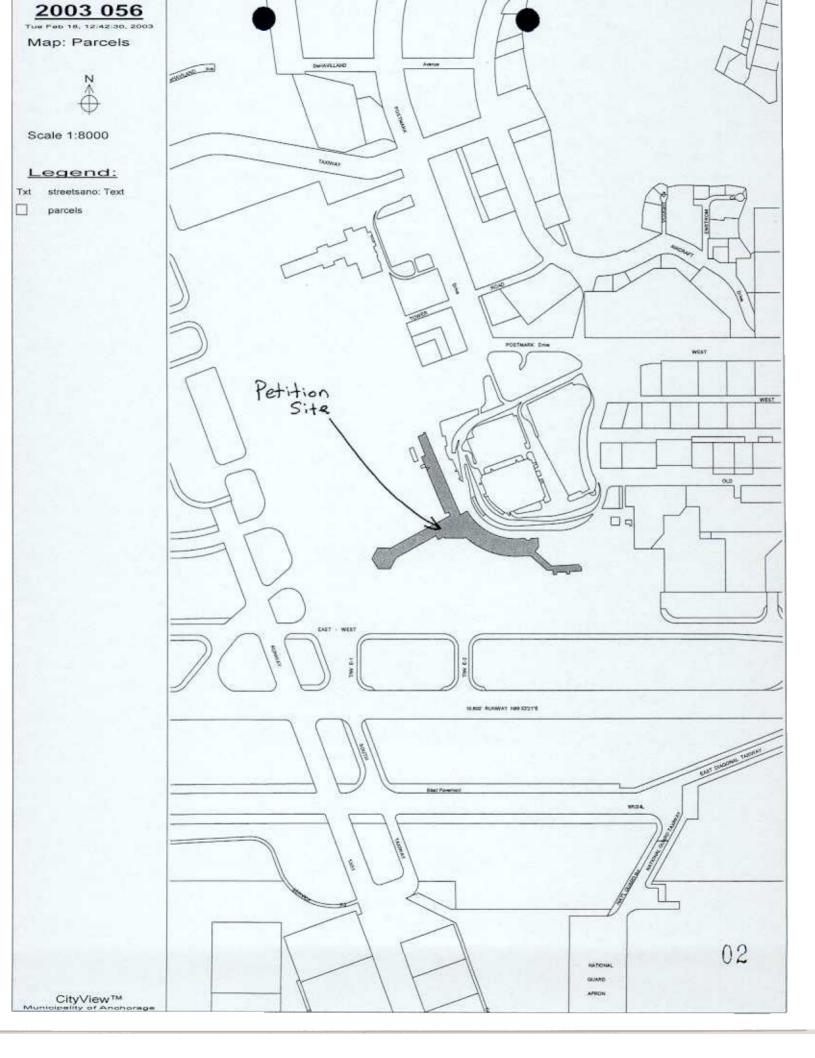
#### **RECOMMENDATION SUMMARY:**

This conditional use generally meets the required standards of AMC Title 10 and Title 21, and State Statute 04.11.480 and 15 AAC 104.145.

SITE:

Acres: 2,233 acres (Airport)
Vegetation: Natural vegetation
Zoning: Transition ("T")

Topography: Flat



## Alcohol Extract from List Report

Case Number: 2003-056

Description:

2000 ft liquor licenses (0 within a 1000 feet)

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	<u>City</u> Lic. Number	<u>State</u> Lic. Zone	<u>Zip</u> Lic. Type
01027121000 International Airport Lounge	STATE OF ALASKA Crème de la Crème, Inc.	5600 Postmark Dr.	1798		Beverage Dispensary Tour
01038112000 Cheers	STATE OF ALASKA Host International, Inc.	Anchorage Int'l Airport	1953		Beverage Dispensary Dup
01038112000 Frontier Lounge	STATE OF ALASKA Host International, Inc.	Anchorage Int'l Airport	2598		Beverage Dispensary Tour
01038112000 Upper One	STATE OF ALASKA Host International, Inc.	Anchorage Int'l Airport	187		Beverage Dispensary

## Alcohol Extract from List Report

Case Number: 2003-056

Description:

1 mile liquor licenses

Parcel	Parcel Owner Name	Parcel Owner Address	City	State	Zip
Business Name	Applicant Name	Business Address	Lic. Number	Lic. Zone	Lic. Type
01027121000	STATE OF ALASKA				
International Airport Lounge	Crème de la Crème, Inc.	5600 Postmark Dr.	1798		Beverage Dispensary Tour
01030111000	MOA	PO BOX 196650	ANCHORAGE	AK	99519
Westcoast International Inn	International Inn, Inc	3333 W. Int'l Airport	67	Ŧ	Beverage Dispensary Tour
01038112000	STATE OF ALASKA				40
Cheers	Host International, Inc.	Anchorage Int'l Airport	1953		Beverage Dispensary Dup
01038112000	STATE OF ALASKA				
Frontier Lounge	Host International, Inc.	Anchorage Int'l Airport	2598		Beverage Dispensary Tour
01038112000	STATE OF ALASKA				
Upper One	Host International, Inc.	Anchorage Int'l Airport	1187		Beverage Dispensary
01101213000	VIGIL JOHN A & BRENDA M	6204 AIR GUARD ROAD	ANCHORAGE	AK	99502
Kulis ANG NCO Club	Kulis ANG NCO Club, Inc.	5005 Raspberry Rd	603	R1	Club

Report Date: 02/18/2003 Page 1

Planning Staff Analysis Case No. 2003-056 Page 2 of 10

Existing Use: Ted Stevens International Airport

Soils: Public Sewer & Water

### **COMPREHENSIVE PLAN**

Classification: Transportation Related

Density: N/A

### **SURROUNDING AREA**

NORTH EAST SOUTH WEST
Zoning: Unzoned R-2A R-1 Unzoned
Land Use: Knik Arm Residential Residential Knik Arm

### SITE DESCRIPTION AND PROPOSAL:

The Airport occupies an area of 2,233 acres, and includes runways and air terminals and other assorted accessory uses and structures. The petitioner has a concession agreement from the Airport and leases floor space in the South Terminal for a bar/lounge. Due to additions to the South Terminal and remodeling of the space, the Airport required Frontier Lounge to relocate from its previous lease space.

According to municipal records and the petitioner's application, the beverage dispensary license being transferred pre-dates the conditional use permit regulation and the license has continually been renewed without protest or restriction.

The purpose of this application is a minor modification to an existing conditional use for the Frontier Airport Lounge Beverage Dispensary – Tourism license which permits the sale of alcoholic beverages transfer the existing license to a new location with the airport; and to correct the lease location and premises floor plan located in the South Terminal, Concourse B'. The existing location was at the beginning of the South Terminal, Concourse B', second floor departure ramp, and vacated to accommodate the Transportation Safety Administration. The proposed bar location will be at the end of departure ramp and on the left hand side as one enters the 6-sided hexagon departure pod (Room SB2601). Tenant improvements will occupy approximately 674 square feet and include a full bar, beer cooler, and storage room. Plans indicate 13 tables with seating for 34.

Daily operating hours are from 10:00 AM to 2:00 AM, 365 days a year. The sale of alcoholic beverages represent 80 % compared to 20% food sales. Television and recorded music is the only form of entertainment provided. Eight (8) to ten (10) employees have direct contact with alcohol and are trained in accordance with the Alcoholic Beverage Control Board's Liquor Server

Planning Staff Analysis Case No. 2003-056 Page 3 of 10

Awareness Training Program. Non-alcoholic beverages are available, notices of penalties for driving intoxicated are posted, and patrons have access and assistance to public transportation. There is no entertainment defined as "indecent material" or "adult entertainment," no happy hours, games or contests that include consumption of alcoholic beverages, and no solicitation or encouragement of alcoholic beverage consumption. Sales to persons who are inebriated or underage are prohibited.

### PUBLIC COMMENTS

Six hundred seventy (670) public hearing notices (PHNs) were mailed. At the time this report was written no PHNs were returned: no written comment has been received from any of the Community Council's.

#### **FINDINGS**

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

This site is identified on the Anchorage 2020 Plan Land Use Policy Map (p. 50) as part of the West Anchorage Planning Area, which sets the direction for the preferred form of long-term growth and development in the Anchorage Bowl. This concept will be implemented through the development of the Plan as noted in Land Use Policy #28. This plan has not begun to be developed

Several goals of the Anchorage 2020 Plan do address related issues such as recreational and economic opportunities. Ted Stevens Anchorage International Airport has long been recognized as the primary air transportation gateway to the Municipality and Alaska, and one of the most important economic generators for Southcentral Alaska. The airport is state-owned and -operated as it is a major employer and land use with potential for expansion.

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

This standard is met.

The Transition District zoning regulations allow alcoholic beverage sales through the conditional use permit process: AMC 21.40.240 D.5. Uses involving alcoholic beverage sales and dispensing.

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

Planning Staff Analysis Case No. 2003-056 Page 4 of 10

### This standard is met.

The Transition District is intended for areas undergoing change. It is intended that interim development shall proceed in accordance with the applicable comprehensive development plan for the property being developed. As development patterns start to emerge within these areas and the sophistication of their protection becomes more critical to the general public interest, it is anticipated that such lands within the T districts will be proposed for more restrictive zoning classifications. All airports within the Anchorage Bowl are zoned T District. The subject airport has always provided food and alcoholic beverages for its travelers. The Frontier Lounge is compatible with the T zone and existing uses in the Airport.

