

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: April 22, 2003

Anchorage, Alaska
AR 2003-104

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING
A CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES CONDITIONAL USE
FOR A BEVERAGE DISPENSARY-TOURISM ALCOHOL LICENSE IN THE R-4
DISTRICT FOR INLET TOWER LLC, PER AMC 21.40.060 B.4, LOCATED ON
THE WEST ½ OF BLOCK 24, SOUTH ADDITION; GENERALLY LOCATED AT
1200 L STREET, ANCHORAGE.

(Inlet Tower)(Case 2003-057)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The conditional use permit for an Alcoholic Beverages Conditional Use for
a Beverage Dispensary-Tourism license in the R-4 District for Inlet Tower LLC, per
AMC 21.40.060 B.4, located on the west ½ of Block 24, South Addition, meets the
applicable provisions of AMC 21.50.020 and AMC 21.50.160.

Section 2. The conditional use permit for an Alcoholic Beverages Conditional Use is
approved subject to the following conditions:

1. A Notice of Zoning Action shall be filed with the District Records Office
within 120 days of the Assembly's approval of the final conditional use approval
for a beverage dispensary-tourism license in the R-4 District.
2. All uses shall conform to the plans and narrative submitted.
3. The use of the property by any person for the permitted purposes shall comply
with all current and future Federal, State and local laws and regulations
including, but not limited to, laws and regulations pertaining to the sale,
dispensing, service and consumption of alcoholic beverages and the storage,
preparation, sale, service and consumption of food. The owner of the property,
the licensee under the Alcoholic Beverage Control license and their officers,
agents and employees shall not knowingly permit or negligently fail to prevent
the occurrence of illegal activity on the property.
4. 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.).

- 5 A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premises involved at a location visible to the public.
- 6
- 7
- 8 6. The approved conditional use is reflected on the following plan:
- 9

Proposed Site and Floor Plan for Inlet Tower, 1200 'L' Street; sheet A1.2, first floor plan, dated October 8, 2002; prepared by Koonce Pfeffer Bettis.

7. The alcohol service area will occupy approximately 2,618 square feet within the 6,838 square feet of the first floor as follows: 1,695 square feet in the bar and restaurant with 88 fixed seats and 24 non-fixed seats, and 923 square feet in two banquet rooms with a total of 59 non-fixed seats; and will be open 365 days a year. Hours of operation must be consistent with AMC 10.50.010: closed for the sale of alcoholic beverages between the hours of ~~1:00 a.m. and 10:00 a.m.~~, Monday through Friday, and between the hours of ~~2:00 a.m. and 10:00 a.m.~~ on ~~Saturday, and between the hours of 2:00 a.m. and noon on Sunday.~~

** See Attached Amendments


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

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

PASSED AND APPROVED by the Anchorage Assembly this 22nd
day of April 2003.

ATTEST:


Chair


Municipal

(2003-057)
(001-082-57)

Board, such as or similar to the program for Techniques in Alcohol Management (T.A.M.).

- 5 A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premises involved at a location visible to the public.
6. The approved conditional use is reflected on the following plan:

Proposed Site and Floor Plan for Inlet Tower, 1200 'L' Street; sheet A1.2, first floor plan, dated October 8, 2002; prepared by Koonce Pfeffer Bettis.

7. The alcohol service area will occupy approximately 2,618 square feet within the 6,838 square feet of the first floor as follows: 1,695 square feet in the bar and restaurant with 88 fixed seats and 24 non-fixed seats, and 923 square feet in two banquet rooms with a total of 59 non-fixed seats; and will be open 365 days a year. There will be no more than 130 seats in the bar/restaurant area. Hours of operation must be consistent with AMC 10.50.010(A): closed for the sale of alcoholic beverages between the hours of 2:30 a.m. and 10:00 a.m., Monday through Friday, and between the hours of 3:00 a.m. and 10:00 a.m. on Saturday and Sunday or on a legal holiday recognized under AS 44.12.010.
8. Notwithstanding the hours of operation enumerated in Paragraph 7 above, there will be no sale of alcoholic beverages between the hours of 2:00 p.m. and 4:00 p.m., Monday through Friday throughout the school season as specified by the Anchorage School District.
9. Should any unknown prior conditions of the 1992 conditional use permit arise, the applicant agrees to appear before the Anchorage Assembly and determine if such conditions should apply to this conditional use permit.

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

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



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 344-2003

Meeting Date: April 22, 2003

From: Mayor

Subject: AR 2003-104

Alcoholic Beverages Conditional Use for a
Beverage Dispensary-Tourism License in the R-4
District for Inlet Tower LLC per AMC 21.40.060
B.4.

1 Inlet Tower LLC has made application for a conditional use permit for an alcoholic
2 beverages conditional use in the R-4 District for a beverage dispensary-tourism license per
3 AMC 21.40.060 B.4. The alcohol use will occupy approximately 2,618 square feet of
4 6,838 square feet on the main floor of the building located at 1200 'L' Street. Alcohol
5 service will occur in the bar and restaurant (88 fixed seats, 24 movable seats) and in two
6 banquet rooms (59 movable seats total).

