

CLERK'S OFFICE
APPROVED
Date: 9-8-04

Submitted by:

Chair of the Assembly at
the Request of the Mayor
Planning Department
September 7, 2004

Prepared by:
For reading

Anchorage, Alaska
AR 2004-222

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 SL DISTRICT FOR A NEW RESTAURANT, OR EATING PLACE USE PER AMC 21.40.180 D.8. FOR MANRIQUES BRASSERIE RESTAURANT; LOCATED ON LOT A, BLOCK 2, BEL AIRE SUBDIVISION; SITE ADDRESS BEING 701 WEST 36th AVENUE, SUITE #A-17; LOCATED IN THE OLYMPIC CENTER MALL; GENERALLY LOCATED ON THE NORTHEAST CORNER OF ARCTIC BOULEVARD AND WEST 36TH AVENUE.

(Manriques Brasserie Restaurant) (Case 2004-125)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The conditional use permit for an Alcoholic Beverages Conditional Use in the B-3 SL District for a new Restaurant, or Eating Place use per AMC 21.40.180 D.8. for Manriques Brasserie Restaurant; located on Lot A, Block 2, Bel Aire Subdivision; site address being 701 West 36th Avenue, Suite #A-17, meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160.

Section 2. The subject conditional use permit for an Alcoholic Beverages Conditional Use in the B-3 SL District for a new Restaurant, or Eating Place License per AMC 21.40.180 D.8. for Manriques Brasserie is approved subject to the following conditions:

1. A Notice of Zoning Action shall be filed with the State District Recorder's Office within 120 days of the Assembly's approval of a final conditional use approval for a restaurant/eating place serving alcoholic beverages in the B-3 SL District.
2. All uses shall conform to the plans and narrative submitted.
3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the B-3 SL District for a restaurant/eating place use per AMC 21.40.180 D.8 for Manriques Brasserie, a 2,600 square-foot leased space within the Olympic Center Mall, located on Lot A, Block 2, Bel Aire Subdivision. The restaurant has 15 tables, 13 fixed seats and 27 non-fixed seats for a total of 40 seats. Alcohol sales are estimated to be 20 percent of the total gross receipts compared

to 80 percent of food sales. The restaurant may operate 365 days a year with hours of operation as permitted by law.

4. 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.

5. Upon demand, the applicant shall demonstrate compliance with a "Liquor Server Awareness Training Program" approved by the State of Alaska Alcohol Beverage Control Board, such as or similar to the program for Techniques in Alcohol Management (TAM).

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

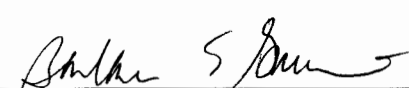
Section 3. Failure to comply with the conditions of this conditional use permit shall constitute grounds for its modification or revocation.

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

PASSED AND APPROVED by the Anchorage Assembly this 8th
day of September 2004.

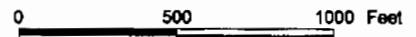
ATTEST:


Chair


Municipal Clerk

(2004-125)
(009-061-38-000)

2004-125





MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

AM No. 683-2004

Meeting Date: September 7, 2004

From: Mayor

Subject: AR 2004- 222 Alcoholic Beverages Conditional Use for a
Restaurant/Eating Place License in the B-3 SL District
per AMC 21.40.180.D.8. for Manriques Brasserie
Restaurant

1 Manriques Brasserie, Inc. has made application for a new final conditional use permit for a
2 new restaurant/eating place license in the B-3 SL District for a restaurant to be located in
3 the Olympic Center Mall at 701 West 36th Avenue, Suite #A-17. There are 15 tables, 13
4 fixed seats and 27 non-fixed seats in the public dining area that occupies a 2,600 square-
5 foot leased space.

6
7 The restaurant is located at the northeast corner of Arctic Boulevard and West 36th Avenue.
8 Beer and wine sales are anticipated to be 20 percent of sales compared to 80 percent food
9 sales. It will operate seven days a week with hours of operation as permitted by law
10 (normally Monday through Friday, but available on weekends for private in-house
11 catering). Employees will be trained in accordance with the Alcoholic Beverage Control
12 Board's "Liquor Server Awareness Training Program." Non-alcoholic beverages will be
13 available, notices of penalties for driving intoxicated will be posted, and patrons will have
14 access and assistance to public transportation. There will be no entertainment defined as
15 "indecent material" or "adult entertainment," no happy hours, games or contests that
16 include consumption of alcoholic beverages, and no solicitation or encouragement of
17 alcoholic beverage consumption.