AMC 21.50.160.B asks that a list of all alcohol licenses located within a minimum of 1,000 feet of the proposed conditional use be provided. There are a total of three beverage dispensary licenses in the domestic airport owned and operated by Host International, Inc.: Upper One (Beverage Dispensary) License #1187, Cheers (Beverage Dispensary – Duplicate) License #1953 and Frontier Lounge (Beverage Dispensary Tourism) License #2598. There is a Beverage Dispensary Tourism license (#1798) in the International Airport Lounge at 5600 Postmark Drive.

Within 2,000 feet of the petition site is one other alcoholic beverage license: Kulis ANG NCO has a club license #603.

Alaska Statute 04.11.410, Restriction of location near churches and schools, restricts beverage dispensary and package store licenses from being located in a building the public entrance of which is within 200-feet of the public entrance of a church building, or from being located within 200-feet of school grounds. There are no church buildings or school grounds within 200 feet of the Airport.

- 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.

The Airport provides all required parking on site on airport grounds, and takes into consideration the three lounges. The amount of required parking was reviewed and determined as part of the on-going building permit additions currently underway at

Planning Staff Analysis Case No. 2003-056 Page 5 of 10

the airport. There is parking in front and behind the hotel. The Traffic Department had no objection and no comment on this relocation.

The approved building permit addressed vehicular and pedestrian traffic circulation and safety. There are adequate entrances and exits for vehicles to and from adjacent streets and roadways. The parking area is well lit. The site plan incorporates pedestrian sidewalks along the along the roadways adjacent to the parking lot entrances, pedestrian walkways buffers between airport entrances and exists and the parking lot aisles.

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

This standard is met.

The relocation of this business serving alcohol at this location will not impact public services. Electrical, water and sewer, natural gas are available on site. Road infrastructure and public transit is already in place. The petition site is within ARDSA, Police and Fire service areas.

## 3. Noise, air, water, or other forms of environmental pollution. This standard is met.

As a land use, a Beverage Dispensary conditional use and license will not cause or contribute to any environmental pollution. The public parking lots are paved, which control air pollution.

## 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 minor modification for relocation within the same building of this conditional use permit for a beverage dispensary-tourism license.

### 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

Planning Staff Analysis Case No. 2003-056 Page 6 of 10

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.

This standard does not apply to tourism licenses.

Alaska Statutes for Title 4. Alcoholic Beverage Control includes an exemption clause from the regular license-to-population ratio limitations for tourism licenses.

There are no schools or churches within 1,000-feet of the petition site. There are three (3) other beverage dispensary licenses at the airport. Approving the relocation of this beverage dispensary-tourism license does not alter the number of licenses within a 2,000-foot radius of the petition site.

Beverage Dispensary Tourism	International Airport Lounge	5600 Postmark Drive, #1798
Beverage Dispensary Duplicate	Cheers	Anchorage Int'l Airport #1953
Beverage Dispensary Tourism	Frontier Lounge	Anchorage Int'l Airport #2598
Beverage Dispensary Tourism	Upper One	Anchorage Int'l Airport #1187

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 will be involved in the dispensing of alcoholic beverages and will be trained in accordance with the T.A.M. training and hold the appropriate certificates.

Planning Staff Analysis Case No. 2003-056 Page 7 of 10

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 not applicable

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 premise. 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.

According to the application the petitioner the interior of the licensed premises will be well lighted, as is the lobby and parking lot. No additional safety procedures are mentioned in the application. The Anchorage Police Department has no incidents within the past two years to report.

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

Planning Staff Analysis Case No. 2003-056 Page 8 of 10

This standard is met.

There are no delinquent Personal Property Taxes, Real Property Taxes or Downtown Improvement Special Tax Assessments 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.

At the time this report was prepared there were no comments received from the Department of Health and Human Services.

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 minor amendment to an existing conditional use for alcoholic beverages in the T District for a beverage dispensary-tourism use and

Planning Staff Analysis Case No. 2003-056 Page 9 of 10

license per AMC 21.40.240 D.5 for a transfer of location within the domestic terminal at the Ted Stevens Anchorage International Airport South Terminal, Concourse 'B' meets the required standards of AMC Title 10 and Title 21, and State Statute 04.11.480 and 15 AAC 104.145.

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:

- A notice of Zoning Action shall be filed with the District Recorders Office within 120 days of the Assembly's approval of the minor amendment for a transfer of location to the final conditional use approval for a beverage dispensary use in the T District.
- 2 All uses shall conform to the plans and narrative submitted with this conditional use application.
  - a. Frontier Lounge Tenant Improvement for Anchorage International Airport, Concourse 'B', Face Sheet G1; prepared by Rohde Associates Architects; dated January 21, 2003.
  - b. Frontier Lounge Tenant Improvement for Anchorage International Airport, Concourse B', 2<sup>nd</sup> Floor Plan, Sheet G2; prepared by Rohde Associates Architects; dated January 21, 2003.
  - c. Frontier Lounge Tenant Improvement for Anchorage International Airport, Concourse 'B', Lounge Floor Plan Sheet A1.1; prepared by Rohde Associates Architects; dated January 21, 2003.
  - d. Frontier Lounge Tenant Improvement for Anchorage International Airport, Concourse 'B', Interior Elevation Sheet A3.11; prepared by Rohde Associates Architects; dated January 21, 2003.
- 3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the T District for a Beverage Dispensary Tourism Use per AMC 21,40.240 D.5 for approximately 674 SF lounge area within the Ted Stevens International Airport, Domestic Terminal, Concourse B' located on Section 34, T13N, R4W, West One-Half, S.M., AK. The lounge area proposes a bar, beer cooler, and storage Room. Plans indicate 13 tables with non-fixed seating for 34.
- 4. On-premise sale of alcohol beverages seven (7)-days a week, Monday thru Sunday, 10:00 AM to 2:00 AM. Liquor sales represent 80% compared to 20% food sales.

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- 5. Upon demand the applicant shall demonstrate compliance with a liquor "Server Awareness Training Program approved by the State of Alaska alcoholic Beverage Control Board, such as or similar to the program for techniques in alcohol management (T.A.M.).
- The use of the property by any person for the permitted purposes shall comply with all current and future federal, state and local laws and regulations including but not limited to laws and regulations pertaining to the sale, dispensing, service and consumption of alcoholic beverages and the storage, preparation, sale, service and consumption of food. The owner of the property, the licensee under the Alcoholic Beverage Control license and their officers, agents and employees shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the property.
- 7. A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premise at a location visible to the public.

m G:\zon\_plat\ASSEMBLY\Assbly2002\2003-056 Frontier Lounge Airport Bev Dis Tourism.doc

# DEPARTMENTAL

# COMMENTS

# Reviewing Agency Comment Summary Case No.: 2003-056

Agency	Comments Included in Packet	No Comments and/or Objections	No Response
Air Pollution Control	meradea m r acker	and/or Objections	THE RESERVE TO SHARE
Alaska DEC			
Alaska Division of Parks			
Alaska DOT/PF		V	
Anchorage Police Department		×	
AWWU		X	
Code Enforcement		^	
Development Services			
DHHS Environmental	The Block of		
DHHS Social Services			
Federation of Community Councils			
Fire Prevention			
Flood Hazard		X	
Historic Properties			
ML&P			
On-Site Water & Wastewater			
Parks and Recreation			
Physical Planning			
Project Mgt & Engineering			
Right-of-Way		X	
School District			
Transit		X	
Treasury		X	
Traffic Department		X	



## MUNICIPALITY OF ANCHORAGE

Traffic Department



MUNICIPALITY OF ANCHORAGE PLANNING & ZONING DIVISION

## **MEMORANDUM**

DATE:

March 12, 2003

TO:

Jerry T. Weaver, Platting Supervisor, Planning Department

THROUGH:

Leland R. Coop, Associate Traffic Engineer

FROM:

Mada Angell, Traffic Engineering Technician

**SUBJECT:** 

Comments, Assembly Public Hearing, April 22, 2003

03-054

Tudor Business Park, Conditional Use to permit a restaurant

serving alcohol; Grid 1830

Traffic has no comment.



Anchorage International Airport-South Terminal; Conditional Use to permit a liquor license; Grid 1824

Traffic has no comment.



## POLICE DEPARTMENT CHECK LIST

## FOR INVESTIGATION OF LICENSED LIQUOR ESTABLISHMENTS

Number of Incidents

l.	Significant Criminal History in Local Police Files?	YES	NO	<u>UNK</u>
	,		e whic	h applies

Type of incident

Unknown

2. Incidents occurring within two years prior to the date of the liquor license application.

OLD BUSINESS NAME	OLD LOCATION	
Frontier Lounge	5000 West International Airport Road	
BUSINESS NAME	LOCATION  Host International, Inc.	
Host International, Inc.		
NAME OF APPLICANT (S)	CURRENT LICENSEE (S)	
[ ] New		
[ ] Package Store		
[ ] Renewal		
[ ] Transfer of Ownership		
[ X ] Beverage Dispensary/Touris	<u>sm</u>	

THIS INFORMATION IS PROVIDED FOR EVALUATION BY THE ASSEMBLY IN CONSIDERATION OF APPLICATIONS FOR LICENSING.

