

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading: December 13, 2005

CLERK'S OFFICE

APPROVED

Date: 12-13-05 Anchorage, Alaska  
AR 2005- 309

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 DISTRICT FOR A NEW RESTAURANT OR EATING PLACE USE PER AMC 21.40.180 D.8 FOR THE ISTANBUL CAFÉ RESTAURANT; LOCATED ON LOT 1A, BLOCK 2, SPRINGER SUBDIVISION; SITE ADDRESS BEING 640 W. 36<sup>TH</sup> AVENUE, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF WEST 36<sup>TH</sup> AVENUE AND SPRINGER STREET.

(Midtown/Spenard Community Council) (Planning Case 2005-151)

THE ANCHORAGE ASSEMBLY RESOLVES:

**Section 1.** The conditional use permit for an Alcoholic Beverages Conditional Use in the B-3 District for a new Restaurant/Eating Place use per AMC 21.40.180 D.8 for Istanbul Cafe Restaurant; located on Lot 1A, Block 2, Springer Subdivision; site address being 640 W. 36<sup>th</sup> Avenue, 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 District for a new Restaurant/Eating Place use per AMC 21.40.180 D.8 is 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 the subject restaurant/eating place serving alcoholic beverages in the B-3 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 District for a Restaurant/Eating Place use per AMC 21.40.180 D.8. The restaurant occupies a street-level lease space of approximately 1,345 square feet: approximately 900 square feet of public dinning area contains fourteen (14) tables and sixty (60) non-fixed seating. The restaurant is open seven days a week, 10:00 AM to 10:00 PM. However, the restaurant may choose to operate on seven days a week with hours of operation as permitted by law. The petitioner estimates that 20 percent of his total sales will be from alcohol. All servers having direct contact with alcohol will be trained in "Techniques in Alcohol Management" (TAM).
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

1 limited to, laws and regulations pertaining to the sale, dispensing, service and  
2 consumption of alcoholic beverages and the storage, preparation, sale, service and  
3 consumption of food. The owner of the property, the licensee under the Alcoholic  
4 Beverage Control License and their officers, agents and employees, shall not  
5 knowingly permit, or negligently fail to prevent the occurrence of illegal activity on  
6 the property.

7  
8 5. Upon demand, the applicant shall demonstrate compliance with a "liquor Server  
9 Awareness Training Program," approved by the State of Alaska Alcohol Beverage  
10 Control Board, such as or similar to the program for "Techniques in Alcohol  
11 Management" (TAM).

12  
13 6. A copy of the conditions imposed by the Assembly in connection with this conditional  
14 use shall be maintained on the premises at a location visible to the public.

15  
16 **Section 3.** Failure to comply with the conditions of this conditional use permit shall  
17 constitute grounds for its modification or revocation.

18  
19 **Section 4.** This resolution shall become effective immediately upon passage and approval by  
20 the Anchorage Assembly.

21  
22 PASSED AND APPROVED by the Anchorage Assembly this 13<sup>th</sup> day  
23 of December 2005.

24  
25  
26  
27  
ATTEST:

Chair

*Anna L. Fairclough*

*Barbara S. Bennett*

Municipal Clerk

(Planning Case 2005-151)  
(009-072-22)



**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY MEMORANDUM**

No. AM 861 -2005

Meeting Date: December 13, 2005

**From:** Mayor

**Subject:** ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 DISTRICT FOR A RESTAURANT/EATING PLACE USE PER AMC 21.40.180 D.8 FOR AYBEY GENCOSMANOGLU, DBA ISTANBUL CAFÉ RESTAURANT.

1 Aybey Gencosmanoglu has made application for a Restaurant/Eating Place Alcoholic  
2 Beverages Conditional Use in the B-3 District for Lot 1A, Block 2, Springer Subdivision,  
3 per AMC 21.40.180 D.8 operating as the Istanbul Café Restaurant.  
4

5 The proposal is for a restaurant at 640 W. 36th Avenue, located at the southeast corner of  
6 West 36th Avenue and Springer Street. The following nine (9) licenses are located within  
7 1,000 feet of this location: six (6) restaurant licenses, two (2) package stores, and one (1)  
8 beverage dispensary license. Approval of this restaurant/eating place license will add an  
9 additional restaurant license for a total of seven (7) within a 1,000-foot radius.  
10

11 The restaurant offers a Turkish and Mediterranean style lunch and dinner menu featuring  
12 appetizers, soups, salads, seafood, kebabs, dessert and non-alcoholic beverages. The  
13 restaurant occupies a lease space of 1,345 square feet. Approximately 900 square feet is a  
14 public area and provides fourteen (14) tables with sixty (60) non-fixed seats. The  
15 restaurant is open seven days a week, 10:00 AM to 10:00 PM. However, the restaurant  
16 may choose to operate seven days a week with hours of operation as permitted by law.  
17 The petitioner estimates that 20 percent of his total sales will be from alcohol. All servers  
18 having direct contact with alcohol will be trained in "Techniques in Alcohol Management"  
19 (TAM).  
20

21 There are no churches or schools within 200 feet of the restaurant.  
22

23 The building was constructed in 1970, and an aerial from 1976 shows the building  
24 essentially unchanged from its present configuration. A March 2, 1995 letter of  
25 Nonconforming Parking Determination determined the subject property has legal  
26 nonconforming rights to thirty nine (39) parking spaces. A 1995 as-built survey shows

1 approximately 13,960 square feet of site area available for parking, which accommodates  
2 39-parking spaces under the pre-1978 parking regulations.

3  
4 Use of the property is a 15-room motel, the Qupqugiaq Inn, and the Istanbul restaurant,  
5 with sixty (60) non-fixed chairs. The 15-room motel requires one parking space for every  
6 guestroom (AMC 21.45.080(E)); the restaurant requires one parking space for every three  
7 non-fixed seats in the restaurant (AMC 21.45.080 (K)). Total required parking for these  
8 combined uses is thirty-five parking spaces.

9  
10 The Anchorage Police Department and the Department of Health and Human Services  
11 provided no comments at the time this review was prepared. Treasury found no  
12 outstanding taxes adhering to this application.

13  
14 This conditional use for a Restaurant/Eating Place License in the B-3 District generally  
15 meets the applicable provisions of AMC Titles 10 and 21, and Alaska Statute 04.11.100.

16  
17  
18 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department

19 Concur: Tom Nelson, Director, Planning Department

20 Concur: Mary Jane Michael, Executive Director, Office of Economic & Community  
21 Development

22 Concur: Denis C. LeBlanc, Municipal Manager

23 Respectfully submitted: Mark Begich, Mayor

**CONDITIONAL USE-LIQUOR**  
**2005-151**

**ANCHORAGE VICINITY**

**\* Case Location**

**PETITION AREA**

**Flood Limits**

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway

**Municipality of Anchorage  
Planning Department**

Date: October 17, 2005

0 500 1000 Feet

### Flood Limits

-  100 Year Floodplain  
 500 Year Floodplain  
 Floodway



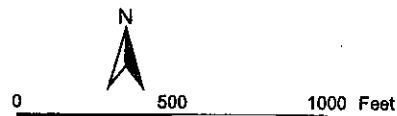
**Date:** October 17, 2005

001

# CONDITIONAL USE-LIQUOR 2005-151

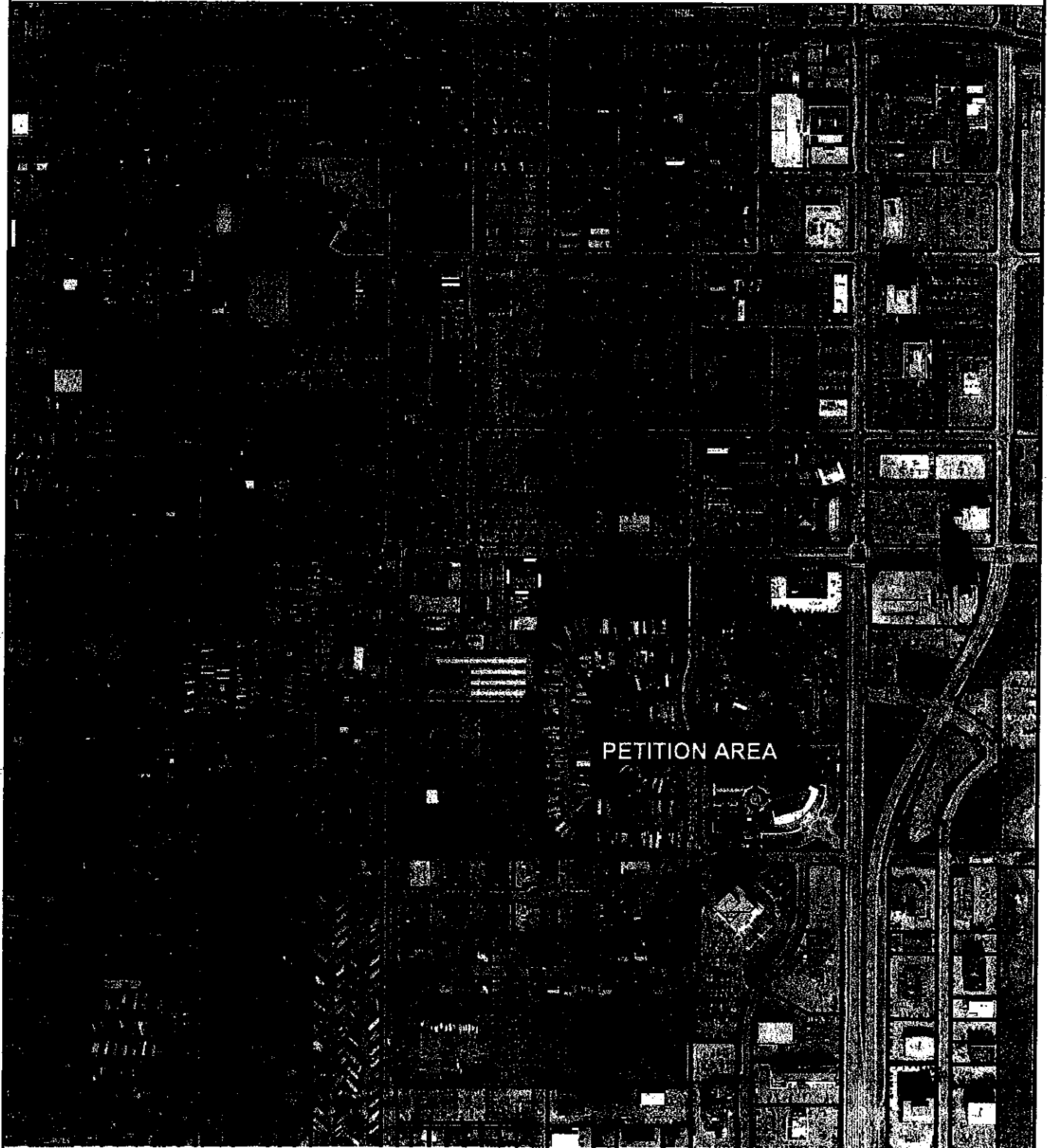
Date: October 17, 2005

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



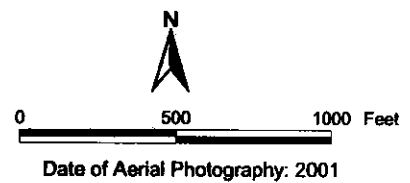
Source: Housing Stock based on 1998 Land Use Inventory  
Planning Department, MOA

# CONDITIONAL USE-LIQUOR 2005-151



Municipality of Anchorage  
Planning Department

Date: October 17, 2005



Date of Aerial Photography: 2001

005

# Alcohol Extract from List Report

Case Number: 2005-151

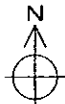
Description: 1000 foot alcohol

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
00906138000 Atlasta 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 Campobello	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
00907114000 Annaraes	36TH AVENUE LLC 1/3 & Henri Hawaii, Inc.	3201 C ST SUITE 200 300 W. 36th Ave.	ANCHORAGE 508	AK B3	99503 Beverage Dispensary
00907114000 Golden Pond Restaurant	36TH AVENUE LLC 1/3 & Yangs Enterprises, Inc.	3201 C ST SUITE 200 300 W. 36th Ave., #3	ANCHORAGE 2845	AK B3	99503 Restaurant/Eating Place
00907114000 Swaddi Midtown (Thai Rest.)	36TH AVENUE LLC 1/3 & APA Groceries, Inc.	3201 C ST SUITE 200 300 W. 36th Ave.	ANCHORAGE 3970	AK B3	99503 Restaurant/Eating Place
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 Teppayaki House	YU DAVID & SOOK JA Pun, Bok Dok	10144 VOYAGER CIRCLE 3400 Arctic Blvd	ANCHORAGE 2958	AK B3	99515 Restaurant/Eating Place



Tue Oct 18, 09:48:28, 2005

Map: Parcels--Basic Layers



Scale 1:8000

Legend:

