

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 8-15-06

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: August 15, 2006

Anchorage, Alaska
AR 2006-196

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-2B (CENTRAL BUSINESS DISTRICT, INTERMEDIATE) FOR A BEVERAGE DISPENSARY USE PER AMC 21.40.160 D.13., FOR ROBIN L. ALESSI, DBA KODIAK BAR & GRILL, LOCATED ON ANCHORAGE ORIGINAL TOWNSITE, BLOCK 115, LOT 10; SITE ADDRESS BEING 225 EAST 5TH AVENUE; GENERALLY LOCATED ON THE NORTH SIDE OF EAST 5TH AVENUE, BETWEEN BARROW STREET AND CORDOVA STREET.

(Downtown Community Council) (Planning Case 2006-100)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The conditional use permit for an Alcoholic Beverages Conditional Use in the B-2B District for a Beverage Dispensary Use per AMC 21.40.160 D.13. for Robin L. Alessi, dba Kodiak Bar & Grill, located on Anchorage Original Townsite, Block 115, Lot 10; site address being 225 East 5th Avenue, generally meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160.

Section 2. The subject conditional use permit for an Alcoholic Beverages Conditional Use in the B-2B District for a new Beverage Dispensary use per AMC 21.40.160 D.13. 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 beverage dispensary use in the B-2B District **and compliance with the other conditions set forth herein.**
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. This conditional use approval is for an Alcoholic Beverages Conditional Use in the B-2B District for a Beverage Dispensary Use per AMC 21.40.160 D.13. for approximately 3,929 square feet of area, located on Anchorage Original Townsite, Block 115, Lot 10. The dining and lounge area will have seventy non-fixed seats.

- 1 4. On-premise sale of alcoholic beverages are seven days a week, Sunday through
2 Thursday from 11:00 AM to 2:00 AM, and Friday and Saturday from 11:00 AM to
3 2:30 AM. The conditional use may choose to operate all hours as permitted by law.
4 Liquor sales represent 50 percent compared to 50 percent food sales.
5
6 5. The use of the property by any person for the permitted purposes shall comply with
7 all current and future Federal, State and local laws and regulations, including but
8 not limited to, laws and regulations pertaining to the sale, dispensing, service and
9 consumption of alcoholic beverages and the storage, preparation, sale, service and
10 consumption of food. The owner of the property, the licensee under the Alcoholic
11 Beverage Control license and their officers, agents and employees, shall not
12 knowingly permit, or negligently fail to prevent the occurrence of illegal activity on
13 the property.
14
15 6. Upon demand, the applicant shall demonstrate compliance with a "Liquor Server
16 Awareness Training Program," approved by the State of Alaska Alcoholic
17 Beverage Control Board, such as or similar to, the program for "Techniques in
18 Alcohol Management," (T.A.M.).
19
20 7. 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 15th
31 day of August 2006.
32
33
34
35

ATTEST:

Daniel A. Sullivan
Chair

Sharon S. Gmelch
Municipal Clerk

(Tax Parcel Number 002-095-15)



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 549-2006

Meeting Date: August 15, 2006

From: Mayor

Subject: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-2B (CENTRAL BUSINESS DISTRICT, INTERMEDIATE) FOR A BEVERAGE DISPENSARY USE PER AMC 21.40.160 D.13. FOR ROBIN L. ALESSI, DBA KODIAK BAR & GRILL.

1 Robin L. Alessi has made application for a Beverage Dispensary Alcoholic Beverage
2 Conditional Use in the B-2B District on Anchorage Original Townsite, Block 115, Lot 10,
3 per AMC 21.40.160 D.13 for an existing restaurant, dba Kodiak Bar & Grill.
4

5 The proposal is for a beverage dispensary Alcoholic Beverage Conditional use at 225 East
6 5th Avenue, located on the north side of East 5th Avenue, between Barrow Street and
7 Cordova Street. The business comprises 3,929 square feet of space within the restaurant
8 building. The public area provides a total of seventy non-fixed seats. The restaurant is
9 located in an existing restaurant location, and has been in this location for over twenty
10 years.
11

12 There are ten licenses within 1,000 feet: two restaurant licenses (including the license at
13 the petition site) four beverage dispensary licenses, and three beverage dispensary tourism
14 licenses, and one club license. Approving this conditional use for a beverage dispensary
15 use would add a beverage dispensary license. There do not appear to be any churches or
16 schools within 200 feet of the petition site.
17

18 The restaurant is open seven days a week, with proposed hours of operation to be 6:30 AM
19 to 2:30 AM on Sunday through Thursday, and from 11:00 AM to 2:00 AM on Friday and
20 Saturday. On-premise sale of alcohol beverages are seven days a week, Sunday through
21 Thursday from 11:00 AM to 2:00 AM, and Friday and Saturday from 11:00 AM to 2:30
22 AM. However, the restaurant may choose to operate all hours as permitted by law. The
23 petitioner estimates that 50 percent of the total sales will be for alcohol compared to 50
24 percent food sales. Employees involved in the dispensing of alcoholic beverages will be

1 trained in accordance with the Alcoholic Beverage Control Board's "Liquor Server
2 Awareness Training Program" (TAM), and will hold the necessary certifications.

3
4 At the time this was prepared, the Department of Health and Human Services did not
5 provide comments. The Anchorage Police Department noted one incident at this location
6 within the last two years, which was a disturbance call. The Treasury Division noted that
7 there are no outstanding taxes regarding this request.

8
9 This conditional use for a beverage dispensary use and license in the B-2B District
10 generally meets the applicable provisions of AMC Titles 10 and 21, and Alaska Statute
11 04.11.090.

12
13 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department

14 Concur: Tom Nelson, Director, Planning Department

15 Concur: Mary Jane Michael, Executive Director, Office of Economic &
16 Community Development

17 Concur: Denis C. LeBlanc, Municipal Manager

18 Respectfully submitted: Mark Begich, Mayor

The map displays a grid of streets and land parcels in the Knik Arm area. Key features include:

- Streets:** E 2nd Ave, E 3rd Ave, E 4th Ave, E 5th Ave, E 6th Ave, E 7th Ave, W 3rd Ave, W 4th Ave, W 5th Ave, W 6th Ave, W 7th Ave, B St, A St, Barrow St, Denali St, and others.
- Land Parcels:** Labeled with codes such as B-2C, B-2B, B-3, PLI-p, and PLI.
- Case Location:** A black square on E 5th Ave, labeled 'PETITION SITE'.
- Water Bodies:** Knik Arm and Klein Arm.
- Legend:** A black square labeled 'Case Location'.

001

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

DATE: August 15, 2006

CASE NO.: 2006-100

APPLICANT: Robin L. Alessi
dba Kodiak Bar & Grill

REPRESENTATIVE: Law Office of Ernouf & Coffey, PC

REQUEST: A Conditional Use for an Alcoholic Beverages
Conditional Use in the B-2B (Central Business District,
Intermediate) for a Beverage Dispensary Use per AMC
21.40.160 D.13 for Kodiak Bar & Grill.

LOCATION: Anchorage Original Townsite, Block 115, Lot 10

STREET ADDRESS: 225 East 5th Avenue

**COMMUNITY
COUNCIL:** Downtown

TAX PARCEL: 002-095-15/ Grid SW 1231

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.

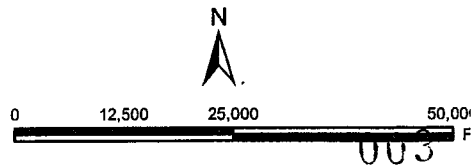
Acres: 6,500 square feet
Vegetation: None
Zoning: B-2B (Central Business District, Intermediate)
Topography: Level
Existing Use: Restaurant

2006-100



Date: June 7, 2006

 100 Year
 500 Year
 Floodway



Soils: Public Sewer & Water; Seismic Zone 4

COMPREHENSIVE PLAN

Classification: Anchorage 2020—Redevelopment/Mixed-Use Area
Commercial in the 1982 Anchorage Bowl Comp Plan
Density: N/A

SURROUNDING AREA

	NORTH	EAST	SOUTH	WEST
Zoning:	B-2B	B-2B	B-2B	B-2B
Land Use:	Retail/Office/ Auto Service	Retail/Motel/ Office	Retail/Office	Mixture of Commercial and Residential

SITE DESCRIPTION AND PROPOSAL:

The petitioner is asking approval of a new alcoholic beverage dispensary conditional use for a transfer of location of the license for Kodiak Kafe, which is changing its name to Kodiak Bar & Grill. The restaurant is currently located on the north side of East 5th Avenue, between Barrow Street and Cordova Street. The license is license number 4568, moving from the business known as Calypso at 2421 East Tudor Road. Kodiak Bar & Grill is located in a 3,929 square foot two story building. The restaurant has been in existence at this location for over 20 years, and is currently operating under a restaurant/eating place license. Surrounding properties are zoned B-2B. No off-street parking is required in the B-2B District.

The Assembly is scheduled to consider the transfer of location of the license on August 15, 2006.

The public area provides a total of seventy (70) non-fixed seats, and has an occupant capacity of seventy-five (75). The restaurant is open 7-days a week, with proposed hours of operation to be 6:30 AM to 2:30 AM on Sunday through Thursday, and from 11:00 AM to 2:00 AM on Friday and Saturday. On-premise sale of alcohol beverages are 7-days a week, Sunday through Thursday from 11:00 AM to 2:00 AM, and Friday and Saturday from 11:00 AM to 2:30 AM, however, the restaurant may choose to operate all hours as permitted by law. The petitioner estimates that 50% of his total sales will be from alcohol, and 50% from food sales. All employees involved in the dispensing of alcoholic beverages will be TAM trained and hold the necessary certifications. Cameras and on-site management are noted as security measures inside and outside the facility.

There are ten (10) licenses located within 1,000 feet of this location: two (2) restaurant licenses (including the license at the petition site) four (4) beverage dispensary licenses, and three (3) beverage dispensary tourism licenses, and one (1) club license. Approving this beverage dispensary use and license will add the fifth beverage dispensary license.

There are no known churches or schools within 200 feet of the pub.

PUBLIC COMMENTS:

One hundred and twenty-five (125) public hearing notices (PHNs) were mailed. At the time this report was written no public comments were received, and no written comment has been received from the Community Council.

FINDINGS

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

This subject location is depicted on the Land Use Policy Map of the Anchorage 2020 Comprehensive Plan as being in a Mixed-Use/Redevelopment 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).

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

The restaurant is located within an existing restaurant building that was constructed in approximately 1958. The petitioning restaurant has been in operation for over 20 years, according to the application. The lot size and width, building height, lot coverage, yards, sidewalks, landscaping, setbacks, sidewalk widths and refuse collection is conforming or may have legal nonconforming rights to the 1958 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 B-2B Central Business District, Intermediat zoning regulations allow alcoholic beverage sales through the conditional use permit process: AMC 21.40.160 D.13. Liquor stores, restaurants, tearooms, cafes, private clubs or lodges, and other places serving food or beverages involving the retail sale, dispensing or service of alcoholic beverages in accordance with Section 21.50.160.

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

This standard is met.

The subject property is adjacent to a Mixed-Use/Redevelopment area: a commercial area that is expected to remain in that land use category for the foreseeable future. In and around this location are found numerous restaurants, offices, retail stores, commercial and industrial businesses and some residential uses. Surrounding property is zoned B-2B.