03.07.03

for CHIEF OF POLICE

This establishment is not in APD jurisdiction.

Transfer of Location

[]



## MUNICIPALITY OF ANCHORAGE

Office of Planning, Development, and Public Works

Development Services Department



## **MEMORANDUM**

DATE:

March 14, 2003

TO:

Community Planning and Development

THRU:

Jack L. Frost, Jr., Right of Way Supervisor

FROM:

Lynn McGee, Senior Plan Reviewer

SUBJ:

Request for Comments on Assembly case(s) for the Meeting of April 22, 2003.

Right of Way has reviewed the following case(s) due March 25, 2003.

03-054

Tudor Business Park, Lot 2A, grid 1830

(Conditional Use, Restaurant Serving Alcohol)

Right of Way Division has no comments at this time.

Review time 15 minutes.

03-056

Anchorage International Airport, South Terminal. Grid 1824

(Conditional Use, Liquor License)

Right of Way Division has no comments at this time.

Review time 15 minutes.





## FLOOD HAZARD REVIEW SHEET for PLATS

Date: 03-10-03

Case: 2003-056

Flood Hazard Zone: C

Map Number: 0240

Portions of this lot are located in the floodplain as determined by the Federal Emergency Management Agency.

AMC 21.15.020 requires that the following note be placed on the plat:

"Portions of this subdivision are situated within the flood hazard district as it exists on the date hereof. The boundaries of the flood hazard district may be altered from time to time in accordance with the provisions of Section 21.60.020 (Anchorage Municipal Code). All construction activities and any land use within the flood hazard district shall conform to the requirements of Chapter 21.60 (Anchorage Municipal Code)."

A Flood Hazard permit is required for any construction in the floodplain.

have no comments on this case.

Reviewer: Jack Puff

## Municipality Of Anchorage ANCHORAGE WATER & WASTEWATER UTILITY

### MEMORANDUM

KECEIVED

MAR 12 2003 MUNICIPALITY OF ANCHINAGE SLANNING & ZONING DIVISION

DATE:

March 12, 2003

TO:

Zoning and Platting Division, DCPD

FROM:

Hallie Stewart, Engineering Technician

SUBJECT:

PLANNING & ZONING Commission Public Hearing of April 22, 2003

AGENCY COMMENTS DUE March 25, 2003

AWWU has reviewed the subject material and has the following comments.

03-056

Anchorage International Airport, South Terminal (conditional use)

1. AWWU has no comments on the conditional use request to transfer the location of a liquor license within the Airport Terminal.

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

FRANK H. MURKOWSKI, GOVERNOR

# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

**CENTRAL REGION - PLANNING** 

4111 AVIATION AVENUE P.O. BOX 196900 ANCHORAGE, ALASKA 99519-6900 (907) 269-0520 (FAX 269-0521) (TTY 269-0473)



February 25, 2003

**RE: MOA Zoning Comments** 



Mr. Jerry Weaver, Platting Officer Department of Development & Planning Municipality of Anchorage P.O. Box 196650 Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities (ADOT&PF) has reviewed the following cases and has no comment:

2003-054 Tudor Business Park Subdivision/Conditional Use: alcohol

2003-055 Ordinance amending Title 21 AMC

2003-056 500 W. International Airport Rd-S. Terminal/Conditional Use: transfer alcohol

license

2003-057 South Addition Block 24 1200L ST / Conditional Use: alcohol

Thank you for the opportunity to comment on these zoning cases. If you have any questions, please contact me at 269-0522.

Sincerely,

Sandra L. Cook

42.6h

Area Planner

/eh

Pierce, Eileen A

2003-05Le

From:

Staff, Alton R.

Sent:

Tuesday, February 25, 2003 4:51 PM Ayres, Patty R.; Pierce, Eileen A Taylor, Gary A. Zoning Review

To:

Cc: Subject:

Public Transportation has no comment on zoning cases 2003-054 through 059.

Thank you for the opportunity to review.

Alton Staff, Operations Supervisor



# MUNICIPALITY OF ANCHORAGE FEB 2 4 2007

## MUNICIPALITY OF AMENUPAGE PLANNING & ZONING DIVISION

## MEMORANDUM

DATE:

February 21, 2003

TO:

Eileen Pierce, Zoning & Platting

FROM:

Daisy VanNortwick, Revenue Officer

THRU:

Michael Mullane, Principal Administrative Officer

Subject:

Liquor License Conditional Use Application

Attached application for transfer of location for Frontier Lounge has been reviewed and find no reason to protest it.

## **APPLICATION**

# Application for Conditional Use Retail Sale Alcoholic Beverages

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



	ed for below.	
PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)
Name (last name first)  Host International Inc.		Name (last name first)
Mailing Address		Mailing Address
6600 Rockledge Drive		mailing Autress
Sethesda, MD 20817		
Contact Phone: Day:907 243-433	1 Night907 227-3460	Contact Phone: Day: Night:
FAX: 907 243-8636	70. 22. 3100	FAX:
E-mail: Sherri.Fessenden@h	mshost.com	E-mail:
		lure to divulge other beneficial interest owners may delay processing of this appli
PROPERTY INFORMATION	010 38/ 10	The state of the s
Property Tax #(000-000-00-000):	010 901 180	
		rt Road - South Terminal
Property Owner (If not the Petitioner):	uternational Alipo State of Alaska	IT WASA - SAATH TELETINAL
Current legal description: (use addit		
ourron regar door.paon (as as		
inchorage International	Airport - South T	erminal
WEST ONE-HALF (1/2)	of Section thin	ty-four (34), Township Thirteen now
(13N), Range four WES	st (4W), SEWArd	MERIDIAN, Anchorage Recording DIST
	Acreage: 48.	MERIDIAN, Anchorage Recording DIST
Zoning: T	Acreage: 48.	MERIDIAN, Anchorage Recording DIST    Grid #
Zoning: T	Acreage: 48.	MERIDIAN, Anchorage Recording DIST 37   Grid#  ROPOSED
Zoning: T  ALCOHOLIC BEVERAGE CONT  Beverage Dispensary	Acreage: 48.	MERIDIAN, Anchorage Recording DIST    Grid #
Zoning:  ALCOHOLIC BEVERAGE CONT  Beverage Dispensary  Beverage Dispensary-Tourism	ROL BOARD LICENSE P  Private Club  Public Convenience	MERIDIAN, Anchorage Recording DIST    Grid #  ROPOSED   Restaurant, exempt   Theater
ALCOHOLIC BEVERAGE CONT  Beverage Dispensary  Beverage Dispensary-Tourism  Brew Pub	ROL BOARD LICENSE P Private Club Public Convenience Recreational	MERIDIAN, Anchorage Recording DIST  Grid #  ROPOSED  Restaurant, exempt
Zoning: T  ALCOHOLIC BEVERAGE CONT  Beverage Dispensary Beverage Dispensary-Tourism Brow Pub Package Store	ROL BOARD LICENSE P Private Club Public Convenience Recreational Restaurant	MERIDIAN, Anchorage Recording DIST    Grid #  ROPOSED   Restaurant, exempt   Theater   Other (Please explain):
ALCOHOLIC BEVERAGE CONT  Beverage Dispensary  Beverage Dispensary-Tourism  Brew Pub  Package Store  Is the proposed license: New	ROL BOARD LICENSE P Private Club Public Convenience Recreational Restaurant Transfer of location: ABC license	MERIDIAN, Anchorage Recording DIST    Grid #  ROPOSED   Restaurant, exempt   Theater   Other (Please explain):
ALCOHOLIC BEVERAGE CONT  Beverage Dispensary  Beverage Dispensary-Tourism  Brew Pub  Package Store  Is the proposed license: New	ROL BOARD LICENSE P Private Club Public Convenience Recreational Restaurant Transfer of location: ABC license Transfer license location: Anch	MERIDIAN, Anchorage Recording DIST    Grid #  ROPOSED   Restaurant, exempt   Theater   Other (Please explain):
ALCOHOLIC BEVERAGE CONT  Beverage Dispensary Beverage Dispensary-Tourism Brew Pub Package Store Is the proposed license: New New Electronic Street St	ROL BOARD LICENSE P Private Club Public Convenience Recreational Restaurant Transfer of location: ABC license Transfer license location: Anch Transfer licensed premises doing thorized to act for) owner of the primance with Title 21 of the Ancho to cover the costs associated with assigned hearing dates are terri	MERIDIAN, Anchorage Recording DIST    Grid #  ROPOSED   Restaurant, exempt   Theater   Other (Please explain):  number: 2598   orage International Airport
ALCOHOLIC BEVERAGE CONT  Beverage Dispensary Beverage Dispensary-Tourism Brew Pub Package Store Is the proposed license: New  New  New  thereby certify that (I am)(I have been au beverages conditional use permit in conforthe application fee is nonrefundable and is the conditional use. I also understand that	ROL BOARD LICENSE P Private Club Public Convenience Recreational Restaurant Transfer of location: ABC license Transfer license location: Anch Transfer licensed premises doing thorized to act for) owner of the primance with Title 21 of the Ancho to cover the costs associated with assigned hearing dates are terri	MERICIAN, Anchorage Recording DIST  Grid #  ROPOSED  Restaurant, exempt  Theater Other (Please explain):  number: 2598 orage International Airport business as: Frontier Lounge  property described above and that I petition for a retail sale of alcoholic grage Municipal, Code of Ordinances. I understand that payment of the processing this application, and that it does not assure approval of
ALCOHOLIC BEVERAGE CONT  Beverage Dispensary Beverage Dispensary-Tourism Brew Pub Package Store Is the proposed license: New  I hereby certify that (I am)(I have been au beverages conditional use permit in conforthe application fee is nonrefundable and is the conditional use. I also understand that Municipal Clerk, or the Assembly for admit	ROL BOARD LICENSE P Private Club Public Convenience Recreational Restaurant Transfer of location: ABC license Transfer license location: Anch Transfer licensed premises doing thorized to act for) owner of the primance with Title 21 of the Ancho to cover the costs associated with assigned hearing dates are terri	Grid #   Restaurant, exempt   Restaurant, exempt   Theater   Other (Please explain):