7
8 The hotel has had alcohol service for 20 years with a conditional use going back to 1991.
9 The license expired due to the death of one of the licensees. The applicant will be filing
10 with ABC for a new license. The previous conditional use limited seating to 130 in the bar
11 and restaurant area and prohibited alcohol service before 5:00 p.m., see AM 46-91, page 63
12 of the staff report.

13
14 On April 1, 2003, 283 public hearing notices were mailed. At the time this report was
15 written, the South Addition Community Council had not commented on the conditional
16 use. No comments have been received from the public.

17
18 *Alaska Statute 04.11.410, Restriction of Location Near Churches and Schools*, restricts
19 beverage dispensary and package store licenses from being located in a building with a
20 public entrance within 200 feet of the public entrance of a church building, or from being
21 located within 200 feet of school grounds. To our knowledge there are no churches,
22 schools or daycare centers within 200 feet. The closest of these uses is Inlet View
23 Elementary School located approximately 700 feet to the west.

24
25 AMC 21.50.160 B requires that a list of all alcohol licenses located within a minimum of
26 1,000 feet of the proposed conditional use be provided. There are no other licenses within
27 1,000 feet. The closest license appears to be Benihana Restaurant, about 1,200 feet distant.
28 Within 3,000 feet, there are 31 licenses, all in the downtown area.

29
30 The Anchorage Police Department reports that, in the previous two years, there have been
31 a number of incidents. Four of the incidents do not include a summary report as they are
32 not alcohol related. The incidents were (one each) drugs, robbery/shooting, false report/

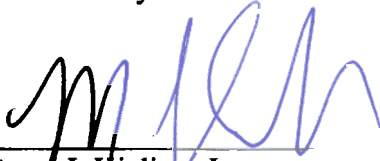
1 driving with license revoked and theft. In August and November of 2002, there were three
2 instances of minors consuming alcohol on the premises. Each of these instances was
3 reported by the hotel and resulted in citations and arrests.

4
5 There are no delinquent Personal Property Taxes and or Real Property Taxes owing. No
6 comments were received from the Department of Health and Human Services at the time
7 the report was prepared.


8
9 This conditional use for alcoholic beverages in the R-4 District for a beverage dispensary-
10 tourism license generally meets the required standards of Title 21 and Title 10.

11
12 The Administration has no objection to the request.
13
14

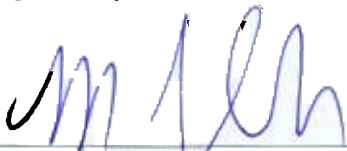
Reviewed by:


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.: 2003-057

APPLICANT: Inlet Tower, LLC

REPRESENTATIVE: Dan K. Coffey

REQUEST: Conditional Use for an Alcoholic Beverages Conditional Use for a Beverage Dispensary-tourism License per AMC 21.50.020 and 21.50.160 in the R-4 District.

LOCATION: South Addition, block 24, west ½

STREET ADDRESS: 1200 L Street

COMMUNITY COUNCIL: South Addition

TAX PARCEL: 001-082-57

ATTACHMENTS

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

RECOMMENDATION SUMMARY:

Approval with conditions

SITE:

Acres: 2.06 acres (90,000 square feet)

Vegetation: Residential

Zoning: R-4 multiple family residential

Topography: Level

Existing Use: Inlet Tower high rise, a 182 unit full service hotel

Soils: Public water and public sewer

COMPREHENSIVE PLAN

Classification: Near a re-development/mixed use and transit supportive

CONDITIONAL USE-LIQUOR

2003-057



Municipality of Anchorage
Planning Department



Date: FEBRUARY 20, 2003

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



02

0 500 1000 Feet

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

MARK	DOOR						FRAME				HARDWARE			
	SIZE			TYPE	LOUVER		MATL	TYPE	DETAIL			FIRE	SET	RM NO
	WD	HGT	MATL		WD	HGT			HEAD	JAMB	SILL			
101A	2'-0"	0'-0"	101	-	24	14	101	-	-	-	-	110	1	
102A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	110	2	
103A	2'-0"	0'-0"	101	1 1/2 HR	-	-	101	-	-	-	-	110	3	
104A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	210	3	
105A	2'-0"	0'-0"	101	1 1/2 HR	-	-	101	-	-	-	-	110	3	
106A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	110	4	
107A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	110	5	
107B	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	110	6	
108A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	110	6	
109A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	110	6	
110A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	110	7	DEL DOOR
111A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	210	3	
112A	2'-0"	0'-0"	101	-	-	-	101	-	-	-	-	110	3	

