

CLERK'S OFFICE
APPROVED
Date: 6-21-06

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: June 20, 2006

Anchorage, Alaska
AR 2006-150

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE I-1 DISTRICT FOR A NEW PRIVATE CLUB USE PER AMC 21.40.200 B.1.K. FOR THE THEATRICAL LOUNGE LOCATED ON PENLAND PARK SUBDIVISION, TRACT D10, FRAGMENT LOT 1; SITE ADDRESS BEING 3001 PENLAND PARKWAY, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF AIRPORT HEIGHTS DRIVE AND THE GLENN HIGHWAY.

(Airport Heights Community Council) (Planning Case 2006-068)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The conditional use permit for an Alcoholic Beverages Conditional Use in the I-1 District for a new Private Club Use per AMC 21.40.200 B.1.k. for The Theatrical Lounge located on Penland Park Subdivision, Tract D10, Fragment Lot 1; site address being 3001 Penland Parkway, 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 I-1 District for a new private club per AMC 21.40.200 B.1.k. 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 the final conditional use approval for a private club use in the I-1 District.
2. All uses shall conform to the plans and narrative submitted with this conditional use application, including the building plans except as modified by this approval.
3. The petitioner shall resolve all outstanding delinquent taxes prior to issuance of a Notice of Zoning Action.
4. This conditional use approval is for an Alcoholic Beverages Conditional Use in the I-1 District for a Private Club Use per AMC 21.40.200 B.1.k. for an approximate 3,344 square-foot private club located on Penland Park Subdivision, Tract D10, Fragment Lot 1. The plans indicate 36 fixed seats and 50 non-fixed seats.

- 1 5. On-premise sale of alcohol beverages are seven days a week, 11:00 AM to 2:30
2 AM on weekdays, and closing at 2:45 AM on weekends. The conditional use may
3 choose to operate all hours as permitted by law. Liquor sales represent 20 percent
4 compared to 80 percent food sales.
5
6 6. Upon demand, the applicant shall demonstrate compliance with a "Liquor Server
7 Awareness Training Program," approved by the State of Alaska Alcoholic
8 Beverage Control Board, such as or similar to, the program for "Techniques in
9 Alcohol Management" (T.A.M.).
10
11 7. The use of the property by any person for the permitted purposes shall comply with
12 all current and future Federal, State and local laws and regulations, including but
13 not limited to, laws and regulations pertaining to the sale, dispensing, service and
14 consumption of alcoholic beverages and the storage, preparation, sale, service and
15 consumption of food. The owner of the property, the licensee under the Alcoholic
16 Beverage Control license and their officers, agents and employees, shall not
17 knowingly permit, or negligently fail to prevent the occurrence of illegal activity on
18 the property.
19
20 8. A copy of the conditions imposed by the Assembly in connection with this
21 conditional use approval shall be maintained on the premise at a location visible to
22 the public.
23

24 **Section 3.** Failure to comply with the conditions of this conditional use permit shall
25 constitute grounds for its modification or revocation.
26

27 **Section 4.** This resolution shall become effective immediately upon passage and approval
28 by the Anchorage Assembly.
29

30 PASSED AND APPROVED by the Anchorage Assembly this 20th
31 day of June 2006.
32
33
34
35

ATTEST:

Daniel R. Sullivan
Chair

[Signature]
Municipal Clerk



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 413-2006

Meeting Date: June 20, 2006

From: Mayor

Subject: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE I-1 DISTRICT FOR A PRIVATE CLUB USE PER AMC 21.40.200 B.1.K. FOR THE THEATRICAL LOUNGE.

1 Musician's Theatrical Association of Alaska (MTAA) has made application for a
2 Private Club Alcoholic Beverages Conditional Use in the I-1 District for The Theatrical
3 Lounge, located on Penland Park Subdivision, Tract D10, Fragment Lot
4 1, per AMC 21.40.200 B.1.k.

5
6 The proposal is to relocate the private club to this new location. The proposed site is
7 located at 3001 Penland Parkway, on the southeast corner of Airport Heights and the
8 Glenn Highway, and north of Penland Parkway. The site is a former restaurant
9 structure located west of the Northway Mall. There are two licenses within 1,000 feet
10 of the proposed restaurant. One license is a restaurant/eating place license currently
11 located on the petition site for the Taj Mahal Restaurant, which is not in operation at
12 this time. The second license is for a package store within the mall adjacent to
13 Safeway. Approving this conditional use for a private club would add the first private
14 club conditional use in this area.

15
16 The private club occupies a space of 3,344 square feet, and provides 36 fixed seats and
17 50 non-fixed seats. The private club will be open for use by members and their guests
18 seven days a week, 11:00 AM to 2:30 AM on weekdays and closing at 2:45 AM on
19 week ends, with alcoholic beverages available during those hours. However, the private
20 club may choose to operate seven days a week with hours of operation as permitted by
21 law. The petitioner estimates that 20 percent of the total sales will be from alcohol. All
22 servers having direct contact with alcohol will be trained in a program similar to the
23 "Techniques in Alcohol Management" (T.A.M.) program.

24
25 There are no known churches or schools within 200 feet of the private club.
26

1 The Anchorage Police Department reported no liquor related or other incidents
2 occurring at this address, or at the petitioners' previous location within the last two
3 years. Treasury found outstanding taxes adhering to this application for one of the
4 board members of the club. The Department of Health and Human Services provided no
5 comments at the time this review was prepared.

6
7 This conditional use for a Private Club License in the I-1 District generally meets the
8 applicable provisions of AMC Titles 10 and 21.

9
10
11 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department
12 Concur: Tom Nelson, Director, Planning Department
13 Concur: Mary Jane Michael, Executive Director, Office of Economic and
14 Community Development
15 Concur: Denis C. LeBlanc, Municipal Manager
16 Respectfully submitted: Mark Begich, Mayor

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

DATE: May 31, 2006

CASE NO.: 2006-068

APPLICANT: Musicians and Theatrical Association of Alaska, dba
The Theatrical Lounge

REPRESENTATIVE: Chuck Washington

REQUEST: A Conditional Use for an Alcoholic Beverages
Conditional Use in the I-1 (Light Industrial) District for
a Private Club Serving Alcoholic Beverages Use per
AMC 21.40.200 B.1.k. for The Theatrical Lounge

LOCATION: Penland Park Subdivision, Tract D10, Fragment Lot 1

STREET ADDRESS: 3001 Penland Parkway

**COMMUNITY
COUNCIL:** Airport Heights

TAX PARCEL: 004-091-75/ Grid SW 1334

ATTACHMENTS

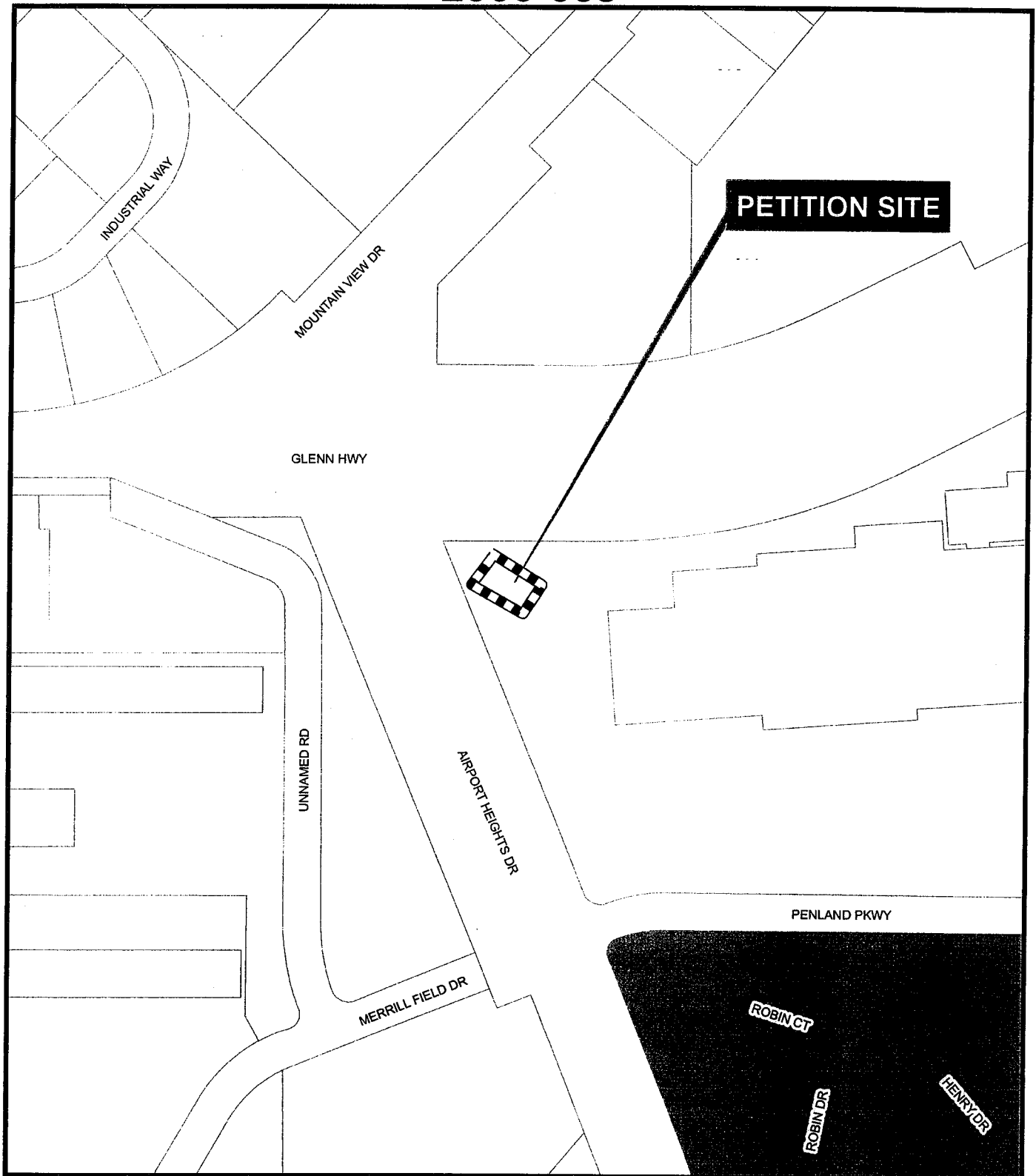
1. Location Map
2. Departmental Comments
3. Application
4. Posting Affidavit
5. Historical Information

RECOMMENDATION SUMMARY:

This conditional use generally meets the required standards of AMC Title 10 and Title 21 and State Statute 04.11.090.

Acres: 6,000 square feet
Vegetation: None
Zoning: I-1 (Light Industrial)
Topography: Level
Existing Use: Restaurant Building

ALOCHOL CONDITIONAL USE 2006-068



Municipality of Anchorage
Planning Department

Date: April 15, 2006

- Single Family
- Multi-Family
- Mobile Home Park

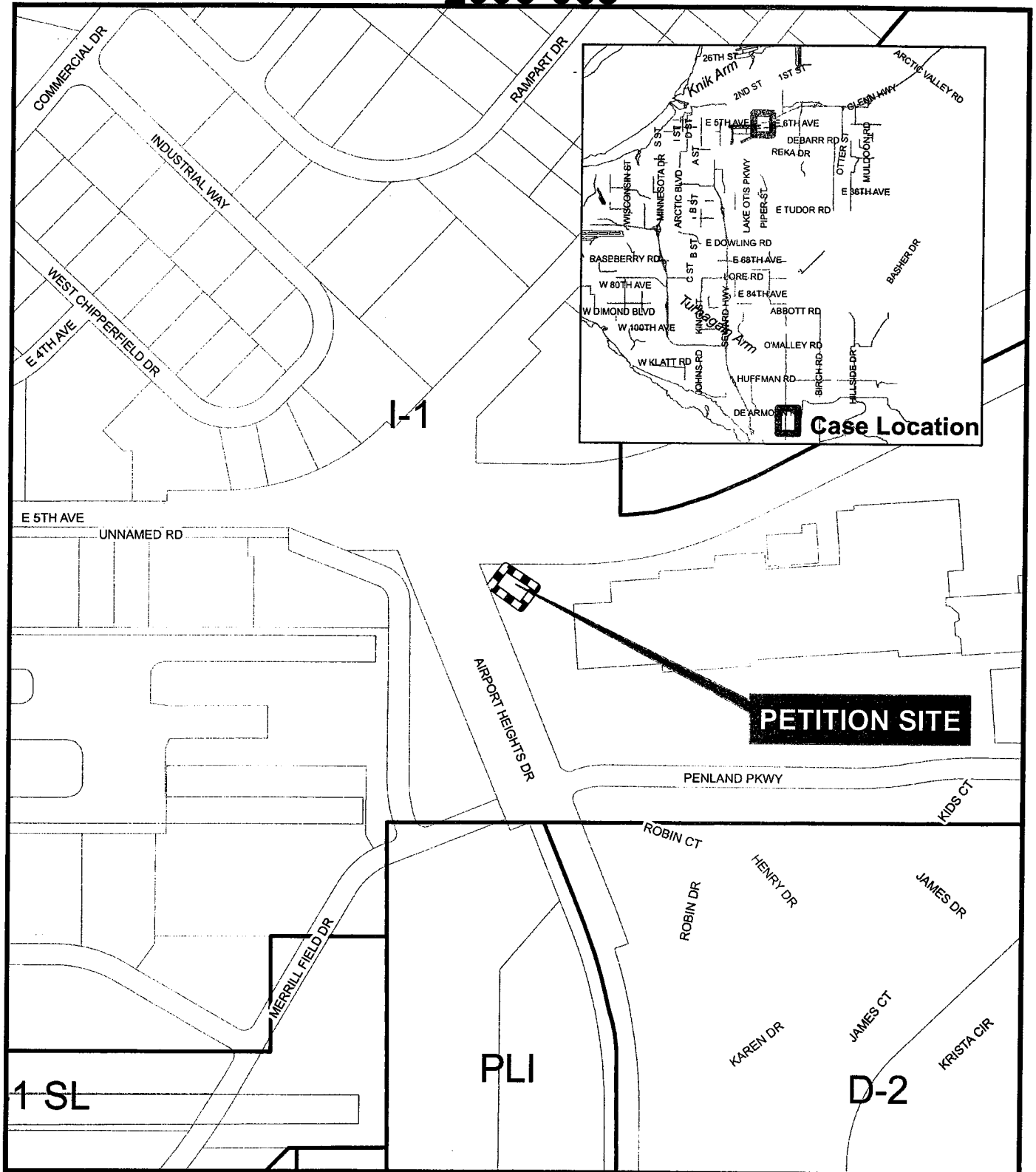
0 25 50 100
Feet



002

ALCOHOL CONDITIONAL USE

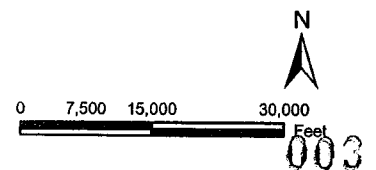
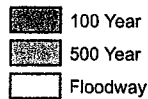
2006-068