Application for conditional use retail sale alcoholic beverages continued **COMPREHENSIVE PLAN INFORMATION** Anchorage 2020 Urban/Rural Services: Urban □ Rural Anchorage 2020 West Anchorage Planning Area: ☐ Inside ☐ Outside Anchorage 2020 Major Urban Elements: Site is within or abuts: ☐ Major Employment Center ☐ Redevelopment/Mixed Use Area ☐ Town Center □ Neighborhood Commercial Center □ Industrial Center ☐ Transit - Supportive Development Corridor Eagle River-Chugiak-Peters Creek Land Use Classification: □ Commercial □ Industrial ☐ Parks/opens space ☐ Public Land Institutions ☐ Marginal land ☐ Alpine/Slope Affected ☐ Special Study ☐ Residential at dwelling units per acre Girdwood- Tumagain Arm □ Commercial □ Industrial ☐ Parks/opens space □ Public Land Institutions ☐ Marginal land ☐ Alpine/Slope Affected ☐ Special Study □ Residential at dwelling units per acre ENVIRONMENTAL INFORMATION (All or portion site affected) Existing Building Wetland Classification: □ None A' C Avalanche Zone: □ None ☐ Blue Zone ☐ Red Zone Floodplain: □ None □ 100 year □ 500 year Seismic Zone (Harding/Lawson): □ "1" **□ '2'** □ '3' □ '4' □ "5" RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion site) □ Rezoning - Case Number: ☐ Preliminary Plat ☐ Final Plat - Case Number(s): ☐ Conditional Use - Case Number(s): ☐ Zoning variance - Case Number(s): ☐ Land Use Enforcement Action for ☐ Building or Land Use Permit for □ Wetland permit: □ Army Corp of Engineers ☐ Municipality of Anchorage **DOCUMENTATION** Required: 🖬 Site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location. D Building plans to scale depicting: floor plans indicating the location of sales and service areas: building elevations (photographs are acceptable). ☐ Photographs of premises from each street frontage that include and show relationship to adjacent structures and the premises visible street address number. Narrative: explaining the project; construction, operation schedule, and open for business target date. ☐ Copy of a zoning map showing the proposed location. ☑ Copy of completed Alcoholic Beverage Control Board liquor license application form including all drawings and attachments, if filed with ABC Board.

Optional:

☐ Traffic impact analysis

☐ Economic impact analysis

☐ Noise impact analysis

Application for conditional use retail sale alcoholic beverages con	ninued
PROPERTY ONLINE AUTHORIZATION	PARKET OF THE SERVICE OF THE PROPERTY OF THE PARKET OF THE
PROPERTY OWNER AUTHORIZATION* (if pet	itioner is not property owner)
(I)(WE) hereby grant permission to and acknowledge that permit for the retail sales of alcoholic beverages on a pro- process the Assembly may apply conditions which will be	at person shown as the petitioner on this application is applying for a conditional use perty under (MY)(OUR) ownership and that as part of the conditional use permit (MY)(OUR) responsibility to satisfy.
Date Signature	
*Report additional petitioners or disclose other co-owners on sup	plemental form. Failure to divulge other beneficial interest owners may delay processing of this application.
그렇게 그 이 그 그래 가장 보냈다. 그 나를 다	
FACILITY OPERATIONAL INFORMATION	
What is the proposed or existing business na	ame (Provide both if name is changing):
Frontier Lounge	
What is the gross leaseable floor space in so 674	quare feet?
What is the facility occupant capacity?	
34	
What is the number of fixed seats(booth and	non movable seats)?
0	
What is the number non-fixed seats(movable	chairs, stools, etc.)?
34	
What will be the normal business hours of op	peration?
10:00 am - 2:00 am	
What will be the business hours that alcohol	lic beverages will be sold or dispensed?
10:00 am - 2:00 am	
What do you estimate the ratio of food sales	to alcohol beverage sales will be?
80 % Alcoholic beverage sa	ales
20 % Food sales	
Type of entertainment proposed: (Mark all that ap	oply)
	shows Dearron dancing Deporting events Deter None
Do you propose entertainment or environmen	ntal conditions in the facility that will meet the definition of "indecent
	by AMC 8.05.420 Minors-Disseminating indecent material or AMC
10.40.050 Adult oriented establishment?	□ Yes 💂 No
1 Albania di Cara di C	
DISTANCE FROM CHURCHES, DAY CARE,	AND SCHOOLS
Locate and provide the names and address of all churche	es, day care, and public or private schools within 200 feet of the site property lines
Name	Address
NONE	

PACKAGE STORES					
Provide the projected	percentage of alcoholic prod	uct inventory in the store where	e the retail unit price is:		
%	less than \$5.00				
<u></u> %	\$5.00 to \$10.00				
%	\$10.00 to \$25.00				
%	greater than \$25.00				

### CONDITIONAL USE STANDARDS

The Assembly may only approve the conditional use if it finds that **all** of the following 4 standards are satisfied. Each standard must have a response in as much detail as it takes to explain how your project satisfies the standard. The burden of proof rests with you. Use additional paper if needed.

Explain how the proposed conditional use furthers the goals and policies of the comprehensive development plan and conforms to the comprehensive development plan in the manner required by AMC 21.05.

Although the comprehensive development plan does not address the sale of alcoholic beverages, a beverage dispensary tourism license is an appropriate ancillary use to the predominant purpose of this property - tourism and providing service to the traveling public.

Explain how the proposed conditional use conforms to the standards for that use in this title and regulations promulgated under this title.

The beverage dispensary license being transferred pre-dates the conditional use permit regulation. However, the renewal of this license has been approved on all occasions without protest or restrictions.

Explain how the proposed conditional use will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district.

This is the relocation of tenant space at the same location within the same building. This use has been and will continue to be compatible with existing and planned land uses in the surrounding neighborhood.

Explain how the proposed conditional use 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 relocated facility is adjunct to the main services at the airport not a destination, therefore it does not increase or impact traffic, circulation or safety.

- 2. The demand for and availability of public services and facilities.
  - \* See attachment |
- 3. Noise, air, water or other forms of environmental pollution.

As a tenant relocation within the same building there will be no external impact.

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

Relocation of this facility within the existing terminal will have no impact on development patterns or land use.

## STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

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

Concentration and land use. Whether transfer of location or issue of the requested license will negatively impact the community through an increase in the concentration of uses involving the sale or service of alcoholic beverages within the area affected and will conform to the separate standards of AMC 21.50.020.

How many active liquor licenses are located on the same property as your proposed license? 2

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

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

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

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

#### Application for conditional use retail sale alcoholic beverages continued

**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 ASSOCIATES - Approximately 8 - 10

demons	ons proce trate pros 35 of this	edures. If application is made for issue, renewal, or transfer of a license, whether the applicant can expective or continued compliance with operations procedures for licensed premises set forth in Section code.
☐ Yes		Happy hours?
☐ Yes	No	Games or contests that include consumption of alcoholic beverages?
Yes	□ No	Patron access and assistance to public transportation?
☑ Yes	□ No	Notice of penalties for driving while intoxicated posted or will be posted?
Yes	□ No	Non-alcoholic drinks available to patrons?
☐ Yes		Solicitation or encouragement of alcoholic beverage consumption?

**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:

\* See Attachment

outside facility:

In addition to the safeguards listed above, the location of this facility is past the Airport Security screening and the building has the constant presence of a dedicated police force. Application for conditional use retail sale alcoholic beverages continued

Payment of taxes and debts. When application is made for renewal of a license the assembly shall consider, pursuant to AS 4.11.330, whether the applicant is delinquent in payment of taxes owed to the Municipality. When application is made for transfer of ownership of a license the Assembly shall consider, pursuant to AS 4.11.360, whether the municipality has received either payment or adequate security, for the payment of any debts or taxes, including any estimated taxes for the current year, arising from the conduct of the licensed business. Adequate security for the payment of debts and taxes may be in the form of: 1) escrowed funds sufficient to Pay the debts and taxes claimed and any escrow fees; 2) actual payment of debts and taxes claimed; or, 3) a guarantee agreement in accordance AMC 10.50.030. Any guarantee agreement shall be in writing. signed by the transferor, transferee and Municipality  Yes No Are real estate and business property taxes current?  Yes No Are there any other debts owed to the Municipality of Anchorage?							
Public health. If application is Assembly shall consider whet such as providing alcohol to relate health or safety, or other action at risk. In determining if a patteriminal convictions, credible the Assembly, written commer and relevant to the purpose of	her the operator ninors or intoxica ns within the know tern of practices proof of illegal ac ats submitted prior f this subsection.	has engage ated persons wledge and injurious to p ctivity even i r to or during	d in a pattern s, committing control of the public health f not prosecu g the public he	of practice serious vio operator w or safety ex ited, police earing, or of	s injurious t lations of Si hich place t kists, the As reports, tes	to public health or safety, tate law relevant to public he public health or safety ssembly may consider timony presented before	
Yes □ No As the appli	icant and operator	r can you co	mply? If no e	explain		4	
•							
				•			
·							
	· · · · · · · · · · · · · · · · · · ·						

Additional space if needed.