1. ALL FIRE RATED DOORS REQUIRE SMOKE STOPPING, SOUND-REDUCTION, OR EQUAL.

**Hollow Metal Doors and Frames
Comply with ANSI A550.8**

**Doors - Level 2, Model 2
Frames-Level 2**



CONDITIONAL USE - LIQUOR

2003-057



Municipality of Anchorage
Planning Department



Date: FEBRUARY 25, 2003

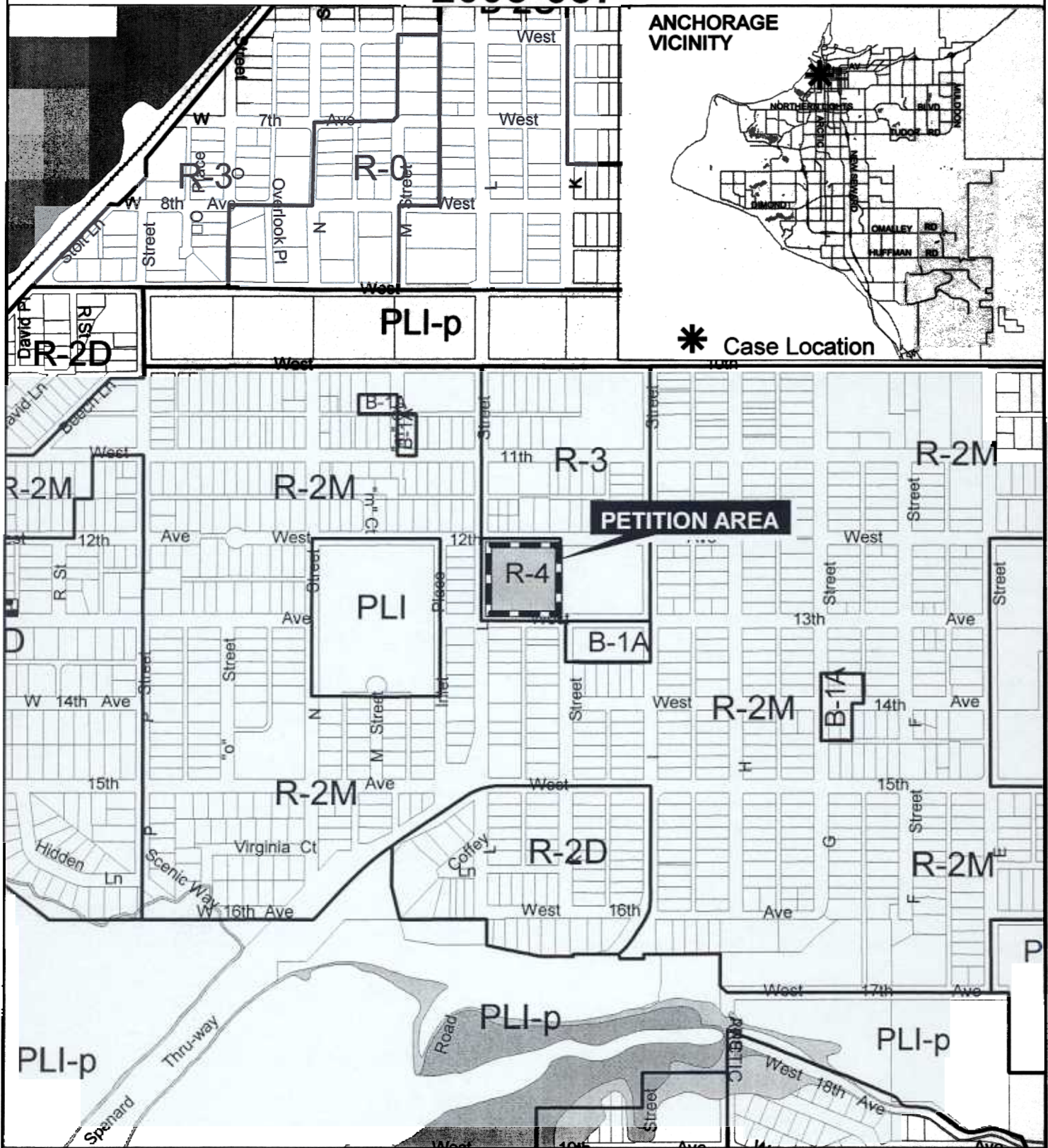


05

Date of Aerial Photography: 2001

CONDITIONAL USE-LIQUOR

2003-057



Municipality of Anchorage
Planning Department



Date: FEBRUARY 20, 2003

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway



06

0 500 1000 Feet

Density: corridor
High >35dua

SURROUNDING AREA

	NORTH	EAST	SOUTH	WEST
Zoning:	R-3	R-3	R-2M	R-2M
Land Use:	SF & duplex	MF condo	duplex	Condo

SITE DESCRIPTION AND PROPOSAL:

The structure was built in 1951, the current operation is a 182 unit hotel. There had been an alcohol license in place for longer than 20 years. The previous license expired due to the death of a licensee. The conditional use application for that license (1991) had two conditions of approval: 1) no more than 130 seats in the bar/restaurant area; 2) no alcohol service prior to 5 pm (action date 1/22/91, AM 91-46). The applicant is now seeking a new beverage dispensary – tourism license to replace the expired license. The number of beverage dispensary licenses in Anchorage is at maximum, based on state population limits. However, the ABC Board may issue or transfer a beverage dispensary or restaurant/eating place license without regard to population limits if it finds that the license is associated with a hotel or similar business related to the tourist trade (ref. Sec. 04.11.400 (d)(1)).

The gross lease-able area of the first floor, which includes reception & check-in, lobby, restrooms, offices, etc., as well as the restaurant, bar and banquet rooms is 6,838 square feet. The alcohol service area will contain 2,618 square feet; 1,695 square feet of restaurant/bar, 561 square feet in the large banquet room, 362 square feet in the small banquet room. Fixed seats in the bar/restaurant total 88; non-fixed seats total 24. The two banquet rooms will have a total occupancy of 59. If approved by ABC, self service alcohol will be available in-room in mini bars.