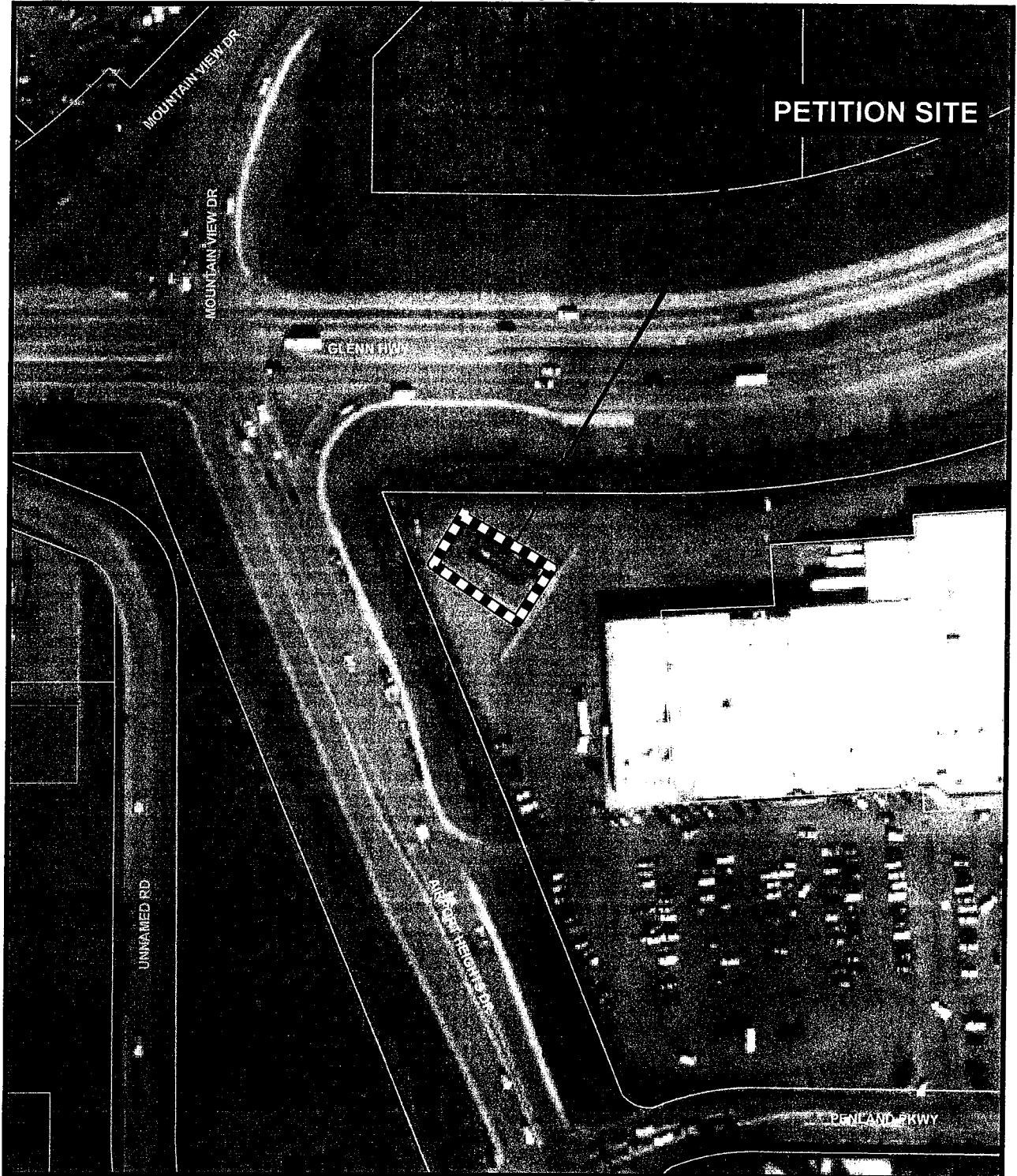
Municipality of Anchorage
Planning Department

Date: April 15, 2006

Flood Limits



2006-068



Municipality of Anchorage
Planning Department

Date: April 15, 2006



0 20 40 80
Feet

Soils: Public Sewer & Water; Seismic Zone 3

COMPREHENSIVE PLAN

Classification: Anchorage 2020—Town Center
Commercial in the 1982 Anchorage Bowl Comp Plan
Density: N/A

SURROUNDING AREA

| | NORTH | EAST | SOUTH | WEST |
|-----------|-------------------------|---------------|-------------------------------------|--|
| Zoning: | B-3 SL | I-1, I-1 SL | I-1, D-2 | I-1 |
| Land Use: | Proposed Retail Mall | Northway Mall | Parking Lot, Mobile Home Park | Merrill Field Airport Complex/ Related Uses |

SITE DESCRIPTION AND PROPOSAL:

The petitioner is asking approval of a new alcoholic private club conditional use for a new private club. Musicians and Theatrical Association of Alaska (MTAA), dba The Theatrical Lounge, leases a 3,344 square foot building west of the Northway Mall. The building is a former Pizza Hut restaurant, and has until recently been occupied by Roscoe's Catfish & Bar-B-Que. Surrounding property is zoned B-3 SL, I-1 and I-1 SL, and D-2. The restaurant is a part of an approved commercial fragment lot site plan which has approval regarding parking and landscaping for the uses on the site.

MTAA qualifies as a private club under the Alaska Beverage Control Board. Their requirements for regular membership state that they are for individuals who work directly with youth to bring about change in their behavior, persons who work in performing arts related professions, and all managerial, staff, educators or other personnel who have a direct interest in performing arts. Guests at the club may not purchase alcoholic beverages directly.

This building has formerly been a restaurant for many years. Originally it was a Pizza Hut restaurant, and had a conditional use for a beer and wine license. Most recently it has been occupied by Roscoe's Catfish & Bar-B-Que. This restaurant will cease operations as a public restaurant, and instead become a part of the club as their food service component for members and guests. Originally MTAA had allowed temporary memberships for individuals who wanted to allow potential full membership applicants to visit the club first before making application. However, there was concern that this temporary membership would allow the general public to visit the restaurant component and to purchased alcoholic beverages. This would violate State requirements for a private club in terms of allowing the public to purchase said beverages without having a beverage dispensary license. Thus, MTAA agreed that this

could be problematic and has formally revoked their temporary membership provision. Only members and their guests will be allowed into the club, and the restaurant use is going away as planned, and will only be the food service component of the club. No advertising of Roscoe's will occur, as that business is ceasing to exist.

The club provides a total of fifty (50) non-fixed seats and thirty-six (36) fixed seats. The club is proposed to be open 7-days a week, 11:00 AM to 2:30 AM on weekdays, with a closing of 2:45 AM on weekends; however, the club may choose to operate all hours as permitted by law. The petitioner estimates that 20% of the total sales will be from alcohol, and 3\80% from food sales. All employees involved in the dispensing of alcoholic beverages will be TAM trained and hold the necessary certifications. Security will be provided. Personnel will periodically patrol the exterior to help maintain a safe environment.

There are two (2) licenses located within 1,000 feet of this location: one restaurant/eating place license for the petition site (formerly the Taj Mahal, for which the conditional use is expired) and a package store license for the Oaken Keg located adjacent to Safeway in the mall to the east. Approving this private club use and license will add an additional license.

There are no known churches or schools within 200 feet of the pub. The nearest school is across the Glenn Highway to the north at 120 Bragaw Street.

PUBLIC COMMENTS:

Fifteen (15) public hearing notices (PHNs) were mailed out on May 10, 2006. At the time this report was written no public comments were received and no written comment has been received from the Airport Heights or Mountain View Community Councils. Although the petition site is within the Airport Heights Community Council area, it is adjacent to the Mountain View Community Council area and thus notice was sent to both Councils.

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 a Town Center area.

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.

Several goals of the Anchorage 2020 Plan 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. Hotel dining, night clubs, bars and restaurants which serves alcohol enhances the hospitality and tourism industry in Anchorage, and provide eating places for local residents and downtown employees. 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).

A Town Center plan has not been adopted for this general area, nor have the boundaries been delineated.

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

The private club is located within an existing restaurant building that was constructed in 1979. The lot size and width, building height, lot coverage, yards, sidewalks, landscaping, sidewalk widths and refuse collection is conforming or may have legal nonconforming rights to the 1979 zoning regulations. 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 I-1 Light Industrial zoning regulations allow alcoholic beverage sales through the conditional use permit process: AMC 21.40.200 AB.1.k which states "*Restaurants, cafes and other places serving food and beverages. Uses involving the sale (retail), dispensing or service of alcoholic beverages may be permitted by conditional use only.*"

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 a Town Center area as depicted on the Land Use Policy Map. However, no town center plan has been established for this area. In and around this location are found numerous commercial businesses and other non-residential uses, with a mobile home park to the south. Land to the west and east is zoned I-1 and I-1 SL, with I-1 and B-3 zoning to the north, and I-1 and D-2 to the south.

AMC 21.50.160.B asks that a list of all alcohol licenses located within a minimum of 1,000 feet of the proposed conditional use be provided. There are two (2) licenses located within 1,000 feet of this location: one restaurant/eating place license for the petition site (formerly the Taj Mahal, for which the conditional use is expired) and a package store license for the Oaken Keg located adjacent to Safeway in the mall to the east. Approving this private club use and license will add an additional license.

| Name | Address | License Number | Type of License |
|-----------------------|----------------------|----------------|-------------------------|
| Taj Mahal | 3001 Penland Parkway | 4177 | Restaurant/Eating Place |
| Oaken Keg Liquor #520 | 3101 Penland Parkway | 1358 | Package Store |

There appear to be no churches and or schools within 200 feet of the subject site. There is a day care facility within the Northway Mall.

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.

The petition site is located in the Northway Mall development area, and is subject to a commercial fragment lot site plan. At the time that was approved for the uses, parking and landscaping was reviewed and approved. The use as a restaurant facility has not changed, other than the structure being used for a private club, instead of a public restaurant. There is an established system of sidewalks adjacent to the mall area. Public Transit is available to the site.

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

This standard is met.

Electrical, water and sewer, natural gas are available to the site. Road infrastructure and public transit is already in place. The petition site is within ARDSA, Police and Fire service areas.

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

This standard is met.

As a land use, a private club conditional use and license will not cause or contribute to 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 private club license.

Standards Chapter 10.50 Alcoholic Beverages

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

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

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

The approval of a conditional use for a private club use and license will not adversely impact the immediate area or surrounding uses. There are no schools or churches within 200-feet of the petition site.

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.

This is a license for a private club, and not for one of the above captioned license types. However, the applicant states that all employees involved in the dispensing of alcoholic beverages and 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 not applicable.

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

This is for a private club license, and not one of the above mentioned license types. However, no incidents were reported from the Anchorage Police Department either at the petition site or at MTAA's previous location.

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

This standard does not appear to be met. Property Appraisal commented that one of the signatories for the MTAA application has not paid the real property tax on his property located at 354 Fern Lane. The Department recommends conditioning any approval on paying this delinquent tax.

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

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

- G. Municipality of Anchorage Alcoholic Beverage Licensee Compliance Form.** In order to determine whether applicants seeking issue, renewal or transfer of alcoholic beverage licenses have complied with the provisions of this chapter, applicants shall, at the request of the Assembly, submit to the municipal clerk such information as is required on a municipal form prepared by the municipal clerk known

as the Municipality of Anchorage Alcoholic Beverage Licensee Compliance Form. Upon request, operators shall also provide the municipal clerk with certificates from all current employees demonstrating that those employees have successfully completed a "Liquor Service Awareness Training Program" such as the program for techniques in alcohol management (T.A.M.) as approved by the State of Alaska Alcoholic Beverage Control Board.

This form was not requested of this applicant.

RECOMMENDATION:

This application for a final conditional use for private club serving alcoholic beverages in the I-1 District for a private club use and license per AMC 21.40.200 B.1.j. appears to meet or can meet the required standards of AMC Title 10 and Title 21, and State Statute 04.11.090.

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

1. A Notice of Zoning Action shall be filed with the District Records Office within 120 days of the Assembly's approval of the final conditional use approval for a private club use in the I-1 District.
2. All uses shall conform to the plans and narrative submitted with this conditional use application, including the building plans except as modified by this approval.
3. The petitioner shall resolve all outstanding delinquent taxes prior to issuance of a Notice of Zoning Action.
4. This conditional use approval is for an Alcoholic Beverages Conditional Use in the I-1 District for a Private Club Use per AMC 21.40.200 B.1.j for approximately 3,344 square foot leasable area, located on Penland Park Subdivision, Tract D-10, Fragment Lot 1. The dining and lounge area will have one fifty non-fixed seats and 36 fixed seats.
5. On-premise sale of alcohol beverages are 7-days a week, 11:00 AM to 2:30 AM week days, and a closing at 2:45 AM on weekends. The conditional use may choose to operate all hours as permitted by law. Liquor sales represent 20 % compared to 80 % food sales.
6. 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.).

7. 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.
8. 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.