Host International Inc. d.b.a. Frontier Lounge relocation - Anchorage International Airport, South Terminal.

This project is a tenant improvement of 674 square feet in the South Terminal of the Ted Stevens Anchorage International Airport for use as a cocktail lounge. This lounge is a relocation of the Frontier Lounge, license #2598, previously located in the South Terminal of the Ted Stevens Anchorage International Airport. The previous lounge location was relinquished to accommodate the Transportation Safety Administration. The estimated project completion date is 04/07/03.

Approximately 70% of all flights at the Anchorage Airport take off and land utilizing the B Concourse gates. The lounge will be the only facility in the B Concourse serving alcoholic beverages.

The lounge will employ approximately 8-10 T.A.M. certified associates and will be operate 7 days a week from 10am to 2am.

## Attachment #1

The relocation of this facility within the airport terminal building positively impacts the demand for public services and facilities. The original location was relinquished to make space for the Transportation Safety Administration and their required security equipment. The new location will be the only facility serving alcoholic beverages beyond the security checkpoint in the busiest concourse at the airport.

# Alcoholic Beverage Control Board 550 W. 7th Ave Suite #540 Anchorage, AK 99501

# Liquor License Transfer

PAGE 1 OF 2 (907) 269-0350

(907) 269-0350 Fax: (907) 272-9412

Fax: (907) 272-9412 www.abc.revenue.state.ak.us

This application is for:			
☐ Seasonal - Two 6-month periods in each year of the biennial period beginn	nine	and ending	
XX Full 2-year period		Mo/Day	Mo/Day
Type of Application:   Transfer of Ownership Relocation		Establishment Name	•

SECTION A. LICENSE INFORMATION: Must be completed for all types of applications.								
	License Type: Liquor		Filing Fee: \$100.0	0				
License Year 2003 / 2005	Local Governing Body: (City, Borough or Greater Anchorage Borough	Unorganized)		Cotal Submitted: \$ 100	.00			
	Applicant's/transferce's name as it should a Host International, Inc.			Community Council Nar				
Bus. Tel. #	Applicant's/transferee's mailing address:			failing Address (If applicand Lake	CADIC)			
901/243-4331 Fax #:	6600 Rockledge Drive, Septi Doing Business As (Business Name)	t. 9F19TA01	, –	626Casper Stree	et			
1 44 11.	Frontier Lounge			nchorage, AK				
	Street Address or Location of Business	City	- Tru	rnagain				
52-1242334 Email Address	Anchorage International A	irport Anche	ntage I	34 Foraker Dri	Ve.			
rae.cooper@	hmshost.com		Ā	chorage, AK 9	• 1			
SECTION B. PREMIS	ES TO BE LICENSED. Must be complete	d for Relocation application	ons.					
Name to be used on publi Frontier Loung	ic sign or advertising:							
	Northwood Elementary 4807 Northwood Anc, AK	<ul> <li>incorporated cit</li> </ul>	y, borough, or u	miles from the boundar unified municipality.	1			
Closest church: FALLI	Christian Community Church	incorporated cit	S than 50 miles y, borough, or a	from the boundaries of unified municipality.	fan			
2.2 Hiles 4240	Wisconsin Anc, AK	☐ Not applicable		• •	1			
Distance measured under	☐ AS 04.11.410 OR ☐ Local ordinance No.	M Plans submitted	Plans submitted to Fire Marshall (requi					
Premises to be licensed is		nises attached	ii (required for new & proj	posea builaings)				
	building Proposed building				1			
SECTION C. TRANSFI	ER INFORMATION.							
Regular Transfer	•	Name and Mailing	Name and Mailing Address of Current Licensee					
☐ Transfer with security	interest: Any instrument executed under As		Host International, Inc.					
04.11.670 for purposes of	applying AS 04.11.360(4)(b) in a later	9900 ROCKTEG	6600 Rockledge Drive					
involuntary transfer, must	be filed with this Application (15 AAC		Bethesda, MD 20817					
described. Provide securi	al property conveyed with this transfer must	be						
described. I lovide seedii	incress documents.	Rusiness Name (dhe	a) REFORE to	nefee				
🗆 Involuntary Transfer. A	Attach documents which evidence default ur		Business Name (dba) BEFORE transfer Frontier Lounge					
AS 04.11.670.		Street Address or L	ocation BEFOR	E transfer				
anomonic t il ::		5000 W. Inter	rnational	Airport Road				
Does any individual com	al, corporate officer, director, limited	liability organization	member, mar	ager or partner bac	kground.			
direct or indirect interest i	orate officer, director, or limited liability or in any other alcoholic beverage business lice	ganization member, manag ensed in Alaska or any othe	ger or partner na er state?	med in this application	have any			
	omplete the following. Attach additional sheets if	necessary.						
Name	Name of Business	Type of License	Business Stre	et Address	State			
Host Interna	tional, Inc. holds numerou	s licenses throu	ghout the	United				
	erests are of the corporat							
Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?								
☐ Yes ☑ No If Yes,	attach written explanation		-					
Office use only								

Office use only			
License Number	Date Approved	Director's Signature	34

Alcoholic Beverage Control Board 550 W. 7th Ave Suite #540 Anchorage, AK 99501 www.abc.revenue.state.ak.us

# Liquor License Transfer

PAGE 2 OF 2 **Corporation Information** 

(907) 269-0350

······	(/		
me to a contract of the	Fax: (907) 272-	9412	
This application is for:			
☐ Seasonal – Two 6-month periods in each your Seasonal – Two 6-mo	ear of the biennial period be	eginning and en	ding
		Establishment Name	·
Corporations must be registered with	the Alaska Department o	f Community and Economic	Development. (DCED)
Name of Corporation:		Telephone Number:	Fax Number:
Host International, Inc	•	240-694-4389	240-694-4616
Corporate Mailing Address:	Car	State	71-0-1-

Name of Corporation:					monunity and Econ	ounc Dev		
'					Telephone Number:		Fax Num	
Host Internation Corporate Mailing Address:			240-694-4389	9		4-4616		
Corporate Intering Address.			City:		State:		Zip Code	•
6600 Rockledge Dr., De Name, mailing address & telephone number	ept. 9	2	1		MD		208	317
States Corporation Con Street. #300. Juneu.	ndany-	red agent: AK 801	CSC -Th	United Oth	Date of Incorporation or	Certificate	State	of Incorporation:
Street #300. Juneu.	AK 99	KUI			Authority: 12/11/8	1	Del	Avare
Is the corporation in compliance with the Corporate Officers (Must include	Preside	ng requiren	nents of little	10 of the Alas	ka Statutes? FIVes F	1 No If no	attach w	ritten explanation.
Name	Title	ii, secreta	Lome Ad	dress & Teleph	ce-President if appli			
Please see		Director	Home Au	mess or 1 etch		Date of I	sirth	Work Tel. #
attached list.					•			
								sha
		· · · · · · · · · · · · · · · · · · ·	1			<del>                                     </del>		
			<del> </del>					
Corporate Directors & Stockhold	ers with	a 10% or	more intere	et Attach ad	ditional cheets if			
Name	CLS WILL	a 1070 UL	Home Add	Irece	iditional sheets if he		b#	I D
Please see			Home Add	1633	125	Teleb	hone#	Percentage (%) of shares
attached list.								
account 1100.		<del>.</del>						<del>- </del>
N I c								
Note: On a separate sheet provid	e inforn	nation on	ownership	of other org	anized entities that	are shar	eholders	of the licensee.
Declaration								
I declare under penalty of perjury that I and belief it is true, correct and comple The undersigned certifies on behalf of any license issued. I further certify that I have read and am than the licensee(s) has any direct or in I agree to provide all information requisions SIGNATURE OF CURRENT LICENT L	te, and this the corpora i familiar v direct final red by the	application ation, it is un with Title 4 oncial interest Alcoholic B	is not in violat iderstood that a of the Alaska st t in the license	ition of any secur in misrepresentation atutes and its region of the distribution of the security of Board in support of the security SIGNATUI	ity interest or other contr on of fact is cause for rej gulations, and that in acco	acted obligatection of this	tions. s applicatio	on or revocation of
Napre & Title ( Please Print)		Signature  Rauca C. Bal.  Name & Title (Please Print)						
Laura A. Babin, Secret Subscribed and sworn to before	tary			Laura A	. Babin, Secr	etary		
this 27th day of January,	2003			this 27th	and sworn to before day of _January	, 2003	-	
Notary public in and for the State of Steven Sway		Maryla	and		ic in and for the Sta			yland
My Commission expires:	BREN	IDA SWAN	ISON	My Commis	ssion expires:	В	RENDA SV	VANSON TE OF MARYLAND