AMC 21.50.160.B asks that a list of all alcohol licenses located within a minimum of 1,000 feet of the proposed conditional use be provided. The following ten (10) licenses located within 1,000 feet of this location: two (2) restaurant licenses (including the license at the petition site) four (4) beverage dispensary licenses, and three (3) beverage dispensary tourism licenses, and one (1) club license. Approving this beverage dispensary use and license will add the fifth beverage dispensary license.

Name	Address	License Number	Type of License
Thirty-Five Plus Singles	407 Denali Street	1494	Club
Howard Johnson Plaza Hotel	239 W. 4 th Avenue	519	Beverage Dispensary
Chili's Grill &	312 E. 4 th Avenue	4200	Beverage Dispensary

Bar			
La Cabana Mexican Restaurant	312 E. 4 th Avenue	629	Beverage Dispensary
Polar Bar	507 E. 5 th Avenue	901	Beverage Dispensary
Days Inn	321 E. 5 th Avenue	2152	Beverage Dispensary, Tourism
Sheraton Anchorage Hotel	401 E. 6 th Avenue	1443	Beverage Dispensary, Tourism
Yukon Yacht Club	115 E. 3 rd Avenue	1036	Beverage Dispensary, Tourism
Kodiak Kafe	225 E. 5 th Avenue	369	Restaurant/Eating Place
Tito's Gyros	120 E. 6 th Avenue	4062	Restaurant/Eating Place

In and around this location, there are numerous restaurants, office buildings, retail, commercial businesses and other non-residential uses, along with some residential uses. Because of its location it is readily available to the traveling public, both local residents as well as out of state visitors.

There appear to be no churches and or schools within 200 feet of the subject site.

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 an existing, approved, restaurant building. On-site parking is not required in the B-2B district, but on-street parking is available adjacent to the site. There is also an established system of sidewalks adjacent to the site. A public transportation route travels to the petition area.

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 Beverage Dispensary 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 beverage dispensary license. This restaurant has been operating at the site for many years.

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 pages 4 and 5 for other alcohol licenses within 1,000 feet of this application.

The approval of a conditional use for a beverage dispensary use and license will not adversely impact the immediate area or surrounding uses. There appear to be no schools or churches within 200-feet of the petition site. A list of the closest churches have been provided in the staff packet.

B. Training. If application is made for issue, renewal or transfer of a beverage dispensary license, restaurant or eating place license, or package store license, whether the applicant can demonstrate prospective or continued compliance with a Liquor "Server Awareness Training Program approved by the State of Alaska alcoholic Beverage Control Board, such as or similar to the program for techniques in alcohol management (T.A.M.). Until such plan is approved, training by

a licensee's employees in the T.A.M. shall constitute compliance with this ordinance.

This standard is met.

The applicant states that all employees involved in the dispensing of alcoholic beverages 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 is an application for transfer of license to an existing restaurant location. According to the application, the petitioner will be able to comply with these procedures. At the time this report was written, no adverse comments have been received.

- 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.**

The Anchorage Police Department has reported only one incident within two years prior to the date of the liquor license application, which was a disturbance call.

- 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

The Treasury Division has found no outstanding taxes on the application.

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

The Department of Health and Human Services had not provided comments at the time this report was written.

- G. Municipality of Anchorage Alcoholic Beverage Licensee Compliance Form. In order to determine whether applicants seeking issue, renewal or transfer of alcoholic beverage licenses have complied with the provisions of this chapter, applicants shall, at the request of the Assembly, submit to the municipal clerk such information as is required on a municipal form prepared by the municipal clerk known as the Municipality of Anchorage Alcoholic Beverage Licensee Compliance Form. Upon request, operators shall also provide the municipal clerk with certificates from all current employees demonstrating that those employees have successfully completed a "Liquor Service Awareness Training Program" such as the program for techniques in alcohol management (T.A.M.) as approved by the State of Alaska Alcoholic Beverage Control Board.**

This form was not requested of this applicant.

RECOMMENDATION:

This application for a final conditional use for restaurant serving alcoholic beverages in the B-2B District for a beverage dispensary use and license per AMC 21.40.160 D.13. 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:

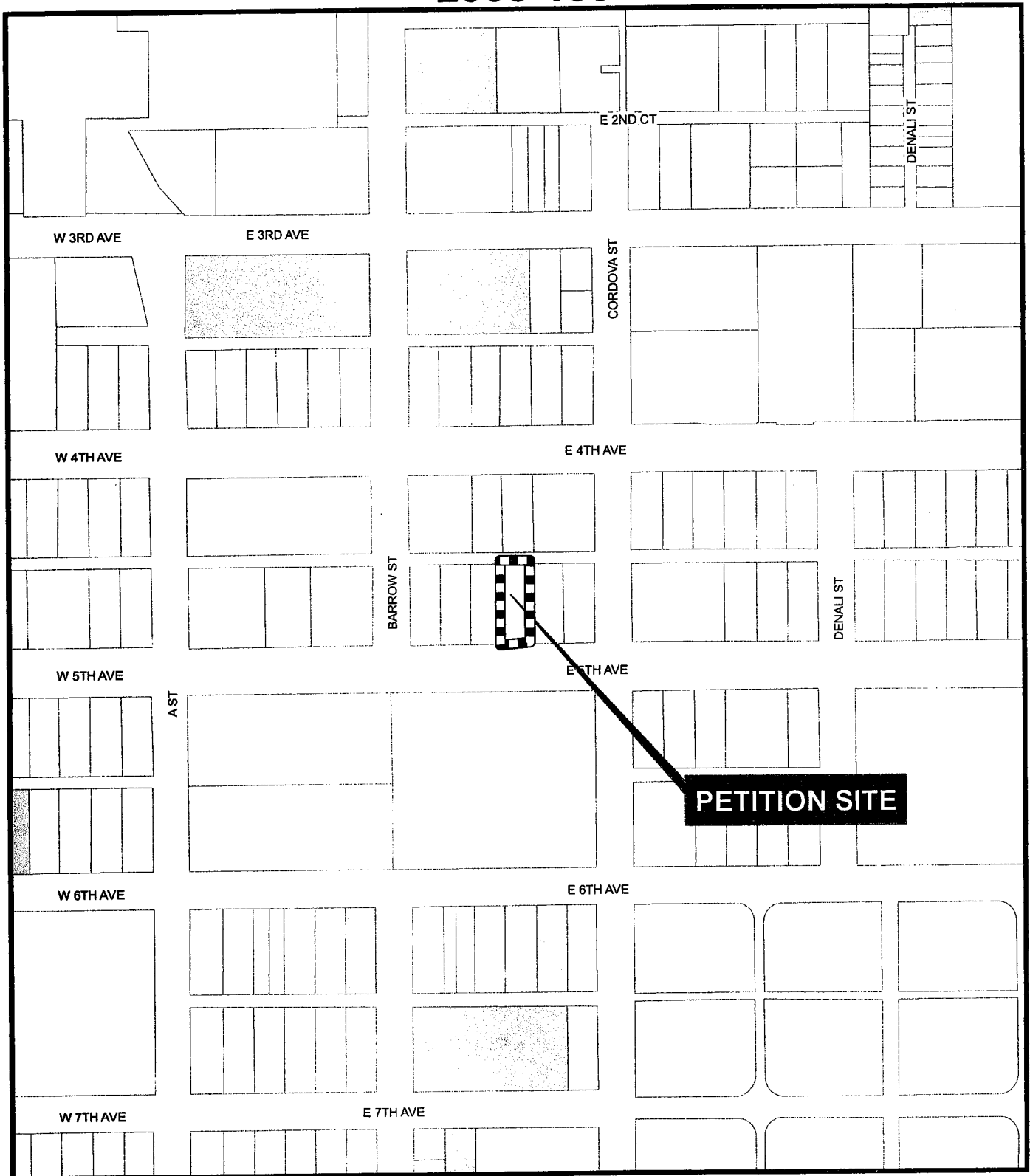
1. A Notice of Zoning Action shall be filed with the District Records Office within 120 days of the Assembly's approval of the final conditional use approval for a restaurant beverage dispensary use in the B-2B District.
2. All uses shall conform to the plans and narrative submitted with this conditional use application, including the building plans except as modified by this approval.
3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the B-2B District for a Beverage Dispensary Use per AMC 21.40.160 D.13. for approximately 3,929 square feet of area, located on Anchorage Original Townsite, Block 115, Lot 10. The dining and lounge area will have seventy non-fixed seats.
4. On-premise sale of alcohol beverages are 7-days a week, Sunday through Thursday from 11:00 AM to 2:00 AM, and Friday and Saturday from 11:00 AM to 2:30 AM. The conditional use may choose to operate all hours as permitted by law. Liquor sales represent 50 % compared to 50 % food sales.
5. Upon demand the applicant shall demonstrate compliance with a liquor "Server Awareness Training Program" approved by the State of Alaska Alcoholic Beverage Control Board, such as or similar to the program for Techniques in Alcohol Management (T.A.M.).
6. The use of the property by any person for the permitted purposes shall comply with all current and future federal, state and local laws and regulations including but not limited to laws and regulations pertaining to the sale, dispensing, service and consumption of alcoholic beverages and the storage, preparation, sale, service and consumption of food. The owner of the property, the licensee under the Alcoholic Beverage Control license and their officers, agents and employees shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the property.