2

HISTORICAL MAPS AND AS-BUILTS

3

DEPARTMENTAL

COMMENTS

MUNICIPALITY OF ANCHORAGE
Anchorage Water & Wastewater Utility

RECEIVED

MEMORANDUM

MAY 30 2006

Municipality of Anchorage
Zoning Division

DATE: May 30, 2006

TO: Jerry Weaver, Zoning Division Administrator, Planning Department

FROM: Sandy Notestine, Engineering Technician, AWWU

SUBJECT: **Zoning Case 2006-068**
Planning & Zoning Commission Hearing June 20, 2006
AGENCY COMMENTS DUE May 23, 2006

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

2006-068

PENLAND PARK TR D10 FRAG LT 1 (Grid 1334 - Zone I-1, Light Industrial)
Conditional use for a private club serving alcoholic beverages

1. Parcel is currently served with public water and sanitary sewer.
2. AWWU has no objection to the conditional use permit.

If you have questions pertinent to public water and sanitary sewer service, you may call me at 564-2757 or the AWWU Planning Section at 564-2739, or email sandy.notestine@awwu.biz.



**Municipality of Anchorage
Development Services Department
Building Safety Division**

MEMORANDUM



RECEIVED

MAY 22 2006

DATE: May 22, 2006

TO: Jerry Weaver, Jr., Platting Officer, CPD

Municipality of Anchorage
Zoning Division

FROM: *DR* Daniel Roth, Program Manager, On-Site Water and Wastewater Program

SUBJECT: Comments on Cases due May 23, 2006

The On-Site Water & Wastewater Program has reviewed the following cases and has these comments:

2006 - 068

A request concept/final approval of a conditional use to permit a private club serving alcoholic beverages

No objection



MUNICIPALITY OF ANCHORAGE

Development Services Department
Right of Way Division



MEMORANDUM

RECEIVED

DATE: May 18, 2006
TO: Planning Department, Zoning and Platting Division
THRU: Jack L. Frost, Jr., Right of Way Supervisor
FROM: Lynn McGee, Senior Plan Reviewer
SUBJ: Request for Comments on Assembly case(s) for the Meeting of June 20, 2006.

MAY 18 2006
Municipality of Anchorage
Zoning Division

Right of Way has reviewed the following case(s) due May 23, 2006.

06-068 Penland Park, Fragment Lot 1, grid 1334
(Conditional Use, Alcohol Dispensing, Private Club)
Right of Way Division has no comments at this time.
Review time 15 minutes.

Pierce, Eileen A

From: Weaver Jr., Jerry T.
Sent: Monday, May 08, 2006 8:50 AM
To: Pierce, Eileen A
Subject: FW: Zoning comments - Comments on letterhead will follow

RECEIVED

MAY 08 2006

Municipality of Anchorage
Zoning Division

-----Original Message-----

From: Mark Parmelee [mailto:mark_parmelee@dot.state.ak.us]
Sent: Sunday, May 07, 2006 11:55 AM
To: Weaver Jr., Jerry T.
Subject: Zoning comments - Comments on letterhead will follow

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

Dear Mr. Weaver:

In reviewing the following conditional use applications and amendments to Title 21, the Alaska Department of Transportation and Public Facilities has no comment:

- 2006-068, Private club serving alcohol, MTAA
- 2006-065, Conditional Use for a planned unit development, SC Timber Dev. Inc.
- 2006-071, PZC Appeal for a church site plan review, Debbie Dragich
- 2006-074, Title 21: High Voltage Transmission Towers
- 2006-074, Title 21: Separation of license properties from churches and schools
- 2006-078, Title 21: Regarding Site Plans and Conditional Uses

Regarding case **2006-070, Conditional Use for a solid waste processing or transfer station**; these improvements are in the vicinity of Anchorage International's Runway 14. Please insure the improvements receive approval of an airspace study from the Federal Aviation Administration.

Sincerely,
Mark Parmelee
Area Planner

019

5/8/2006

RECEIVED

MAY 01 2006

Municipality of Anchorage
Zoning Division

Municipality of Anchorage
Treasury Division
Memorandum

Date: May 1, 2006
To: Rich Cartier, Planning Dept.
From: Scott S Lee, Revenue Officer *SSL*
Subject: Liquor License Conditional Use Comments

Liquor License Conditional Use Application Case # 2006-068 for Musicians Theatrical Association of Alaska located at 3001 Penland Pkwy Anchorage, Alaska 99508. I could find following reason not to approve this application.

Mr. David Bentley Sr. has not paid the real property tax on his property located at 354 Fern Ln. Anchorage, AK 99504.

Here is the tax information on above property.

Acct: 006 071 18 00015
Legal: Elmrich Villas Blk 2 Lt 4
354 Fern Ln Anchorage, AK 99504
2005 Real Property Tax: \$955.33 if paid before 5/25/2006

Above Balance has to be paid in full with cash or certified funds.

RECEIVED

MAY 01 2006

Fire
Prevention
Site plan
review

Municipality of Anchorage
Zoning Division

| | | | |
|----------|------------|--------------|--------------|
| S11492-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11055-3 | J. Weaver | Yes 05/01/06 | No Objection |
| S11464-2 | J. Weaver | Yes 05/01/06 | No Objection |
| S11485-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11493-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11494-1 | J. Weaver | Yes 05/01/06 | No Comment |
| S11495-1 | J. Weaver | Yes 05/01/06 | No Comment |
| S11487-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11488-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11489-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11490-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11498-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11499-1 | J. Weaver | Yes 05/01/06 | No Objection |
| S11500-1 | J. Weaver | Yes 05/01/06 | No Objection |
| 2006-036 | R. Cartier | Yes 05/01/06 | No Comment |
| 2006-063 | R. Cartier | Yes 05/01/06 | No Objection |
| 2006-064 | R. Cartier | Yes 05/01/06 | No Comment |
| 2006-067 | R. Cartier | Yes 05/01/06 | No Comment |
| 2006-068 | R. Cartier | Yes 05/01/06 | No Objection |
| 2006-070 | R. Cartier | Yes 05/01/06 | No Objection |
| 2006-071 | R. Cartier | Yes 05/01/06 | No Comment |
| 2006-072 | R. Cartier | Yes 05/01/06 | No Objection |
| 2006-073 | R. Cartier | Yes 05/01/06 | No Objection |
| 2006-074 | R. Cartier | Yes 05/01/06 | No Comment |
| 2006-077 | R. Cartier | Yes 05/01/06 | No Comment |
| 2006-078 | R. Cartier | Yes 05/01/06 | No Objection |

| | | | |
|-----------------|------------|--------------|--|
| <u>2006-065</u> | R. Cartier | Yes 05/01/06 | Comment: 1) Hammerhead emergency vehicle turnaround shall meet the requirements of IFC figure D103.1. Provide detail. 2) Fire Apparatus access road shall meet the requirements of IFC Section 503 and appendix D to include maximum grade allowed, minimum width, and minimum load design. |
|-----------------|------------|--------------|--|

| | | | |
|-----------------|------------|--------------|--|
| <u>2006-066</u> | R. Cartier | Yes 05/01/06 | Comment: No Comment with respect to request for variance to allow encroachment into stream easement. 1) Number of units shown conflicts with number shown on 2006-065. Resolve. 2) Future development shall include site plan review for fire apparatus access road(s) per IFC 503 and appendix D107. |
|-----------------|------------|--------------|--|

| | | | |
|-----------------|-----------|--------------|---|
| <u>S11491-1</u> | J. Weaver | Yes 05/01/06 | Comment: Provide Fire apparatus access roads per IFC section 503 and appendix D. |
|-----------------|-----------|--------------|---|

To: Planning/Zoning Rich Cartier

2006-068

RECEIVED

POLICE DEPARTMENT CHECK LIST
FOR INVESTIGATION OF LICENSED LIQUOR ESTABLISHMENTS

APR 28 2006

Municipality of Anchorage
Zoning Division

1. Criminal History in Local Police Files? YES NO UNK
{Circle which applies}
2. Incidents occurring within two years prior to the date of the liquor license application.

| Type of Incident | Number of Incidents |
|------------------|---------------------|
| None | 0 |

Same

301 W. 64th Avenue

OLD BUSINESS NAME

OLD LOCATION

The Theatrical Lounge #3443

3001 Penland Parkway

BUSINESS NAME

LOCATION

Musicians & Theatrical Assoc. of Alaska

Same

NAME OF APPLICANT (S)

CURRENT LICENSEE (S)

☒ Club

☒ Relocation

☐ Transfer of Ownership

☐ Corporate Stock Transfer Only

☐ Transfer of Location

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

04.25.06

DATE

LT G. Gilliam

for CHIEF OF POLICE

RECEIVED

MAY 01 2006

Municipality of Anchorage
Zoning Division



FLOOD HAZARD REVIEW SHEET for PLATS

Date: 04-27-06

Case: 2006-068

Flood Hazard Zone: C

Map Number: 0235

☐ 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
Traffic Department



MEMORANDUM

APR 26 2006

Municipality of Anchorage
Zoning Division

DATE: April 26, 2006
TO: Jerry T. Weaver, Platting Supervisor, Planning Department
THRU: Leland R. Coop, Associate Traffic Engineer
FROM: Mada Angell, Assistant Traffic Engineer
SUBJECT: Traffic Department and Transportation Planning Comments for the
June 20, 2006

06-068 Penland Park; Conditional Use to permit a private club to serve
alcohol: Grid 1334

Traffic Department and Transportation Planning have no comment.



Municipality of Anchorage
Office of Planning, Development, & Public Works
Project Management & Engineering Department



PZC Case Comments

DATE: April 18, 2006
TO: Eileen Pierce, P&Z
FROM: Anastasia Taylor, PM&E
SUBJECT: Comments for hearing date: 6/20/06

Case No. 2006-068 Conditional Use – Alcohol MTAA.

Project management and engineering has no adverse comment for this case.

RECEIVED

APR 18 2006

Municipality of Anchorage
Zoning Division

4

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.

| PETITIONER* | PETITIONER REPRESENTATIVE (IF ANY) |
|---|--|
| Name (last name first) <i>Musicians Theatrical Assn. of Alaska (MTA)</i> | Name (last name first) <i>Washington, Chuck</i> |
| Mailing Address <i>P.O. Box 200976, Anchorage, AK. 99520</i> | Mailing Address <i>P.O. Box 200976 Anchorage, AK. 99520</i> |
| Contact Phone: Day: <i>227-4343</i> Night: <i>Same</i> | Contact Phone: Day: <i>227-4343</i> Night: <i>Same</i> |
| FAX: <i>770-7706</i> | FAX: <i>770-7706</i> |
| E-mail: <i>mta@alaska.com</i> | E-mail: <i>chuck@alaska.com</i> |

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

| PROPERTY INFORMATION |
|--|
| Property Tax #(000-000-00-000): <i>009-091-75</i> |
| Site Street Address: <i>3001 Penland Pkwy, Anchorage, AK. 99508, The old Pizza Hut Bldg.</i> |
| Property Owner (if not the Petitioner): <i>Northway Mall</i> |
| Current legal description: (use additional sheet in necessary) |
| Zoning: <i>I-1</i> Acreage: <i>.14</i> Grid # <i>SW 1334</i> |

| ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE PROPOSED |
|---|
| <input type="checkbox"/> Beverage Dispensary <input type="checkbox"/> Beverage Dispensary-Tourism <input type="checkbox"/> Brew Pub <input type="checkbox"/> Package Store <input checked="" type="checkbox"/> Private Club <input type="checkbox"/> Public Convenience <input type="checkbox"/> Recreational <input type="checkbox"/> Restaurant <input type="checkbox"/> Restaurant, exempt <input type="checkbox"/> Theater <input type="checkbox"/> Other (Please explain): |
| Is the proposed license: <input type="checkbox"/> New <input checked="" type="checkbox"/> Transfer of location: ABC license number: <i>3443</i> Transfer license location: <i>3001 Penland Pkwy, Anchorage, AK. 99508</i> Transfer licensed premises doing business as: <i>Theatrical Lounge, The</i> |

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.

Date

Signature (Agents must provide written proof of authorization)

| | | | |
|---------------------------------|--|-----------------------|---------------------------------|
| Accepted by: <i>[Signature]</i> | Poster & Affidavit: <i>[Signature]</i> | Fee: <i>\$2509.60</i> | Case Number: <i>2006-068027</i> |
|---------------------------------|--|-----------------------|---------------------------------|

COMPREHENSIVE PLAN INFORMATIONAnchorage 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 Zone
 Floodplain: ☐ None ☐ 100 year ☐ 500 year
 Seismic Zone (Harding/Lawson): ☐ "1" ☐ "2" ☐ "3" ☐ "4" ☐ "5"

RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion site)

- ☐ Rezoning - Case Number:
☐ Preliminary Plat ☐ Final Plat - Case Number(s):
☐ Conditional Use - Case Number(s):
☐ Zoning variance - Case Number(s):
☐ Land Use Enforcement Action for
☐ Building or Land Use Permit for
☐ Wetland permit: ☐ Army Corp of Engineers ☐ Municipality of Anchorage

DOCUMENTATION

- Required: ☒ Site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location.
☒ 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.

9/13/05

Date

Tom Fassett

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):

Theatrical Lounge, The

What is the gross leaseable floor space in square feet?

approx 3344

What is the facility occupant capacity?

86

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

15 booth

36

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

50

What will be the normal business hours of operation?

11: AM

2301 AM 2:45 Week end

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

noon - 12:00 PM - 2:30 AM

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

None

None

PACKAGE STORES

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

% less than \$5.00

% \$5.00 to \$10.00

% \$10.00 to \$25.00

% greater than \$25.00

CONDITIONAL USE STANDARDS

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

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

The Comprehensive Plan does not specifically address the sales of alcoholic beverages. However, two goals of the plan do address recreational opportunities. To create and maintain conditions in which all residents have an equal opportunity to share in employment, social service and recreational resources. This new location would provide a wide range of cultural recreational opportunities to all NTA membership and other segments of the community.

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

The Proposed conditional use conforms to the standards because the site is located in Commercial Business area and is zoned B-1 Business. The Proposed area is in the Northway Mall area, next to Carrefour. The applicant has served alcoholic beverages in the restaurant area with a caterer's license permit in the past. A good many of NTA members are customers of the restaurant.

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.

The area is ~~residential~~ Commercial Business Property and is expected to remain in the Business category. Private Clubs are one type of Business use.

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.

Should have NO negative impact, Adequate parking are available.