The application states that hours of operation for the restaurant will be 6.00am to midnight and alcohol will be available as permitted by law.¹ There are no other alcohol licenses within 1,000 feet. There are three licenses within 2,000

¹ AMC 10.50.010 closing hours for licensed premises.

- A. Premises licensed under AS 4.11.080 for the service and consumption of alcoholic beverage shall be closed for the sale, service and consumption of alcoholic beverages between the hours of 2:30 a.m. and 10:00 a.m. Monday through Friday and between the hours of 3:00 a.m. and 10:00a.m. on Saturday or Sunday or on a legal holiday recognized by the State under AS 44.12.010.
- B. All other retail premises licensed under AS 4.11.080 shall be closed for the sale of alcoholic beverages between the hours of 1:00 a.m. and 10:00 a.m. Monday through Friday and between the hours of 2:00 a.m. and 10:00 a.m. on Saturday and between the hours of 2:00 a.m. and noon on Sunday.

feet: Benihana restaurant (beverage dispensary); Anchorage Marriott Hotel (beverage dispensary); Cilantro's (restaurant/eating place). There are 31 licenses within 3,000 feet.

All employees selling alcohol (the applicant estimates 10-12 employees) will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program. Identification is required of all questionable patrons. Non-alcoholic beverages are available, notices of penalties for driving intoxicated will be posted. The property is near a public transportation route. There is no entertainment other than recorded music and large screen tv. There will be 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. It is estimated that the ratio of sales will be: alcohol 5%, food 15%, all other 80%.

Parking lot design and landscaping, and parking lot lighting are a pre-existing condition. The hotel use has certain non-conforming rights, including parking, landscaping, lighting and loading. The applicant indicates that there will be 24 hour staffing and a member of management on site at all times, and there will be video surveillance cameras installed. The hotel itself has a variance to allow a hotel in R-4 not on a class 1 street.

PUBLIC COMMENTS:

A total of 283 public hearing notices were mailed for this item on April 1, 2003. At the time this report was written, no comments had been received from South Addition Community Council, the applicant was to present this item to the community council in late March. No comments have been received from the public.

FINDINGS

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

The *Anchorage 2020 Comprehensive Plan* does not specifically address the sale of alcoholic beverages in the community. A strategy of the adopted *Anchorage 2020*, however, does call for the development of locational standards and criteria for retail sales/service of alcoholic beverages.

Several goals of the *Anchorage 2020* do address related issues such as recreational and economic opportunities. The sales of alcoholic beverages are part of the social, recreational and economic environment of the community.

The property is in a residentially developed area and is near a designated town center, redevelopment/mixed use area and a transit supportive corridor.

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

This standard is met.

The property is zoned R-4. A hotel is a principal permitted use and structure provided the lot has a minimum area of 14,000 square feet and is on a street of class I or greater designation. The lot does not have class I street access, but has a variance from 1981 (case 81-39).

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

This standard is met.

The nearby uses are commercial (New Sagaya City Market) and residential (condominiums, apartments, duplexes and single family homes). The addition of the license for the bar and restaurant is a reasonable and customary use. The hotel is compatible with the residential nature of the area. There are no schools, churches or day care centers within 200 feet of the parcel. The applicant has indicated that none of these type uses are within 1,000 feet. The staff calculation per AS 04.11.410, which measures from the front door of the hotel to the outer boundary of the Inlet View school grounds, estimates the distance at 700 feet.

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.

This is a developed site. Pedestrian access, parking and traffic circulation appear to be adequate. The parking area has

nonconforming rights to allow 176 spaces when the code requirement is one space per guest room.

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

This standard is met.

All services are in place. The addition of alcohol sales in the restaurant/bar should not result in significantly greater impacts than the existing hotel.

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

This standard is met.

An alcohol license will not add significantly to the existing use.

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

This standard is met.

The zoning, land use and the general area land use will not change as a result of this conditional use permit for a dispensary license.

Standards Chapter 10.50 Alcoholic Beverages

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

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

Within 1,000 feet of this application there are no other alcohol licenses.

Within 2,000 feet there are three other licenses:

TYPE	NAME	LOCATION
Beverage Dispensary	Benihana	1100 W. 8 th Ave.

Beverage Dispensary	Anchorage Marriott Hotel	820 W. 7 th Ave.
Restaurant/eating place	Cilantro's	611 W. 9 th Ave.

Within 3,000 feet of this application are thirty-one licenses (all in the downtown area):

seven restaurant/eating place,
twenty-one beverage dispensary (including four beverage dispensary-tourism and two beverage dispensary-duplicate),
one package store license,
one theater license,
and one brew pub license.

There are 5 licenses either within the Community Council or on the boundary of South Addition CC.

The ABC Board may prohibit a new license or relocation of a license for each type of license based upon a ratio of licenses to population. Except for restaurant or eating place license's that have a 1:1,500 population ratio, all other category of licenses has a 1:3,000 population ratio (Alaska Statue Section 04.11.400.3.A and B). The population figure is that of a unified Municipality (the entire population of the Municipality of Anchorage minus military and inmates). The ABC Board uses the figure 242,659 that was effective as of December 31, 2000. A 3,000/242,659 ratio equals a maximum of 80 alcohol licenses allowed city wide for each type of license other than for a restaurant or eating place license.