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

2




HISTORICAL MAPS AND AS-BUILTS

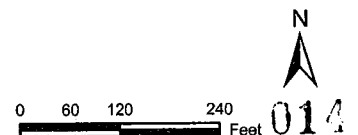
CONDITIONAL USE-ALCOHOL 2006-100



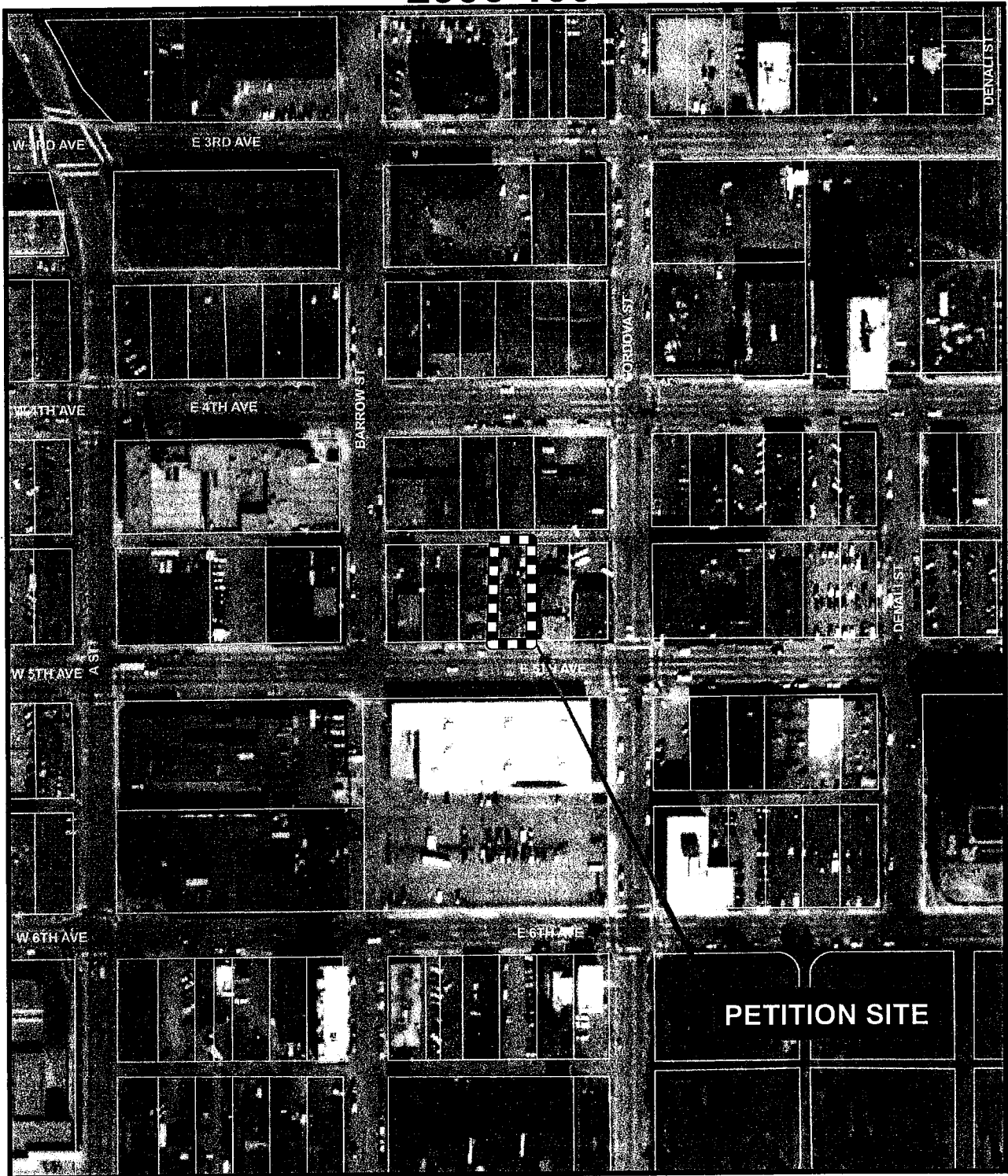
Municipality of Anchorage
Planning Department

Date: June 7, 2006

-  Single Family
-  Multi-Family
-  Mobile Home Park



2006-100



Municipality of Anchorage
Planning Department

Date: June 7, 2006



3

DEPARTMENTAL

COMMENTS

RECEIVED

JUL 31 2006

Municipality of Anchorage
Zoning Division

**Municipality of Anchorage
MEMORANDUM**

DATE: July 31, 2006
TO: Jerry Weaver, Manager, Zoning and Platting Division
FROM: Brian Dean, Code Enforcement Manager
SUBJECT: Land Use Enforcement Review Comments, Assembly case for the meeting of August 15, 2006.

Case #: 2006-100
Type: Conditional Use for serving alcohol
Subdivision: Original Townsite, Block 115, Lot 10
Grid: SW 1231
Tax ID #: 002-095-15
Zoning: B-2B

Platting: GLO plat approved October 5, 1915

Lot area and width: AMC 21.40.160.F: "Minimum lot requirements are as follows:

1. Width: 50 feet.
2. Area: 6,000 square feet."

The lots meet the minimum area and width requirements.

OS&HP setbacks: 5th Avenue is a class IIIC major arterial. AMC 21.45.140 requires a 30 foot from centerline development setback in addition to the zoning district setback. The plat shows 30 feet from centerline dedication.

Minimum lot dimensions: The lots meet the width, depth, and width-to-depth ratio requirements of AMC 21.80.300.

Yard requirements: AMC 21.40.160.G: "Minimum yard requirements are as follows: ...
2. Other uses, including residential uses associated with other uses: None, except as provided in the supplementary district regulations."

Lot coverage: AMC 21.40.160.H: "Buildings may be constructed within the full limits of the lot, up to three stories in height."

Clear vision area: Clear vision areas do not apply to this property.

Legal nonconformities: None have been established with Land Use Enforcement.

Enforcement actions: No land use cases are listed in CETS.

Use determination: Property tax records indicate a 3,929 square foot restaurant built in 1958.

Conditional Use standards: This property is subject to the provisions of AMC 21.50.160.

Building height: AMC 21.40.160.I: "Maximum height of structures.

1. Notwithstanding subsections I.2 and I.3 of this section, the maximum height of a structure shall not exceed that permitted under chapter 21.65.
2. Subject to subsection I.3 of this section, no building or structure shall exceed five stories in height."

Off-street parking requirements: AMC 21.40.080.160.K: "No off-street parking need be provided, but off-street parking that is provided shall be landscaped in accordance with the supplementary district regulations. If off-street parking is provided, it must comply with subsections 21.45.080.X.2-11."

Off-street loading: AMC 21.45.090.B: "The following numbers and types of berths shall be provided for the specified uses; provided, however, that, in any B-2 district, one type C berth may be substituted for one type B berth. ...

Use	Aggregate Gross Floor Area (square feet)	Berths Required	Type
4. ... restaurants ...	7,000 - 24,000	1	B"

As the building contains less than 7,000 gross square feet of area, no loading berth is required.

Landscaping requirements: AMC 21.40.160.Q: "All areas not devoted to buildings, structures, drives, walks, off-street parking facilities or other authorized installations shall be planted with visual enhancement landscaping. The landscaping shall be maintained by the property owner or his designee."

AMC 21.40.160.N: "Ground-level trash containers, loading areas, vehicle and equipment storage areas, and service areas shall be screened. Screening shall also be provided for rooftop mechanical equipment. Screening shall take the form of a fence, wall or vegetation, or a combination of these."

Sidewalks: AMC 21.40.160.L: "Sidewalks shall be located at the curb or in an enclosed mall or arcade connected to adjacent pedestrian circulation facilities. Sidewalks shall be no less than 11.5 feet wide. This width may be decreased by one foot where the adjoining structure contains no retail space with street display windows on the ground floor."

AMC 21.45.080.W.4.f requires refuse containers located within or on the same pavement as the parking area to be screened by a wall, fence or landscaping constructed in accordance with criteria established by the refuse collection agency.

Fences: AMC 21.45.110.A: "A fence may be constructed at the lot line"

Access: Access is shown to 5th Avenue, which complies with the requirements of AMC 21.45.040.

Stream protection setbacks: The property does not adjoin any stream protected by AMC 21.45.210.

Wetlands: Map 10 shows the property as uplands.

Seismic hazard: The property is within seismic zone 4 (high ground failure susceptibility.)

Recommendations: If approval of this case is granted, Land Use Enforcement recommends the following:

The property is within seismic zone 4 (high ground failure susceptibility.)

(Reviewer: Don Dolenc)

Pierce, Eileen A

From: Staff, Alton R.
Sent: Tuesday, July 25, 2006 10:56 AM
To: Pierce, Eileen A; Stewart, Gloria I.
Cc: Taylor, Gary A.
Subject: Zoning and Plat Case Reviews

RECEIVED

JUL 25 2006

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

Municipality of Anchorage
Zoning Division

S11174-3
S11484-2
S11487-1
S11489-1
S11490-1
S11496-1
S11497-1
S11504-1
S11505-1
S11506-1
S11507-1
S11508-1
S11509-1
S11511-1
S11512-1
S11513-1
S11514-1
S11518-1
S11135-2
S11516-1
S11517-1
S11518-1
S11521-1
S11522-1
S11523-1

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

2006 -091
-097
-098
-100
-105
-112
-115
-116
-118
-119
-123
-124
-125
-126

Thank you for the opportunity to review.

Alton Staff, Operations Supervisor
Public Transportation Department
People Mover
907-343-8230
Right Fax 907-249-7492



MUNICIPALITY OF ANCHORAGE

Development Services Department
Right of Way Division



MEMORANDUM

RECEIVED

DATE: July 18, 2006
TO: Planning Department, Zoning and Platting Division
THRU: Jack L. Frost, Jr., Right of Way Supervisor *L*
FROM: Lynn McGee, Senior Plan Reviewer *L*
SUBJ: Request for Comments on Assembly case(s) for the Meeting of August 15, 2006.

JUL 19 2006
Municipality of Anchorage
Zoning Division

Right of Way has reviewed the following case(s) due July 18, 2006.

06-098 Anchorage Townsite, Block 23A, Lots 1, 2B, 4A, 5A, 6A, & 9A, grid 1230
(Conditional Use, Restaurant Serving Alcohol)
Right of Way Division has no comments at this time.
Review time 15 minutes.

06-100 Anchorage Townsite, Block 115, Lot 10, grid 1231
(Business Dispensing/Serving Alcohol)
Right of Way Division has no comments at this time.
Review time 15 minutes.

**MUNICIPALITY OF ANCHORAGE
Anchorage Water & Wastewater Utility**

M E M O R A N D U M

RECEIVED

JUL 18 2006

Municipality of Anchorage
Zoning Division

DATE: July 18, 2006
TO: Jerry Weaver, Zoning Division Administrator, Planning Department
FROM: Sandy Notestine, Engineering Technician, AWWU
SUBJECT: **Zoning Case Comments**
Planning & Zoning Commission Hearing August 15, 2006
AGENCY COMMENTS DUE July 18, 2006

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

2006-100 **Original Townsite, Block 115, Lot 10 (Conditional use for alcohol dispensary)**
Grid SW 1231

1. AWWU has no objection for parcel to dispense alcoholic beverages.

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
Traffic Department



MEMORANDUM

JUN 29 2006

Municipality of Anchorage
Zoning Division

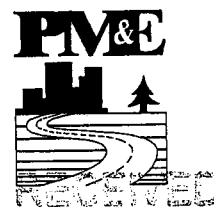
DATE: June 28, 2006
TO: Jerry T. Weaver, Platting Supervisor, Planning Department
THRU: Leland R. Coop, Associate Traffic Engineer
FROM: Mada Angell, Assistant Traffic Engineer
SUBJECT: Traffic Engineering and Transportation Planning Comments for the
August 15, 2006 Assembly Hearing

06-098 AOT; Conditional Use to serve alcohol; Grid 1230

Traffic and Transportation Planning have no comments.

06-100 AOT; Conditional Use to permit alcoholic dispensary; Grid 1231

Traffic and Transportation Planning have no comments.



JUN 26 2006

FLOOD HAZARD REVIEW SHEET for PLATS

Municipal Planning & Zoning Division

Date: 06-26-06

Case: 2006-100

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

RECEIVED

To: Planning/Zoning Office/ Rich Cartier

2006-100 JUN 26 2006

POLICE DEPARTMENT CHECK LIST Municipality of Anchorage
FOR INVESTIGATION OF LICENSED LIQUOR ESTABLISHMENTS 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.