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

Will not increase the demand for public services and facilities

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

Will not increase noise, air, water, or other forms of environmental pollution.

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

Compatible with development patterns and land use.

STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

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

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

How many active liquor licenses are located on the same property as your proposed license? *NONE*

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

How would you rate this area's license concentration on a scale of 1 to 5 with 5 = high *2*

How many active liquor licenses are within the boundaries of the local community council? *3*

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?

8

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.

- ~~Yes~~ ☒ No Happy hours?
~~Yes~~ ☒ No Games or contests that include consumption of alcoholic beverages?
☒ Yes ☐ No Patron access and assistance to public transportation?
☒ Yes ☐ No Notice of penalties for driving while intoxicated posted or will be posted?
☒ Yes ☐ No Non-alcoholic drinks available to patrons?
~~Yes~~ ☒ 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:

Security

outside facility:

Security (patrols outside)

parking lot
lighting

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

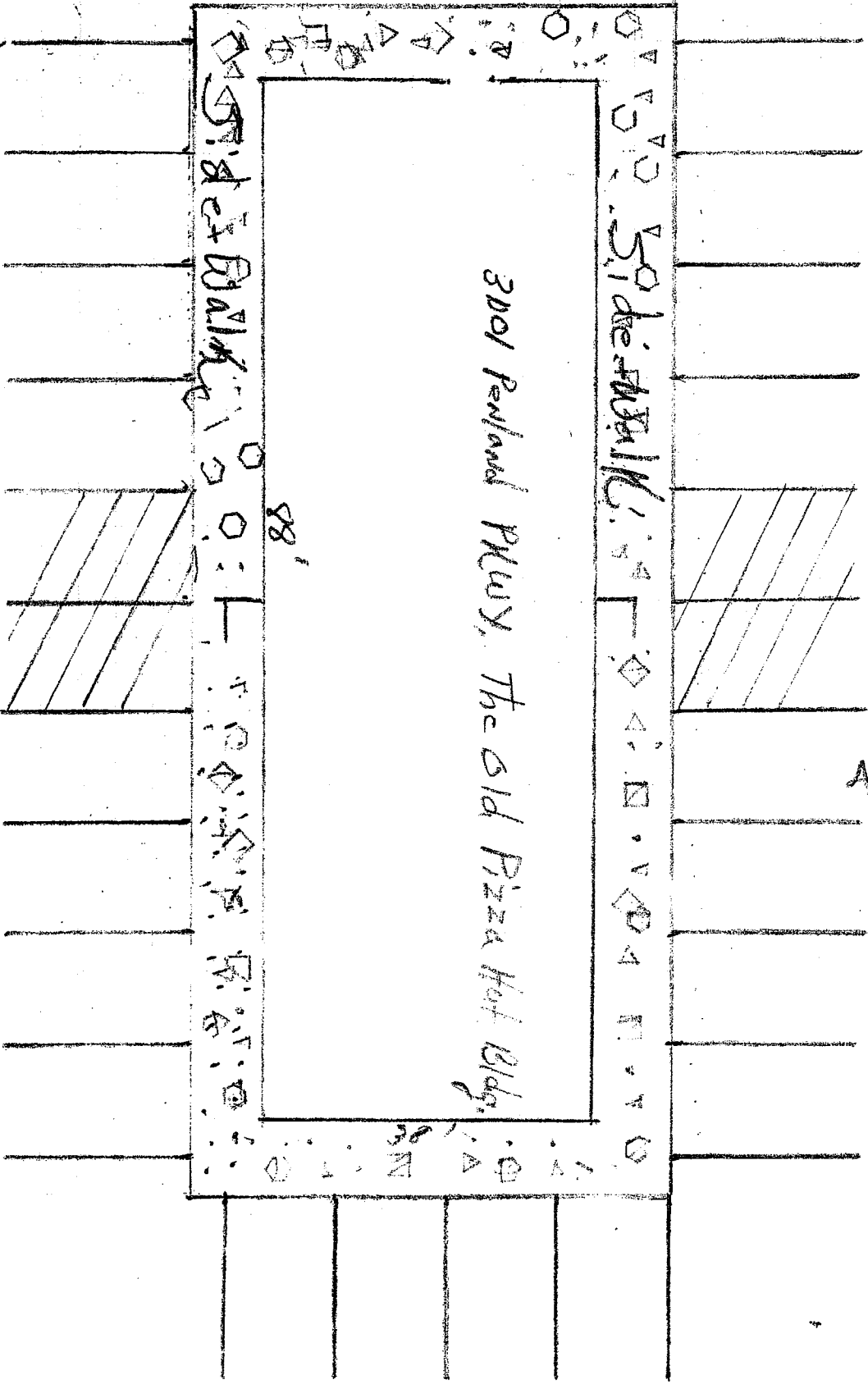
☒ Yes ☐ No *Are real estate and business property taxes current?*
☐ Yes ☒ No *Are there any other debts owed to the Municipality of Anchorage?*

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.

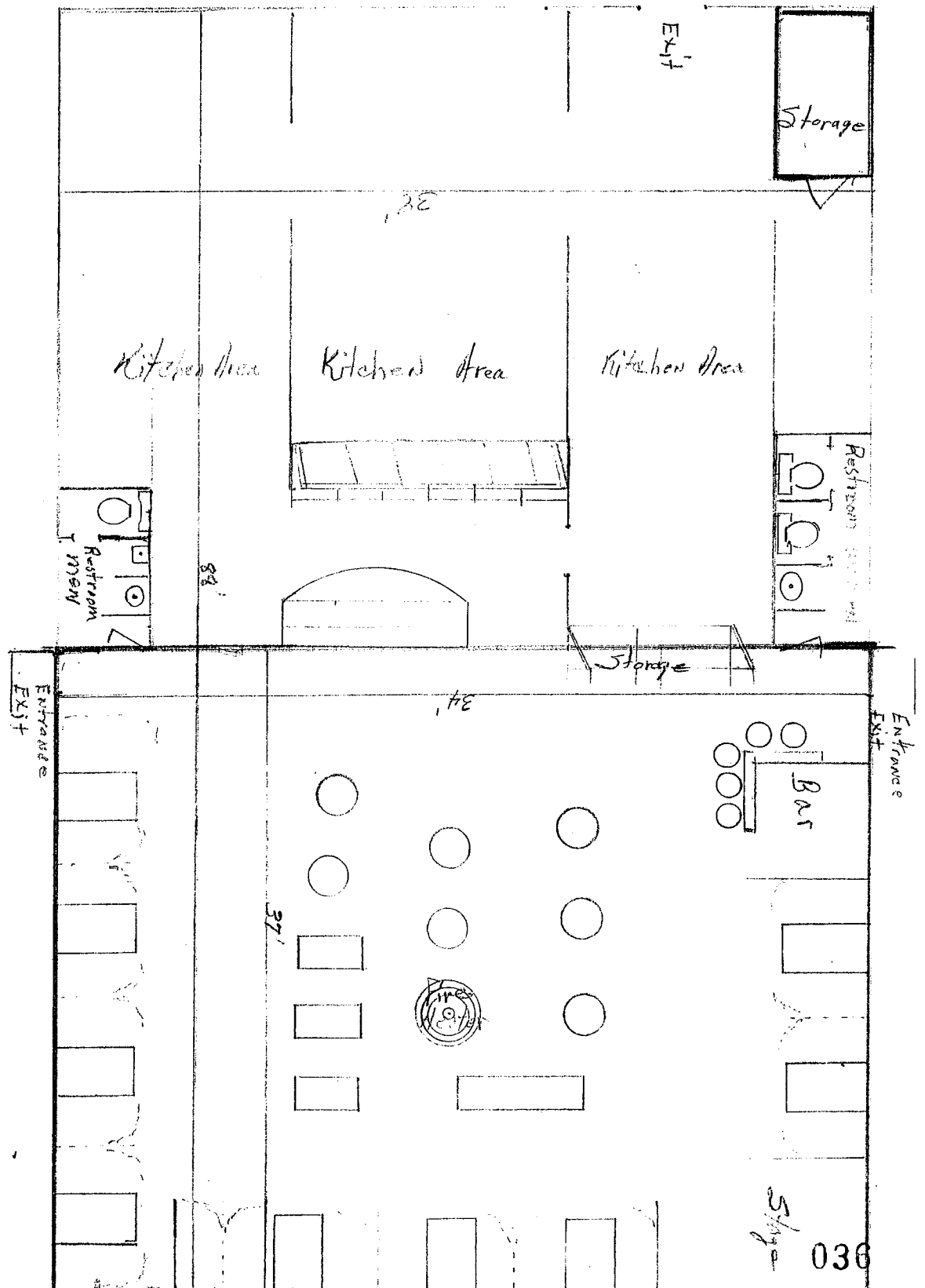
☒ Yes ☐ No *As the applicant and operator can you comply? If no explain*

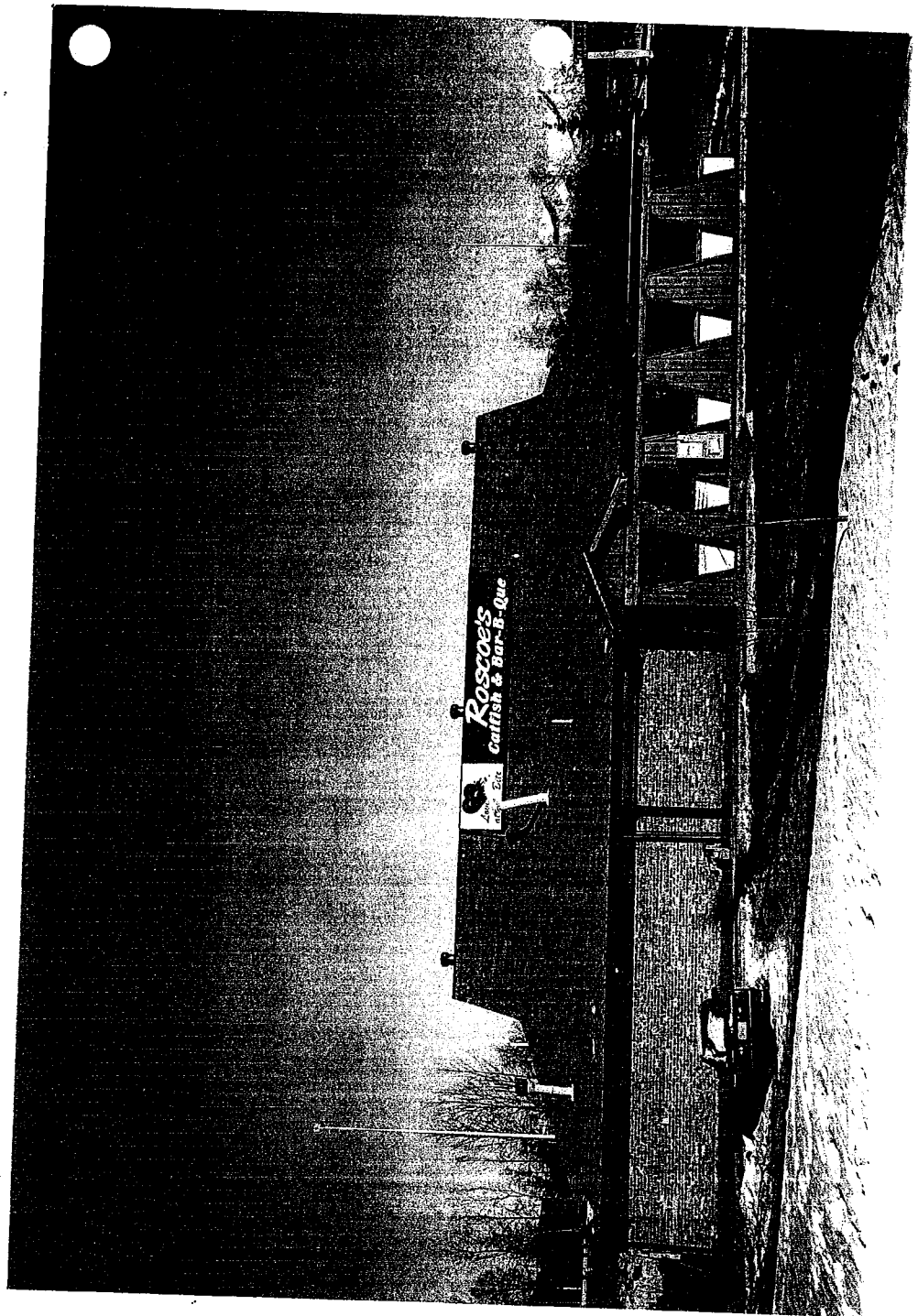
Additional space if needed.