The ABC Board may choose to disregard population limits for a tourist related alcohol license. The requirement (Sec. 04.11.400) is "a hotel, motel resort, or similar business relating to the tourist trade with a dining facility... will be located as follows:

(G) 50 rental rooms if the population is greater than 50,000."

The hotel qualifies under this section, however at the time this report was written, an ABC license application had not been filed. The applicant has indicated he will apply for a new beverage dispensary-tourism license.

- 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 (approximately 10-12) involved in the sale of alcoholic beverages will be trained in accordance with the T.A.M. training and hold the appropriate certificates.

- C. Operations procedures. If application is made for issue, renewal or transfer of a license, whether the applicant can demonstrate prospective or continued compliance with operations procedures for licensed premises set forth in Section 10.50.035 of this code.**

This standard is met.

This conditional use application is for an alcoholic beverages conditional use in the R-4 District for a Beverage dispensary-tourism license per AS 04.11.090, 04.11.400, and 15 AAC 104.325.

AMC 10.50.035 sets forth that persons seeking the issue or transfer of a license shall comply with restrictions regarding happy hours, games or contests involving the consumption of alcohol, public transportation, notice of penalties, availability of nonalcoholic drinks, compliance determination with techniques in alcohol management (T.A.M.), solicitation of purchase of alcoholic beverages for consumption by employees, and warning signs. The petitioner has stipulated in his application that he will abide by requirements of AMC 10.50.035.

- D. Public safety. When application is made for the renewal or transfer of location or transfer of ownership of a beverage dispensary license restaurant or eating place license, or package store license, the Assembly shall consider whether the operator can demonstrate the ability to maintain order and prevent unlawful conduct in a licensed premises. In determining the operator's demonstrated ability to maintain order and prevent unlawful conduct, the Assembly may consider police reports, testimony presented before the Assembly, written comments submitted prior to or during the public hearing, or other evidence deemed to be reliable and relevant to the purpose of this subsection. For purposes of this section and Section 10.50.035 "licensed premises" shall include any adjacent area under the control or management of the licensee.**

This standard does not appear to be met.

The applicant has indicated that hotel staff including management will be on site 24 hours per day. Outdoor video surveillance equipment will be installed. Alcohol sales have occurred for 20 years at the hotel with no pattern of practice injurious to the public health or safety.

The Anchorage Police Department has submitted comments. In the past two years there were four non-alcohol incidents, but one involved drugs. In August and November of 2002 there were three incidents involving minors and alcohol. All three incidents resulted in citations and arrests.

- E. Payment of taxes and debts. When application is made for renewal of a license the assembly shall consider, pursuant to AS 4.11.330, whether the applicant is delinquent in payment of taxes owed to the Municipality. When application is made for transfer of ownership of a license the Assembly shall consider, pursuant to AS 4.11.360, whether the municipality has received either payment or adequate security, for the payment of any debts or taxes, including any estimated taxes for the current year, arising from the conduct of the licensed business. Adequate security for the payment of debts and taxes may be in the form of: 1) escrowed funds sufficient to pay the debts and taxes claimed and any escrow fees; 2) actual payment of debts and taxes claimed; or, 3) a guarantee agreement in accordance AMC 10.50.030. Any guarantee agreement shall be in writing, signed by the transferor, transferee and Municipality**

This standard is met.

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

- F. Public health. If application is made for the renewal or transfer of location or transfer of ownership of a license, the Assembly shall consider whether the operator has engaged in a pattern of practices injurious to public health or safety such as providing alcohol to minors or intoxicated persons, committing serious violations of State law relevant to public health or safety, or other actions within the knowledge and control of the operator which place the public health or safety at risk. In determining if a pattern of practices injurious to public health or safety exists, the Assembly may consider criminal convictions, credible proof of illegal activity even if not prosecuted, police reports, testimony presented before the Assembly, written comments submitted prior to or during the public**

hearing, or other evidence deemed to be reliable and relevant to the purpose of this subsection.

At the time this report was prepared there were no returned comments from DHHS.

- 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 final conditional use for alcoholic beverages in the R-4 District for a Beverage dispensary-tourism alcohol license as defined by AS 04.11.090 generally meets the required standards of Title 21 and Title 10, and AMC 21.50.160.

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

1. A notice of Zoning Action shall be filed with the District Records Office within 120 days of the Assembly's approval of the final conditional use approval for a beverage dispensary-tourism license in the R-4 district.
2. All uses shall conform to the plans and narrative submitted.
3. The use of the property by any person for the permitted purposes shall comply with all current and future federal, state and local laws and regulations including but not limited to laws and regulations pertaining to the sale, dispensing, service and consumption of alcoholic beverages and the storage, preparation, sale, service and consumption of food. The

owner of the property, the licensee under the Alcoholic Beverage Control license and their officers, agents and employees shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the property.