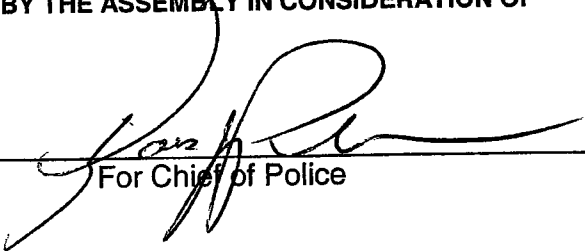
Type of Incident	Number of Incidents
Disturbance	1

OLD BUSINESS NAME	OLD LOCATION
Kodiak Bar & Grill	225 E. 5 th Avenue
BUSINESS NAME	LOCATION
Robin L. Alessi	Same
NAME OF APPLICANT (S)	CURRENT LICENSEE (S)

- ☐ Name Change
- ☒ **Beverage Dispensary License**
- ☐ New Business
- ☐ 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.

06.21.06
DATE


For Chief of Police



Bar File

Activity for: 225 E 5TH AV



Report#	Nature of Call	Report		Officer	
04-54211	VANDALISM	11/17/04	0919	IVERSON,KEVIN	
04-59037	WARRANT	12/18/04	28520	EVANS,CRAIG A	
05-01085	DISTURBANC	01/08/05	28169	PENDLEY,MATTHEW	
	Citizen// Victim reported being assaulted by another co-worker at this establishment. No witnesses.				1231
	Case suspended.				
05-24583	ALARM	06/07/05	1226	TRULL,JAMES	
06-02042	VANDALISM	01/13/06	28169	PENDLEY,MATTHEW	



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



MEMORANDUM

JUN 20 2006

DATE: June 20, 2006
TO: Jerry Weaver, Jr., Platting Officer, CPD
FROM: *DR* Daniel Roth, Program Manager, On-Site Water and Wastewater Program
SUBJECT: Comments on Cases due June 18, 2006

Municipality of Anchorage
Zoning Division

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

2006 - 100 A request concept/final approval of a conditional use to permit an alcoholic beverage dispensary.

No objection

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

FRANK H. MURKOWSKI, GOVERNOR

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

RECEIVED

JUN 19 2006

June 15, 2006

RE: Zoning Case Review

Municipality of Anchorage
Zoning Division

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

Dear Mr. Weaver:

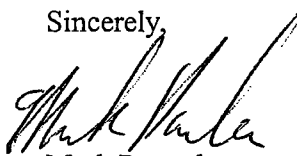
In reviewing the following applications the Alaska Department of Transportation and Public Facilities has no comment:

- 2006-091, Title 21 Amendment – Parking Standard Modifications
- 2006-097, Rezoning to I-1, Light Industrial District, Alaska Glacier Refreshments
- 2006-98, Conditional Use Permit, Alcohol, Howard Johnson Hotel
- 2006-100, Conditional Use Permit, Alcohol, Robin Alessi

Comments:

Regarding case **2006-099, AMC Variance, Ruby Investments**, we have no objection to the variance in yard setbacks. Please note the Traffic Impact Analysis has not yet been submitted to the state, so we have not yet commented on the traffic impacts. We will need to approve a plan for pedestrians and traffic during construction. This may be in the form of a construction TIA. The applicant should be aware that we cannot close lanes on these busy adjacent highways for the construction of the building.

Sincerely,


Mark Parmelee
Area Planner

/em

cc: Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities

"Providing for the movement of people and goods and the delivery of state services."

028

Municipality of Anchorage
Treasury Division
Memorandum

RECEIVED

JUN 14 2006

Municipality of Anchorage
Zoning Division

Date: June 13 2006
To: Rich Cartier, Planning Dept.
From: Daisy VanNortwick, Revenue Officer
Subject: Liquor License Conditional Use Comments

Liquor License Conditional Use Application Case # 2006-100 for Kodiak Bar & Grill located at 225 E 5th Ave. transfer from 2421 E Tudor Rd dba Calypso.

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

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) Alessi, Robin L.		Name (last name first) Law Office of Ernouf & Coffey, PC	
Mailing Address 225 East 5th Avenue Anchorage, AK 99501		Mailing Address 207 E. Northern Lights, Ste 200 Anchorage, AK 99503	
Contact Phone: Day: 258-5233 Night: 223-6803		Contact Phone: Day: 274-3385 Night:	
FAX: 279-5225		FAX: 274-4258	
E-mail: CSP1285@aol.com		E-mail: sernouf@eclawfirm.net	

*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): 002-095-15-000-06		
Site Street Address: 225 East 5th Avenue, Anchorage, AK 99501		
Property Owner (if not the Petitioner):		
Current legal description: (use additional sheet in necessary) Original Blk 115, Lt 10		
Zoning: B2B	Acreage: 6,500 sq ft	Grid # SW 1231

ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE PROPOSED		
<input checked="" type="checkbox"/> Beverage Dispensary	<input type="checkbox"/> Private Club	<input type="checkbox"/> Restaurant, exempt
<input type="checkbox"/> Beverage Dispensary-Tourism	<input type="checkbox"/> Public Convenience	<input type="checkbox"/> Theater
<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Recreational	<input type="checkbox"/> Other (Please explain):
<input type="checkbox"/> Package Store	<input type="checkbox"/> Restaurant	
Is the proposed license: <input type="checkbox"/> New <input checked="" type="checkbox"/> Transfer of location: ABC license number 4568		
Transfer license location: 2421 East Tudor Road		
Transfer licensed premises doing business as: Calypso		

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)
------	--

031
2006-160

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- Tumagain Arm

- ☐ Commercial ☐ Industrial ☐ Parks/opens space ☐ Public Land Institutions
☐ Marginal land ☐ Alpine/Slope Affected ☐ Special Study
☐ Residential at _____ dwelling units per acre

ENVIRONMENTAL INFORMATION (All or portion site affected)

- 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

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*

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.

SEE ATTACHED

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

SEE ATTACHED

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.

SEE ATTACHED

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.

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

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

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

How many active liquor licenses are located on the same property as your proposed license? 0

Within 1,000 feet of your site are how many active liquor licenses? 0

How would you rate this area's license concentration on a scale of 1 to 5 with 5 = high 3

How many active liquor licenses are within the boundaries of the local community council? 80

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?

A11

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

- | | | |
|---|--|---|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Happy hours? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Games or contests that include consumption of alcoholic beverages? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Patron access and assistance to public transportation? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Notice of penalties for driving while intoxicated posted or will be posted? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Non-alcoholic drinks available to patrons? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Solicitation or encouragement of alcoholic beverage consumption? |

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

What are the proposed precautions to maintain order and prevent unlawful conduct at the licensed premises?

inside facility:

Cameras and on-site manager

outside facility:

Cameras and on-site manager

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.

6-7-06

Robin Lynne Alessi

Date

Signature

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

FACILITY OPERATIONAL INFORMATION

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

Kodiak Kafe to Kodiak Bar & Grill

What is the gross leaseable floor space in square feet?

3,929 (1,814 per floor)

What is the facility occupant capacity?

750

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

0

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

70

What will be the normal business hours of operation?

6:30 am - 2:30 am/ Sunday - Thursday

6:30 am - 3:00 am Friday & Saturday

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

11:00 am - 2:00 am Sunday - Thursday

11:00 am - 2:30 am Friday & Saturday

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

50 % Alcoholic beverage sales

50 % 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

Denali ELeMentary

148 East 9th Avenue

Metropolitan CHurch

417 Barrow Street

STANDARDS FOR MODIFICATION TO CONDITIONAL USE APPROVAL

REPLACEMENT OF RESTAURANT OR EATING PLACE LIQUOR LICENSE WITH A BEVERAGE DISPENSARY LIQUOR LICENSE

LOCATION AND DESCRIPTION OF PLANNED USE

Robin Alessi is making application for a minor modification to an existing conditional use allowing “on premises” alcohol sales for Kodiak Bar and Grill, which is located at 225 E. Fifth Ave., Anchorage, Alaska 99501 between Barrow and Cordova Streets. The intent of the modification is to replace her restaurant or eating-place liquor license with a beverage dispensary liquor license. This modification is consistent with the Anchorage Central Business District Comprehensive Development Plan and the Anchorage 2020 Comprehensive Plan as set out in the policies discussed below.

A. Explain how the proposed conditional use furthers the goals and policies of the Anchorage 2020 Comprehensive Plan and conforms to the Comprehensive Development Plan in the manner required by AMC 21.05.

Kodiak Bar and Grill is located on 5th Avenue in downtown Anchorage in what the Comprehensive Plan refers to as a Redevelopment/Mixed-Use area. The Kodiak Bar and Grill will conform to the Downtown Development Plan and the Anchorage 20/20 Comprehensive Plan by continuing to adhere to its current use while slowly transitioning into a bar and grill in the evening hours of operation. The premises will not be expanded as a result of this modification. Alcohol has been served to the community at this location for over twenty (20) years without incident or complaints from surrounding neighbors and has fit well with surrounding land uses and neighboring businesses at this location. Moreover, hospitality and tourism is becoming more and more of a revenue generating mechanism for businesses in the downtown area and the transition to a bar and grill at this location will support the emerging needs of travelers to our City. In addition, the proposed conditional use will allow a longstanding local business owner the opportunity to remain competitive in a thriving downtown commercial environment.

B. 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 for Kodiak Bar and Grill conforms to the standards of Title 21 as well as the Anchorage 2020 Comprehensive Plan in all respects.

The Anchorage 2020 Comprehensive Plan does not specifically address the sale of alcoholic beverages in the community. However, the Municipality does call for the development of location standards and criteria for retail sales/service of alcoholic beverages.

The standards for a conditional use for alcoholic beverage sales and consumption are found in AMC 21.50.160 and in 21.50.020.

The proposed conditional use conforms to all Title 21 standards and is consistent with the Comprehensive Plan. My client will be presenting a detailed presentation to the Downtown, Fairview, and South Addition Community Councils in July 2006, in which we foresee little or no opposition. The transition of this location from a café to a bar and grill is consistent with the code and will expectantly be supported by the local Community Council.

C. 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 Kodiak Bar and Grill is adjacent to an area referenced in the Land Use Policy Map as a "Major Employment Center" and is more distinctly located in the center of a "Redevelopment/Mixed-Use Area". The Anchorage 2020 Plan describes a Major Employment Center as "A place that serves as a focal point for the highest concentration of office employment, together with supporting retail and commercial uses." Redevelopment and Mixed-Use Areas are preconceived to support and connect to major employment centers. The neighboring business on the same street as the Kodiak Bar and Grill include restaurants, florists, locksmiths, hair salons, dry cleaners, etc. The Kodiak Bar and Grill has been doing business in this area for over twenty (20) years and has been widely accepted by surrounding businesses and the community. Thus, the proposed conditional use is compatible with the surrounding neighborhood and use district.

D. Explain how the proposed conditional use will not have a permanent negative impact on the items listed below substantially greater than that anticipated from permitted development.

1. Pedestrian and Vehicular Traffic Circulation and Safety.

The Kodiak Bar and Grill aids in the City's long-term goal of providing local residents a desired balance between automobile usage and other forms of transportation such as walking, bicycling, car pooling, and bus transportation. The Kodiak Bar and Grill has building and site plans that sufficiently

accommodate vehicular and pedestrian traffic circulation and safety. The site plan provides for adequate entrances and exits for vehicles to and from adjacent streets and designated parking areas and has not been a problem in the past operation of the facility. The bar and grill is conveniently located on 5th Avenue, which is a vital downtown thoroughfare that reduces the necessity to travel by vehicle and invites customers to park and walk through scenic downtown. Public transportation and pedestrian access enhance the efficiency and overall convenience of this location.