Parking



$\frac{1}{4}'' = 3.12'$





Alcoholic Beverage Control Board
5848 E Tudor Rd
Anchorage, AK 99507

Liquor License Transfer

PAGE 1 OF 2

(907) 269-0350

Fax: (907) 272-9412

<http://www.dps.state.ak.us/abc/>

This application is for:

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

Type of Application: ☐ Transfer of Ownership ☒ Relocation ☐ Establishment Name

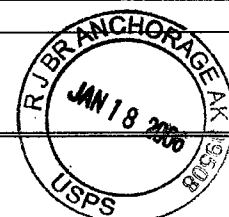
| SECTION A. LICENSE INFORMATION: Must be completed for all types of applications. | | | FEES | |
|---|--|--|-------------------------|-------|
| Current License #: <u>3443</u> | License Type: <u>Club</u> | Filing Fee: \$100.00 | | |
| License Year: <u>2004/2005</u> | Local Governing Body: (City, Borough or Unorganized) <u>MUN. of Anchorage</u> | Total Submitted: \$ | | |
| Statute Reference Sec. 04.11.110 | Applicant's/transferee's name as it should appear on the license: <u>Musicians + Theatrical Assoc. of Alaska</u> | Community Council Name(s) & Mailing Address (If applicable) | | |
| Bus. Tel. # <u>227-4343</u> | Applicant's/transferee's mailing address: <u>P.O. Box 200976, Anchorage, AK 99520</u> | <u>Taku Campbell</u> | | |
| Fax #: <u>770-7706</u> | Doing Business As (Business Name) <u>The Theatrical Lounge</u> | | | |
| Federal EIN: <u>92-0138767</u> | Street Address or Location of Business <u>301 W. 64th Ave., 99518</u> City <u>Anchorage</u> | | | |
| Email Address: <u>mtaa@alaska.com</u> | | | | |
| SECTION B. PREMISES TO BE LICENSED. Must be completed for Relocation applications. | | | | |
| Name to be used on public sign or advertising: <u>The Theatrical Lounge</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>Clark Middle School</u> | | <input checked="" type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. | | |
| Closest church: <u>New Hope Baptist Church</u> | | <input type="checkbox"/> Not applicable | | |
| Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. | | <input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) | | |
| Premises to be licensed is: <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building <input type="checkbox"/> Proposed building | | <input type="checkbox"/> Diagram of premises attached | | |
| SECTION C. TRANSFER INFORMATION. | | | | |
| <input checked="" type="checkbox"/> Regular Transfer | | Name and Mailing Address of Current Licensee: <u>Musicians + Theatrical Assoc. of Alaska</u> <u>P.O. Box 200976</u> <u>Anchorage, AK 99520</u> | | |
| <input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application (15 AAC 104.107). Real or personal property conveyed with this transfer must be described. Provide security interest documents. | | Business Name (dba) BEFORE transfer: <u>The Theatrical Lounge</u> | | |
| <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670. | | Street Address or Location BEFORE transfer: <u>301 W. 64th Ave., 99518</u> | | |
| SECTION D. Individual, corporate officer, director, limited liability organization member, manager or partner background. | | | | |
| Does any individual, corporate officer, director, or 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? | | | | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? | | | | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, attach written explanation | | | | |

Office use only

License Number

Date Approved

Director's Signature



038

Alcoholic Beverage Control Board
848 E Tudor Rd
Anchorage, AK 99507
http://www.dps.state.ak.us/abc/

Liquor License Transfer

PAGE 2 OF 2
Corporation Information

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

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

Type of Application: ☐ Transfer of Ownership ☒ Relocation ☐ Establishment Name

Corporations must be registered with the Alaska Department of Community and Economic Development. (DCED)

| | | | | | |
|---|-----------------|--|---|-----------------|-----------------|
| Name of Corporation: <i>Musicians + Theatrical Association of Alaska (MTAA)</i> | | Telephone Number: <i>227-4343</i> | Fax Number: <i>770-7706</i> | | |
| Corporate Mailing Address: <i>P.O. Box 200976</i> | | City: <i>Anchorage</i> | State: <i>Alaska</i> | | |
| | | Zip Code: <i>99520</i> | | | |
| Name, mailing address & telephone number of registered agent: <i>Chuck Washington, P.O. Box 200976, Anchorage, AK 99520</i> | | Date of Incorporation or Certificate of Authority: <i>6/14/89</i> | State of Incorporation: <i>Alaska</i> | | |
| Is the corporation in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. | | | | | |
| Corporate Officers (Must include President, Secretary and Treasurer, and Vice-President if applicable) | | | | | |
| Name | Title | ✓ if Director | Home Address & Telephone Number | Date of Birth | Work Tel. # |
| <i>Chuck Washington</i> | <i>Pres.</i> | <i>✓</i> | <i>2177 G. 80th Ave. 99502, 227-4343</i> | <i>12/26/33</i> | <i>227-4343</i> |
| <i>Betty Washington</i> | <i>V. Pres.</i> | <i>✓</i> | <i>905 Richardson Island # 632-8847</i> | <i>1/3/52</i> | <i>632-8847</i> |
| <i>David Bentley Sr.</i> | <i>Sec.</i> | <i>✓</i> | <i>354 Fern Ln. 99504, 333-5595</i> | <i>8/11/38</i> | <i>333-5595</i> |
| <i>David Bentley Sr.</i> | <i>Treas.</i> | <i>✓</i> | <i>" " " "</i> | <i>"</i> | <i>"</i> |
| Corporate Directors & Stockholders with a 10% or more interest. Attach additional sheets if necessary. | | | | | |
| Name | Home Address | Telephone #. | Percentage (%) of shares | | |
| <i>N/A</i> | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Note: On a separate sheet provide information on ownership of other organized entities that are shareholders of the licensee. | | | | | |
| Declaration | | | | | |
| <ul style="list-style-type: none">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 corporation, 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 CURRENT LICENSEE(S) | | | SIGNATURE OF TRANSFEREE(S) | | |
| Signature: <i>Chuck Washington</i> | | | Signature: <i>Chuck Washington</i> | | |
| Name & Title (Please Print): <i>Chuck Washington, President</i> | | | Name & Title (Please Print): <i>Chuck Washington, President</i> | | |
| Subscribed and sworn to before this <i>12th</i> day of <i>Jan</i> , 2006 | | | Subscribed and sworn to before this <i>12th</i> day of <i>Jan</i> , 2006 | | |
| Notary public in and for the State of Alaska <i>Keith LeBaron Mosley</i> | | | Notary public in and for the State of Alaska <i>Keith LeBaron Mosley</i> | | |
| My Commission expires: <i>02-12-2008</i> | | | My Commission expires: <i>02-12-2008</i> | | |

MUSICIANS AND THEATRICAL ASSOCIATION OF ALASKA (MTAA)
d/b/a THE THEATRICAL LOUNGE

P.O. Box 200976, Anchorage, Alaska 99520

Ph: (907)227-4343 Fax: (907)770-7706

E-mail: mtaa@alaska.com

May 1, 2006

MUNICIPALITY OF ANCHORAGE

Planning Department and Zoning Division

Attn: Mr. Angela C. Chambers, AICP

Senior Planner,

4700 Bragaw Street

P.O. Box 196650

Anchorage, Alaska 99519-6650

Dear Mr. Chambers:

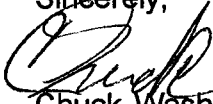
Re: Meeting held 1:00pm, Thursday, April 27, 2006, at MOA Planning Department, concerning Club Liquor License transfer request and MTAA Temporary Membership Policy.

A special meeting of MTAA Board of Directors was held April 30, 2006, to review those concerns reference above. The Temporary Membership was formulated, Standing Rules 95-026 were adopted by the Board in 1995, to allow applicants to review all documentation concerning goals and objectives of MTAA, which were an enhancement to the membership during that period.

Today, MTAA have a reliable membership foundation, and the Temporary Membership policy is not a requirement. The Board further resolved, that MTAA Code of Bylaws and Standing Rules were amended to reflect the cancellation of all Temporary Membership Policies. Minutes and a Resolution were prepared by the Board of Directors, available if required.

Thank you very much for your help. If I can be of further assistance, please call.

Sincerely,


Chuck Washington
President, MTAA

MUSICIANS AND THEATRICAL ASSOCIATION OF ALASKA (MTAA)

P. O. Box 200976, ANCHORAGE, ALASKA 99520

Ph: (907)227-4343 Fax: (907)770-7706

E-mail: mtaa@alaska.com

RESOLUTION NO. 06-012

April 30, 2006

Subject: MTAA Request for Liquor License Transfer

Whereas, the Musicians and Theatrical Association of Alaska (MTAA) is a non-profit corporation, charter by the State of Alaska, for the purpose of promotions and other community activities; and

Whereas, MTAA provide the parents and youth of Alaska with an alternative through the use of music, dance, art and theater as the vehicle to the development and implementation of comprehensive delinquency prevention programs; and

Whereas, the Board of Directors requested a transfer of its Club Liquor License from 301 W. 64th Avenue, to the new location, 3001 Penland Pkwy, Roscoe's Catfish & Bar-B-Que, which require the new location to obtain a Conditional Use approval from the Planning Department , and

Whereas, the Planning and Zoning Department have concerns with MTAA Temporary Membership Policy, and requested that the Policy be discontinued. They also pointed out that all Club operations are restricted to the guidelines in sec. 04.11.110. Club License and other provisions of Title 4, and

Whereas, the Board of Directors of MTAA, at their special meeting April 30, 2006, voted to amend the Bylaws in order to discontinue all Temporary Membership activities and shall follow the guidelines of Title 4.

NOW, THEREFORE, BE IT RESOLVED, that MTAA Bylaws were amended to reflect the discontinue or cancellation of Temporary Membership Policies, and MAY IT BE FURTHER RESOLVED, that the facility and all Club operation shall follow the guidelines in sec. 04.11.110. Club License and other provisions of Title 4.

Approved by the Board of Directors this 1 day of May 2006.



Chuck Washington
President, MTAA

MUSICIANS AND THEATRICAL ASSOCIATION OF ALASKA (MTAA)

P.O. BOX 200976, ANCHORAGE, ALASKA 99520

Ph: (907)227-4343 Fax: (907)770-7706

e-mail: mtaa@alaska.com

**MINUTES, OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

Special Board of Directors Meeting, April 30, 2006

The meeting was called to order at 6:00pm by the Chairman, Chuck Washington.

Those Directors present were:

Chuck Washington
Betty Washington

David Bentley Sr.

The purpose of the Special Board of Directors meeting was to review and discuss the requirements of MOA Planning and Zoning Department, after a meeting held Thursday, April 27, 2006, concerning MTAA Temporary Membership Policy.

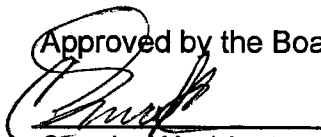
The Chairman pointed out to the Board, that The Temporary Membership Policy was formulated, and Standing Rules 95-026 were adopted by the Board in 1995, to allow applicants to review all documentation concerning goals and objectives of MTAA, which were an enhancement to the membership during that period.

There were long discussions, but all Board members acknowledged, that MTAA have a reliable membership base and there are no need for Temporary Memberships. So the discussions were closed and a motion was made by Betty Washington to discontinue all Temporary Membership Policy by amendment to the Bylaws, David Bentley Sr. seconded the motion.

Upon motion duly made, seconded and unanimously carried, it was resolved that MTAA Code of Bylaws and Standing Rules were amended to reflect the cancellation of all Temporary Membership Policies. Resolution 06-012 was approved by the Board of Directors.

There being no further business to come before the meeting, and upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 9:17pm, April 30, 2006.

Approved by the Board of Directors:



Chuck Washington
President, MTAA

MUSICIANS AND THEATRICAL ASSOCIATION OF ALASKA

STANDING RULES - 95-001 **Membership Requirements and Benefits**

Membership is divided into two classes:

1. Regular
2. Associate

Regular Membership in the Association shall be granted to individuals as follows:

1. To all adults that work, (or willing to work) directly with youth to bring about change in their behavior.
2. All persons who are earning their living, such as musicians, singers, writers, actors and those persons who are presently pursuing an education leading toward full-time employment in the above areas.
3. All managerial, staff, educators and other personnel who have a direct interest in performing art or other entertainment. Only Regular members shall be eligible to become an Officer in the Association or be a member of the Board of Directors. Annual membership dues = \$50.00, couples, \$75.00.

Associate Membership shall be granted at the discretion of the Board of Directors to persons of good character who subscribe to the purposes as stated in the Articles of Incorporation and Code of By-laws, and persons who are patron of the various art forms. Annual membership dues = \$25.00.

Membership benefits in the Association are as follows:

1. The opportunity to help develop and work with Youth Motivation Programs
2. The best of entertainment.
3. Sports and Special Activities.
4. Plan your own Birthday Party, Wedding Reception, anniversary, Office Party and other Events.

MUSICIANS AND THEATRICAL ASSOCIATION OF ALASKA

STANDING RULES - 95-026

TEMPORARY MEMBERSHIP

Temporary Membership shall be granted to individuals for the following reasons:

1. To allow applicants to visit the facility and to review all documentation concerning:
 - a. **The Purpose of the Association.**
 - b. **The Association Goals and Objectives**
 - c. **The Association Rules and By-Laws.**
2. To provide time for the Membership Committee to investigate, and present their recommendation to the Board of Directors for approval or rejection.

The Temporary Membership may be granted for one (1), or five (5) days. After proper investigation, should the Board of Directors reject an application, the applicant shall be notified and the dues payment returned to all applicant. By the completion of MTAA's Membership Application and the payment of dues, entitle all Temporary applicants to full membership status for five (5) days. As stated above, if rejected by the Board or if applicants decide not to become a member, all dues paid will be refunded.

All applicants accepted to permanent membership will be processed in accordance with the provisions outlined in ARTICLE III, and STANDING RULES 95-001, of the Association Code of By-Laws.

MUSICIANS AND THEATRICAL ASSOCIATION OF ALASKA

AMENDED CODE OF BYLAWS

ARTICLE I

NAME and OFFICES

Section 1. NAME

The name of the Association is the MUSICIANS AND THEATRICAL ASSOCIATION OF ALASKA (MTAA).

Section 2. REGISTERED OFFICE

The registered office of the Association in the state of Alaska shall be located in the city of Anchorage. The Association may have such other offices, either within or without the state of incorporation as the Board of Directors may designate or as the business of the association may from time to time require.

Section 3. SEAL

The seal of the Association shall be circular in form and mounted on a metal die suitable for impressing it upon paper. The seal shall contain at the center, the initials "MT AA" encircled by the name "Musicians and Theatrical Association of Alaska".

ARTICLE II

PURPOSES

Section 1. THE PURPOSE OF THE ASSOCIATION

A. To provide the parents and youth of Alaska with an alternative through the use of music, art, theater and dance as the vehicle to the development and implementation of comprehensive delinquency prevention programs, which meet changing needs, enhance cultural requirements, (particularly the disadvantaged and poor) and empower individuals and families to take charge of their lives.

B. To help save youth from drugs and other destructive behavior, by providing a community cultural center with family and youth programs focusing on habilitation and individual perception as preventative alternatives. There is a pressing need for alternative approaches to community youth behavior problems, which would have as their primary focus education and prevention within the community.

C. To provide a facility for youth and families to participate in music art, theatre, dance and other entertainment. To involve community residents in the planning and implementation of services, thereby assuring a greater degree of community involvement and control. To help youth achieve a larger measure of self-determination and to create

options by providing individual and group counseling regarding youth problems, family problems, and education.