My Commission Expires January 1, 2007

My Commission Expires January 1, 2007

# HOST INTERNATIONAL, INC. PRINCIPAL OFFICERS LIST

PRESIDENT

Joe Patrick Martin Social Security: 450-84-8517 3000 S. Randolph Road DOB: 10-19-46

Apt. #247 DL:

Arlington, VA 22206

TREASURER

Giorgio Luigi Spagliardi Social Security: 087-44-0563 12606 Timber Grove Road DOB: 12/18/43 S124-279-560-959

T66-00-9011 VA

Reisterstown, MD 21136 DL:

VICE PRESIDENT/TAXES

Bernard Nathaniel Brown Social Security: 219-68-3616 3926 Lumo Circle DOB:

04/11/57 Randallstown, MD 21133 DL: B650850622283C

SECRETARY

Laura Anna Babin Social Security: 578-72-0284 3710 Falling Green Way DOB: 04/08/64 Mt. Airy, MD 21771 B150488067275

DL:

# **DIRECTORS**

Bernard Nathanial Brown (above)

Laura Anna Babin (above)

Charles E. Powers Social Security: 217-46-4590

383 Broadleaf Court DOB: 12/14/46 Millersville, MD 21108

DL: P620115189949C



P.O. Box 196960 Anchorage, Alaska 99519-6960 January 25, 2003

Re: Advance Right of Entry

Reference ADA-30172

Sherri Fessenden General Manager, Host International Inc. Inc. P.O. Box 190231 Anchorage, Alaska

Dear Ms. Fessenden:

Pending execution of Supplement No. 10 to Host International Inc. Concession Agreement ADA-30271, Host International Inc. is hereby authorized by the State of Alaska, Department of Transportation and Public Facilities, Ted Stevens Anchorage International Airport (Airport), to enter into and use the Premises described below subject to the following conditions:

- 1. This Advance Right of Entry (Agreement) is effective February 1, 2003. The term of this Agreement continues in effect until execution of Supplement No. 10 to Host International Inc. Concession Agreement ADA-30172 between the State and HMS Host.
- 2. Host International Inc. is authorized to use the following Premises (Premises) in the South Terminal of Ted Stevens Anchorage International Airport, until Supplement No. 10 is executed:

The Concessionaire shall construct and occupy Room SB2601, shown on exhibit "B", which consists of approximately 775 square feet of space, located in the South Terminal. This location will serve both alcohol and limited food items to the passengers that have cleared security.

After construction has been completed, an As-Built of the new space will be submitted by Host International Inc. to the State. The actual square footage may differ from the "approximate square footage" mentioned above. Billing will be adjusted to reflect the "actual square footage" reported by the Engineering Department after installation.

Host International Inc. accepts the Premises in an as-is condition and without warranty unless otherwise specified during negotiations.



For use of the entire premises, facilities, services, rights, and privileges granted under the Host International Inc. Concession Agreement ADA-30172, the Concessionaire agrees to pay the State the GREATER of the following:

Host International Inc. currently pays an annual guarantee of six hundred and ninety three thousand dollars (\$726,365.94) for each agreement year, prorated monthly.

OR

15% of the Concessionaire's gross sales of alcoholic beverages authorized under the Agreement.

10% of Concessionaire's sales of food and nonalcoholic beverages authorized under this agreement except 5% of Concessionaire's gross sales of food and nonalcoholic beverages authorized under the Agreement in the North Terminal employee lunchroom and the South Terminal employee lounge.

15% of the full amount of any gross profit earned by the Concessionaire in the exchange of foreign currency authorized under the Agreement.

15% of total gross sales from juke box (es).

4. Host International Inc. assumes full control and sole responsibility for its activities and personnel on the Airport pursuant to Concession Agreement ADA-30271. Host International Inc. will coordinate its activities on the Airport with the State and will abide by all rules, decisions, and directions of the State regarding use of the Airport by Host International Inc. and HMS Host's personnel, agents, contractors, and guests. Host International Inc. will comply with all statutes, regulations or ordinances of federal, State of Alaska, or local governments that apply to or affect Host International Inc. or HMS Host's operations under this Agreement.

Before any demolition, construction, alteration, improvement, sign installation, or repair on the Premises, Host International Inc. will first obtain written approval of the State in the form of an approved Airport Building Permit. Such approval shall not be unreasonably withheld.

Host International Inc. will, at its sole expense, maintain the Premises, improvements, fixtures, equipment, and signs on the Premises, in good repair and appearance, and in a safe and serviceable condition at all times. Host



International Inc. will, at its sole expense, immediately repair any damage to the Airport due to HMS Host's

operations. All repairs must be of the same quality, design, and class as the original work in the terminal, including maintenance of equipment, all architectural finishes, and electrical and plumbing fixtures.

## 4. Indemnification:

- a. The Concessionaire shall indemnify, defend, and hold the State, its agents, and employees harmless from and against any and all liability, loss, suit, obligation, claim, judgement, fine, demand, damage, penalty, property damage or personal injury of whatever kind, including sums paid in settlements of claims, attorney fees, consultant fees, expert fees, or costs incurred arising directly or indirectly from or connected with this Agreement, the Concessionaire's use and occupation of the Premises, the Concessionaire's operation and employees, customers, or subleases.
- b. If any mechanics' liens or other liens or orders for the payment of money shall be filed against the Premises, or any portion thereof, by reason of or rising out of any labor or material furnished or alleged to have been furnished or to be furnished to or for the Concessionaire, or for or by reason of any change, alteration or addition or the cost or expense thereof, or any contract relating thereto, or against the State as owner thereof, the Concessionaires shall within thirty (30) days cause the same to be canceled and discharged of record, by bond or otherwise at the election and expense of the Concessionaire, and shall also defend on defend on behalf of the State, at the Concessionaire's sole cost and expenses, and vacation, suit or proceeding which may be brought thereon or for the enforcement of such lien, liens or orders.
- c. Without limiting the foregoing, this indemnification obligation includes payment of all cost of any investigation of site conditions, or any cleanup, abatement, remediation, removal or restorative work required by the Agreement, or by any federal, State, or local government agency with appropriate jurisdiction because of hazardous substances or present in the soil or groundwater on or under the Premises or other affected properties.
- d. Notwithstanding the other paragraphs of this Article, if a portion of the legal cause of the loss or obligation is due to the State's negligence or willful misconduct, the loss or obligation is to be apportioned between the Concessionaire and the State according to comparative fault. The



Concessionaire and the State are to seek in good faith to agree to an apportionment of the loss or obligation without or independent of litigation.

- 6. At no expense to the State, Host International Inc. will obtain and maintain, and keep in force during the term of this Agreement adequate and appropriate insurance coverage protecting both the State and Host International Inc. on an occurrence policy form covering all operations by or on behalf of Host International Inc. for the risks posed by HMS Host's use of the Premises and activities at the Airport, as follows:
  - a. Commercial General Liability, including Premises, all operations, property damage, products (if applicable), and personal injury and death, broad-form contractual, with a per-occurrence limit of not less than \$1,000,000 combined single limit.
  - b. Worker's Compensation Insurance at the statutory levels.
  - c. Comprehensive Automobile Liability insurance covering all owned, hired, and non-owned vehicles with coverage limits not less than \$1,000,000 per occurrence.
  - d. Liquor legal liability insurance for not less than \$1,000,000 combined single limit coverage.

Host International Inc. will provide and maintain with the State proof of insurance coverage in the form of an insurance policy or a certificate of insurance coverage, together with proof that the premiums are paid. All insurance required by this covenant must:

- a. name the State as an additional insured, consistent with the terms of Operating Agreement ADA-30172;
- b. provide that the State be notified at least thirty (30) days prior to any termination, cancellation, or material change in the insurance coverage; and
- c. include a waiver of subrogation by which the insurer waives all rights of subrogation against the State for payments made under the policy.

The requirement of insurance coverage will not relieve Host International Inc. of any other obligation under this Agreement. If specific limits and coverages are shown, those limits and coverages are the minimum acceptable under this section and may not limit HMS Host's responsibility to indemnify the State.