Txt



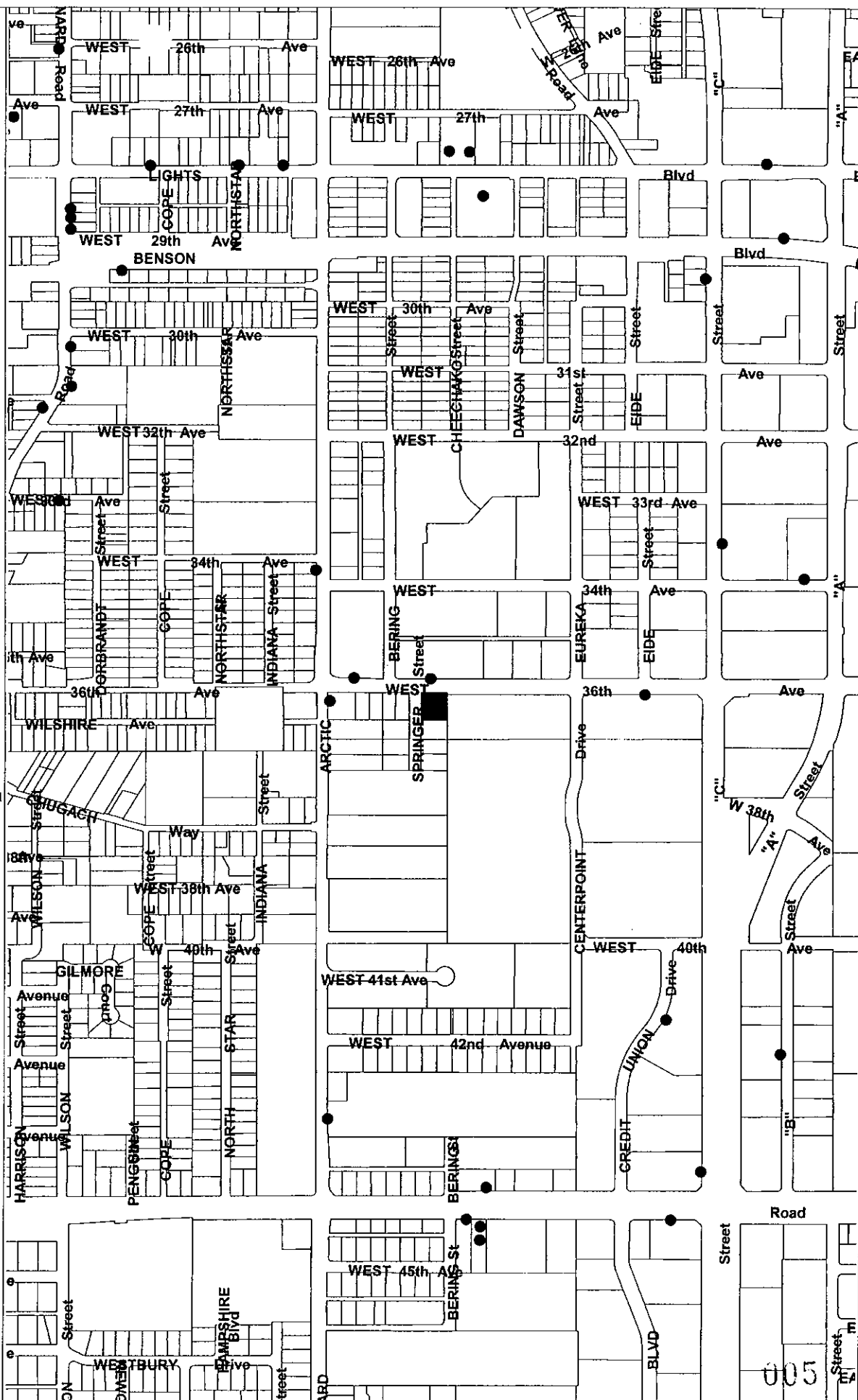
STRNAME\_BI\_I

ALCOHOL

## PARCELS

CityView™

**Municipal Software Corporation**



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

**DATE:** December 13, 2005

**CASE NO.:** 2005-151

**APPLICANT:** Aybey Gencosmanoglu dba Istanbul Café Restaurant

**REPRESENTATIVE:** Aybey Gencosmanoglu

**REQUEST:** Conditional Use for an Alcoholic Beverages Conditional Use in the B-3 District for a Restaurant/Eating License and Use per AMC 21.40.180 D.8

**LOCATION:** Lot 1A, Block 2, Springer Subdivision: generally located at the southeast corner of West 36<sup>th</sup> Avenue and Springer Street.

**STREET ADDRESS:** 640 W 36<sup>th</sup> Avenue

**COMMUNITY COUNCIL:** Midtown, Spenard

**TAX PARCEL:** 009-072-22/ Grid SW 1730

**ATTACHMENTS**

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

**RECOMMENDATION SUMMARY:**

Generally meets the required Title 21 standards including AMC 21.50.150, and Title 10.50.

**SITE:**

Acres: 20,500 SF  
Vegetation: none

Zoning: B-2A  
Topography: Level  
Existing Use: Hotel, Restaurant  
Soils: Public Sewer & Water

### **COMPREHENSIVE PLAN**

Classification: Redevelopment/Mixed Use; Major Employment Center  
(Anchorage 2020)  
Commercial (1982 Anchorage Bowl Comprehensive Plan)  
Density: N/A

### **SURROUNDING AREA**

	NORTH	EAST	SOUTH	WEST
Zoning:	B-3	B-3	B-3	B-#
Land Use:	Strip Mall	Commercial	Commercial	Commercial

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

The petitioner is asking approval of a new alcoholic beverages conditional use for a new restaurant/eating place liquor license for beer and wine. The Istanbul Café Restaurant leases 1,345 square feet of space of the ground floor of a two story building. Surrounding property are zoned B-3. The public dining area is approximately 900 square feet. A 15-unit motel, the Qupqugiaq Inn, occupies the second floor and a portion of the ground floor (previously a rooming house).

Istanbul Café Restaurant offers a lunch and dinner menu of Turkish style appetizers, soups, salads, seafood, kebabs, dessert and beverages. The public dining area of the restaurant has fourteen (14) non-fixed tables. Ten tables have four (4) non-fixed chairs, three have six (6) non-fixed chairs, and one has two (2) non-fixed chairs or a total of sixty (60) non-fixed chairs. The restaurant is open 7-days a week, Monday – Sunday from 10:00 AM to 10:00 PM. However, the restaurant may choose to operate on 7-days a week with hours of operation as permitted by law. The petitioner estimates 20% of total sales will be from alcohol. All employees will be TAM trained.

There are nine (9) licenses located within 1,000 feet of this location: six (6) restaurant licenses, two (2) Package Stores, and one (1) beverage dispensary license.

There appear to be no churches or schools within 200 feet of the restaurant.

### **PUBLIC COMMENTS:**

One hundred fifty (150) public hearing notices (PHNs) were mailed November 15, 2005. At the time this report was written no PHNs were returned. No response was received from either community council.

## **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 subject location is depicted on the Land Use Policy Map of the Anchorage 2020 Comprehensive Plan as being within the Midtown Major Employment Center and Redevelopment/Mixed-Use Area. A Midtown District Plan has yet to be developed.

The Anchorage 2020 Comprehensive Plan does not specifically address the sale of alcoholic beverages in the community. A strategy of the adopted Anchorage 2020 Plan, however, calls for the development of locational standards and criteria for retail sales/service of alcoholic beverages. To date this has not been done.

The Anchorage 2020 Plan (ref. P.40) contains a generalized community vision that advocates "an active learning community with abundant cultural amenities." Several goals of the Anchorage 2020 Plan do address related issues such as recreational and economic opportunities. The sale of alcoholic beverages is part of the social, recreational and economic environment of the community. Ethnic restaurants offer diverse culinary foods and enhance the hospitality and tourism industry in Anchorage. Another of the Plan's stated economic development goals are "Business Support and Development: a quality of life and a financial climate that encourages businesses to start up, expand or relocate in Anchorage (p. 41).

Midtown Anchorage, as an employment center, is well defined and compact, and has attained a medium- to high-density office employment of 50 to 75 employees per acre. Mixing supportive retail uses, such as restaurants, branch banks, and shopping, with office development is an important major employment center feature. Workers are within walking distance of these retail uses.

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

This standard is met.

Except for the alcoholic beverages conditional use standards established in AMC 21.50.150, the Assembly has not adopted specific zoning regulations for alcoholic beverage sales. The B-3 General Business District Core zoning regulations allows alcoholic beverage sales through the conditional use permit process: AMC 21.40.180 D.8 *Liquor stores, restaurants, tearooms, cafes, private clubs or lodges, and other places serving food or beverages involving the retail sale, dispensing or service of alcoholic beverages in accordance with section 21.50.160.*

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

This standard is met.

The subject property is in the Midtown Major Employment Center and Redevelopment area: a developed commercial area that is expected to remain in that land use category for the foreseeable future. In and around this location are found numerous bars, restaurants, offices, retail stores, hotels, commercial businesses and other non-residential uses. The surrounding land is zoned B-3.

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. The following nine (9) licenses are located within 1,000 feet of this location: six (6) restaurant licenses, two (2) Package Stores, and one (1) beverage dispensary license. Approving this restaurant beer and wine license will add an additional license for within a 1,000 foot radius.

Name	Address	License Number	Type of License
Atlasta Deli	701 W. 36 <sup>th</sup> Avenue #16	2922	Restaurant/Eating Place
Jens' Restaurant	701 W. 36 <sup>th</sup> Avenue	2783	Restaurant/Eating Place
Campobello	601 W. 36 <sup>th</sup> Avenue #10	3545	Restaurant/Eating Place
Golden Pond Restaurant	300 W. 36 <sup>th</sup> Avenue #3	2845	Restaurant/Eating Place
Swaddi Midtown	300 W. 36 <sup>TH</sup> Avenue	3970	Restaurant/Eating Place

Kobe Teppayaki House	3400 Arctic Blvd.	2958	Restaurant/Eating Place
Mom & Pops Grocery & Liquor	601 W. 36 <sup>th</sup> Avenue #3 and #4	3219	Package Store
In and Out Liquor #1	3601 Arctic Blvd.	156	Package store
Annaraes	300 W. 36 <sup>th</sup> Avenue	508	Beverage Dispensary

**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 may be met.

The subject site is located at the southeast corner of 36<sup>th</sup> Avenue, a class II Minor Arterial, and Springer Street, a local access road. Public Transit is available. The Trails Plan shows a planned multi-use paved trail along the north side of 36<sup>th</sup> Avenue.

Approximately (forty) 40 on-site parking spaces are available: ten (10) spaces along the north side of the building (facing 36<sup>th</sup> Avenue), six (6) spaces along the west side of the building (facing Springer) and twenty-four (24) spaces at the rear of the building.

A March 2, 1995 letter of Nonconforming Parking Determination, written by Land Use Reviewer Kathy Johnson, determined the property has legal nonconforming rights to 39 parking spaces based on the parking requirement for parking prior to June 13, 1978, for business, professional, industrial, and public assembly uses were required to have a gross area of not less than 350 square feet per vehicle. The building was constructed in 1970. An aerial from October 7, 1976 shows the building essentially unchanged from its present configuration, and also appears the rest of the lot is paved and used for parking. A 1995 as-built survey shows approximately 13,960 square feet of site area available for parking, which accommodates 39 parking spaces under the pre-1978 regulations.

Use of the property a 15-room motel and a restaurant having sixty (60) non-fixed chairs. AMC 21.45.080 (E) requires one parking

space for every guestroom, and (k) requires one parking space for every three non-fixed seats in a restaurant. Total required parking is fifteen (15) spaces for the Qupquliaq Inn motel, and twenty (20) for the restaurant.

**2. The demand for and availability of public services and facilities. This standard is met.**

The site is served with public water and sewer.

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

A restaurant/eating place license will not cause any environmental 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 conditional use permit for a restaurant/eating place.

**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.**

See table and narrative on page 5 for other alcohol licenses within 1,000 feet of this application.

The issuance of another conditional use for a restaurant will not adversely impact the immediate area or surrounding uses.

- 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 involved in the dispensing of alcoholic beverages, all managers and assistant managers and the owners of the restaurant 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 a restaurant use serving alcoholic beverages in the B-3 District.

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 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 appears to be met.

At the time this report was prepared no comments had been received from the Anchorage Police Department.

- 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**

Treasury reviewed the subject property for real property taxes or business personal taxes, and found no outstanding taxes on this application.

- 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.

The Department of Health and Human Services did not provide any comment on this case at the time this report is written.

- 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 B-2A District for a restaurant use generally meets the required standards of Title 21 and Title 10, and AMC 21.50.150.