4. 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.).
5. A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premise involved at a location visible to the public.
6. the approved conditional use is reflected on the following plan:
 - a. Inlet Tower Suites, 1200 L Street, sheet A1.2.
7. The alcohol service area will occupy 2,618 square feet within the 6,838 square foot first floor as follows: 1,695 square feet in the bar/restaurant with 88 fixed seats and 24 non-fixed seats; and 923 square feet in two banquet rooms with a total of 59 non-fixed seats and will be open 365 days a year. Hours of operation must be consistent AMC 10.50.010: closed for the sale of alcoholic beverages between the hours of 1:00 a.m. and 10:00 a.m. Monday through Friday, and between the hours of 2:00 a.m. and 10:00 a.m. on Saturday, and between the hours of 2:00 a.m. and noon on Sunday.

Parcels--Basic Layers

Tue Feb 25, 12:22:49, 2003

Map: Parcels--Basic Layers

1,000'



Scale 1:9000

Legend:



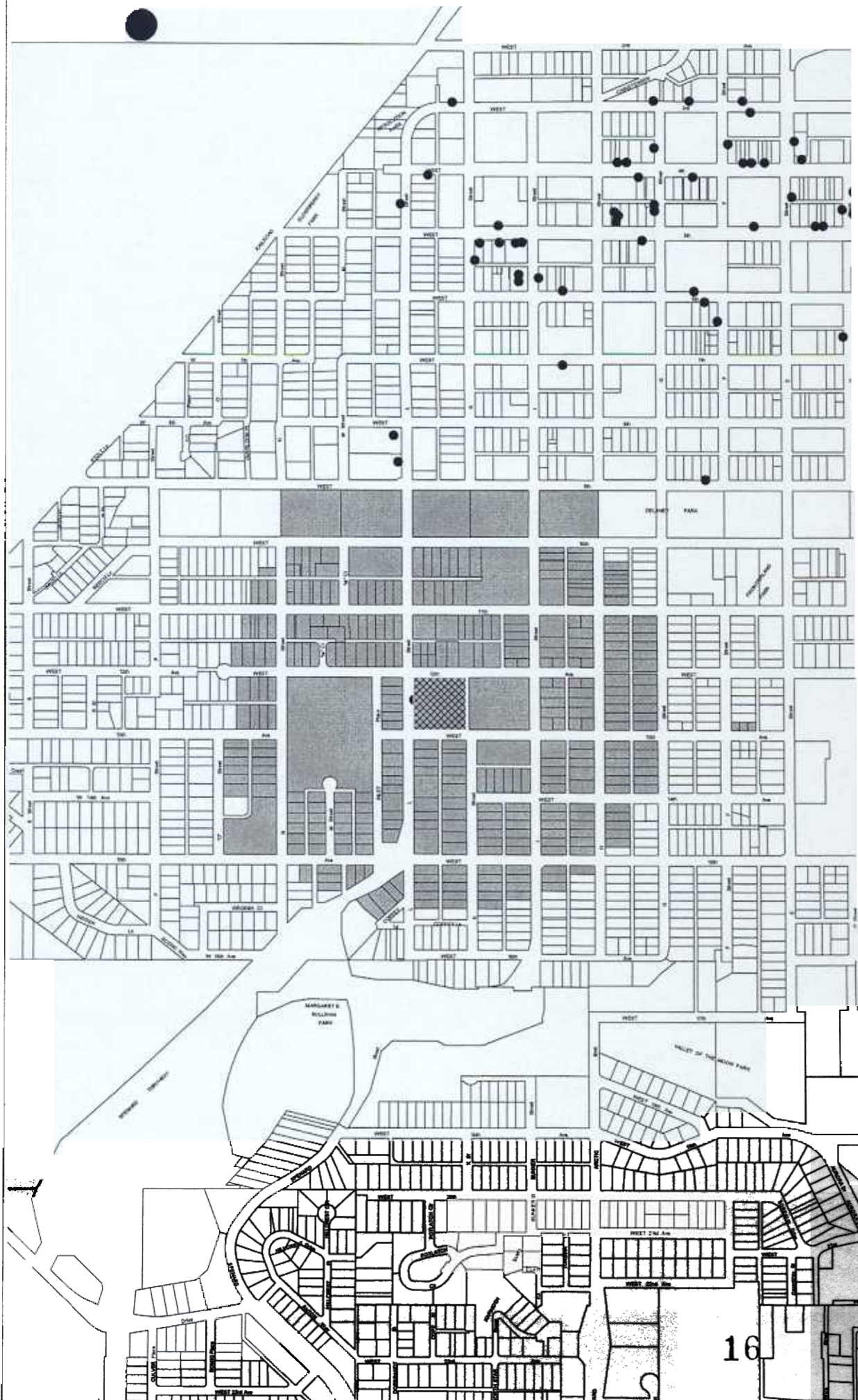
active_Alcohol

Text

streetsano: Text



parcels



Parcels--Basic Layers

Tue Feb 25, 12:00:57, 2003

Map: Parcels--Basic Layers

3000'



Scale 1:15000

Legend:



active_Alcohol

Txt

streetsano: Text



parcels



Alcohol Extract from List Report

Case Number: 2003-057

Description: 1000 Feet No licenses come up.