D. The Association shall be one which does not contemplate pecuniary gain or profit to the membership thereof, nor the distribution of gains, profits or dividends to such members, and no part of the net earnings of the Association shall inure to the benefit of any of its members or any other private individual. Upon the winding up and dissolution of this association, the remaining assets shall be distributed to a non-profit fund, foundation or corporation/association, which is organized and operated exclusively for charitable, educational, or religious and/or scientific purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code, or as may be directed by the Superior Court of Alaska, upon petition for that purpose by the directors

E. This organization shall be non-partisan, non-sectarian and shall wholly abstain from any political or labor affiliation or endorsements for public, office.

ARTICLE III

MEMBERSHIP

Section 1. CLASSES OF MEMBERSHIP

Membership in the Association shall be divided into two classes: (A) Regular, and (B) Associate. All memberships shall be individual memberships and each member shall be approved individually. All members agree to abide by the Association Rules and Bylaws. Dues may not be transferred from one member to another.

A. **REGULAR MEMBERSHIP** in the Association shall be granted at the discretion of the Board of Directors to persons of good character who are engaged as:

A. Managerial/Supervisory Personnel in Theatrical or other Entertainment Installations.

B. Parents, Probation Officers, Social Workers, Counselors, Therapists, Teachers and other adults that work (or willing to work) directly with youth to bring about change in their behavior.

C. All persons who are earning their living such as musicians, singers, writers, actors and those persons who are presently pursuing an education leading toward full time employment in the above areas.

D. Staff, managers, educators, and executive personnel who have a direct interest in performing art or other entertainment requirements.

B. **ASSOCIATE MEMBERSHIP** may be granted at the discretion of the Board of Directors to persons of good character who subscribe to the purposes as stated in the Articles of incorporation, and persons who are patrons of the various art forms.

C. **REGULAR, AND ASSOCIATE MEMBERS** shall enjoy full membership and limited voting rights in accordance with the provisions of these Bylaws. Only Regular Members shall be eligible to hold office or become a member of the Board of Directors. For additional information concerning membership, see STANDING RULE 95-001.

Section 2. APPLICATION FOR MEMBERSHIP

- A. An applicant may be sponsored by a member in good standing or any individual may apply in person.
- B. The application shall be in writing and on the Association's "Application for Membership Form". The application form shall be accompanied by payment of annual dues to MTAA.
- C. The Membership Committee shall, after proper investigation, recommend acceptance or rejection of the applicant to the Board of Directors.
- D. All applicants accepted for membership shall be duly notified and furnished a copy of the Articles of Incorporation and the Bylaws.
- E. Should the Board of Directors reject an applicant, the sponsor of the applicant shall be notified and the dues payment returned to the applicant.

Section 3. RETAINMENT

A member upon transfer, promotion, or retirement from entertainment activities, shall continue as a member in good standing of the Association except as otherwise provided in the Bylaws and Standing Rules.

Section 4. CANCELLATION OF MEMBERSHIP

The Board of Directors may, at its option, cancel the membership of any member for failure to pay dues for a period of three (3) months after the same shall become due and payable. Notice of such cancellation must be mailed thirty (30) days prior to such action being taken. Reinstatement is automatic upon the payment of all delinquent dues and other charges.

Section 5. RESIGNATION FROM MEMBERSHIP

Any member of the Association may resign by submitting to the Secretary a written resignation, accompanied by a remittance in full of all dues or other charges then due, and may reapply for membership without prejudice at a subsequent date.

Section 6. VOTING RIGHTS

The voting rights of the Members are limited as permitted by the laws of the State of Alaska.

The Members shall not vote for the election of any of the Directors, either the permanent or the rotating Directors. The rights of the Members shall be limited to nominating the two rotating Directors. Each member, if in good standing and with fully paid dues, shall be entitled to nominate a candidate for the two rotating Directors as follows. Prior to the annual meeting of Directors, the Chairman of the Nominating Committee shall notify the membership to select their nominees for consideration by the four (4) permanent members of the Board of Directors. The nominees shall be presented to the four (4) permanent members of the Board at the annual meeting. The four (4) permanent members shall select the two (2) rotating Directors from among the nominees presented.

The Members do not have the authority to amend either the Bylaws or the Articles of Incorporation. Such right is reserved to the Board of Directors.

Section 7. DISCIPLINARY ACTION

Any member accused in writing signed by five (5) or more regular members of improper practices or acts injurious to the interest of the Association shall be given an opportunity to answer the charges made and to have such charges heard before the Board of Directors. Such member shall be entitled to due notice of the hearing which shall be sent by registered mail, return receipt requested, addressed to the address appearing on the records of the Association at least (10) days before the hearing. The hearing must be before the full Board of Directors and not a committee thereof. If, upon the vote of a majority of the Board of Directors, the charges are found to be true, such members shall be fined or suspended or expelled from membership. Payment of the fine assessed shall restore such member to membership, but should a member be expelled, he/she shall not again be entitled to membership except upon the vote of majority of the Board of Directors and after finding by the Board of extenuating circumstances that the record of the expelled member following expulsion favors and application for re-admission.

Section 8. ANNUAL MEMBERSHIP MEETING

An annual Membership meeting for the nomination of the rotating Directors and for such other business relative to the affairs of the Association shall be held on the 1st Wednesday of November of each year. The secretary need not send any further Notice of the annual Membership meeting to each member. One Third of the Membership, as determined by the Secretary from the records of the Association and as approved by the Board of Directors shall constitute a Quorum at any Membership Meeting.

ARTICLE IV

BOARD OF DIRECTORS/GOVERNING BODY

The Government of the Musicians and Theatrical Association of Alaska shall be vested in the Board of Directors. All authority not expressly delegated to members by the provisions of the Articles of Incorporation or these Bylaws is reserved to the Board of Directors.

Section 1. BOARD OF DIRECTORS

A The Board of Directors shall consist of seven (7) Directors. Four (4) of the Directors shall be permanent Directors who serve until they resign as Directors. The permanent Directors shall be the initial Directors set forth in the Articles of Incorporation and their direct successors. Only the four (4) permanent Directors shall be the elected Corporate Officers of the Association as follows: President, Vice-President, Secretary and Treasurer. The three (3) other Directors shall be elected as rotating Directors by the permanent Directors. The terms of the rotating Directors shall be one (1) year.

B The Board of Directors shall manage the affairs and assets of the Association. A majority of Board shall approve all expenditures, but never more than available funds.

C A majority of the Board of Directors then in office shall constitute a quorum.

D The Board of Directors shall keep a record of its meetings and all actions taken by it.

Section 2. VACANCIES

In the event of a vacancy on the Board, the permanent members of the Board of Directors shall have power to fill each vacancy for the remaining term of that Director, either permanent or rotating Director.

section 3. BUSINESS TRANSACTIONS

The transactions of any business at any meeting of the Board of Directors, however called and noticed, or wherever held, shall be valid if a quorum is present and if after the meeting, each of the Directors present signs a waiver consenting to such meeting. All such waivers, consents or approvals shall be filed with the Association records or made a part of minutes of the meeting.

Section 4. CONTRACTS

The Board of Directors except as in the Bylaws otherwise provided, may authorize any director or officer, agent, to enter into any contract, deed, or lease or to execute any instrument in the name and on behalf of the Association, and such authority may be general or confined to specific instances. The Board of Directors may delegate this authority to the business manager.

Section 5. STANDING RULES

The Board of Directors may formulate Standing Rules to supplement these Bylaws. Standing Rules may be adopted by a two-thirds vote of the Board of Directors at any regular or special meeting of said Board of Directors. Notice of a proposal that a new Standing Rules is to be provided to each of the Directors at least 10 days prior to such regular or special meeting at which such Standing Rule is to be considered for adoption.

Section 6. RULES OF ORDER

Rules contained in "Roberts Rules of Order (Revised)" shall govern this Association on all cases to which they are applicable, and in which they are not inconsistent with the Bylaws and Standing Rules of this Association.

Section 7. REGULAR MEETINGS OF THE BOARD OF DIRECTORS

The Board of Directors shall meet at least once a year in the month of November immediately after the annual Membership meeting. In addition, the Board shall hold such additional regular meetings as may be required to transact the affairs of the Association. Additional regular meetings shall be called by the President and may be called by any two (2) Board Members. Once called, the date, time and location of each meeting shall be determined by the President.

Section 8. SPECIAL MEETINGS OF THE BOARD OF DIRECTORS & MEMBERS AT THE CALL OF THE MEMBERS

A special meeting of the Board with the Membership shall be held within thirty (30) days upon the written request of 25% of the Membership. The written request shall specify the purpose of the meeting. Upon receiving a request for a special meeting of the Board signed by 25% of the Membership of the Association, the Secretary shall first verify that the required number of signatures are on the written request and that the stated purpose of the meeting is in accordance with the Articles and the Bylaws. If so, the Secretary shall prepare a Notice of Special Meeting which shall be sent to all of the members of the Association at the address of record of the member by regular mail at least ten (10) days in advance of the meeting. The specific date, time and location of such meeting shall be determined by the President. Only the matters set forth in the written request and the Notice shall be discussed by the Board at the special meeting.

ARTICLE V

PROCEDURE FOR AMENDING THE BYLAWS & ARTICLES

Section 1. AUTHORITY TO AMEND BYLAWS & ARTICLES

Only the Board of Directors shall have the authority to amend the Bylaws and the Articles of Incorporation. Amendments by the Board to either the Bylaws or the Articles of Incorporation may be made at any regular or special meeting of the Board called for that purpose. The members shall be advised of any amendments adopted by the Board at the annual Membership meeting in November of each year. Any amendment to the Bylaws shall be immediately placed in the records of the Association at its principal office for the review by Members.

Section 2. MEMBERS WRITTEN REQUESTS & CONSIDERATION OF MEMBERS PROPOSALS

The Members shall have no authority to amend the Bylaws or the Articles of Incorporation. However, any Member in good standing may make a written proposal to amend the Bylaws or the Articles of Incorporation. Such written proposed amendment

shall be submitted in writing to the Secretary at least 30 days prior to the annual meeting in November of each year for consideration by the Board at the annual meeting of the Board. The proposed amendments shall be discussed at the annual Membership meeting, but the authority to adopt such amendments is restricted to the Board of Directors. Amendments to these Bylaws or the Articles proposed by the members shall be considered by the Board at the annual Membership meeting. Any amendment to the Bylaws or the Articles shall be voted on by the Board of Directors at its annual meeting and requires a two-thirds vote of the Board for approval.

ARTICLE VI

PROCEDURES

Section 1. COPY OF BYLAWS AND ARTICLES

The Association shall keep at its principal office the original or a certified copy of these Bylaws, all Amendments thereto and the Articles of Incorporation. Said copies shall be open for inspection by all members and Directors during normal business hours.

Section 2. DISPUTES

The President shall interpret these Bylaws and any dispute there under, however, any member may appeal his decision to the Board of Directors.

ARTICLE VII

OFFICERS

Section 1. NUMBER & ELECTION OF OFFICERS

The officers of the Association shall be President, Vice-President, Secretary, and Treasurer. The Board of Directors may appoint such other officers; such as Assistant Secretary and Assistant Treasurer and Sergeant at Arms, etc. as may be necessary for the conduct of business.

Officers shall be elected at the annual meeting of Directors in November of each year by the Board of Directors. Newly elected Officers and Directors shall take office on the first day of the calendar year and shall serve for one (1) year.

Section 2. DUTIES OF THE PRESIDENT

The President shall be the Chief Executive Officer of the Association and Chairman of the Board of Directors. He/she shall preside at all meetings of the Association and its Board of Directors, and shall call such meetings as deems necessary. As Chief Executive Officer of the Association, the President has the authorization of the Board of Directors, to sign all documents concerning the affairs and assets of the Association. It shall be his/her duties to oversee the planning, budget preparation, development and setting of objectives; and to exercise general supervision over the activities and welfare of the Association, and keep in constant touch with the other Association Officers and Board of Directors relative to matters of policy. He/she is an ex officio member of all Association Committees (with the exception of the Nominating Committee). I he/she is a voting

member of the Board of Directors (further duties and responsibilities are outlined in the President Position Analysis).

Section 3. DUTIES OF THE VICE PRESIDENT

The Vice-President shall, in the absence of, or during the incapacity of the President, as determined by the Board of Directors, perform all duties and assume all responsibilities of the President until the Board of Directors shall revoke such authority. It shall be his/her responsibility to coordinate the activities of all Association committees. He/she is a voting member of the Board of Directors.

Section 4. DUTIES OF THE TREASURER

The Treasurer shall receive and disburse the funds of the Association. He/she shall keep and preserve proper vouchers and books of accounts, which shall be open to inspection by the Board of Directors and subject to audit at any time by an Auditing Committee duly appointed by the President. He/she deposit funds of the Association in such banks, as may be approved by the Board of Directors and shall disburse money only upon approved vouchers. All checks drawn upon the funds of the Association shall be signed by the Treasurer, the President, or the Vice President (any two). The Treasurer shall submit a monthly financial report to the Board of Directors, an annual report to the Association membership and such reports as may be required by the state and federal laws. The Treasurer is a voting member of the Board of Directors

Section 5. DUTIES OF THE SECRETARY

The Secretary shall: (a) keep the minutes of the Association's meetings and of the Board of Directors meetings in one or more books provided for that purpose; (b) see that all notices are duly given in accordance with the provisions of these Bylaws as required by law; (c) be custodian of the Association records and of the seal of the Association and see that the seal of the Association is affixed to all documents, the execution of which on behalf of the Association under its seal, is duly authorized; (d) keep a register of the post office address of each member which shall be furnished to the Secretary by each member; (e) sign with the President, or the Vice President, of the Association; (1) in general perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to that officer by the President or by the Board or Directors. The Secretary is a voting member of the Board of Directors.

Section 6. DUTIES OF THE IMMEDIATE PAST PRESIDENT

The immediate Past President shall meet with the Board of Directors, and it shall be his/her function to counsel and to serve in an advisory capacity as ex officio to the President. He/she shall meet regularly with the Board of Directors for the purpose of reviewing Association operations and procedures and recommending to the President any changes which he/she considers desirable for the more efficient operation of the Association. He/she may be a voting member of the Board of Directors.