Host International Inc. covenants and agrees that discrimination on the grounds of race, color, religion, national origin, ancestry, age, or sex will not be permitted against

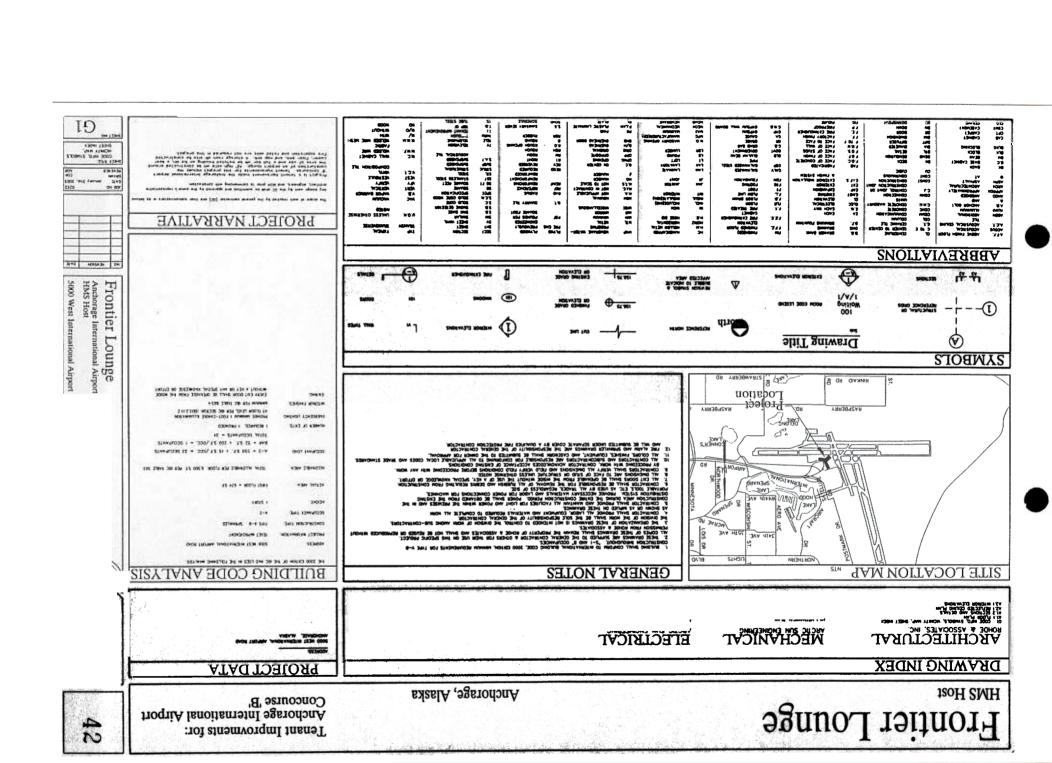
any patron, employee, applicant for employment, or other person or groups of persons in any manner prohibited by federal or State of Alaska law. Host International Inc. recognizes the right of the State to take any action necessary to enforce this covenant, including actions required pursuant to any federal or State of Alaska law.

Host International Inc. agrees that it will undertake an affirmative action program as required by 14 CFR Part 152, Subpart E, to ensure that no person will be excluded from participating in any employment activity covered by 14 CFR, Part 152, Subpart E, on the grounds of race, creed, color, national origin, or sex. Host International Inc. agrees that no person may be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by the subpart. Host International Inc. further agrees that it will require its sub organizations to provide assurance to the State to same effect that they will also undertake affirmative action programs and require assurances from their sub organizations as required by 14 CFR, Part 152, Subpart E.

If you concur with the foregoing conditions of this Agreement, sign both copies in the concurrence block below. Please FAX a signed copy to our office at (907) 266-2458, and return one signed original by mail.

	Olm a number		
**************************************	Sincerely,  John T. Barsalou Chief of Leasing and Property Management	John	Barsalou
CONCORRENCE ON BEHALF OF HOS	OF INTERNATIONAL INC.		
BY:			
TITLE:			
DATE:			
Enclosure: Exhibit A – Space Identificati	ion		

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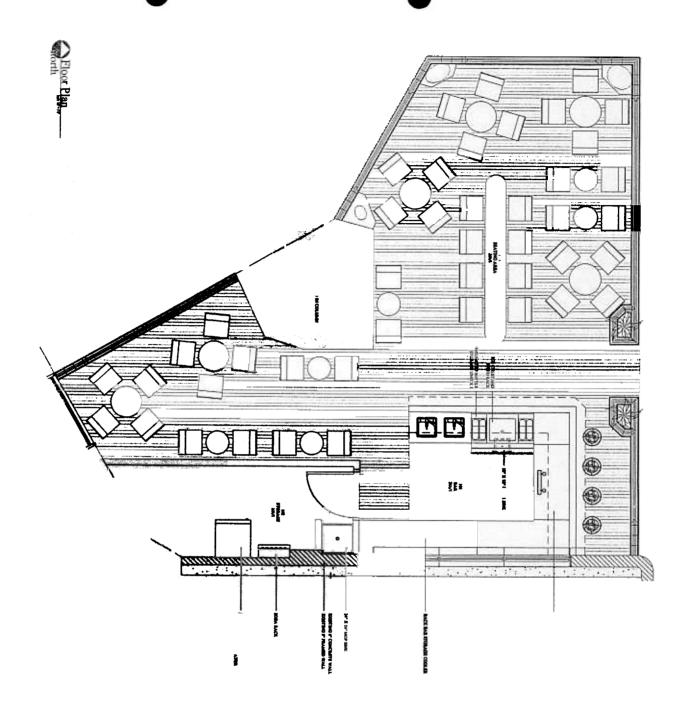
Frontier Lounge

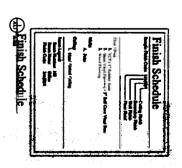
Anchorage International Airport HMS Host

5000 West International Airport Road

Anchorage, Alaska



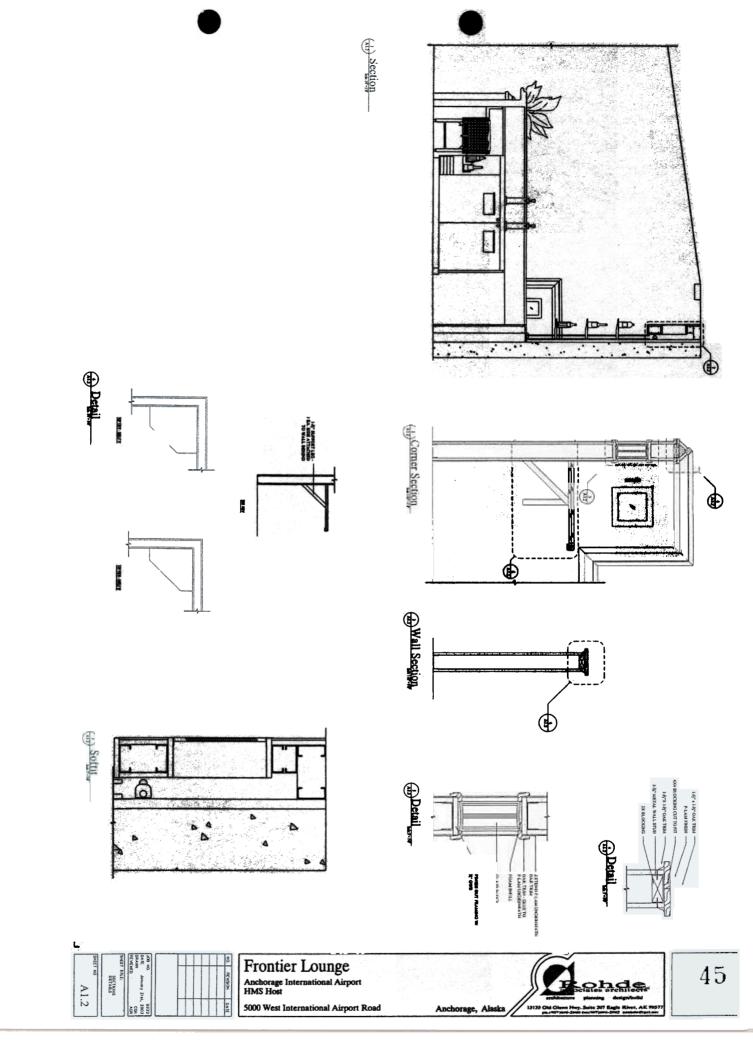




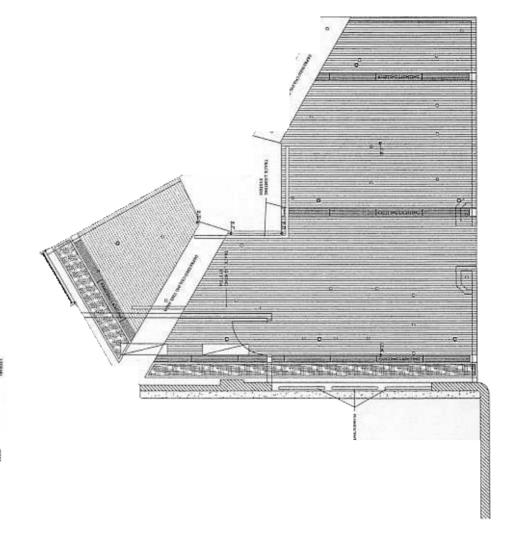


Frontier Lounge
Anchorage International Airport
HMS Host
5000 West International Airport Road