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

1. A notice of Zoning Action shall be filed with the District Records Office within 120 days of the Assembly's approval of a final conditional use approval for the Istanbul Cafe restaurant eating place serving alcoholic beverages in the B-3 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 District for a restaurant/eating place use per AMC 21.40.150D located at 640 W. 36<sup>th</sup> Avenue, Springer Subdivision, Block 2, Lot 1A. The restaurant occupies a street level lease space of approximately 1,345 SF. The public area includes a dining area containing fourteen (14) tables and sixty (60) non-fixed seating. The restaurant is open 7-days a week, 10:00 AM to 10:00 PM. However, the restaurant may choose to operate on 7-days a week with hours of operation as permitted by law. The petitioner estimates that 20% of his total sales will be from alcohol. All servers having direct contact with alcohol will be TAM trained
4. 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.).
5. 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.
6. 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

**DEPARTMENTAL  
COMMENTS**

# Reviewing Agency Comment Summary Case No.: 2005-151

Agency	Comments Included in Packet	No Comments and/or Objections	No Response
Air Pollution Control			
Alaska DEC			
Alaska Division of Public Safety			
Alaska DOT/ED		X	
Anchorage Police Department			
AWWU	X		
Code Enforcement			
Development Services			
DHHS Environmental			
DHHS Social Services			
Community Council			
Disease Prevention		X	
Flood Hazard		X	
MIGP			
On-Site Water & Wastewater			
Parks and Recreation			
Physical Planning			
Project Mgmt & Engineering			
Right of Way		X	
School District			
Transit		X	
Treasury	X		
Traffic & Transportation Planning		X	

Municipality Of Anchorage  
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

MEMORANDUM

OCT 18 2005

Municipality Of Anchorage  
Planning Division

**DATE:** October 18, 2005

**TO:** Zoning and Platting Division, DCPD

**FROM:** Hallie Stewart, Engineering Technician



**SUBJECT:** PLANNING & ZONING Commission Public Hearing December 12 & 13, 2005  
AGENCY COMMENTS DUE November 14 & 15, 2005

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

**05-149** Alaska Industrial, Block 7, Lots 9, 10, 16; portion of Orah Dee Clark Jr. High, Tract A; and T13N, R3W, Sec 16, Tract F (rezone) Grid 1235

1. AWWU has no objection to the proposed rezone.

**05-150** Alaska Industrial, Block 7, Lots 9, 10, 16; portion of Orah Dee Clark Jr. High, Tract A; and T13N, R3W, Sec 16, Tract F (site plan review) Grid 1235

1. AWWU has no objection to the proposed plan.
2. Water and sanitary sewer connections to AWWU mains, additional service lines, and changes to the existing lines must be reviewed and approved by AWWU prior to any construction.

**05-151** Springer, Block 2, Lot 1A (conditional use) Grid 1730

1. AWWU water and sanitary sewer are available to the referenced lot.
2. AWWU has no comments on the proposed conditional use to allow a restaurant serving alcohol in the B-3 General business district.

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


Municipality of Anchorage  
Treasury Division  
Memorandum

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RECEIVED

OCT 20 2005

Municipality of Anchorage  
Zoning Division

**Date:** October 19<sup>TH</sup> 2005  
**To:** Rich Cartier, Planning Dept.  
**From:** Daisy VanNortwick, Revenue Officer   
**Subject:** Liquor License Conditional Use Comments

Liquor License Conditional Use Application Case # 2005-151 for Istanbul Café located at 640 W 36<sup>th</sup> Ave.

I find no outstanding taxes on this application, and see no reason for not approving it.

# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

FRANK H. MURKOWSKI, GOVERNOR

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

**RECEIVED**

NOV 18 2005

Municipality of Anchorage  
Zoning Division

November 16, 2005

RE: Zoning Case Review

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

Dear Mr. Weaver:

In reviewing two Conditional Use Permits, the Alaska Department of Transportation and Public Facilities has no comment:

- 2005-146, Beavers Third Addition Subdivision, Lot 1A, Block 5B
- 2005-151, Springer Subdivision, Lot 1A, Block 2

Sincerely,



Mark Parmelee  
Area Planner

/lm



Fire Dept.

RECEIVED

NOV 01 2005

Municipality of Anchorage  
Zoning Division

Permit #	Route To	Approved?	Subdivision	Comments	Request	Condition/Requirement
2005-144	R. Cartier	Yes 11/1/05	Park Hills Ridge, Lot 3A	No Comment	Variance from AMC 21.45.210 to allow a fence in the stream protection setback.	
2005-147	R. Cartier	No 11/1/05	Lot 9A, Blk 41, OT	Comment	Zoning Conditional Use for High Rise multi use building	Alley way does not meet minimum width of 26 feet
2005-149	R. Cartier	Yes 11/1/05	T13N R3W Sec 16 Tract F	No Objection	Rezoning to B-3 General Business district	
2005-150	R. Cartier	No 11/1/05	T13N R3W Sec 16 Tract F	Comment	Site Plan Review for large retail/commercial establishment (30 Acre)	Separation of Access Roads shall not be less than 1/2 the Maximum length of the overall diagonal dimension of the property or area served.
2005-151	R. Cartier	Yes 11/1/05	Springer Lot 1A, Blk 2	No Objection	Request conditional use to permit Restaurant serving alcohol	
2005-152	R. Cartier	Yes 11/1/05		No Comment	An ordinance amending Title 21 for sign requirements	
S10388-4	J. Weaver	Yes 11/1/05	Denaly Subdivision	Comment	Variance from AMC 21.80.240 and 21.85.070	AFD has no jurisdiction
S11397-1	J. Weaver	Yes 11/1/05	East Addition	No Objection	Subdivide 10 lots into 10 different lots w/vacation of 20' alley way easement between Latouche and Karluk	
S11418-1	J. Weaver	No 11/1/05	Forest Heights	Comment	To subdivide 1 tract into 2 tracts with variance from AMC 21.85.030 and AMC 21.85 table C and AMC 21.85.070	Provide approved fire apparatus access road capable of supporting the imposed load of fire apparatus consistent with the currently adopted International Fire Code.
S11420-1	J. Weaver	Yes 11/1/05	Raspberry Center	No Objection	Removal of restrictive plat note	
S11421-1	J. Weaver	No 11/1/05	Keno Hills #7	Comment	Subdivide 1 tract of land into 2 tracts with variances from AMC 21.80.200 and 21.80.33	Provide approved access to public street per AMC 21.45.040
S11424-1	J. Weaver	Yes 11/1/05	The Villages	No Objection	To Vacate 40' screening easement	
S11426-1	J. Weaver	Yes 11/1/05	Nielsen Sub., Lot 1B	No Objection	Subdivide 3 lots into 1 lot	
S11427-1	J. Weaver	Yes 11/1/05	Hamilton Park Addition #4, Lots 7A1 & 8A1	No Objection	Subdivide 2 lots into 2 different lots.	
S11428-1	J. Weaver	Yes 11/1/05	Timberlane Park #1, Blk 4 lots 7A & 7B	No Objection	Subdivide 1 lot into 2 lots	
S11429-1	J. Weaver	Yes 11/1/05	O.H. Fast Sub., Blk 1, Lot 4	No Objection	Subdivide 3 lots into 1 lot	
S11430-1	J. Weaver	Yes 11/1/05	Adrian Sub., Lots 1 & 2	No Objection	Subdivide 1 lot into 2 lots	
S11431-1	J. Weaver	Yes 11/1/05	Paradise Valley Sub., Blk 2, Lot 14	No Objection	Vacate 10' utility anchor easement.	
S11432-1	J. Weaver	Yes 11/1/05	Mt. View Development Sub.	No Objection	subdivide 3 lots into 2 tracts of land A Commercial Tract Fragment Lot	
S11433-1	J. Weaver	Yes 11/1/05	Mt. View Development Sub.	No Objection	site to create 1 tract and 14 lots from 2 tracts of land.	

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OCT 31 2005

Municipality of Anchorage  
Zoning Division



## FLOOD HAZARD REVIEW SHEET for PLATS

Date: 10-28-05

Case: 2005-151

Flood Hazard Zone: C

Map Number: 0241

☐ 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.

☒ I have no comments on this case.

Reviewer: Jack Puff



# MUNICIPALITY OF ANCHORAGE

Development Services Department  
Right of Way Division



## MEMORANDUM

RECEIVED

**DATE:** November 4, 2005  
**TO:** Planning Department, Zoning and Platting Division  
**THRU:** Jack L. Frost, Jr., Right of Way Supervisor *L*  
**FROM:** Lynn McGee, Senior Plan Reviewer *L*  
**SUBJ:** Request for Comments on Assembly case(s) for the Meeting of December 13, 2005.

NOV 07 2005  
Municipality of Anchorage  
Zoning Division

Right of Way has reviewed the following case(s) due November 15, 2005.

**05-143 Anchorage Townsite, Block 52A, Lot 1, grid 1230**  
**(Conditional Use, Alcohol Beverage Service)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.

**04-146 Bevers, Block 5B, Lot 1A, grid 1331**  
**(Conditional Use, Alcohol Beverage Service)**  
Correct the plans showing Lot 4A as the lot of interest vs. application listing Lot 1A.  
Review time 15 minutes.

**04-151 Springer, Block 2, Lot 1A, grid 1730**  
**(Conditional Use, Alcohol Beverage Service)**  
Right of Way Division has no comments at this time.  
Review time 15 minutes.

**Pierce, Eileen A**

---

**From:** Staff, Alton R.  
**Sent:** Thursday, November 03, 2005 9:07 AM  
**To:** Pierce, Eileen A; Stewart, Gloria I.  
**Cc:** Taylor, Gary A.  
**Subject:** Zoning and Plat Reviews

**RECEIVED**

**NOV 03 2005**

**Municipality of Anchorage  
Zoning Division**

The Public Transportation Department has no comment on the following plats:

S11077-3  
S10388-4  
S11397-1  
S11421-1  
S10422-1  
S11423-1  
S11424-1  
S11425-1  
S11426-1  
S11427-1  
S11428-1  
S11429-1  
S11430-1  
S11431-1  
S11432-1  
S11433-1

The Public Transportation Department has no comment on the following zoning cases:

2005- 143  
146  
149  
150  
151

Thank you for the opportunity to review.

Traffic

pedestrian lanes of travel or blocks the site distance for vehicle or pedestrian lanes of travel.

05-151

Springer; Conditional Use to serve alcohol; Grid 1730

Traffic has no comment.

05-152      Ordinance amending Title 21 for sign requirements

Traffic has no comment.

**3**

# **APPLICATION**

# Application for Conditional Use Retail Sale Alcoholic Beverages

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

Please fill in the information asked for below.

<b>PETITIONER*</b>	<b>PETITIONER REPRESENTATIVE (IF ANY)</b>
Name (last name first) <i>GENCOSMANOGLU</i>	Name (last name first)
Mailing Address <i>GENCOSMANOGLU, Aybey</i>	Mailing Address
<i>640 W. 36th. Ave Anchorage, AK 99503</i>	
Contact Phone: Day: <i>561 0424</i> Night: <i>907 223 7476</i>	Contact Phone: Day: Night:
FAX: <i>(907)</i>	FAX:
E-mail: <i>aybey35@Netscape.net</i>	E-mail:

\*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

<b>PROPERTY INFORMATION</b>		
Property Tax #(000-000-00-000): <i>009-072-22-000</i>		
Site Street Address: <i>640 W 36th Ave Anchorage</i>		
Property Owner (if not the Petitioner): <i>Geoffrey Baderson</i>		
Current legal description: (use additional sheet in necessary) <i>Springer Subdivision Lot 1A Block 2</i>		
Zoning: <i>B3</i>	Acreage: <i>20,500 sq.ft.</i>	Grid # <i>SW 1730</i>

<b>ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE PROPOSED</b>		
<input type="checkbox"/> Beverage Dispensary	<input type="checkbox"/> Private Club	<input type="checkbox"/> Restaurant, exempt
<input type="checkbox"/> Beverage Dispensary-Tourism	<input type="checkbox"/> Public Convenience	<input type="checkbox"/> Theater
<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Recreational	<input type="checkbox"/> Other (Please explain):
<input type="checkbox"/> Package Store	<input checked="" type="checkbox"/> Restaurant	
Is the proposed license: <input checked="" type="checkbox"/> New <input type="checkbox"/> Transfer of location: ABC license number:		
Transfer license location:		
Transfer licensed premises doing business as:		

I hereby certify that (I am)/(I have been authorized to act for) owner of the property described above and that I petition for a retail sale of alcoholic beverages conditional use permit in conformance with Title 21 of the Anchorage Municipal, Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department, Municipal Clerk, or the Assembly for administrative reasons.

<i>10/11/05</i>	<i>A. J. [Signature]</i>
Date	Signature (Agents must provide written proof of authorization)

Accepted by:	Poster & Affidavit:	Fee: <i>\$1807.00</i>	Case Number: <i>2005-151</i>
--------------	---------------------	-----------------------	------------------------------

**COMPREHENSIVE PLAN INFORMATION**Anchorage 2020 Urban/Rural Services: ☒ Urban ☐ RuralAnchorage 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- Turnagain 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)Wetland Classification: ☒ None ☐ "C" ☐ "B" ☐ "A"Avalanche Zone: ☒ None ☐ Blue Zone ☐ Red ZoneFloodplain: ☐ None ☐ 100 year ☐ 500 yearSeismic 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.