2. Demand For and Availability of Public Services and Facilities.

The following public services currently exist at the Kodiak Bar and Grill location:

1. Public utilities (sewer and water, waste collection, electricity, natural gas).
2. Police and Fire protection as provided by the Municipality of Anchorage.
3. Public bus transportation is available to patrons of the restaurant through People Mover with multiple pick-up locations to choose from.

There are no additional infrastructure requirements for any public services or facilities.

3. Noise, air, water, or other pollution.

The Kodiak Bar and Grill is committed to the operation of its facilities in an environmentally responsible way. There will be no pollution other than the normal storage and removal of trash. The central location of the facility should reduce air pollution as downtown residents have very few miles to travel in reaching our location.

4. Maintenance of compatible and efficient development patterns and land use intensities.

The maintenance of compatible and efficient development patterns and land use intensities does not apply to this conditional use permit. Due to the fact that the general land use and zoning will not change as a result of conditional use approval.

Public Safety

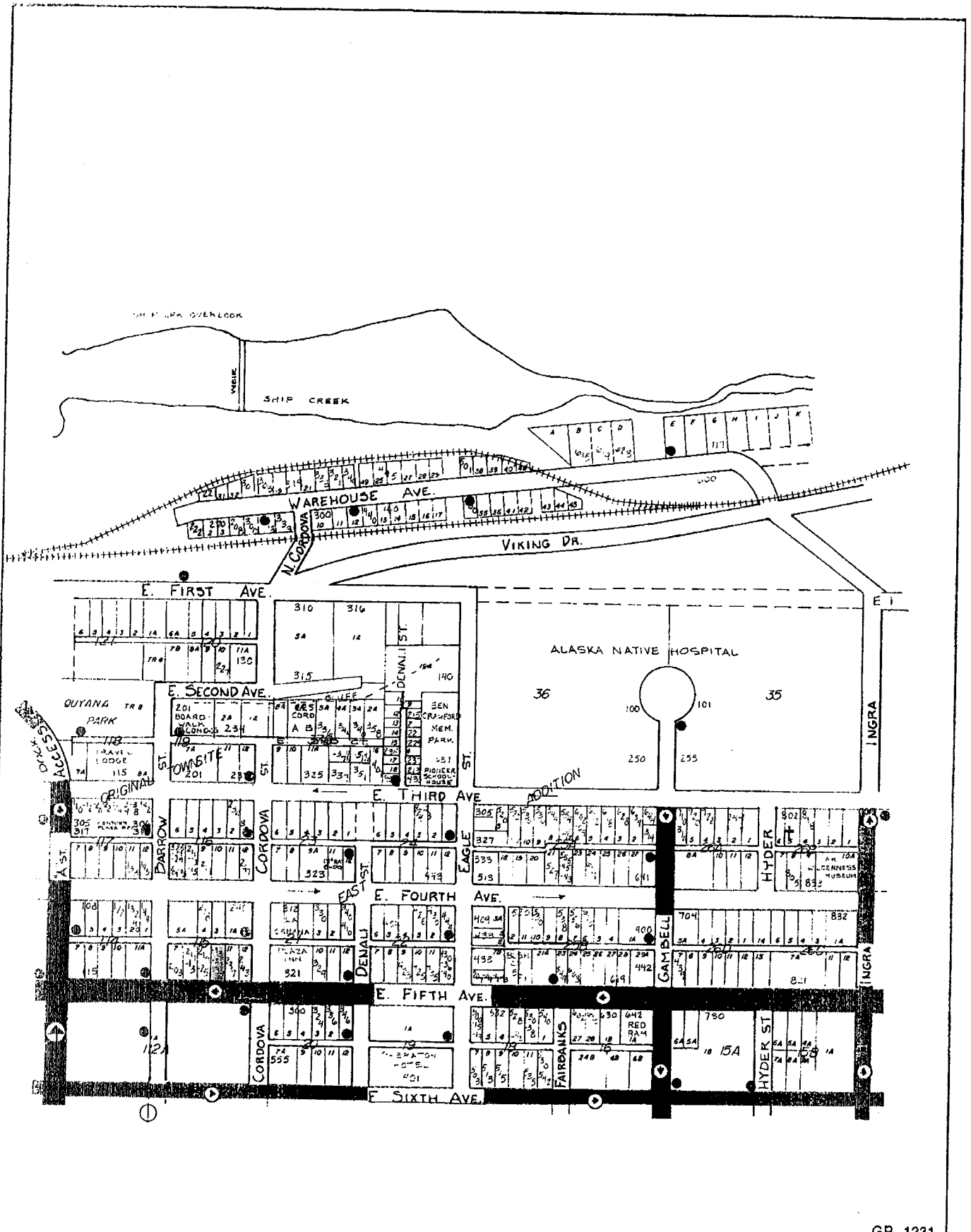
What are the proposed precautions to maintain order and prevent unlawful conduct at the licensed premises?

Inside Facility:

All Kodiak Bar and Grill servers will be TAM certified. Employees will be instructed to ask for the identification of all persons appearing to be under 30 years of age. Employees who violate this policy will be terminated and will be instructed so upon employment. Further, managers and all servers will be trained and reminded to assess the condition of drinkers as enumerated in the TAM training to prevent the service of alcohol to drunken persons.

Outside Facility:

Further, for the protection of patrons in the parking lot, Kodiak Bar and Grill employees will patrol the parking lot, as needed, to ensure the minimization of loitering. My client will work with surrounding tenants, neighbors, neighboring community councils and service patrols to combat any problems, which arise in or near the facility.

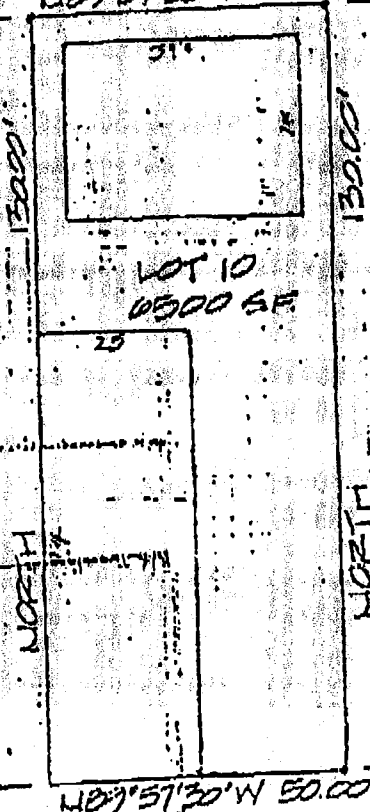


7-11-1996 2:47PM FROM

JUL 11 '96 11:53AM TRANSALASKA TITLE ANCHORAGE

P.1/1

20' ALLEY
N 89° 57' 30" W 52.00'



Date	7/11/96
From	Michael
To	Wanda
Co	TransAla
Phone	
Fax	

LEGEND
• 4/1/91 REBAR

E 5th AVENUE



SCALE 1"=30'

EMENTS OF RECORD, OTHER THAN
RE SHOWN ON THE RECORDED

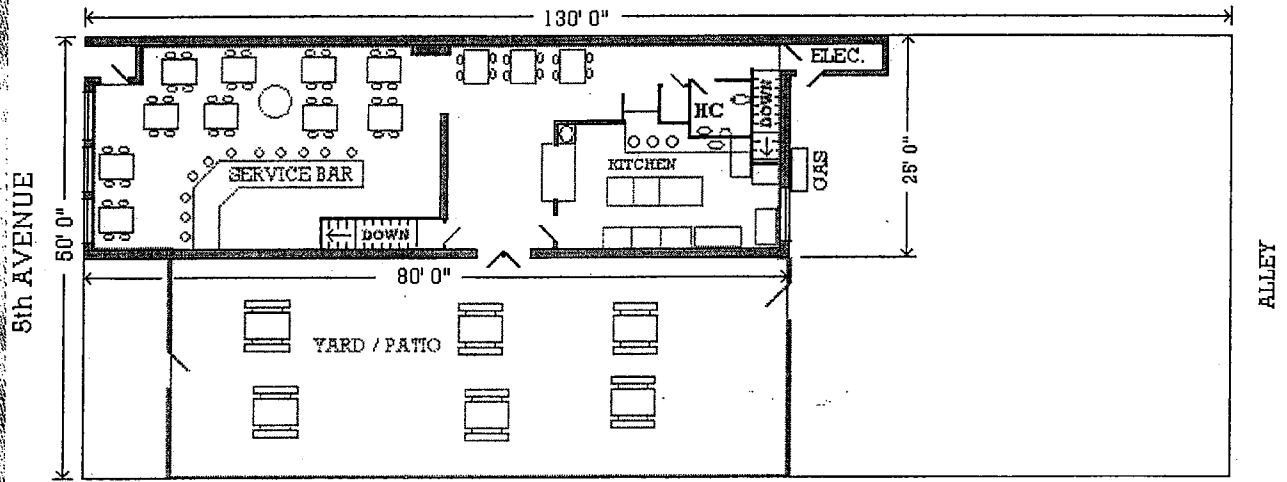
I hereby certify that I have surveyed the following described property: LOT 10, BLK 119, ORIGINAL TOWNSITE

Anchorage Recording Precinct, Alaska, and that improvements situated thereon are within the proper lines and do not overlap or encroach on the property lying adjacent thereto, that no improvements on property lying adjacent thereto encroach on the premises question and that there are no roadways, transmission lines or other visible easements on said property except as indicated hereon:

Dated at Anchorage, Alaska
this 9th day of AUGUST 1996
FRED WALATKA & ASSOCIATES
Engineers and Surveyors

043

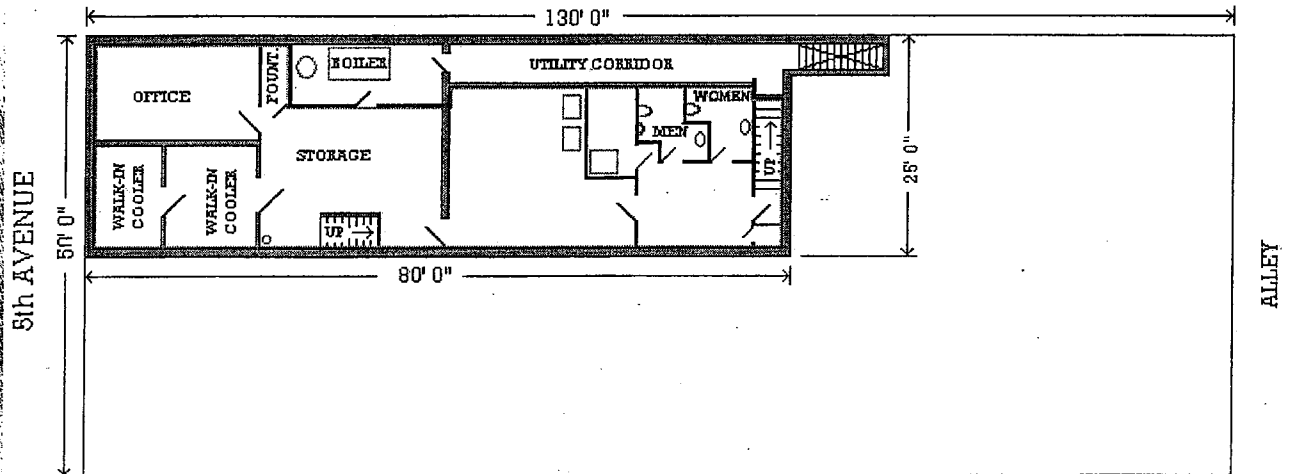
KODIAK KAFE
225 E. 5th AVENUE



FIRST FLOOR 1" = 1/16"



**KODIAK KAFE
225 E. 5th AVENUE**



BASEMENT 1" = 1/16"



AUTHORIZATION FOR REPRESENTATION

TO: MUNICIPALITY OF ANCHORAGE
FROM: LAW OFFICES OF ERNOUF & COFFEY
RE: AUTHORIZATION FOR REPRESENTATION
-CONDITIONAL USE APPLICATION
DATE: 5/15/06

TO WHOM IT MAY CONCERN:

The purpose of the Memo is to inform the Municipality of Anchorage that Robin L. Alessi which is currently applying for a Conditional Use Retail Sale of Alcoholic Beverages in the Municipality of Anchorage at 225 East 5th Avenue in Anchorage, Alaska hereby authorizes the Law Offices of Ernouf & Coffey, PC, W. Sherman Ernouf and his staff to represent Robin L. Alessi with regard to the conditional use application related to its forms and applications as may be required for the conditional use permit for the described location.