Section 7. BONDED EMPLOYEES

All officers or employees handling money on account of the Association shall, at the option of the Board of Directors, be bonded in such amount, as may be determined by the Board of Directors at the Expense of the Association.

Section 8. OFFICERS SALARIES

The salaries of the officers, if any, shall be fixed from time to time by the Board of Directors and no officer shall be prevented from receiving such salary by reason of the fact that he/she is also a Director of the Association.

ARTICLE VIII

FUNCTIONS AND MANAGEMENT

Section 1. PROPERTY

The Association Board of Directors shall manage and control the property of the Association.

Section 2. FUNDS

Funds may be raised by annual dues or in any other manner approved by the Board of Directors. All funds raised shall be deposited in the General Account of the Association. Such funds as are necessary to defray the expenses of the operation of the activities of the Association shall be approved and transferred by the proper Officers of the operating account or to such other fund accounts as the Board of Directors shall from time to time deem advisable to establish.

Section 3. EMPLOYMENT OF A GENERAL MANAGER

The Board of Directors may employ engineers, attorneys, accountants, writers, actors, producers, musicians, and such other professional expert assistance as it may deem necessary or reasonable for the operation of the Association. The Board may employ a Managing or Business Agent as a full time, paid employee of the Association with the responsibility, under the ultimate direction and control of the Board, for the day to day operation of the Association.

Section 4. SERVICE DEPARTMENT/FACILITIES

The Board of Directors shall have the power to establish service departments and any other facilities for the extension of the activities of the Association, especially in furtherance of educational and training services to its members, as it shall deem necessary or expedient.

Section 5. ANNUAL REPORT

The Board of Directors shall make reports annually to the members of the Association at the annual membership meeting.

Section 6. AUDIT OF ACCOUNTS

The accounts of the Treasurer and the Secretary or other Officers of the Association shall be examined quarterly and audited annually as may be determined by the Board of Directors.

Section 7. ASSOCIATION DUES

Annual Regular Membership dues shall be \$50.00, couples, \$75.00. Associate Membership dues shall be \$25.00. The amount of the annual dues may be modified by the Board of Directors.

Section 8. REMISSION AND WAIVER OF DUES AND FEES

The Board of Directors may, for such reasons as it may deem sufficient, remit or waive all or part of the dues and/or fees of any members for any year, including any members who may find to be unable to pay the same. If the Board of Directors shall so order, the remission or waiver of dues and/or fees shall suspend the voting power of any member whose dues are remitted.

Section 9. FISCAL YEAR

The Association's fiscal year shall begin on January 1 and end on December 31

Section 10. LIABILITIES

The Board of Directors shall have no power to assume liabilities in' behalf of the Association for an amount in excess of the funds of the Association.

Section 11. PERSONAL DEBTS

The Association shall never pay, assume or become responsible for the personal or unapproved debts of any individual of this Association.

Section 12. EXPENSE ACCOUNTS

Officers and Directors will be reimbursed for any personal expense incurred while performing duties required by the Association as approved by the Board of Directors.

Section 13. REMOVAL OF OFFICERS, EMPLOYEES OR AGENTS

Any officer or agent elected or appointed by the Directors may be removed by a vote of two thirds of the Directors whenever in their judgment the best interests of the Association would be served thereby, but such removal shall, be without prejudice to the contract rights, if any of the person so removed.

Section 14. RECORDS

The Association shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, Board of Directors, and Committees having any of the authority of the Board of Directors, and shall keep at the registered or

principal office a record giving the names and addresses of the members entitled to vote. All books and records of the Association may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

ARTICLE IX

COMMITTEES

Section 1. STANDING COMMITTEES

The President, with the approval of the Board of Directors, shall appoint the Chairmen of the following standing committees from among the members of the Association. The Chairmen of each Committee shall select the necessary number of Members to complete each committee.

- A. **Membership Committee**, whose duty it shall be to investigate applications for membership and recommend acceptance or rejection to the Board of Directors in accordance with the provisions of Membership. The Membership Committee is also responsible for bringing new members into the Association and making certain anyone who qualifies and is desirous of being a member obtains membership in the Association.
- B. **Nominating Committee**, whose duty it shall be, prior to the annual business meeting, to review the nominations for the rotating Directors and ascertain the availability of these nominees to serve. The Nominating Committee shall be compromised of at least three members.
- C. **Auditing Committee**, whose duty it shall be to audit the books of the Association Treasurer at the close of the fiscal year and shall be appointed annually.
- D. **Program Committee**, whose duty it shall be to make all arrangements for regular meetings and entertainment of the Association. Duties also include planning, scheduling, and promoting musical and theatrical performances and other community activities.
- E. **Education Committee**, whose duty it shall be to establish educational programs, such as Seminars, Conferences, etc., for the up-building of the Association membership, as well as individuals interested in Musical and Theatrical Entertainment.
- F. **Public Relations Committee**, whose responsibility shall be to make certain that all monthly meetings, as well as other activities, are duly publicized and that a monthly newsletter is forthcoming to all members.
- G. **Bylaws Committee**, whose responsibility shall be to review the Association Bylaws and make such recommendations as are necessary to keep the bylaws up-to-date.

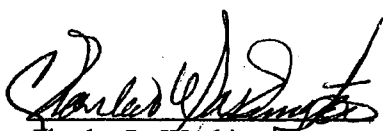
- H. **Executive Committee.** Annually, the Board of Directors may establish an Executive Committee which shall consist of the President, Vice President, Secretary and Treasurer. The Executive Committee shall carry out and administer the policies of the Board of Directors for and on behalf of the Board. All transactions of the Executive Committee shall be regularly reported to the Board of Directors.

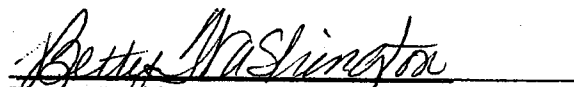
ARTICLE X

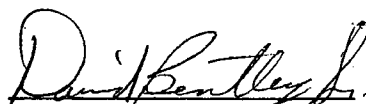
EMBLEM

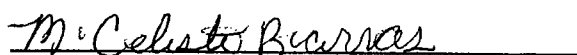
Members in good standing may use this Association's emblem, name and address on their stationary, cards, advertising matter, office doors, and equipment.

These Amended Bylaws were considered at a Special Meeting of the Board of Directors held on the 23rd day of January, 2003 and were unanimously approved.


Charles L. Washington


Betty Washington


David Bentley, Sr.


Celeste Barras

Elgin Jones

Ken Thompson

MUSICIANS AND THEATRICAL ASSOCIATION OF ALASKA

STANDING RULES - 95-026

TEMPORARY MEMBERSHIP

Temporary Membership shall be granted to individuals for the following reasons:

1. To allow applicants to visit the facility and to review all documentation concerning:
 - a. **The Purpose of the Association.**
 - b. **The Association Goals and Objectives**
 - c. **The Association Rules and By-Laws.**
2. To provide time for the Membership Committee to investigate, and present their recommendation to the Board of Directors for approval or rejection.

The Temporary Membership may be granted for one (1), or five (5) days. After proper investigation, should the Board of Directors reject an application, the applicant shall be notified and the dues payment returned to all applicant. By the completion of MTAA's Membership Application and the payment of dues, entitle all Temporary applicants to full membership status for five (5) days. As stated above, if rejected by the Board or if applicants decide not to become a member, all dues paid will be refunded.

All applicants accepted to permanent membership will be processed in accordance with the provisions outlined in ARTICLE III, and STANDING RULES 95-001, of the Association Code of By-Laws.

5

**POSTING
AFFIDAVIT**

6

HISTORICAL INFORMATION

Alcohol Church and School List Report

Case Number: 2006-068 Description: 1000 feet

| Parcel | Parcel Owner Name | Parcel Site Address | Description |
|-------------|-------------------------------|---------------------|---------------|
| 00405101000 | MOA ANCHORAGE SCHOOL DISTRICT | 120 BRAGAW ST | EDUCATION MOA |

Alcohol Extract from List Report

Case Number: 2006-068

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 |
|--------------------------------------|---|--|---------------------|--------------------|----------------------------------|
| 00409175000 Taj Mahal | SECURITY NATIONAL Galaxy Enterprises, LLC | 323 FIFTH STREET 3001 Penland Pkwy | EUREKA 4177 | CA 11 | 95502 Restaurant/Eating Place |
| 00409177000 Oaken Keg Liquor #520 | NORTHWAY MALL ASSOCIATES LLC Safeway, Inc. | 1111 SANTA MONICA BLVD #150 3101 Penland Pkwy | LOS ANGELES 1358 | CA 11 | 90025 Package Store |

2006 068 alcohol 1000 feet

Fri Apr 14, 09:47:09, 2006

Map: Parcels--Basic Layers



Scale 1:8000

Legend:



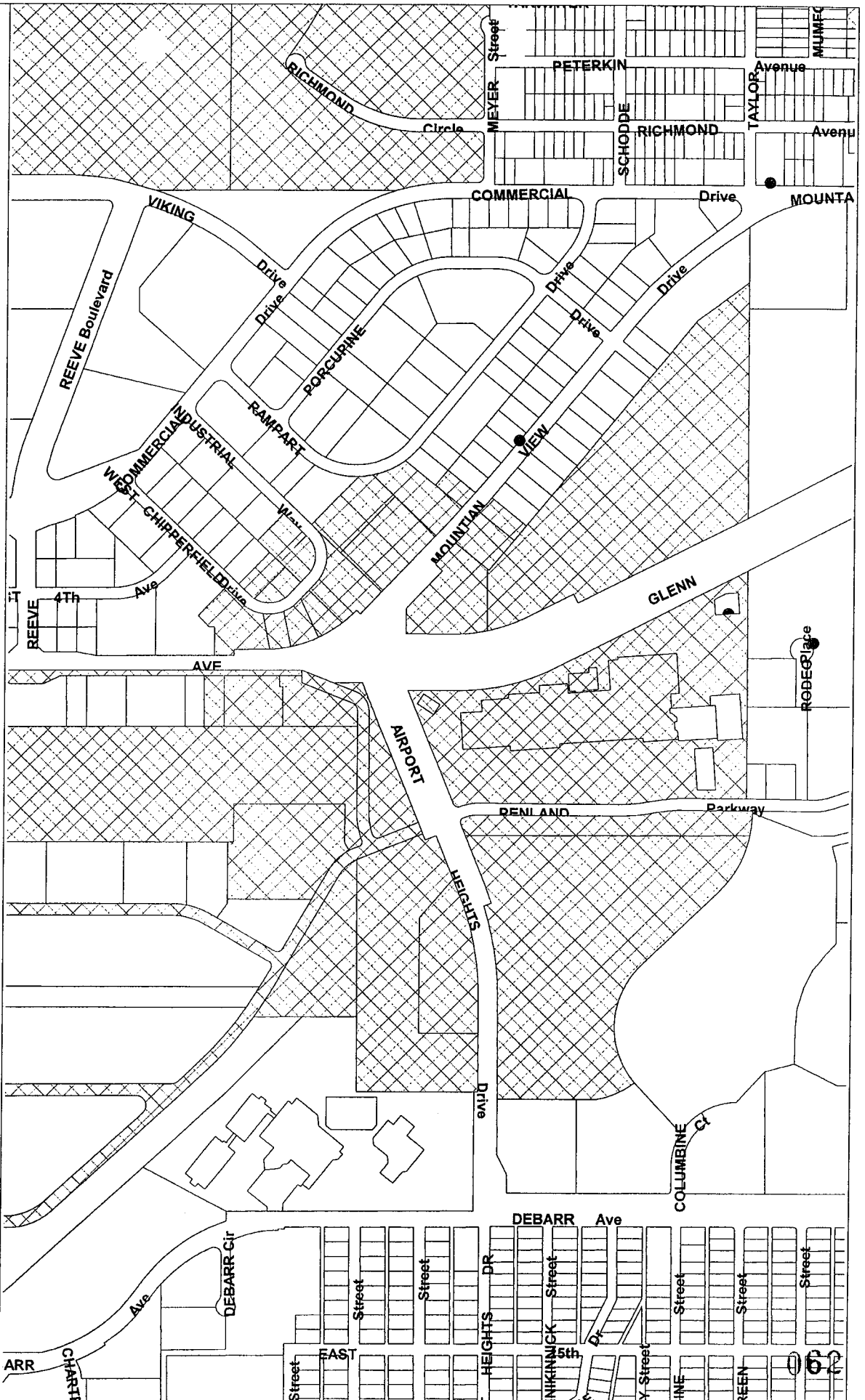
PARCELS



ALCOHOL

Txt

STRNAME_BI_L



CityView™

Municipal Software Corporation

062

2006 068 alcohol

Fri Apr 14, 09:44:47, 2006

Map: Parcels--Basic Layers



Scale 1:8000

Legend:



PARCELS



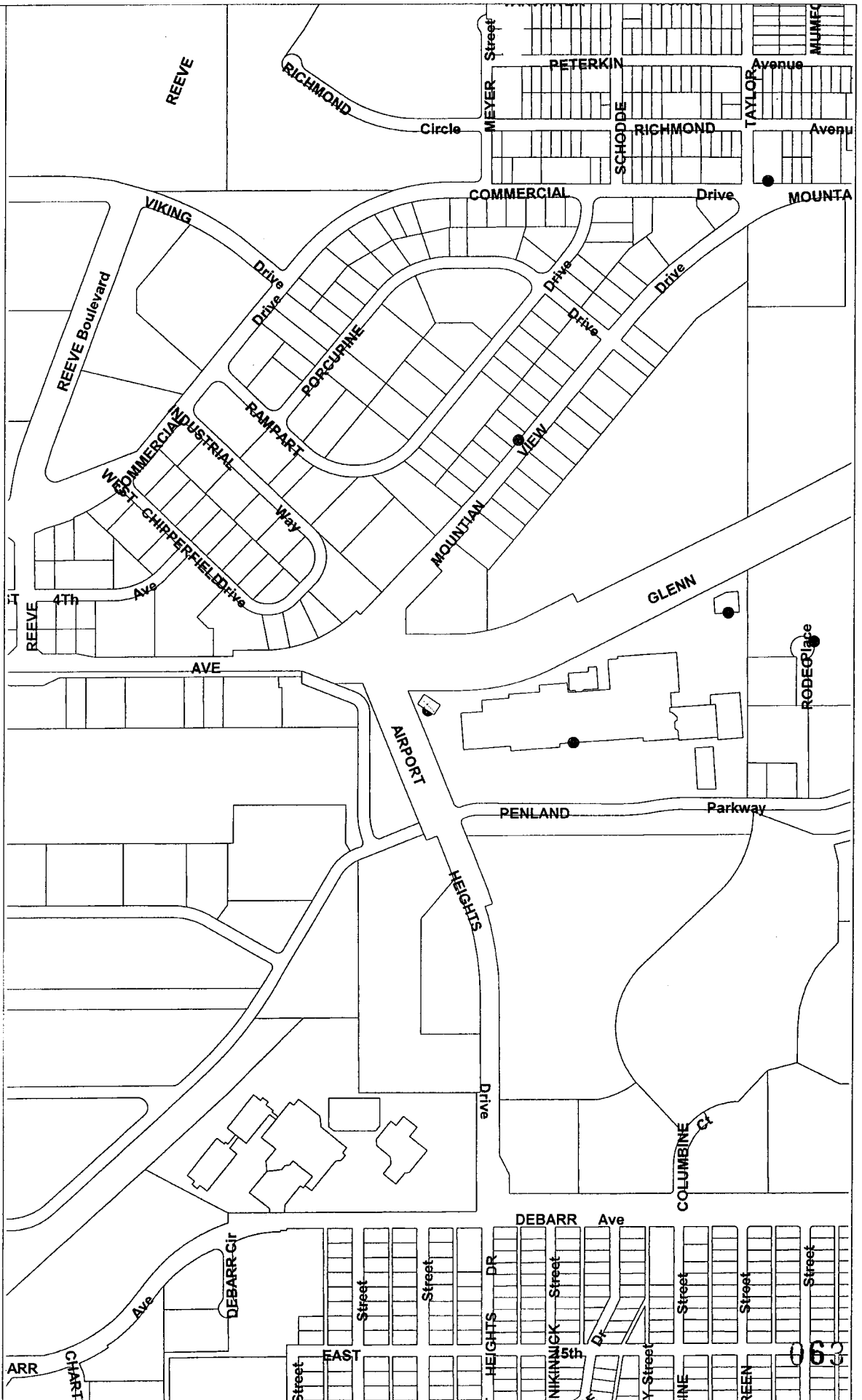
ALCOHOL

Txt

STRNAME_BI_I

CityView™

Municipal Software Corporation



PARCEL INFORMATION

APPRAISAL INFORMATION

Legal PENLAND PARK
TR D10 FRAG LT 1

Parcel 004-091-75-000
Owner SECURITY NATIONAL
PROPERTIES FUNDING LLC

#



Descr RESTAURANT
Site Addr 3001 PENLAND PKWY

323 FIFTH STREET
EUREKA

CA 95502 0305

RELATED CAMA PARCELS

Cross Reference (XRef) Type Legend

| Related Parcel(s) | XRef Type | Leased Parcels |
|-------------------|-----------|----------------|
| | | |

Econ. Link
E = Old to New
I = New to Old
Renumber
N = New to Old
X = Old to New

Replat
R = Old to New
F = New to Old
Combine
C = New to Old
P = Old to New

Uncouple
U = Old to New
Q = New to Old
Lease
L = GIS to Lease
M = Lease to GIS

Get "Type" explanation

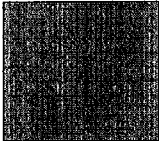
Bring up this form focused
on the related parcel

REZONE



Case Number 2006-068 # of Parcels 1 Hearing Date 04/12/2006
Case Type Assembly conditional use for a private club serving alcoholic beverages
Legal An Alcoholic Beverage Conditional Use for a private club license. The Musicians Theatrical Association of Alaska. Penland Park Subdivision, Tract D 10, Frag Lot 1. Located at 3001 Penland Pkwy. (Old Pizza Hut Building in Northway Mall Parking Lot).

PLAT



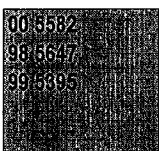
Case Number
Action Type
Legal

Grid

Proposed Lots 0
Action Date

Existing Lots

PERMITS



Permit Number 00 5582
Project FOX'S CAFE
Work Desc Add 5 x 10 office, replace damaged sheetrock, add new lightning
Use RESTAURANT

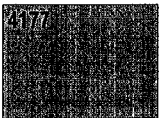
BZAP



Action No.
Action Date
Resolution

Status
Type

ALCOHOL LICENSE



Business Taj Mahal
Address 3001 Penland Pkwy
Anchorage, AK 99508

Applicants Name Galaxy Enterprises, LLC
Conditions

License Type Restaurant/Eating Place
Status Valid/Active

PARCEL INFORMATION

OWNER

SECURITY NATIONAL
PROPERTIES FUNDING LLC

323 FIFTH STREET

EUREKA

CA 95502 0305

Deed 2003 0128253

CHANGES: Deed Date Dec 10, 2003

Name Date Dec 19, 2003

Address Date Dec 19, 2003

PARCEL

Parcel ID 004-091-75-000

Status

Renumber ID 004-091-35-00000

Site Addr 3001 PENLAND PKWY

Comm Concl AIRPORT HGHTS

Comments REF 004-091-31 NOW 004-081-23.
24 & 004-091-75/80 (95-55)

#

01

TAX INFO

2006 Tax

6,230.16

Balance 6,230.16

District 001

LEGAL

PENLAND PARK

TR D10 FRAG LT 1

Unit

Plat 960115

Zone I1

SQFT 6,000

Grid SW1334

HISTORY

| | Year | Building | Land | Total |
|--------------|------|----------|---------|---------|
| Assmt Final | 2004 | 243,500 | 150,000 | 393,500 |
| Assmt Final | 2005 | 255,200 | 150,000 | 405,200 |
| Assmt Final | 2006 | 255,400 | 151,800 | 407,200 |
| Exemptions | | | | 0 |
| State Credit | | | | 0 |
| Tax Final | | | | 407,200 |

PROPERTY INFO

| # | Type | Land Use |
|----|------------|------------|
| 01 | COMMERCIAL | RESTAURANT |

SALES DATA

| Mon | Year | Price | Source | Type |
|-----|------|-------|--------|------|
| | | | | |

LAND & COMMON PARCEL INFORMATION

APPRAISAL INFORMATION

Legal PENLAND PARK
TR D10 FRAG LT 1

Parcel 004-091-75-000

01 of 01

Owner SECURITY NATIONAL
PROPERTIES FUNDING LLC

Site Addr 3001 PENLAND PKWY

323 FIFTH STREET
EUREKA

CA 95502

LAND INFORMATION

Land Use RESTAURANT
Class COMMERCIAL
Living Units 000
Community Council 002 AIRPORT HGHTS
Entry: Year/Quality 09 1994 EXTERIOR
10 2002 INTERIOR
Access Quality GOOD
Access Type
Leasehold (Y=Leasehold)
Drainage GOOD
Front Traffic HIGH
Street PAVED CURB & GUTTER
Topography EVEN LEVEL
Utilities PUBLIC WATER PUBLIC SEWER
Wellsite Y
Wet Land

CONDOMINIUM INFORMATION

Common Area 0
Undivided Interest 0.00

RESIDENTIAL INVENTORY

APPRAISAL INFORMATION

Legal PENLAND PARK
 Site Addr 3001 PENLAND PKWY
 Property Info # Descr RESTAURANT

Parcel 004-091-75-000

01 of 01

01

Owner SECURITY NATIONAL

RESIDENTIAL STRUCTURE INFORMATION

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

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 PENLAND PARK
TR D10 FRAG LT 1

Parcel 004-091-75-000

01 of 01

01

Owner SECURITY NATIONAL
PROPERTIES FUNDING LLC

Site Addr 3001 PENLAND PKWY
Prop Info # RESTAURANT

323 FIFTH STREET
EUREKA CA 95502

BUILDING INFORMATION

Structure Type RESTAURANT

Building SQFT 3,340

Year Built 1979

Grade B

Effective Year Built 1982

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 AIR | CENTRAL | ADEQUATE | NORMAL | NORMAL |

EXTERIOR DATA

| Floor | Level | Size | Perim | Use Type | Hgt | Wall Type | Const Type |
|-------|-------|-------|-------|------------|-----|--------------|----------------------|
| 01 | 01 | 3,340 | 273 | RESTAURANT | 12 | FRAME T-111 | WOOD JOIST(WD & STL) |

BUILDING OTHER FEATURES - ATTACHED IMPROVEMENTS

| Type | Qty | Size1 | Size2 |
|------|-----|-------|-------|
| | | | |

OTHER BUILDINGS AND YARD IMPROVEMENTS

| Type | Size/Amt | Units | Yr/Built | Condition | Funct/Utility |
|--------------------|----------|-------|----------|-----------|---------------|
| PAVING ASPHALT PK | 1,860 | 01 | 1990 | NORMAL | NORMAL |
| PAVING CONCRETE-AV | 800 | 01 | 1979 | NORMAL | NORMAL |

BUILDING PERMIT INFORMATION**APPRAISAL INFORMATION**

Legal PENLAND PARK
TR D10 FRAG LT 1

Parcel 004-091-75-000

01 of 01

01

Owner SECURITY NATIONAL
PROPERTIES FUNDING LLC

Prop Info # RESTAURANT
Site Addr 3001 PENLAND PKWY

323 FIFTH STREET
EUREKA CA 95502

BUILDING PERMITS

Permit # 00 5582
98 5647
99 5395

Class Type C

Class Use RESTAURANT

Date Jun 15, 2000

Address 3001 PENLAND PKWY SUITE M4

Cond Occ/Occ 00000000 00000000

Certification

Contract Type OWNER

Name NORTHWAY MALL ASSOCIATES LLC

E-mail

Phone () -

Fax () -

Address 11111 SANTA MONICA BLVD #1500

City/State/Zip LOS ANGELES CA 90025-0000

Project FOX'S CAFE

Sewer / Water PUBLIC PUBLIC

Work Type ALTERATION

Work Add 5 x 10 office, replace damaged sheetrock, add new

Description lightning

CASES

2006-068
2002-032

Case Number 2006-068

of Parcels 1

Hearing Date Wednesday, April 12, 2006

PERMIT COMMENT

OWNER HISTORY

APPRAISAL INFORMATION

Parcel 004-091-75-000

01 of 01

01

#

Legal PENLAND PARK
TR D10 FRAG LT 1
Property Info # Descr RESTAURANT

Site Address 3001 PENLAND PKWY

Current 12/10/03

SECURITY NATIONAL
PROPERTIES FUNDING LLC

323 FIFTH STREET
EUREKA CA 95502 0305

3rd

2003 0023 03/13/03
SECURITY NATIONAL SHELF
NUMBER NINE LLC

PO BOX 35
EUREKA CA 95501

Prev

2003 0128 12/10/03
SECURITY NATIONAL
PROPERTIES-ALASKA LP

323 FIFTH STREET
EUREKA CA 95502

4th

2002 0836 11/13/02
IFS/NORTHWAY LLC

11444 W OLYMPIC BLVD 10TH FLR
LOS ANGELES CA 90064

2nd

2003 0059 06/27/03
CALASKA NORTHWAY HOLDINGS LLC

3101 PENLAND PARKWAY #K30
ANCHORAGE AK 99503

5th

2002 0736 10/15/02
NORTHWAY MA INC

323 5TH STREET
EUREKA CA 95501

ON-SITE WATER \ WASTE WATER

APPRAISAL INFORMATION

Legal PENLAND PARK
TR D10 FRAG LT 1

Parcel 004-091-75-000 # 01 of 01

Owner SECURITY NATIONAL
PROPERTIES FUNDING LLC

01

Site Addr 3001 PENLAND PKWY
Land Use RESTAURANT

323 FIFTH STREET
EUREKA CA 95502

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 PENLAND PARK
TR D10FRAG LT 1

Parcel 004-091-75-000 # 01 of 01

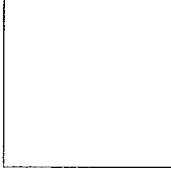
Owner SECURITY NATIONAL
PROPERTIES FUNDING LLC

Site Addr 3001 PENLAND PKWY
Prop Info # RESTAURANT

323 FIFTH STREET
EUREKA CA 95502

ASSESSMENT

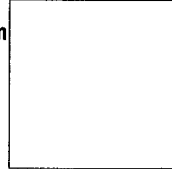
Assessment



Description
Assessment Area
Original Assessment
Original Principal
Annual Payment
YTD Payment
Delinquent Payment
Unbilled Payment

RESOLUTION

Resolution



PLAT
960115

Status
Total Area

LAST PAYMENT INFORMATION

Date
Principal
Payment
Delinquent Interest
Penalty
Bond Interest
Cost

Content Information**Content ID :** 004044**Type:** AR_AllOther - All Other Resolutions

ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE I-1

Title: DISTRICT FOR A PRIVATE CLUB USE PER AMC 21.40.200
B.1.K. FOR THE THEATRICAL LOUNGE.**Author:** weaverjt**Initiating Dept:** Planning

ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE I-1

Description: DISTRICT FOR A PRIVATE CLUB USE PER AMC 21.40.200
B.1.K. FOR THE THEATRICAL LOUNGE.**Date Prepared:** 6/1/06 2:52 PM**Director Name:** Tom Nelson**Assembly Meeting** 6/20/06**Date MM/DD/YY:** 6/20/06**Public Hearing Date** 7/11/06**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 | 6/1/06 2:56 PM | Checkin | weaverjt | Public | 004044 |
| Planning_SubWorkflow | 6/8/06 5:10 PM | Approve | nelsontp | Public | 004044 |
| ECD_SubWorkflow | 6/8/06 5:35 PM | Approve | thomasm | Public | 004044 |
| MuniManager_SubWorkflow | 6/9/06 11:49 AM | Approve | leblancdc | Public | 004044 |
| MuniMgrCoord_SubWorkflow | 6/9/06 12:21 PM | Approve | curtiscr | Public | 004044 |

2006 JUN 12 PM 9:10
6/12/06 9:10 AM
CLERK'S OFFICE