<u>Parcel</u> <u>Business Name</u>	<u>Parcel Owner Name</u> <u>Applicant Name</u>	<u>Parcel Owner Address</u> <u>Business Address</u>	<u>City</u> <u>Lic. Number</u>	<u>State</u> <u>Lic. Zone</u>	<u>Zip</u> <u>Lic. Type</u>
------------------------------------	--	---	--------------------------------	-------------------------------	-----------------------------

Alcohol Extract from List Report

Case Number: 2003-057

Description: 2000 foot alcohol

<u>Parcel</u> <u>Business Name</u>	<u>Parcel Owner Name</u> <u>Applicant Name</u>	<u>Parcel Owner Address</u> <u>Business Address</u>	<u>City</u> <u>Lic. Number</u>	<u>State</u> <u>Lic. Zone</u>	<u>Zip</u> <u>Lic. Type</u>
00105269000 Benihana	ALASKA TEPANYAKI LLC Alaska Tepanyaki, LLC	PO BOX 201908 1100 W. 8th Ave.	ANCHORAGE 4161	AK B2C	99520 Beverage Dispensary
00105455000 Anchorage Marriott Hotel	COLUMBIA PROPERTIES Columbia Properties Anchorage	207 GRANDVIEW DRIVE 820 W. 7th Ave.	FORT MITCHEL 3945	KY B2B	41017 Beverage Dispensary Tour
00211309000 Cilantro's	JONES KIM & Escalante, Jorge A.	PO BOX 112994 611 W. 9th Ave.	ANCHORAGE 3908	AK B2C	99511 Restaurant/Eating Place

Alcohol Extract from List Report

Case Number: 2003-057

Description: 3000 foot alcohol

<u>Parcel</u> <u>Business Name</u>	<u>Parcel Owner Name</u> <u>Applicant Name</u>	<u>Parcel Owner Address</u> <u>Business Address</u>	<u>City</u> <u>Lic. Number</u>	<u>State</u> <u>Lic. Zone</u>	<u>Zip</u> <u>Lic. Type</u>
00103247000 Simon & Seafort's	L STREET INVESTMENTS RUI One, Inc.	420 L ST #500 420 L St.	ANCHORAGE 1050	AK B2C	99501 Beverage Dispensary /
00103311000 Snow City Café	MICHAEL NAFLA A IRREVOC TRUST Let it Snow, LLC	2125 DAHL LANE #3 1034 W. 4th Ave.	ANCHORAGE 3831	AK B2C	99503 Restaurant/Eating Place
00103404000 Yamaya Restaurant	YAMADA MASAHIDE & KAZUKO Yamada, Masahide & Kazuko	4100 NORTH STAR STREET 825 W. 6th Ave.	ANCHORAGE 3728	AK B2B	99504 Restaurant/Eating Place
00103407000 Wing's 'n Things	CONNELLY JOSEPH M & TERESA Wings 'n Things, Inc.	529 I STREET 529 I St.	ANCHORAGE 2046	AK B2B	99501 Restaurant/Eating Place
00103421000 Corsair Restaurant	WILLIAMS STANLEY J Corsair, Inc.	1324 ZARVIS PL 944 W. 5th Ave.	ANCHORAGE 742	AK B2B	99508 Beverage Dispensary Tour
00103421000 Voyager Lounge, The	WILLIAMS STANLEY J Williams, Stanley	1324 ZARVIS PL 501 K St.	ANCHORAGE 307	AK B2B	99508 Beverage Dispensary Tour
00103462000 Alley, The	FIFTH AVENUE BUILDING LLC Wallace, Dale	PO BOX 71 900 W. 5th Ave. #102	OLD HARBOR 4163	AK B2B	99643 Beverage Dispensary
00103462000 Jass Alley (CLOSED)	FIFTH AVENUE BUILDING LLC McLeod, Marlyn	PO BOX 71 900 W. 5th Ave. #102	OLD HARBOR 3269	AK B2B	99643 Restaurant/Eating Place
00103463000 La Mex Too	LA MEXICANA INC La Mexicana, Inc.	PO BOX 92480 901 W. 6th Ave.	ANCHORAGE 636	AK B2B	99509 Beverage Dispensary
00103463000 La Mex Too Upstairs	LA MEXICANA INC La Mexicana, Inc.	PO BOX 92480 901 W. 6th Ave.	ANCHORAGE 2009	AK B2B	99509 Beverage Dispensary Dup
00103464000 Downtown Wine & Spirits	ALASKA LABORERS BLDG CORP Brown Jug, Inc.	2501 COMMERICAL DR 930 W. 5th Ave.	ANCHORAGE 3322	AK B2B	99501 Package Store
00103464000 Kaze	ALASKA LABORERS BLDG CORP Ohyama, Takaharu	2501 COMMERICAL DR 930 W. 5th Ave.	ANCHORAGE 2296	AK B2B	99501 Restaurant/Eating Place /