Questions concerning this authorization may be directed to Robin L. Alessi at 907-258-5233.

DATED at Anchorage, Alaska this 16 day of May 2006.


Robin L. Alessi

ENTREES

SEAFOOD OF THE WEEK

ASK YOUR SERVER ABOUT THIS WEEK'S SELECTION

HALIBUT ALMONDINE

FLAKY HALIBUT SAUTEED AND SERVED WITH A CREAMY ALMOND AND BUTTER SAUCE.....\$20.95

SOUTHWESTERN SAUTEED PRAWNS WITH TEQUILA BUTTER SAUCE

A SPICY HOUSE FAVORITE SERVED WITH WILD RICE PILAF.....\$20.95

SALMON, ZUCCHINI AND DILL OVER LEMON LINGUINI

CHUNKS OF SALMON AND ZUCCHINI IN A LIGHT DILL CREAM SAUCE.....\$19.95

BREADED HALIBUT AND STEAK FRIES WITH CREOLE TARTAR SAUCE

OUR ANSWER TO FISH AND CHIPS- SERVED WITH A TWIST OF LEMON.....\$19.95

CAPTAIN'S PLATTER (FOR TWO)

FOR SEAFOOD LOVERS- FRIED SCALLOPS, GRILLED HALIBUT & SHRIMP AND BAKED SALMON-
SERVED WITH A LEMON AND YELLOW PEPPER COULIS AND WILD RICE PILAF.....\$49.95

GRILLED HALIBUT WITH HERBED CREAM SAUCE

SERVED ON A BED OF WILD RICE PILAF.....\$20.95

ALASKAN KING CRAB LEGS BY THE HALF POUND.....\$35.00...FULL POUND....\$60.00

CAJUN CHICKEN AND SHRIMP FETTUCINI

RAY CHOP AND STRIPS OF CHICKEN BREAST SAUTEED IN A SPICY CREAM SAUCE,
SERVED OVER OUR FRESH FETTUCINI.....\$19.95

HONEY APPLE ALMOND CHICKEN BREAST

TENDER BREAST OF CHICKEN SAUTEED WITH HONEY, ALMONDS, APPLES AND CREAM-
SERVED WITH RICE PILAF.....\$18.95

CHICKEN MONTEREY

POUNDED CHICKEN BREAST WRAPPED AROUND MONTEREY JACK CHEESE, TOMATOES, BASH
AND GARLIC, AND SERVED ON A BED OF HERB CREAM SAUCE.....\$18.95

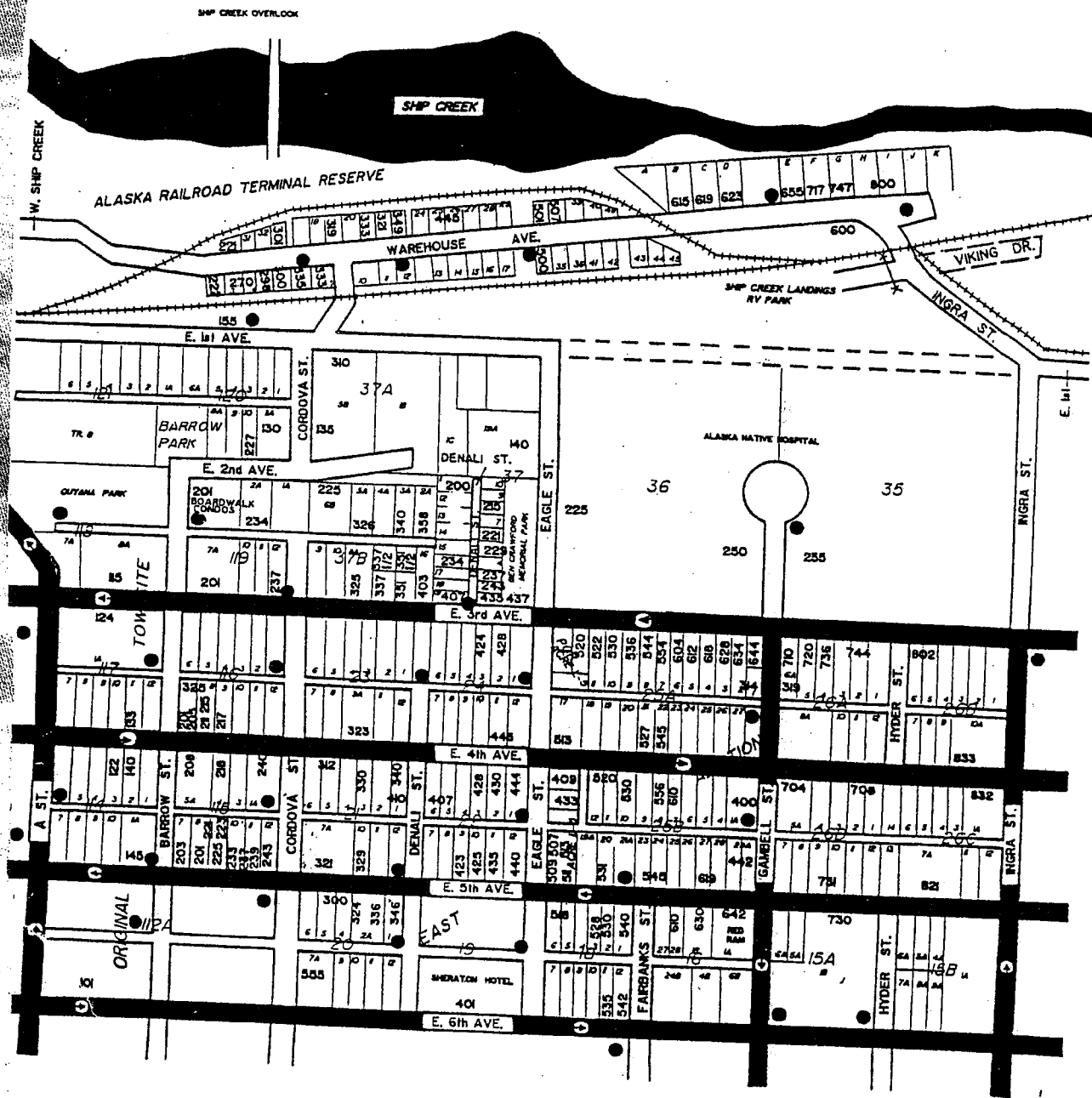
CHICKEN MILANO

GRILLED BREAST OF CHICKEN TOPPED WITH ROASTED PEPPERS, MOZZARELLA AND HERBS.
SERVED OVER OUR FRESH TRI-COLOR FETTUCINI.....\$18.95

PAN-SEARED DUCK BREAST

SERVED WITH WILD RICE AND A TANGY PLUM SAUCE.....\$20.50

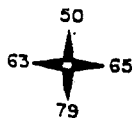
A 15% GRATUITY WILL BE ADDED TO PARTIES OF SIX OR MORE



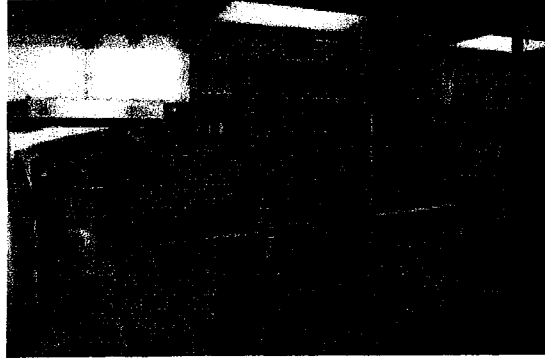
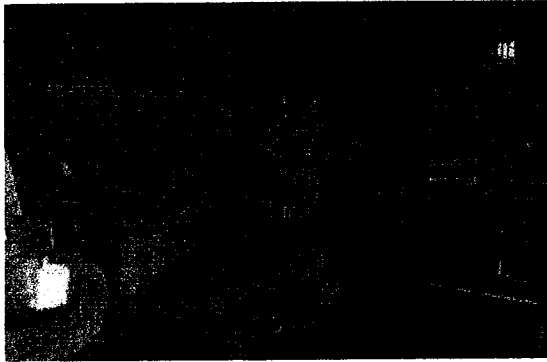
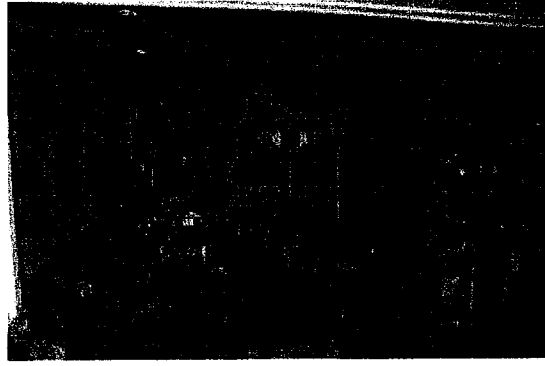
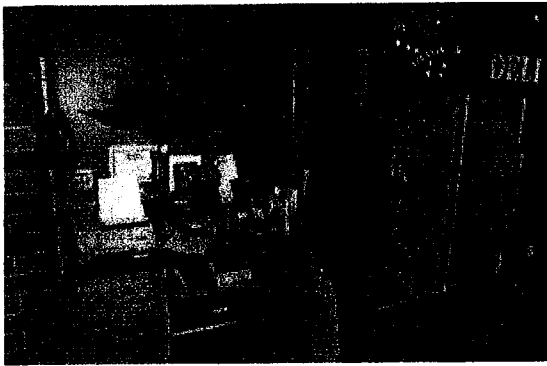
NE 1/4 SEC. 18, T13N R3W