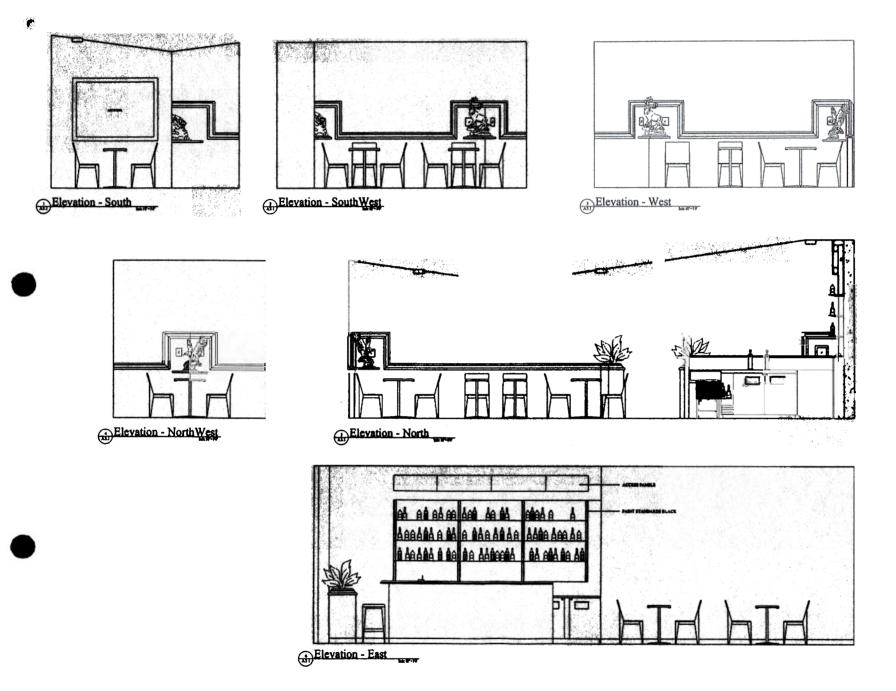


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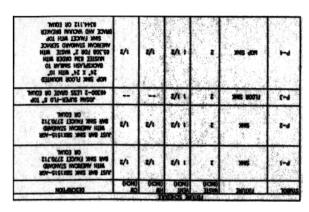
Frontier Lounge
Anchorage International Airport
HMS Host
5000 West International Airport Road

Anchorage, Alaska

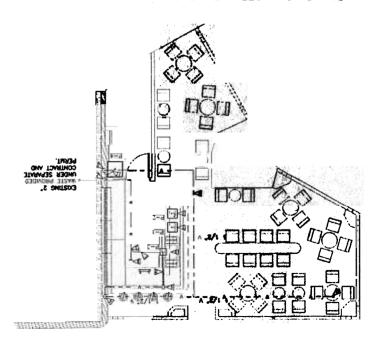








# PLUMBING WASTE AND VENT PLAN



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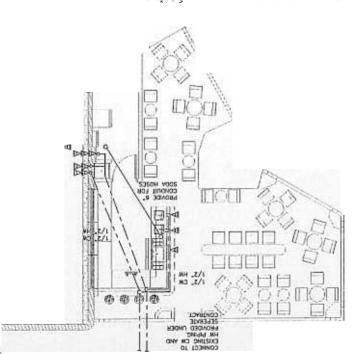
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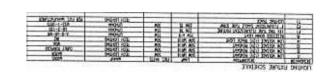
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5000 West International Airport Road



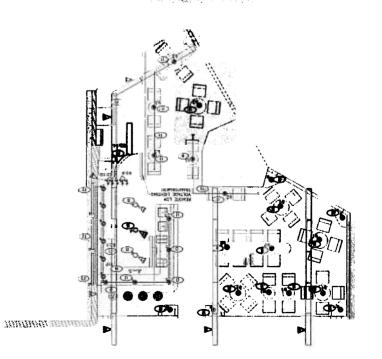


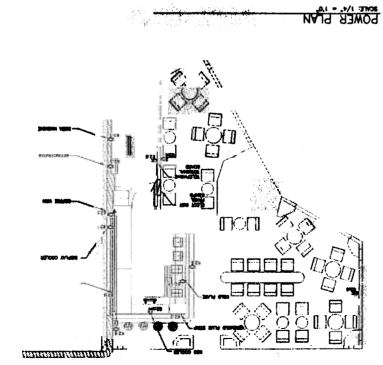




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# LIGHTING PLAN







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5000 Vest International Airport Road

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# POSTING AFFIDAVIT

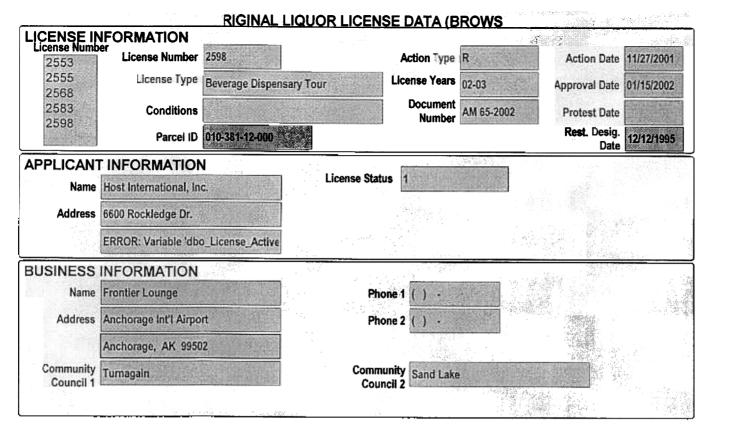


# **AFFIDAVIT OF POSTING**

CASE NUMBER: 2003-056	<u></u>	
I, SHERRI FESSENDEN  Notice of Public Hearing as prescribed by property that I have petitioned for <u>Cond</u> on <u>3 20 03</u> which is at least 21 da acknowledge this Notice(s) must be poste hearings have been completed.	y Anchorage Municipal Coo httoral USE . Thays prior to the public hearing	ne notice was posted ng on this petition.
Affirmed and signed this	_day of _March	,200 <u>3</u>
	Signature Signature	
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Tract or Lot		
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Subdivision		
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# HISTORICAL

# INFORMATION



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		Internation	al, Inc.		Address		ACCEPIN	100			
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E-mail	shen	ri.fessender	@hmshost.com		City	Bethes	sda				
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# MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM NO. AM 65-2002

CLERK'S OFFICE

APPROVED -15-02

**MEETING DATE: January 15. 2002** 

**Municipal Clerk** 

2002/2003 Liquor License Renewals-Upper One (#1187), Cheers Duplicate

(#1953) & Frontier Lounge-Tourism (#2598) Turnagain & Sand Lake Community Councils

On November 27, 2001 the Municipal Clerk's Office received from the Alcoholic Beverage Control Board notice for the 2002/2003 liquor license renewals for the following establishments:

> Beverage Dispensary Upper One (#1187) Cheers-Dunlicate (#1953)

Beverage Dispensary-Tourism Frontier Lounge (#2598)

Any ABC violations and/or incidents that would lead to an ABC violation are attached for the Assembly's evaluation.

There are no taxes owing.

AMC 21.50.160 requires that any use, whether principal or accessory, involving the retail, sale or dispensing of alcoholic beverage is permitted only by conditional use. There is a conditional use permit at each location.

Alaska Statute 04.11.480 provides that if the Assembly wishes to protest the issuance, renewal, relocation or transfer of a liquor license, it may protest within 60 days following receipt of the application and the protest will be honored unless the Board finds the protest to be arbitrary, carricious and unreasonable. The last day to protest is January 25, 2002. January 15, 2002 is the last scheduled regular Assembly meeting before the end of the protest period.

Approval of this memorandum will APPROVE the 2002/2003 liquor license renewals for the above establishments. The Municipal Clerk is authorized to notify the ABC Board of the Assembly's action and is authorized to sign on its behalf.

Respectfully submitted,

Municipal Clerk

Gren Mover

# STATE OF ALASKA

DEPARTMENT OF REVENUE

ALCOHOLIC BEVERAGE CONTROL BOARD

Greg Moyer
Director/Municipal Clerk
Municipality of Anchorage
P. O. Box 196650
Anchorage, Alaska 99519-6650



TONY KNOWLES, GOVERNOR

550 W. 7TH AVENUE, STE, 540

Auchorage, Alaska 99501-6698 Phone: 907-269-0350 Fax: 907-272-9412

November 26, 2001

Dear Mr. Moyer:

We have received following application(s) for renewal (2002-2003) of liquor license(s) within the Municipality of Anchorage. You are being notified as required by AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included on page two.

Beverage Dispensary

Upper Onc – License #1187 Cheers (Duplicate) – License #1953

Beverage Dispensary Tourism

Frontier Lounge (Tourism) - License #2598-

# 5023.66002.36 D not protested

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Jan 25, 2002

# MUNICIPALITY OF ANCHORAGE MUNICIPAL CLERK'S OFFICE AGENDA DOCUMENT CONTROL SHEET

		Indicate Basilment	Attached Attached
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	Host International, Inc. (dba Frontier										
	Lounge), Minor Amendment to an Existing										
	Conditional Use for an Alcoholic Beverage										
	Conditional Use in the Transition District fo										
	a Beverage Dispensary Tourism Use per										
	21.40.240 D.5; located on the West ½ o										
	Section 34, Township 13 North, Range 4										
	S.M., AK; generally located at the west	end of									
	West International Airport Road.										
	(0. ]										
	(Sand Lake; Turnagain; Spenard Communi	ty									
	Councils) (Case 2003-056)		DIRECTOR'S NAME								
2	Planning Department			son, Director							
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER	R							
	Jerry Weaver COORDINATED WITH AND REVIEWED BY		343-7939	DATE							
4	COORDINATED WITH AND REVIEWED BY		INITIALS	DATE							
5	Mayor										
	Heritage Land Bank										
	Merrill Field Airport										
	Municipal Light & Power										
	Port of Anchorage										
	Solid Waste Services										
	Water & Wastewater Utility			/							
4	Municipal Manager	V	M	4/4							
	Cultural & Recreational Services										
	Employee Relations										
100	Finance, Chief Fiscal Officer										
100	Fire										
	Health & Human Services										
	Office of Management and Budget										
100	Management Information Services										
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5	SPECIAL INSTRUCTIONS/COMMENT										
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