18
19 The Midtown Community Council provided written comments of no objection to the
20 restaurant license. Of the 147 public hearing notices mailed, one was returned with no
21 objection. Alaska Statute 04.11.100 restricts license transfer or renewal of restaurant
22 licenses from being located in a building having a public entrance within 200 feet of the
23 boundary line of a school or a church building. There are no day care facilities, schools or
24 churches within 200 feet of the property lines of the site. No comments were received
25 from the Department of Health and Human Services. The Anchorage Police Department
26 had four incident calls during the past two years at this address (of the mall), but none were
27 liquor violations. There are no delinquent Personal Property Taxes and/or Real Property
28 Taxes owing.
29

1 There are three restaurant and two package licenses within 1,000 feet of the proposed
2 restaurant. Approval of a restaurant/eating place conditional use would add a fourth
3 restaurant/eating place license, and does not appear to result in a concentration of licenses
4 that would negatively impact the neighborhood.

5
6 This conditional use for a restaurant/eating place serving alcoholic beverages in the B-3 SL
7 District generally meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160,
8 and AMC 10.50.

9
10
11 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department

12 Concur: Tom Nelson, Acting Director, Planning Department

13 Concur: Mary Jane Michael, Director, Office of Economic & Community
14 Development

15 Concur: Denis C. LeBlanc, Municipal Manager

16 Respectfully submitted: Mark Begich, Mayor
17

Alcohol Extract from List Report

Case Number: 2004-125

Description: 1000 foot alcohol list

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
00906138000 Atlanta Deli	OLYMPIC CENTER LLC Westlyne Corp.	PO BOX 242523 701 W. 36th Ave. #16	ANCHORAGE 2922	AK B3SL	99524 Restaurant/Eating Place
00906138000 Jens' Restaurant	OLYMPIC CENTER LLC Hansen, Jens & Annelise	PO BOX 242523 701 W. 36th Ave.	ANCHORAGE 2783	AK B3SL	99524 Restaurant/Eating Place
00906333000 Campo Bello	EKLUTNA INC Campobello, Inc.	16515 CENTERFIELD DRIVE #100 601 W. 36th Ave., #10	EAGLE RIVER 3545	AK B3	99577 Restaurant/Eating Place
00906333000 Mom & Pops Grocery & Liquor	EKLUTNA INC Bahng, Kee P.	16515 CENTERFIELD DRIVE #100 601 W. 36th Ave. #3&4	EAGLE RIVER 3219	AK B3	99577 Package Store
00907207000 In & Out Liquor #1	KIM TONY S & Kang, In S.	12831 MISSION CIRCLE 3601 Arctic Blvd	ANCHORAGE 156	AK B3	99516 Package Store
01010653000 Kobe Topparyaki House	YU DAVID & SOOK JA Pun, Bok Dok	10144 VOYAGER CIRCLE 3400 Arctic Blvd	ANCHORAGE 2958	AK B3	99515 Restaurant/Eating Place