☒ 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



**PROPERTY OWNER AUTHORIZATION\*** (if petitioner is not property owner)

(I)(WE) hereby grant permission to and acknowledge that person shown as the petitioner on this application is applying for a conditional use permit for the retail sales of alcoholic beverages on a property under (MY)(OUR) ownership and that as part of the conditional use permit process the Assembly may apply conditions which will be (MY)(OUR) responsibility to satisfy.

Oct 12, 2005

Geoffrey A. Bederson

Date

Signature

\*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

**FACILITY OPERATIONAL INFORMATION**

What is the proposed or existing business name (Provide both if name is changing):

Istanbul Cafe

What is the gross leaseable floor space in square feet?

1345 / dining, seating 923.5

What is the facility occupant capacity?

70

What is the number of fixed seats(booth and non movable seats)?

~~70~~

What is the number non-fixed seats(movable chairs, stools, etc.)?

70

(21 TABLES)

What will be the normal business hours of operation?

10:00 AM - 10:00 PM

7-days a week / 365 days a year

What will be the business hours that alcoholic beverages will be sold or dispensed?

What do you estimate the ratio of food sales to alcohol beverage sales will be?

20 % Alcoholic beverage sales

80 % Food sales

Type of entertainment proposed: (Mark all that apply)

☒ Recorded music ☐ Live music ☒ Floor shows ☐ Patron dancing ☐ Sporting events ☐ Other ☐ None

Do you propose entertainment or environmental conditions in the facility that will meet the definition of "indecent material" or "adult entertainment" as set forth by AMC 8.05.420 Minors-Disseminating indecent material or AMC 10.40.050 Adult oriented establishment? ☐ Yes ☒ No

**DISTANCE FROM CHURCHES, DAY CARE, AND SCHOOLS**

Locate and provide the names and address of all churches, day care, and public or private schools within 200 feet of the site property lines

Name

Address

N/A

### PACKAGE STORES

Provide the projected percentage of alcoholic product inventory in the store where the retail unit price is:

☒ 0 % less than \$5.00  
☒ 60 % \$5.00 to \$10.00  
☒ 40 % \$10.00 to \$25.00  
☐ % greater than \$25.00

NA

### 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.

RESTAURANT ADDS TO ECONOMIC VIABILITY OF SPENARD AND MIDTOWN. DRAWS PEOPLE TO AREA, PROVIDES JOBS.

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

RESTAURANT IS ALLOWED USE IN B-3. BUILDING PROVIDES REQUIRED PKG IN BACK/SIDE OF BUILDING.

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.

STRIP MALL LOCATED ON NORTH SIDE OF 36TH AVE; SURROUNDED BY COM'L USES

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.

PARKING PROVIDED ON SITE. BUSES RUN  
36<sup>th</sup> AVE  $\frac{1}{2}$  ARCTIC

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

ALL UTILITIES EXIST. NO CHANGE

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

NONE

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

NO CHANGE

#### STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

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

**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?*

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

2 KNOWN

*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?*

UNK

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

NO

**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? *AA of them*

**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.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Happy hours?  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | Games or contests that include consumption of alcoholic beverages?          |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Patron access and assistance to public transportation?                      |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Notice of penalties for driving while intoxicated posted or will be posted? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            | Non-alcoholic drinks available to patrons?                                  |
| <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No | 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: *poster from public safety, stern warning, and call to police dispatcher if needed*

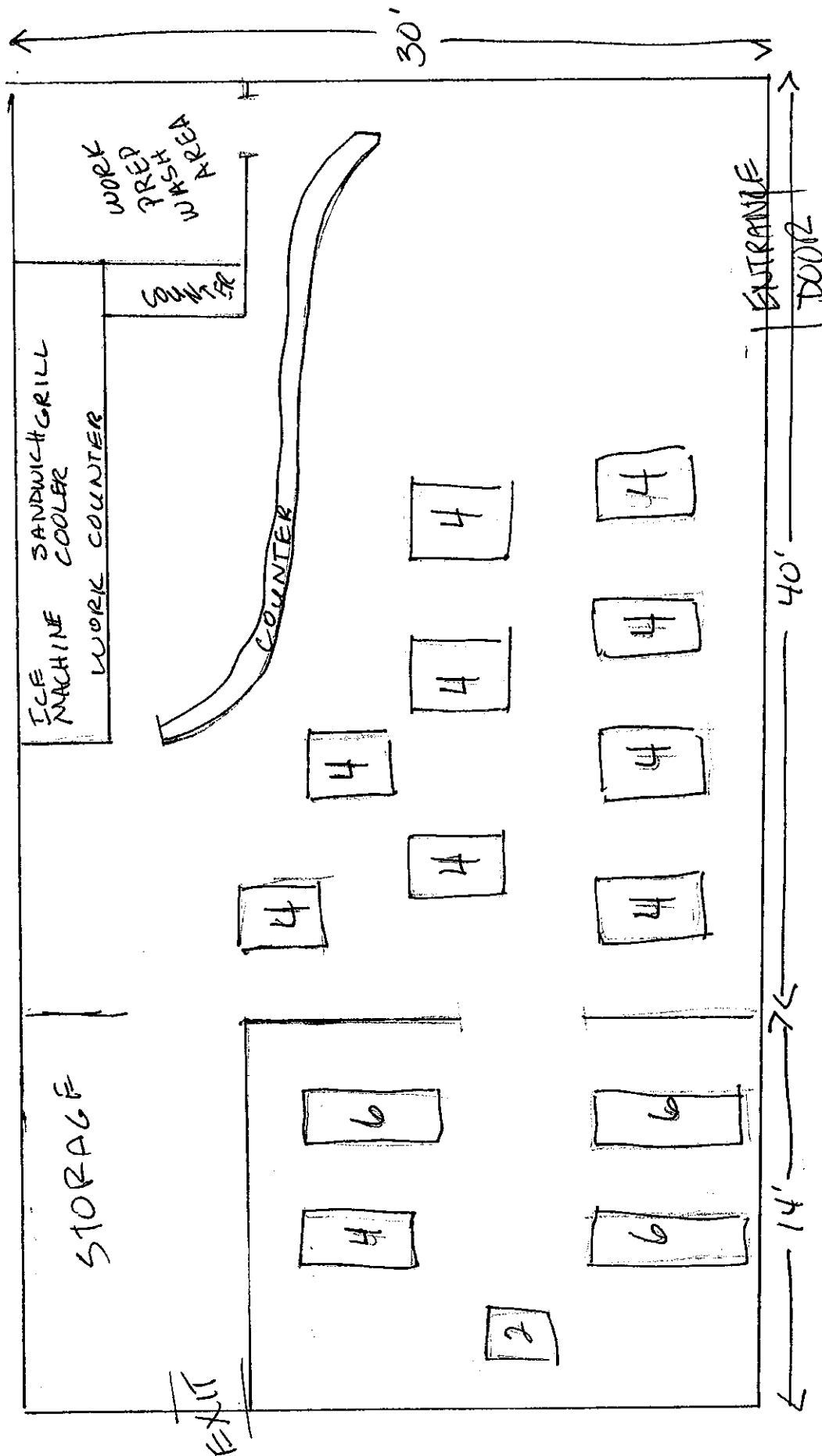
outside facility: *a warning with intent to call public safety*

**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 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.

☒ Yes ☐ No *As the applicant and operator can you comply? If no explain*



ISTANBUL CAFE  
640 W. 36TH AVE

NOT TO SCALE

Our professional Turkish Chef prepares the food daily using only fresh ingredients.

## Soups (Corba)

Traditionally hot and nourishing, soups are eaten at any time of the day in Turkey.

**Lentil (Mercimek Corba)**  
A blend of red lentil beans, vegetables and Turkish seasonings.  
**Chicken Noodle with Garden Vegetable (Tavuk Corba)**  
Chicken with angel hair noodle mixed with vegetables and Turkish season-

Served with bread and butter  
Cup 3.50 • Bowl 5.25

## Salads (Salata)

We use extra virgin olive oil and fresh vegetables.

**Shepherd's Salad (Coban Salatasi)**  
Tomatoes, cucumber, bell pepper, red onion, parsley and shepherd's special salad dressing.  
**White Beans Salad (Piyaz)**  
White beans, tomatoes, onion, pepper, parsley, olives mixed with olive oil and lemon juice.

**Artichokes Salad (Enginar Salatasi)**  
Baby Artichokes, dry tomatoes, red radish, iceberg lettuce, red bell pepper and traditional Turkish seasonings with dressing.  
**Mixed Garden Salad (Mevsim Salatasi)**  
Romaine lettuce, carrot, sun dried tomatoes, red onion, cucumber, red cabbage and chef dressing.

Small 6.00 • Large 8.50

## Seafood

**Mixed Sea Food Casserole**  
Shrimp, scallops, mussels, mixed with special chef sauce served as a casserole, with rice or salad.  
**Fish on Sultans Sword**  
Turkish style marinated fresh fish with grilled vegetables. Served with a mixture of orzo and white rice.

**Shrimp Casserole**  
Jumbo Shrimp, seasonal vegetable, cream sauce and melted mozzarella cheese.  
**Golden Horn Shrimp**  
Turkish style fresh jumbo shrimp with grilled vegetables. Served with Romaine lettuce salad and special dressing.

**Chef Zeki Salmon**  
Fresh salmon marinated in a special chef's sauce and baked.

**Daily Special**  
Please ask about our special of the day.

Our professional Turkish Chef prepares the food daily using only fresh ingredients.

## Kebabs

Kebabs are grilled in one long piece like a sheath on a sword. Served with Istanbul Café's original sauce and homemade pita bread.  
**Customer Choice:** Kebabs to go are served as a sandwich with vegetables (rice not included).

**Grilled Meatballs (Kofte)**  
(Ground Meat or Chicken)  
Splendidly simple and tasty, these meatballs evoke all the flavors of the Ottoman Palace kitchens. Served with rice and vegetables.  
**Chef Special**  
Special seasoned ground chicken breast charbroiled on a skewer, served with rice, vegetable and dips on the side.

**Doner Kebab**  
Seasoned Beef and Lamb marinated overnight in a centuries-old tradition. Large spits of Doner grilled in an open rotisserie. Served with grilled tomato, pepper, greens and rice.  
**Adana Kebab**  
From Adana in the south of Turkey this never fails to live up to its reputation as one of the best Turkish Kebabs. Seasoned ground lamb and beef charbroiled on a skewer, served with rice, red cabbage and onion.

**Iskender Kebab**  
Kebab served over pita bread with warm fresh tomato sauce. Yogurt on the side.  
**Vegetables Shish Kebab**  
Fresh vegetables charbroiled on a Turkish style skewer, served with rice and fresh tomato sauce.

**Shish Kebab**  
Shish kebabs are traditionally cooked over charcoal on a grill. Marinated cubes of meat are usually threaded on to skewers with tomatoes, peppers. Accompanied with vegetables and served with pita bread and rice.  
**Mix Kebabs (2 people)**  
Combination of doner, ground beef, shish kebab, ground chicken shish kebab, lamb shish kebab, chicken shish kebab and meat balls. Served with rice and vegetables.

**Chicken Shish Kebab**  
Chicken cubes shish kebab, served with rice and vegetables.  
**Mix Grill Chicken**  
Chicken shish, chicken Adana, chicken meat balls and thigh served with rice and vegetable.

Our professional Turkish Chef prepares the food daily using only fresh ingredients.

## Dessert

<b>Baklava</b> Filo dough filled with walnuts and served with honey syrup.	5.00	<b>Burnt Milk Pudding (Kazandibi)</b> The top of the custard is caramelized, dusted with cinnamon.	5.00
<b>Shredded Pastry (Tel Kadayif)</b> Shredded dough filled with walnuts and served with honey syrup.	5.00	<b>Rice Pudding (Firin Sutlac)</b> Oven baked rice pudding, sweetened with honey.	5.00

Pudding with vanilla ice cream add 1.50

## Beverages

<b>Turkish style butter milk (Ayran)</b> Mixed yogurt with water	2.00	<b>Turkish Coffee</b>	3.00
<b>Soda</b> Coke, Diet Coke, Sprite	1.50	<b>Switch</b> 100% Juice • 100% Carbonated	2.50
<b>Fresh Fruit &amp; Vegetable Juice</b>	4.50	<b>Red Bull</b>	2.50
<b>Turkish Tea</b>	1.50	<b>Fuze</b>	2.50

Our professional Turkish Chef prepares the food daily using only fresh ingredients.

## Appetizers (Mezeler)

Most Turkish meals begin with Meze (cold appetizer), which literally translates as 'pleasant taste'. All Mezeler are accompanied with homemade pita bread and are designed to tickle the palate and soak up wine and increase the appetite. Mezeler are shared among friends at the table.