64

COPYRIGHT 1997 JMR

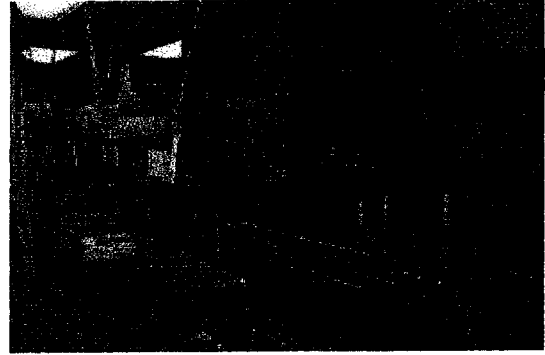
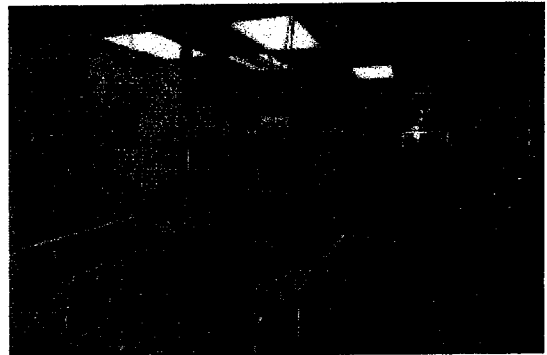


SEE OVERVIEW MAP "G"

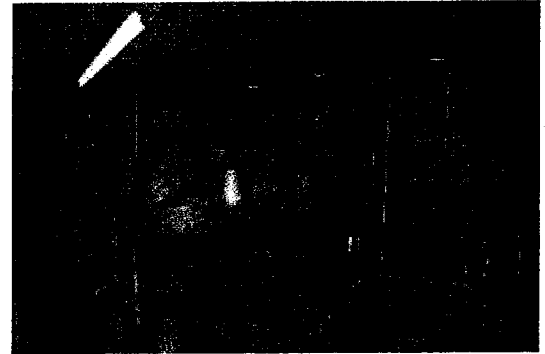
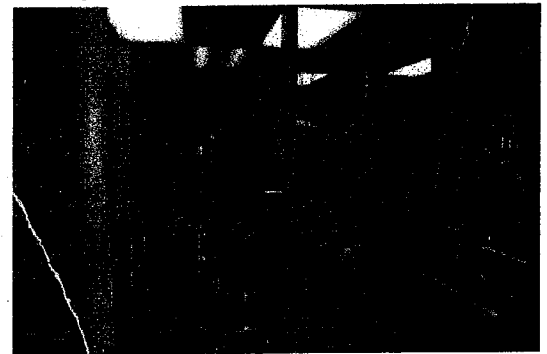


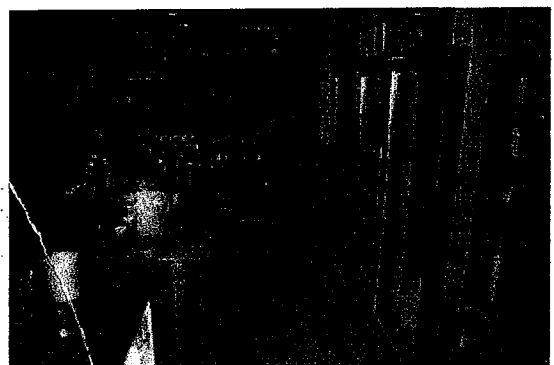
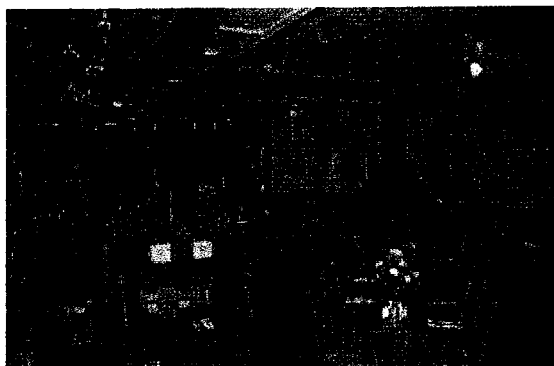
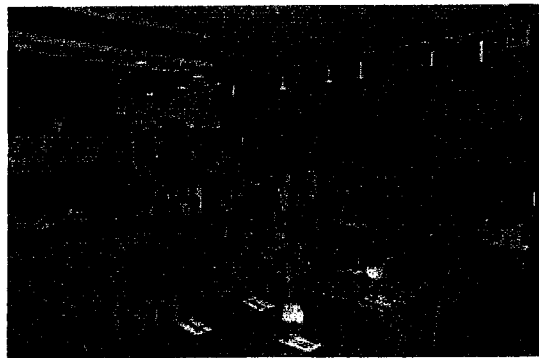
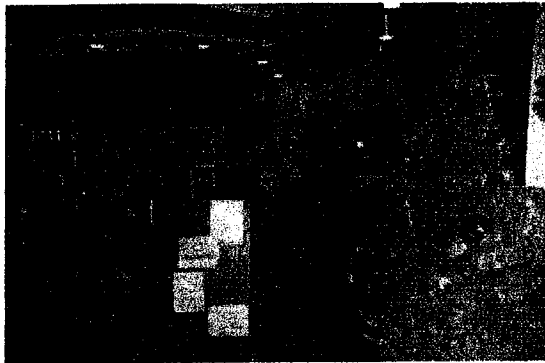
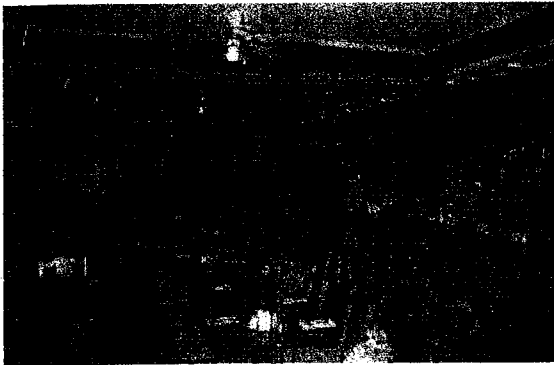
Preparation Area

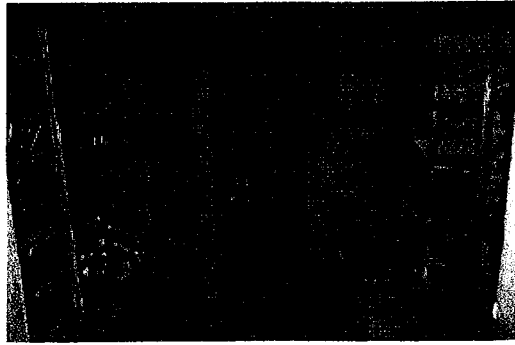
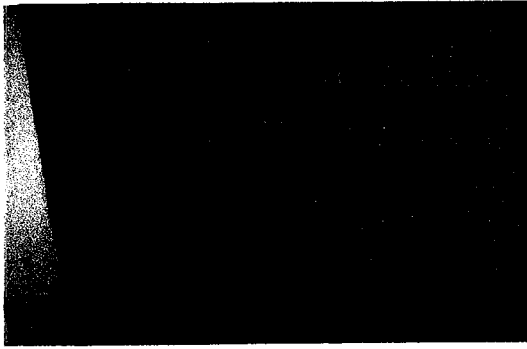
Kitchen



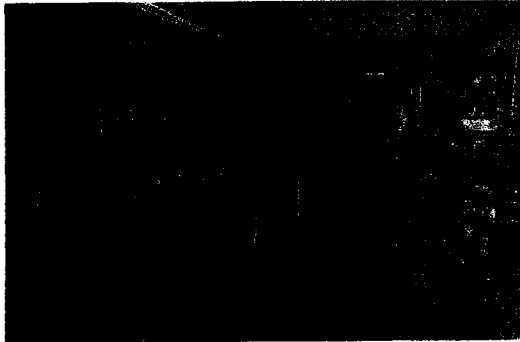
Equipment available on Separate Bill of Sale