<u>Parcel</u> <u>Business Name</u>	<u>Parcel Owner Name</u> <u>Applicant Name</u>	<u>Parcel Owner Address</u> <u>Business Address</u>	<u>City</u> <u>Lic. Number</u>	<u>State</u> <u>Lic. Zone</u>	<u>Zip</u> <u>Lic. Type</u>
00103466000 Crow's Nest/Captian Cook Hotel	HICKEL INVESTMENT CO Hickel Investment Co.	PO BOX 101700 939 W. 5th Ave.	ANCHORAGE 290	AK B2B	99510 Beverage Dispensary ✓
00103466000 Fletcher's/Captain Cook Hotel	HICKEL INVESTMENT CO Hickel Investment Co	PO BOX 101700 939 W. 5th Ave.-Tower 3	ANCHORAGE 2290	AK B2B	99510 Beverage Dispensary
00103466000 Quarterdeck/Captain Cook Hotel	HICKEL INVESTMENT CO Hickel Investment Co.	PO BOX 101700 939 W. 5th Ave.-Tower 1	ANCHORAGE 932	AK B2B	99510 Beverage Dispensary .
00103466000 Whale's Tail/Captain Cook Hote	HICKEL INVESTMENT CO Hickel Investment Co.	PO BOX 101700 939 W. 5th Ave.-Tower 1	ANCHORAGE 1224	AK B2B	99510 Beverage Dispensary .
00105269000 Benihana	ALASKA TEPANYAKI LLC Alaska Tepanyaki, LLC	PO BOX 201908 1100 W. 8th Ave.	ANCHORAGE 4161	AK B2C	99520 Beverage Dispensary
00105455000 Anchorage Marriott Hotel	COLUMBIA PROPERTIES Columbia Properties Anchorage	207 GRANDVIEW DRIVE 820 W. 7th Ave.	FORT MITCHEL 3945	KY B2B	41017 Beverage Dispensary Tour >
00210125000 Softice Café	ANCHORAGE HOTEL ASSOCIATES Westmark Hotels, Inc.	300 ELLIOTT AVENUE W 720 W. 5th Ave.	SEATTLE 847	WA B2B	98119 Beverage Dispensary
00210136000 Glacial Reflections Fine Cater	MOA Hotel 4th Ave, The	PO BOX 196650 621 W. 6th Ave.	ANCHORAGE 3852	AK B2A	99519 Theater License (PAC)
00210509000 William A. Egan Civic & Conven	MOA SMG of Alaska, Inc.	PO BOX 196650 555 W. 5th Ave.	ANCHORAGE 3234	AK B2A	99519 Beverage Dispensary
00210519000 Glacier Brew House	ACREE ROBERT B Brews Brothers, LLC, The	903 W NORTHERN LIGHTS #210 737 W. 5th Ave. #110	ANCHORAGE 3978	AK B2B	99503 Beverage Dispensary ✓
00210520000 Glacier Brew House, The	ACREE ROBERT B Brews Brothers, The LLC	903 W NORTHERN LIGHTS #210 737 W. 5th Ave. #110	ANCHORAGE 3985	AK B2B	99503 Brewpub
00210521000 Restaurante' Orso	737 WEST FIFTH AVENUE LLC The Brews Brothers, LLC	PO BOX 241826 737 W. 5th Ave.	ANCHORAGE 4012	AK B2B	99524 Beverage Dispensary Dup >
00210526000 Ginza Restaurant	CHEN TOM & MING TZE Chen, Tom & Ming Tze	712 W 4TH AVENUE 712 W. 4th Ave.	ANCHORAGE 3607	AK B2B	99501 Beverage Dispensary ✓
00210550000 Darwin's Theory	BIWER DARWIN A JR Darwin's Theory, Inc.	426 G STREET 426 G St.	ANCHORAGE 987	AK B2B	99501 Beverage Dispensary ✓

<u>Parcel</u> <u>Business Name</u>	<u>Parcel Owner Name</u> <u>Applicant Name</u>	<u>Parcel Owner Address</u> <u>Business Address</u>	<u>City</u> <u>Lic. Number</u>	<u>State</u> <u>Lic. Zone</u>	<u>Zip</u> <u>Lic. Type</u>
00210552000 Uncle Joe's Pizzeria	ACREE ROBERT B U.J. Alaska, Inc.	903 W NORTHERN LIGHTS #210 428 G St., #D	ANCHORAGE 3847	AK B2B	99503 Restaurant/Eating Place ✓
00211253000 Bungalow Lounge, The	SOUPHANAVONG BERNARD Souphanavong, Bernard I.	626 D STREET 626 D St.	ANCHORAGE 3781	AK B2B	99501 Beverage Dispensary ✓
00211268000 Clarion Suites Hotel/Choice	CHENEGA LODGING LLC Chenega Hotel Management, LLC	4000 OLD SEWARD HWY #101 325 W. 8th Ave.	ANCHORAGE 3851	AK B2C	99503 Beverage Dispensary Tour >
00211309000 Cilantro's	JONES KIM & Escalante, Jorge A.	PO BOX 112994 611 W. 9th Ave.	ANCHORAGE 3908	AK B2C	99511 Restaurant/Eating Place
00211375000 Humpty's Great Alaskan Alehouse	PASSERINE L A & Hook, Line & Sinker, Inc.	520 W 6TH AVENUE 610 W. 6th Ave.	ANCHORAGE 3427	AK B2A	99501 Beverage Dispensary

**FULL TEXT OF
DOCUMENT CAN BE
OBTAINED AT MUNI
CLERK S OFFICE**