### Cold Appetizers (Soguk Meze)

<b>Stuffed Vine Leaves (Yaprak Dolma)</b> This classic stuffed vine leaves popular throughout the Ottoman Kitchen. They contain no meat. Organic Rice, pine nuts, raisins, onions, olive oil and Mediterranean spices wrapped in grape leaves.	7.50	<b>Kisir Tabuleh</b> Cracked wheat, tomatoes, parsley, onions, scallions, red bell pepper, olive oil and lemon juice.	7.50
<b>Spinach with Yogurt</b> Sautéed spinach, onion, shredded carrot, garlic, organic rice and yogurt.	7.50	<b>Mint Yogurt Dip (Haydari)</b> Creamy homemade yogurt with crashed walnut, garlic, mint, dill.	7.50
<b>Hummus</b> Mashed chick peas spiced with cumin, lemon juice and garlic, creamed with tahini, Turkish style.	7.50	<b>Cacik</b> Cold cucumber, garlic, mint, dill, yogurt soup.	5.50

<b>Babaganush</b> A deliciously simple and soothing dish. Creamy spread of charbroiled eggplant puree, tahini, olive oil, lemon juice, parsley, mint, and garlic.	7.50	<b>Ezme</b> Fresh tomatoes chopped to a pulp, mixed with garlic, dill parsley, onion, bell pepper, walnuts and fresh spices	7.50
<b>Baked Aubergines (Patlican Ezmesi)</b> Charbroiled chopped eggplant mixed with olive oil, red and green bell pepper, dill, lemon juice, mint and garlic.	7.50		

### Hot Appetizers (Sicak Meze)

<b>Zucchini and Cheese Patties (Mucver)</b> Flavored with fresh herbs and grated zucchini, potato, carrot, scallion, eggs, feta cheese, dusted with flour and pan-fried in olive oil.	9.50	<b>Baked Layered Pastries (Borek)</b> Choice of customer Filo dough fillings with minced meat, spinach and feta cheese.	7.50
<b>Falafel</b> Ground chick peas mixed with fresh vegetables serve with tahini sauce.	7.50	<b>Small Mix</b>	9.50
		<b>Large Mix</b>	17.50



This application is for:

- ☐ Seasonal - Two 6-month periods in each year of the biennial period beginning \_\_\_\_\_ and ending \_\_\_\_\_  
☒ Full 2-year period \_\_\_\_\_ Mo/Day \_\_\_\_\_ Mo/Day

SECTION A. LICENSE INFORMATION. Must be completed for all types of applications.

FEES

License Year: <u>2005-06</u>	License Type: <u>Restaurant eating place</u>	License Fee: \$
Statute Reference Sec. 04.11. <u>420</u>	Local Governing Body: (City, Borough or Unorganized) <u>City of Anchorage</u>	Filing Fee: \$ 100.00
Federal EIN or SSN: <u>20-2345530</u>		Total Submitted: \$
Name of Applicant: <u>Alybey Genceemangali</u>	Street Address or Location of Business: <u>640 W 36th Avenue</u>	Community Council Name(s) & Mailing Address: <u>Spencer community council</u>
Doing Business As (Business Name): <u>Istanbul Cafe</u>	City: <u>Anchorage</u>	
Mailing Address: <u>640 W. 36th Ave</u>	Bus. Tel. #: <u>907 561 0424</u>	
City, State, Zip: <u>Anchorage, AK 99503</u>	Fax Tel. #:	
	Email Address:	

SECTION B. PREMISES TO BE LICENSED. Must be completed.

Name to be used on public sign or advertising: <u>Istanbul Cafe</u>	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.
Closest school grounds: <u>West High School</u>	<input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.
Closest church: <u>St. Paul's Episcopal</u>	<input checked="" type="checkbox"/> Not applicable
Distance measured under: <input type="checkbox"/> AS 04.11.410 OR <input checked="" type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings)
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input checked="" type="checkbox"/> Diagram of premises attached

SECTION C. Individual, corporate officer, limited liability organization member, manager or partner background.

Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

☐ Yes ☒ No If Yes, complete the following. Attach additional sheets if necessary.

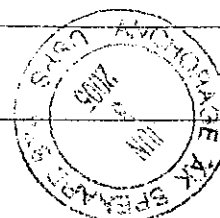
Name	Name of Business	Type of License	Business Street Address	State

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

License Number	Date Approved	Director's Signature



Alcoholic Beverage Control Board  
550 W. 7<sup>th</sup> Ave Suite #540  
Anchorage, AK 99501  
(907) 269-0350  
Fax: (907) 272-9412  
www.abc.revenue.state.ak.us

## New Liquor License

PAGE 2 OF 2  
Individual - Partnership  
Joint Venture  
Information

Individual(s), Partner(s), Joint Venture Parties OR Affiliates. Attach additional sheets if necessary.

Full Name <b>Aybey Gencosmanoglu</b>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Full Name <b>Carmen Elliott</b>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>		
Mailing Address <b>640 W. 36<sup>th</sup> Ave</b>		Mailing Address <b>640 W. 36<sup>th</sup> Ave</b>			
City, State, Zip Code <b>Anchorage, AK 99503</b>		City, State, Zip Code <b>Anchorage, AK 99503</b>			
Date of Birth <b>08-08-1962</b>	Home Telephone # <b>907-746-1962</b>	Work Telephone # <b>561-0424</b>	Date of Birth <b>25/08/60</b>	Home Telephone # <b>907-746-1962</b>	Work Telephone #

Full Name	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Full Name	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>		
Mailing Address		Mailing Address			
City, State, Zip Code		City, State, Zip Code			
Date of Birth	Home Telephone #	Work Telephone #	Date of Birth	Home Telephone #	Work Telephone #

Full Name	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Full Name	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>		
Mailing Address		Mailing Address			
City, State, Zip Code		City, State, Zip Code			
Date of Birth	Home Telephone #	Work Telephone #	Date of Birth	Home Telephone #	Work Telephone #

Note: On a separate sheet provide information on ownership of all organized entities that are partners or joint venture parties of the licensee.

### Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- The undersigned certifies on behalf of the (individual(s)) (partnership) (joint venture), it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Licensee(s)	Signature
Signature <b>Aybey Gencosmanoglu (owner)</b>	Signature <b>Carmen J. Elliott (owner)</b>
Name & Title (Please Print) <b>Aybey Gencosmanoglu</b>	Name & Title (Please Print) <b>Carmen J. Elliott (owner)</b>
Subscribed and sworn to before me this <b>21<sup>st</sup></b> day of <b>April</b> , <b>05</b>	Subscribed and sworn to before me this <b>21<sup>st</sup></b> day of <b>April</b> , <b>05</b>
Notary Public in and for the State of Alaska <b>Christina D. Dore</b>	Notary Public in and for the State of Alaska <b>Christina D. Dore</b>
My commission expires: My Commission Expires <b>March 3, 2007</b>	My commission expires: My Commission Expires <b>March 3, 2007</b>

New/Indiv. 8/02

038

STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.019 & 15 AAC 104.715-794  
FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 19 for employment. If for employment, please state in detail, how the person will be employed, duties, etc. (15 AAC 104.745).

This application is for designation of premises where: (please mark appropriate items).

- 1 ☒ Under AS 04.16.010(c) Bona fide restaurant/eating place.  
2 ☒ Persons between 16 & 21 may dine unaccompanied.  
3 ☒ Persons under 16 may dine accompanied by a person 21 years or older.  
4 ☒ Persons between 16 and 19 years may be employed. (See note below).

LICENSEE:

Aybey Bencosmanoglu / Carmen Ellvik

D/B/A:

Istanbul Cafe

ADDRESS:

640 West 36th Ave Anch AK 99503

1. Hours of Operation: 0700 to 2300 Telephone # 907-561-0424  
2. Have police ever been called to your premises by you or anyone else for any reason: ☐ Yes ☒ No  
If yes, date(s) and explanation(s).

3. Duties of employment:

prepare and serve food to public

4. Are video games available to the public on your premises?

No

5. Do you provide entertainment: ☐ Yes ☒ No If yes, describe.

6. How is food served? ☒ Table Service ☐ Buffet Service ☐ Counter Service ☐ Other\*

7. Is the owner, manager, or assistant manager always present during business hours? ☒ Yes ☐ No

\*\*\* A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION \*\*\*

This permit remains in effect until the liquor license is transferred OR at the discretion of the Alcoholic Beverage Control Board. (15 AAC 104.795)

I certify that I have read AS 04.16.049, AS 04.16.060, 15 AAC 104.715-795 and have instructed my employees about provisions contained therein.

Carmen J Ellvik / Applicant  
Applicant(s) signature

Subscribed and sworn to before me this

26th day of April, 2005

Christine M. Dnaice

Notary Public in and for Alaska

My Commission Expires

March 6, 2007

My Commission expires

Application approved (15 AAC 104.725(e))

Governing Body Official

Date:

Director, ABC Board

Date:

NOTE: AS 04.16.049(c) requires that written parental consent and an exemption by the Department of Labor must be provided to the licensee by the employee who is under 19 years of age. Persons 19 and 20 years of age are not required to have the consent or exemption.

\* Describe how food is served on back of form.

AFFIDAVIT IN CONNECTION WITH POSTING LIQUOR LICENSE APPLICATION  
 Section 04.11.260, 04.11.310, & AAC 104.125 Alaska Statutes, Title 4

POSTING AFFIDAVIT

I, the undersigned, being first duly sworn on oath, depose and say that:

1. a. Posting of application for a new Restaurant/Eating Place liquor license  
 for Istanbul Cafe  
 located at 640 W. 36th Avenue Anchorage, AK 99503  
 (address and/or location)

OR

- b. Posting of application for transfer of a \_\_\_\_\_ liquor license  
 currently issued to \_\_\_\_\_ whose business name (d/b/a)  
 is \_\_\_\_\_ located at \_\_\_\_\_  
 (address and/or location)

2. Has been completed by me for the following 10 FULL day period:

6/03/05 to 06/23/05

\*\*\* Prior to the filing of said application, a true copy of the application was posted at the following described locations: (name and address of location)

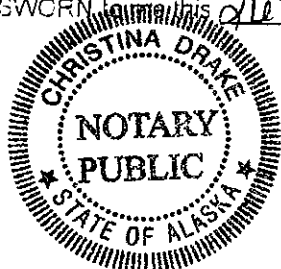
- a. Location of premises to be licensed 640 W. 36th Avenue  
 b. Other conspicuous location in the area Spencer Post Office

3. I believe that with the approval of this application population would not at one time exceed in the aggregate of one license of the type requested for population as provided by law. AS 04.11.400 (check one)

- a. ☐ a radius of five (5) miles of the proposed location;  
 b. ☐ an incorporated city, organized borough or unified municipality.  
 c. ☐ does not apply (application filed under AS 04.11.400(d)(e)(g) or transfer of license holder or location within an incorporated city or unified municipality or organized borough).  
 d. ☐ established village.

Adrian S. Corbin & Elliott  
 (signature)

SUBSCRIBED and SWORN to me this 21<sup>st</sup> day of April 20 05



Christina Drake  
 Notary Public in and for Alaska  
 My commission expires: March 6, 2007

## ALCOHOLIC BEVERAGE CONTROL BOARD

## STATEMENT OF FINANCIAL INTEREST

CONFIDENTIAL

TO BE COMPLETED BY EACH APPLICANT, EITHER INDIVIDUAL OR CORPORATE

AS 04.11.450(a) states that no person other than a licensee may have a direct or indirect financial interest in the business for which the license is issued.

APPLICANT'S NAME AND MAILING ADDRESS	DBA (BUSINESS NAME) AND LOCATION
AYBET GENCESMANOGU 640 W. 36th Avenue Anch, AK 99503	Istanbul Cafe 640 W. 36th Avenue Anch, AK 99503
Carmen Elliott 640 W. 36th Ave Anchorage, AK	

List below persons, firms, lending institutions or corporations which have or may have any financial involvement in furthering purchases of assets, revenues or operating capital for the licensed business operations.

NAME	ADDRESS	AMOUNT	PURPOSE
Alaska USA Credit Union	C		

Under the penalties of perjury, I declare that I have examined this application, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.

Signature of Applicant/Transferee

Subscribed and sworn to before me this

*[Signature]*  
 04/26/05  
 Date

Day of April 20 05  
*[Signature]*

Notary Public in and for the State of Alaska  
 My commission expires

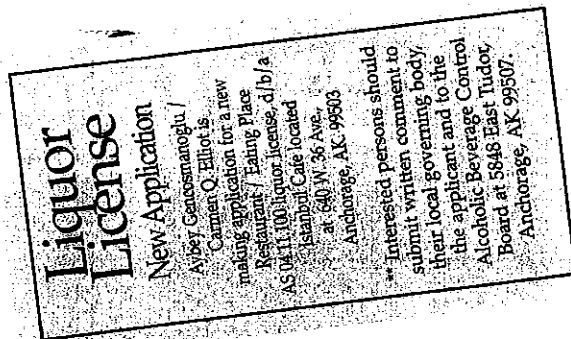
ANCHORAGE PUBLISHING, INC.