2004 125 alcohol licenses

Tue Jul 06, 09:58:33, 2004

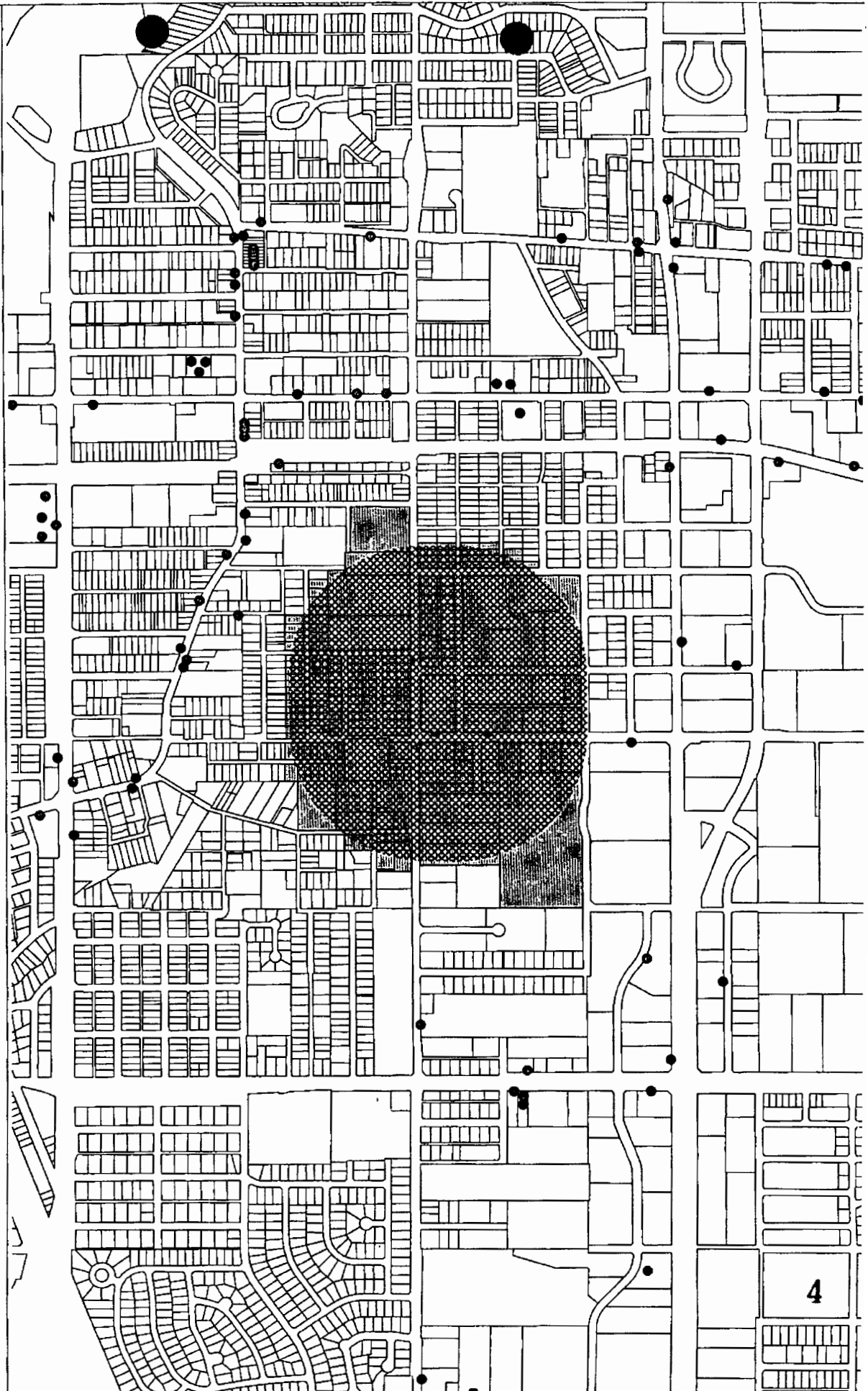
Map: Parcels--Basic Layers



Scale 1:12000

Legend:

-  ALCOHOL
-  PARCELS



2004 125 alcohol licenses

Tue Jul 06, 09:57:40, 2004

Map: Parcels-Basic Layers



Scale 1:8000

Legend:



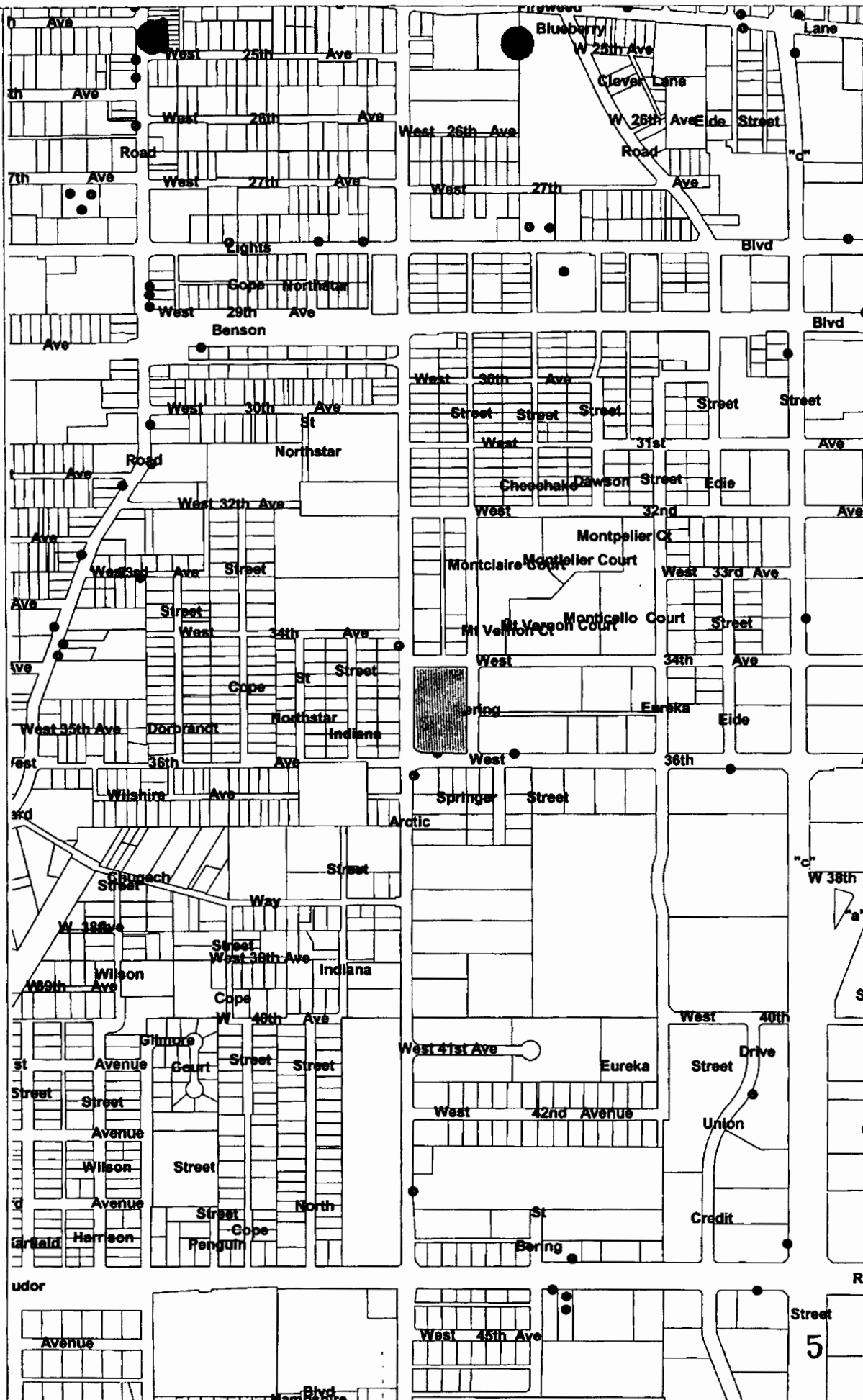
ALCOHOL

Txt

STRNAMES



PARCELS



Content Information

Content ID : 002097

Revision: 0

Type: AR_AllOther - All Other Resolutions

Alcoholic Beverages Conditional Use for a Restaurant/Eating

Title: Place License in the B-3 SL District per AMC 21.40.180.D.8. for Manriques Brasserie

Author: weaverjt

Initiating Dept: Planning

Review Depts:

Alcoholic Beverages Conditional Use for a Restaurant/Eating

Description: Place License in the B-3 SL District per AMC 21.40.180.D.8. for Manriques Brasserie Restaurant

Keywords:

Date Prepared: 8/19/04 1:56 PM

Director Name: Tom Nelson

Addnl Dept Review ?: No

Addnl Review Depts:

Mayor Review?: No

Requested Assembly

Meeting Date 9/7/04 12:00 AM

MM/DD/YY:

Requested Public

Hearing Date 9/7/04 12:00 AM

MM/DD/YY:

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>	<u>Revision</u>
AllOtherARWorkflow	8/19/04 1:58 PM	Checkin	weaverjt	Public	002097	0
Planning_SubWorkflow	8/19/04 6:39 PM	Approve	nelsontp	Public	002097	0
ECD_SubWorkflow	8/23/04 10:54 AM	Approve	thomasm	Public	002097	0
MuniManager_SubWorkflow	8/26/04 9:42 AM	Approve	leblancdc	Public	002097	0
MuniMgrCoord_SubWorkflow	8/26/04 10:32 AM	Approve	katkusja	Public	002097	0