540 E. Fifth Avenue

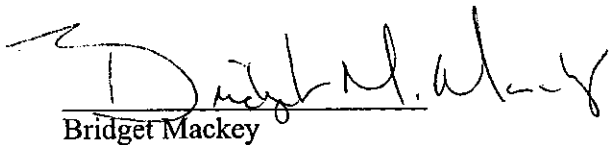
Anchorage, Alaska 99501

Phone: 561-7737 Fax: 561-7777

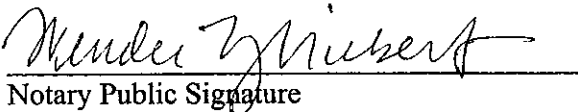
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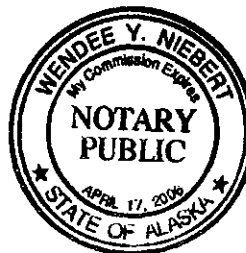
I, Bridget Mackey, advertising representative for Anchorage Publishing, Inc., verify that the liquor license transfer notice for Aybey Gencosmanoglu /Carmen Q. Elliott d/b/a Istanbul Café was published in the May 12, May 19, and May 26, 2005 Issues of the Anchorage Press Newspaper.

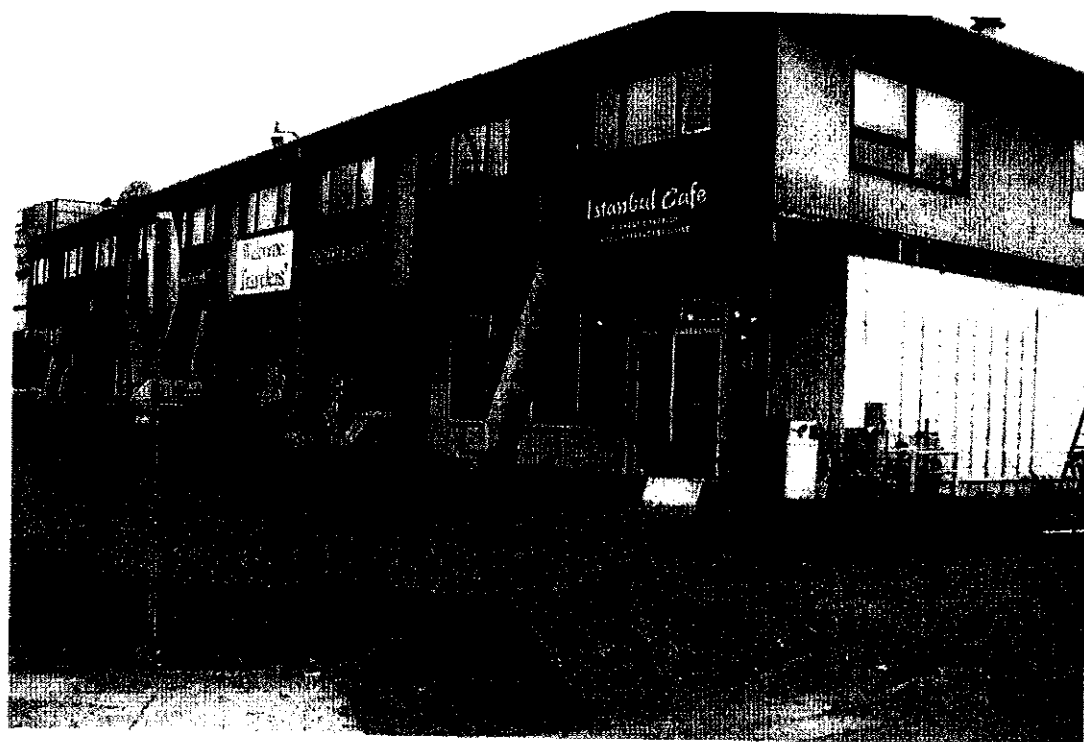
  
Bridget Mackey

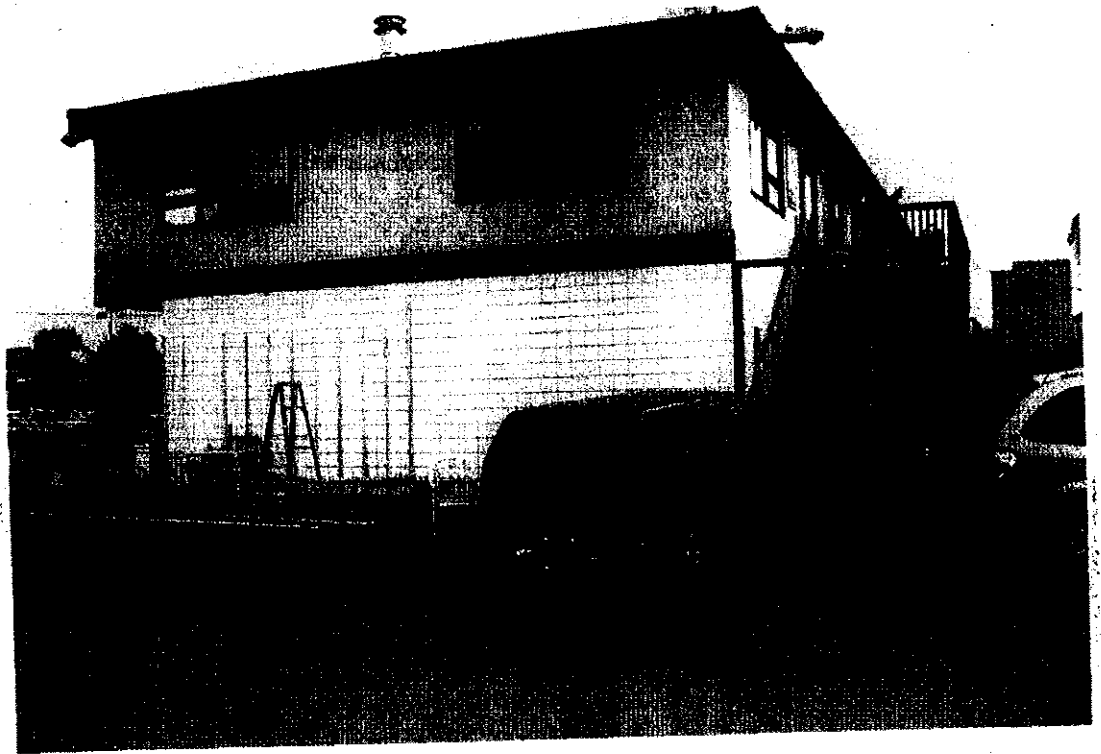
Subscribed and sworn to me in the Municipality of Anchorage, in the state Alaska, on this 27<sup>th</sup> day of May, 2005

  
Notary Public Signature

April 17, 2006  
Commission Expires

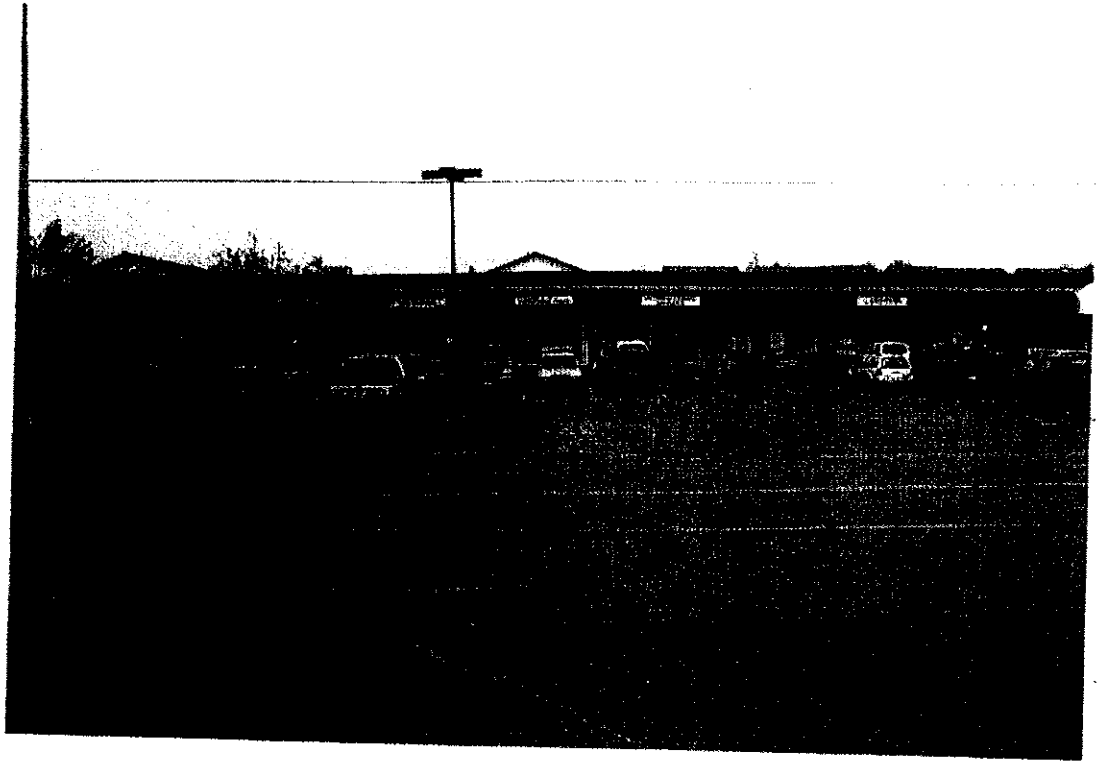


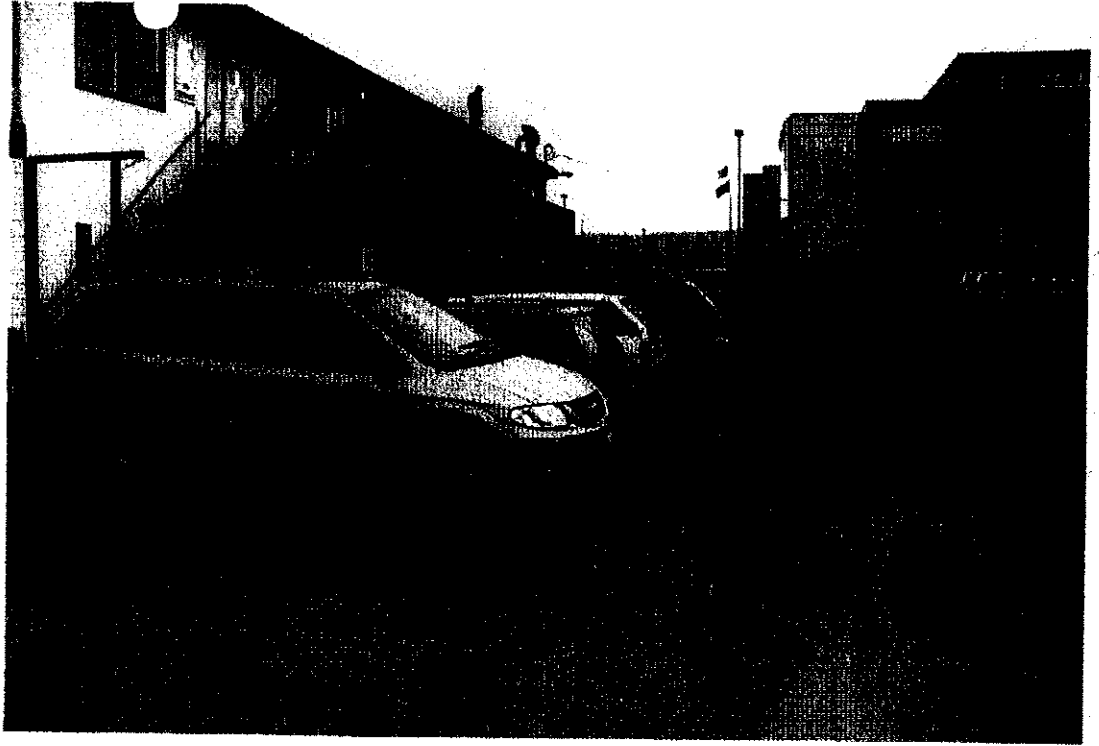


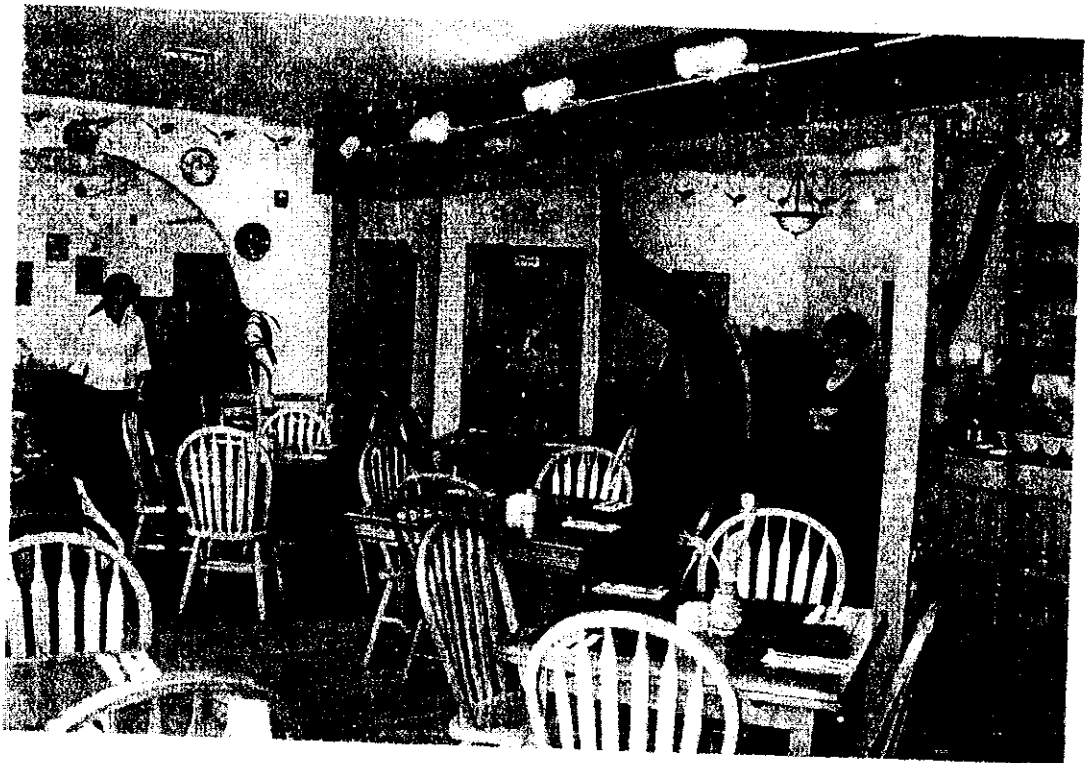












**4**

**POSTING**  
**AFFIDAVIT**



# AFFIDAVIT OF POSTING

CASE NUMBER: 2005-151

I, AYBEY GENCOSMANOGLU hereby certify that I have posted a **Notice of Public Hearing** as prescribed by Anchorage Municipal Code 21.15.005 on the property that I have petitioned for BEEREWINE CU. The notice was posted on 10/17/05 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 17 day of Oct, 2005

Signature A. Gencosmanoglu

## LEGAL DESCRIPTION

Tract or Lot 1A

640 W. 36th AVE

Block 2

Subdivision SPRINGER

**5**

# **HISTORICAL INFORMATION**

Municipality  
of  
Anchorage



P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Telephone: (907) 786-8160

*Rick Mystrom, Mayor*

March 2, 1995

DEPARTMENT OF PUBLIC WORKS  
(3500 East Tudor Road)

Geoff Bederson  
3605 West 36th Avenue  
Anchorage, AK 99503

Re: Nonconforming Parking Determination for Lot 1A, Block 2,  
Springer Subdivision

Dear Mr. Bederson:

Research for this determination reveals this property has nonconforming rights to 39 parking spaces based on the information supplied by you and information available in our records. The facts in this case are:

1. The property was zoned B-3 on December 15, 1969, in Area A of area wide zoning.
2. Plat of Lot 1A was recorded on April 2, 1970.
3. Tax records indicate the structure was built in 1970.
4. Nonconforming study done February 2, 1973, showed nonconforming signs on the property and Area Realtors as the property users.
5. October 7, 1976, aerial photo shows the building essentially unchanged from its present configuration. It also appears the rest of the lot was paved and used for parking.
6. Land Use Regulations for parking prior to June 13, 1978, for business, professional, industrial, and public assembly uses were required to have a gross area of not less than 350 square feet per vehicle.
7. January 6, 1995, as-built survey shows approximately 13,960 square feet of site area available for parking, which would accommodate 39 parking spaces under pre-1978 regulations.

Sincerely,

*Kathy Johnson*  
Kathy Johnson  
Land Use Reviewer

*3/5 - Dave - D.K.*



# PARCEL INFORMATION

## APPRAISAL INFORMATION

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000  
Owner BEDERSON GEOFFREY A



# Descr BOARDING/ROOMING HOUSE  
Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736  
ANCHORAGE

AK 99503 5789

## RELATED CAMA PARCELS

Related Parcel(s)	XRef Type	Leased Parcels

**Cross Reference (XRef) Type Legend**  
 Econ. Link Replat Uncouple  
 E = Old to New R = Old to New U = Old to New  
 I = New to Old F = New to Old Q = New to Old  
 Renumber Combine Lease  
 N = New to Old C = Old to New L = GIS to Lease  
 X = Old to New P = New to Old M = Lease to GIS

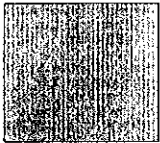
Get "Type" explanation  
Bring up this form focused on the related parcel

## REZONE



Case Number 2005-151 # of Parcels 1 Hearing Date 10/18/2005  
 Case Type Assembly conditional use for a restaurant serving alcohol  
 Legal An Alcoholic Beverage Conditional Use for a Restaurant License. Istanbul Cafe. Springer Subdivision, Block 2, Lot 1A. Located at 640 W 36th Avenue.

## PLAT



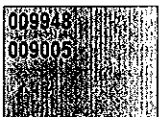
Case Number  
Action Type  
Legal  
Grid  
Proposed Lots 0  
Action Date  
Existing Lots

## PERMITS



Permit Number DET040094  
 Project  
 Work Desc Request for Nonconforming Determination  
 Use DETERMINATIONS

## BZAP



Action No. 2002-  
 Action Date 03/02/1995  
 Resolution  
 Status APR  
 Type NCM  
 Ruling Approved  
 Non Conforming

## ALCOHOL LICENSE



Business Address  
 License Type  
 Status  
 Applicants Name  
 Conditions



# PARCEL INFORMATION

<b>OWNER</b> BEDERSON GEOFFREY A  3605 ARCTIC BLVD #2736 ANCHORAGE AK 99503 5789 Deed 2491 0000726 CHANGES: Deed Date Sep 08, 1993 Name Date Sep 15, 1993 Address Date Jan 01, 1984	<b>PARCEL</b> Parcel ID 009-072-22-000 Status # <div>01</div> Renumbr ID 000-000-00-00000 Site Addr 640 W 36TH AVE Comm Concl MIDTOWN Comments  <b>TAX INFO</b> 2005 Tax 8,310.94 Balance 0.00 District 003																																			
<b>LEGAL</b> SPRINGER BLK 2 LT 1A  Unit SQFT 18,900 Plat 700080 Zone B3 Grid SW1730	<b>HISTORY</b> <table border="1"> <thead> <tr> <th></th> <th>Year</th> <th>Building</th> <th>Land</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Assmt Final</td> <td>2003</td> <td>286,600</td> <td>160,700</td> <td>447,300</td> </tr> <tr> <td>Assmt Final</td> <td>2004</td> <td>323,100</td> <td>165,400</td> <td>488,500</td> </tr> <tr> <td>Assmt Final</td> <td>2005</td> <td>330,900</td> <td>179,600</td> <td>510,500</td> </tr> <tr> <td>Exemptions</td> <td></td> <td></td> <td></td> <td>0</td> </tr> <tr> <td>State Credit</td> <td></td> <td></td> <td></td> <td>0</td> </tr> <tr> <td>Tax Final</td> <td></td> <td></td> <td></td> <td>510,500</td> </tr> </tbody> </table>		Year	Building	Land	Total	Assmt Final	2003	286,600	160,700	447,300	Assmt Final	2004	323,100	165,400	488,500	Assmt Final	2005	330,900	179,600	510,500	Exemptions				0	State Credit				0	Tax Final				510,500
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## LAND & COMMON PARCEL INFORMATION

### APPRAISAL INFORMATION

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000 # 01 of 01

Owner BEDERSON GEOFFREY A

Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736  
ANCHORAGE AK 99503

### LAND INFORMATION

Land Use BOARDING/ROOMING HOUSE  
Class COMMERCIAL  
Living Units 000  
Community Council 037 MIDTOWN  
Entry: Year/Quality 01 1980 0  
12 2002 INTERIOR  
Access Quality GOOD  
Access Type  
Leasehold (Y=Leasehold)  
Drainage GOOD  
Front Traffic MEDIUM  
Street PAVED CURB & GUTTER  
Topography HIGH LEVEL  
Utilities PUBLIC WATER PUBLIC SEWER  
Wellsite N  
Wet Land

### CONDOMINIUM INFORMATION

Common Area 0  
Undivided Interest 0.00

# RESIDENTIAL INVENTORY

## APPRAISAL INFORMATION

Legal SPRINGER  
 Site Addr 640 W 36TH AVE  
 Property Info # Descr BOARDING/ROOMING

Parcel 009-072-22-000 # 01 of 01

Owner BEDERSON GEOFFREY A

# 01

## RESIDENTIAL STRUCTURE INFORMATION

Style	Story Height
Exterior Walls	Total Rooms
Year Built	Bed Rooms
Remodeled	Recreation Rooms
Effective Year Built	Full Baths
Heat Type	Half Baths
Heat System	Additional Fixtures
Fuel Heat Type	Fireplace Stacks
Extra Value	Openings
Grade	Free Standing
Cost&Design Factor	E-Z Set Fireplace
Condition	

## AREA

1st Floor  
 2nd Floor  
 3rd Floor  
 Half Floor  
 Attic Area  
 Recroom Area  
 Basement  
 Finished Basement  
 Basement Garage  
 Total Living Area

## CONDOMINIUM INFO

Condo Style  
 Condo Level

## ADDITIONS

Basement	1st Floor	2nd Floor	3rd Floor	Area

## OTHER BUILDINGS & YARD IMPROVEMENTS

Type	Qty	Yr Built	Size	Grade	Condition

# COMMERCIAL INVENTORY

## APPRAISAL INFORMATION

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000

# 01 of 01

# 01

Owner BEDERSON GEOFFREY A

Site Addr 640 W 36TH AVE  
Prop Info # BOARDING/ROOMING HOUSE

3605 ARCTIC BLVD #2736  
ANCHORAGE AK 99503

## BUILDING INFORMATION

Structure Type LOW RISE OFFICE BLDG

Building SQFT 7,975

Year Built 1970

Grade C

Effective Year Built 1987

Property Information # 01

Building Number 01

Identical Units 01

Number of Units 000

## INTERIOR DATA

Floor	Level	Partitions	Heat System	Air Conditioner	Plumbing	Physical Condition	Functional
01	01	NORMAL	HOT WATER/STEAM	NONE	ADEQUATE	NORMAL	NORMAL
02	02	NORMAL	HOT WATER/STEAM	NONE	ADEQUATE	NORMAL	NORMAL
01	01	NORMAL	HOT WATER/STEAM	NONE	ADEQUATE	NORMAL	NORMAL
01	01	NORMAL	HOT WATER/STEAM	NONE	ADEQUATE	NORMAL	NORMAL

## EXTERIOR DATA

Floor	Level	Size	Perim	Use Type	Hgt	Wall Type	Const Type
01	01	2,400	156	RESTAURANT	09	FRAME T-111	WOOD JOIST(WD & STL)
02	02	4,080	190		09	FRAME T-111	WOOD JOIST(WD & STL)
01	01	1,200	140		09	FRAME T-111	WOOD JOIST(WD & STL)
01	01	295	62		09	WOOD T & G	WOOD JOIST(WD & STL)

## BUILDING OTHER FEATURES - ATTACHED IMPROVEMENTS

Type	Qty	Size1	Size2
OPEN AREA APARTS	01	480	1
PORCH OPEN	01	157	1
PORCH OPEN UPPER	01	445	1
CANOPY- SVC STATION	01	120	1

## OTHER BUILDINGS AND YARD IMPROVEMENTS

Type	Size/Amt	Units	Yr/Built	Condition	Funct/Utility
PAVING CONCRETE-AV	888	01	1970	NORMAL	NORMAL
PAVING ASPHALT PK	13,950	01	1970	NORMAL	NORMAL

**BUILDING PERMIT INFORMATION****APPRAISAL INFORMATION**

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000

# 01 of 01

# 01

Owner BEDERSON GEOFFREY A

Prop Info # BOARDING/ROOMING HOUSE  
Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736  
ANCHORAGE AK 99503

**BUILDING PERMITS**

Permit # DET040094  
00 5964  
00 5972

Class Type A

Class Use DETERMINATIONS

Date May 14, 2004

Address 640 W 36TH AVE

Cond Occ/Occ 00000000 | 00000000

Certification

Contract Type OWNER

Name BEDERSON GEOFFREY A

E-mail

Phone ( ) -

Fax ( ) -

Address 3605 ARCTIC BLVD #2736

City/State/Zip ANCHORAGE AK 99503-5789

Project

Sewer / Water PUBLIC | PUBLIC

Work Type ADMIN

Work Request for Nonconforming Determination

Description

**CASES**

2005-151

Case Number 2005-151

# of Parcels 1

Hearing Date Tuesday, October 18, 2005

**PERMIT COMMENT**

# OWNER HISTORY

## APPRAISAL INFORMATION

Parcel 009-072-22-000

# 01 of 01

01

#

Legal SPRINGER  
BLK 2 LT 1A  
Property Info # Descr BOARDING/ROOMING HOUSE

Site Address 640 W 36TH AVE

**Current** 09/08/93  
BEDERSON GEOFFREY A

3605 ARCTIC BLVD #2736  
ANCHORAGE AK 99503 5789

**3rd**  
0000 0000 //

00000

**Prev** 0084 0000 00/00/00  
BYRNES GERALD C  
PARNOW DAVID J

7620 GRIFFITH ST  
ANCHORAGE AK 99516

**4th**  
0000 0000 //

00000

**2nd**  
0000 0000 //

00000

**5th**  
0000 0000 //

00000

# ON-SITE WATER \ WASTE WATER

## APPRAISAL INFORMATION

Legal SPRINGER

BLK 2 LT 1A

Parcel 009-072-22-000

# 01 of 01

Owner BEDERSON GEOFFREY A

#

01

Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736

ANCHORAGE

AK 99503

Land Use BOARDING/ROOMING HOUSE

## ON-SITE PERMITS

Permit id

Permit Number

Date Issued

Permit Bedrooms

Permit Type ID

Private Well Request

Privy Request

Receipt #

Septic Tank Request

Status ID

Total Bedrooms

## AS BUILT

AS Built Permit

Date Completed

Date Inspected

Well Permit Type

Well Depth

Well H2O Level

Well Yield

Well Distance to Septic

Well Distance to Absorp

Well Distance to Hold

Tank Type

Bedroom Count



## SPECIAL ASSESSMENTS

### APPRAISAL INFORMATION

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000 # 01 of 01

Owner BEDERSON GEOFFREY A

Site Addr 640 W 36TH AVE  
Prop Info # BOARDING/ROOMING HOUSE

3605 ARCTIC BLVD #2736  
ANCHORAGE AK 99503

### ASSESSMENT

Assessment 01  
03  
06

Description SEWER LATERAL

Assessment Area 0

Original Assessment 0.00

Original Principal 0.00

Annual Payment 0.00

YTD Payment 0.00

Delinquent Payment 0.00

Unbilled Payment 0.00

### RESOLUTION

Resolution

R10064  
R10064  
C77W77

PLAT

700080

Status HISTORY  
Total Area 0

### LAST PAYMENT INFORMATION

Date Monday, October 03, 1994

Principal 0.00

Payment 0.00

Delinquent Interest 0.00

Penalty 0.00

Bond Interest 0.00

Cost 0.00

# PARCEL INFORMATION

## APPRAISAL INFORMATION

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000  
Owner BEDERSON GEOFFREY A

#



# Descr BOARDING/ROOMING HOUSE  
Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736  
ANCHORAGE AK 99503 5789

## RELATED CAMA PARCELS

### Cross Reference (XRef) Type Legend

Related Parcel(s)	XRef Type	Leased Parcels

Econ. Link	Replat	Uncouple
E = Old to New	R = Old to New	U = Old to New
I = New to Old	F = New to Old	Q = New to Old
Renumber	Combine	Lease
N = New to Old	C = Old to New	L = GIS to Lease
X = Old to New	P = New to Old	M = Lease to GIS

Get "Type" explanation  
Bring up this form focused  
on the related parcel

## REZONE

Case Number 2005-151 # of Parcels 1 Hearing Date 10/18/2005  
Case Type Assembly conditional use for a restaurant serving alcohol  
Legal An Alcoholic Beverage Conditional Use for a Restaurant License. Istanbul Cafe. Springer Subdivision, Block 2, Lot 1A. Located at 640 W 36th Avenue.

## PLAT

Case Number  
Action Type  
Legal  
Grid  
Proposed Lots 0  
Action Date  
Existing Lots

## PERMITS

Permit Number 00 5964  
Project  
Work Desc Demo 1st floor non-detailing walls RD  
Use HOTEL/MOTEL

## BZAP

Action No. 2002-  
Action Date 03/02/1995  
Resolution  
Status APR Ruling Approved  
Type NCM Non Conforming

## ALCOHOL LICENSE

Business Address  
License Type  
Status  
Applicants Name  
Conditions

# PARCEL INFORMATION

## APPRAISAL INFORMATION

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000  
Owner BEDERSON GEOFFREY A

#



# Descr BOARDING/ROOMING HOUSE  
Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736  
ANCHORAGE

AK 99503 5789

## RELATED CAMA PARCELS

Related Parcel(s)	XRef Type	Leased Parcels

Cross Reference (XRef) Type Legend  
Econ. Link Replat Uncouple  
E = Old to New R = Old to New U = Old to New  
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Renumber Combine Lease  
N = New to Old C = Old to New L = GIS to Lease  
X = Old to New P = New to Old M = Lease to GIS

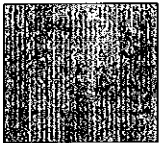
Get "Type" explanation  
Bring up this form focused  
on the related parcel

## REZONE



Case Number 2005-151 # of Parcels 1 Hearing Date 10/18/2005  
Case Type Assembly conditional use for a restaurant serving alcohol  
Legal An Alcoholic Beverage Conditional Use for a Restaurant License. Istanbul Cafe. Springer Subdivision, Block 2, Lot 1A. Located at 640 W 36th Avenue.

## PLAT



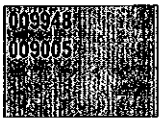
Case Number  
Action Type  
Legal  
Grid  
Proposed Lots 0  
Action Date  
Existing Lots

## PERMITS



Permit Number 00 5972  
Project ADD/TENANT IMPR  
Work Desc TENANT IMPROVEMENT AND 180 SQ FT ENTRY ADDITION TYPE  
V-1HR-SPRINKLERED N O A/C 4-30-01 Redi Elect cancelled their  
Use HOTEL/MOTEL

## BZAP



Action No. 2002-  
Action Date 03/02/1995  
Resolution  
Status APR Ruling Approved  
Type NCM Non Conforming

## ALCOHOL LICENSE



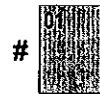
Business Address  
Applicants Name  
Conditions  
License Type  
Status

# PARCEL INFORMATION

## APPRAISAL INFORMATION

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000  
Owner BEDERSON GEOFFREY A



# Descr BOARDING/ROOMING HOUSE  
Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736  
ANCHORAGE AK 99503 5789

## RELATED CAMA PARCELS

Related Parcel(s)	XRef Type	Leased Parcels

Cross Reference (XRef) Type Legend  
Econ. Link Replat Uncouple  
E = Old to New R = Old to New U = Old to New  
I = New to Old F = New to Old Q = New to Old  
Renumber Combine Lease  
N = New to Old C = Old to New L = GIS to Lease  
X = Old to New P = New to Old M = Lease to GIS

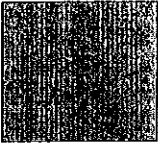
Get "Type" explanation  
Bring up this form focused  
on the related parcel

## REZONE



Case Number 2005-151 # of Parcels 1 Hearing Date 10/18/2005  
Case Type Assembly conditional use for a restaurant serving alcohol  
Legal An Alcoholic Beverage Conditional Use for a Restaurant License. Istanbul Cafe. Springer Subdivision, Block 2, Lot 1A. Located at 640 W 36th Avenue.

## PLAT



Case Number  
Action Type  
Legal  
Grid  
Proposed Lots 0  
Existing Lots  
Action Date

## PERMITS



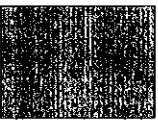
Permit Number 03 5974  
Project QUPQUGIAQ INN  
Work Desc 3RD AND 4TH FLOOR ADDITION TO 2 STORY BLDG / 6106 SQ FT  
Use HOTEL/MOTEL

## BZAP



Action No. 2002-  
Action Date 03/02/1995  
Resolution  
Status APR  
Type NCM  
Ruling Approved  
Non Conforming

## ALCOHOL LICENSE



Business Address  
Applicants Name  
Conditions  
License Type  
Status

**PARCEL INFORMATION****APPRAISAL INFORMATION**

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000  
Owner BEDERSON GEOFFREY A

#



# Descr BOARDING/ROOMING HOUSE  
Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736  
ANCHORAGE

AK 99503 5789

**RELATED CAMA PARCELS**

Related Parcel(s)	XRef Type	Leased Parcels

**Cross Reference (XRef) Type Legend**

<b>Econ. Link</b> E = Old to New I = New to Old <b>Replac</b> R = Old to New F = New to Old <b>Replac</b> N = New to Old X = Old to New	<b>Uncouple</b> U = Old to New Q = New to Old <b>Lease</b> L = GIS to Lease M = Lease to GIS
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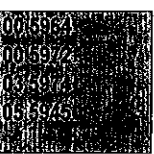
Get "Type" explanation  
Bring up this form focused  
on the related parcel

**REZONE**

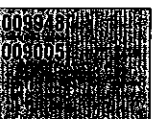
Case Number 2005-151 # of Parcels 1 Hearing Date 10/18/2005  
Case Type Assembly conditional use for a restaurant serving alcohol  
Legal An Alcoholic Beverage Conditional Use for a Restaurant License. Istanbul Cafe. Springer Subdivision, Block 2, Lot 1A. Located at 640 W 36th Avenue.

**PLAT**

Case Number  
Action Type  
Legal  
Grid  
Proposed Lots 0  
Existing Lots  
Action Date

**PERMITS**

Permit Number 05 5945  
Project  
Work Desc T/I NON STRUCTURAL  
Use B BUSINESS

**BZAP**

Action No. 2002-  
Action Date 03/02/1995  
Resolution  
Status APR  
Type NCM  
Ruling Approved  
Non Conforming

**ALCOHOL  
LICENSE**

Business  
Address  
Applicants Name  
Conditions  
License Type  
Status



# PARCEL INFORMATION

## APPRAISAL INFORMATION

Legal SPRINGER  
BLK 2 LT 1A

Parcel 009-072-22-000  
Owner BEDERSON GEOFFREY A



# Descr BOARDING/ROOMING HOUSE  
Site Addr 640 W 36TH AVE

3605 ARCTIC BLVD #2736  
ANCHORAGE

AK 99503 5789

## RELATED CAMA PARCELS

Related Parcel(s)	XRef Type	Leased Parcels

**Cross Reference (XRef) Type Legend**  
 Econ. Link Replat Uncouple  
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 I = New to Old F = New to Old Q = New to Old  
 Renumber Combine Lease  
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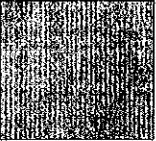
Get "Type" explanation  
Bring up this form focused on the related parcel

## REZONE



Case Number 2005-151 # of Parcels 1 Hearing Date 10/18/2005  
 Case Type Assembly conditional use for a restaurant serving alcohol  
 Legal An Alcoholic Beverage Conditional Use for a Restaurant License. Istanbul Cafe. Springer Subdivision, Block 2, Lot 1A. Located at 640 W 36th Avenue.

## PLAT



Case Number Action Type Grid Proposed Lots 0 Existing Lots  
 Legal

## PERMITS



Permit Number 95 5400  
 Project  
 Work Desc  
 Use COMMERCIAL OR MULTIFAMILY

## BZAP



Action No. 2002-  
 Action Date 03/02/1995  
 Resolution Status APR Ruling Approved  
 Type NCM Non Conforming

## ALCOHOL LICENSE



Business Address Applicants Name Conditions  
 License Type Status

**Content Information****Content ID :** 003514**Type:** AR\_AllOther - All Other Resolutions

**Title:** ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3  
DISTRICT FOR A RESTAURANT/EATING PLACE USE PER AMC  
21.40.180 D.8 FOR AYBEY GENCOSMANOGLU, DBA ISTANBUL  
CAFÉ RESTAURANT.

**Author:** weaverjt**Initiating Dept:** Planning

**Description:** ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3  
DISTRICT FOR A RESTAURANT/EATING PLACE USE PER AMC  
21.40.180 D.8 FOR AYBEY GENCOSMANOGLU, DBA ISTANBUL  
CAFÉ RESTAURANT.

**Date Prepared:** 11/23/05 12:10 PM**Director Name:** Tom Nelson**Assembly****Meeting Date** 12/13/05**MM/DD/YY:****Public Hearing** 12/13/05**Date 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>
AllOtherARWorkflow	11/23/05 12:12 PM	Checkin	weaverjt	Public	003514
Planning_SubWorkflow	11/23/05 5:32 PM	Approve	nelsontp	Public	003514
ECD_SubWorkflow	11/28/05 10:56 AM	Approve	thomasm	Public	003514
MuniManager_SubWorkflow	12/1/05 5:29 PM	Approve	leblancdc	Public	003514
MuniMgrCoord_SubWorkflow	12/2/05 10:36 AM	Approve	abbottmk	Public	003514

M.O.A.  
2005 DEC -2 PM 1:31  
CLERKS OFFICE