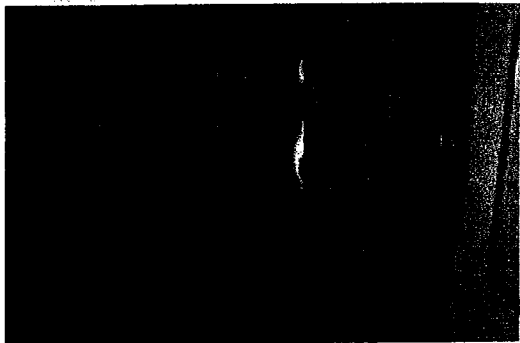




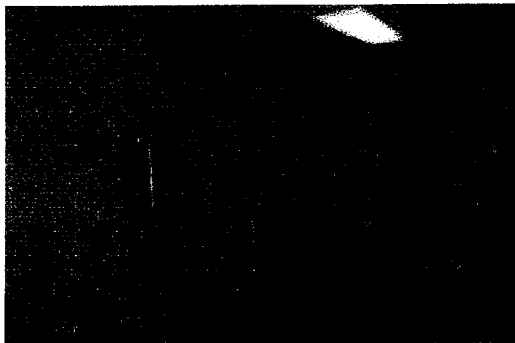
Double Freezers



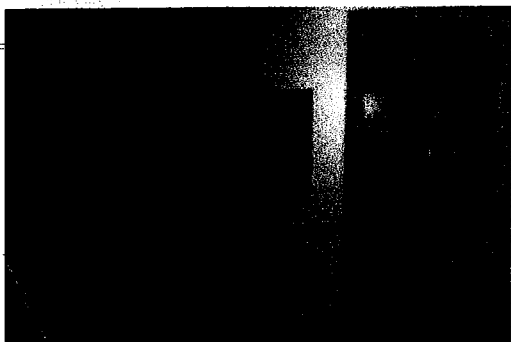
Storage Area



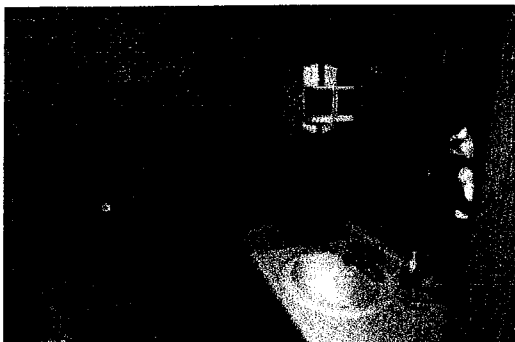
Ice Maker



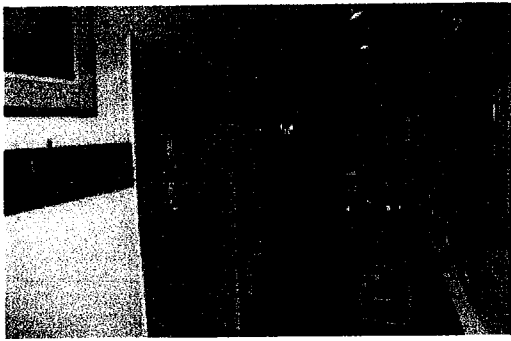
More Storage



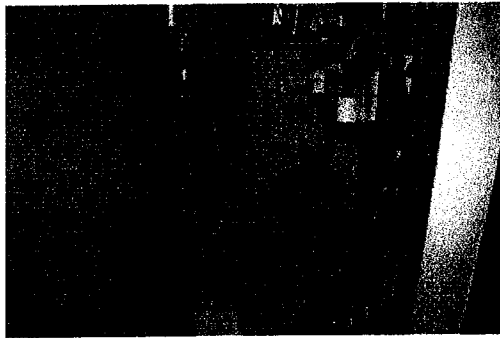
Separate Bathrooms



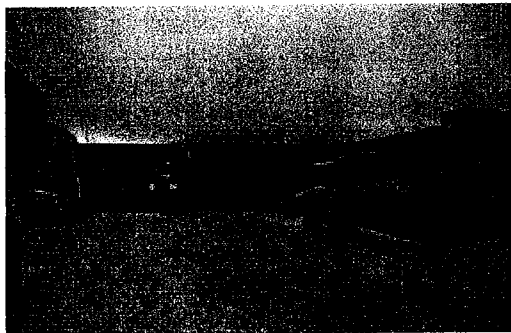
Quality Bathrooms



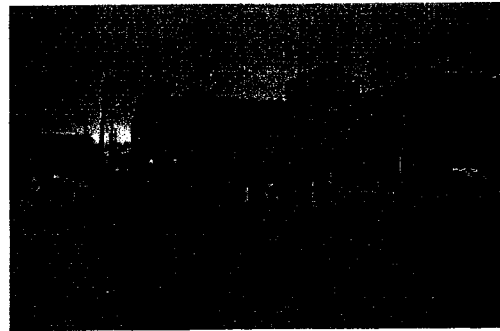
Unisex Bathroom



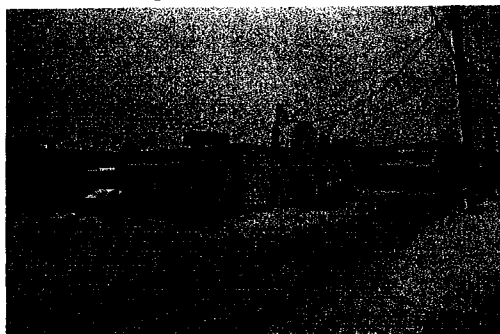
Mop Closet



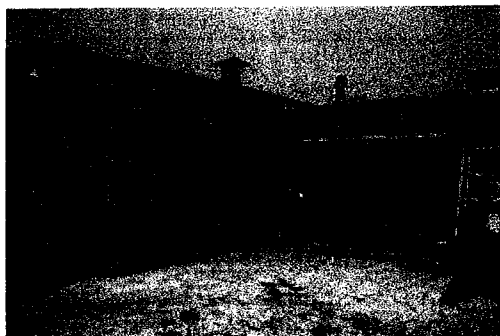
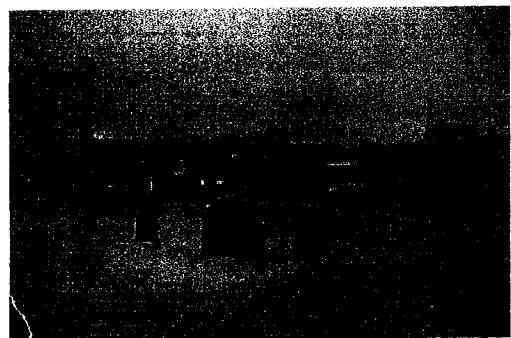
Rear Parking and Storage



Looking East from Rear of Property



Looking West from Rear of Property



Storage



Side area for outdoor dining or "Drive-Up"



Property located in back – recently sold for \$500k



Side area for outdoor dining or "Drive-Up"



Property located in back – recently sold for \$500k

**THE LAW OFFICES OF
ERNOUF & COFFEY**

**A PROFESSIONAL CORPORATION
207 EAST NORTHERN LIGHTS BLVD.
SUITE 200
ANCHORAGE, ALASKA 99503**

Dan K. Coffey, Of Counsel
Email: dcoffey@coffey-law.net

Phone: (907) 274-3385

W. Sherman Ernouf
Email: sernouf@coffey-law.net

Facsimile: (907) 274-4258

Facsimile Cover Page

DATE: 6/8/06

TO: Mary Autor

FROM: Kisha Keene

PHONE: (907)

FAX: (907) 343-7927

PAGES: (3) including cover sheet

COMMENTS: Mary, Please find attached the liquor license application for Kodiak Bar & Grill, Doug Locke is on his way there now with the Conditional Use application, we forgot to include this in the packet, thanks.

***THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND/OR PRIVILEGED. THIS FACSIMILE IS INTENDED TO BE REVIEWED INITIALLY BY ONLY THE INDIVIDUAL NAMED ABOVE. IF THE READER OF THIS TRANSMITTAL PAGE IS NOT THE INTENDED RECIPIENT, OR A REPRESENTATIVE OF THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW OR COPYING OF THIS FAX OR THE INFORMATION CONTAINED HEREIN IS PROHIBITED. IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE. THANK YOU.**

PLEASE CALL AMANDA AT (907) 274-3385 IF YOU DO NOT RECEIVE THIS FACSIMILE IN FULL.

055

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

Transfer Liquor License

PAGE 1 OF 2

(907) 269-0350

Fax: (907) 272-9412

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 _____
☒ Full 2-year period _____ Mo/Day _____ Mo/Day

SECTION A - LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: 2006/2007	License Type: Beverage Dispensary	Statute Reference Sec. 04.11.090	License Fee: \$
License #: 4568			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage	Community Council Name(s) & Mailing Address: Downtown Community Council 1229 W. 6 th Avenue Fairview Community Council 328 E. 15 th Avenue #1 Anchorage, AK 99501		Fingerprint: (\$59 per person)
Federal EIN or SSN: 287-50-4319			Total Submitted: \$ 100.00
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Robin Lynne Alessi	Doing Business As (Business Name): Kodiak Bar & Grill	Business Telephone Number: 907-258-5233	Fax Number:
Mailing Address: 7020 Kitlisa Drive	Street Address or Location of Premise: 225 East 5 th Avenue Anchorage, Alaska 99501	Email Address:	
City, State, Zip: Anchorage, Alaska 99501			

SECTION B - TRANSFER INFORMATION.

<input checked="" type="checkbox"/> Regular Transfer	Name and Mailing Address of Current Licensee: Caldou Corporation
<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: Calypso
<input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.	Street Address or Location BEFORE transfer: 2421 East Tudor Road, Anchorage

SECTION C - PREMISES TO BE LICENSED. Must be completed for RELOCATION applications.

Closest school grounds: Denali Elementary 148 E. 9 th Avenue	Distance measured under: X AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.
Closest church: Metropolitan Church 417 Barrow Street	Distance measured under: X AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		X Not applicable
		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) X Diagram of premises attached

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

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

Name	Name of Business	Type of License	Business Street Address	State
Robin Alessi	Kodiak Kafe	Restaurant/Eating Place	225 E. 5 th Avenue	Alaska

Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

☒ Yes ☐ No If Yes, attach written explanation. SEE ATTACHED

Office use only

Date Approved	Director's Signature
---------------	----------------------

Transfer App 11/05

056

Liquor License

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LP/LP) (or N/A if an Individual ownership):		Telephone Number:	Fax Number:
Corporate Mailing Address:	City:	State:	Zip Code:
Name, Mailing Address and Telephone Number of Registered Agent:		Date of Incorporation OR Certification with DCED:	State of Incorporation:
Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth

NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.

Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Robin Lynne Alessi Address: 7020 Kitlisa Drive Anchorage, Alaska 99501 Home Phone: Work Phone: 907-258-5233	Applicant X Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

Declaration

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

Signature of Licensee(s) Signature: <i>[Signature]</i> Signature: <i>[Signature]</i> Name & Title (Please Print): Subscribed and sworn to before me this 7 day of June 2006 Notary Public in and for the State of Alaska My commission expires: 4/7/2010	Signature of Transferee(s) Signature: <i>[Signature]</i> Signature: <i>[Signature]</i> Name & Title (Please Print): Subscribed and sworn to before me this 7 day of June 2006 Notary Public in and for the State of Alaska My commission expires: 4/7/2010
--	--

Transfer App 11/05

057

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**POSTING
AFFIDAVIT**



AFFIDAVIT OF POSTING

CASE NUMBER: 2006-100

I, Douglas Locke hereby certify that I have posted a **Notice of Public Hearing** as prescribed by Anchorage Municipal Code 21.15.005 on the property that I have petitioned for _____. The notice was posted on 6/8/2006 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 20 day of June, 2006

Signature

LEGAL DESCRIPTION

Tract or Lot 10

Block 115

Subdivision _____

\\w G:\CPD\Public\FORMS\OtherDoc\AOP.DOC

059

**THE LAW OFFICES OF
ERNOUF & COFFEY**

**A PROFESSIONAL CORPORATION
207 EAST NORTHERN LIGHTS BLVD.
SUITE 200
ANCHORAGE, ALASKA 99503**

Dan K. Coffey, Of Counsel
Email: dcoffey@coffey-law.net

Phone: (907) 274-3385

W. Sherman Ernouf
Email: sernouf@coffey-law.net

Facsimile: (907) 274-4258

Facsimile Cover Page

DATE: 6/22/06

TO: Mary Autor

FROM: Kisha Keene

PHONE: (907)

FAX: (907) 343-7927

PAGES: (2) including cover sheet

COMMENTS:

***THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND/OR PRIVILEGED. THIS FACSIMILE IS INTENDED TO BE REVIEWED INITIALLY BY ONLY THE INDIVIDUAL NAMED ABOVE. IF THE READER OF THIS TRANSMITTAL PAGE IS NOT THE INTENDED RECIPIENT, OR A REPRESENTATIVE OF THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW OR COPYING OF THIS FAX OR THE INFORMATION CONTAINED HEREIN IS PROHIBITED. IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER BY TELEPHONE. THANK YOU.**

PLEASE CALL AMANDA AT (907) 274-3385 IF YOU DO NOT RECEIVE THIS FACSIMILE IN FULL.

060

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HISTORICAL INFORMATION

Alcohol Existing License List Report

Case Number: 2006-100

Description: 1000 feet

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
00208453000 Yukon Yacht Club	115 E 3RD AVENUE LLC 115 E. 3rd Avenue LLC	115 E 3RD AVENUE 115 E. 3rd Ave.	ANCHORAGE 1036	AK B2C	99501 Beverage Dispensary Tour
00209224000 Polar Bar	MICHAEL LOTTIE Polar Bar, Inc.	1010 BEECH LANE 507 E. 5th Ave.	ANCHORAGE 901	AK B2C	99501 Beverage Dispensary
00209449000 Sheraton Anchorage Hotel	MIP ANCHORAGE LLC MIP Lesse, LP	2235 FARADAY AVENUE, STE O 401 E. 6th Ave.	CARLSBAD 1443	CA B2C	92008 Beverage Dispensary Tour
00209515000 Days Inn	ALESSI ROBIN LYNNE Plaza Inn Hotels, Inc.	225 E 5TH AVENUE 321 E. 5th Ave.	ANCHORAGE 2152	AK B2B	99501 Beverage Dispensary Tour
00209515000 Kodiak Kaffe	ALESSI ROBIN LYNNE Robin L Alessi	225 E 5TH AVENUE 225 E. 5th Ave.	ANCHORAGE 3679	AK B2B	99501 Restaurant/Eating Place
00209541000 Chili's Grill & Bar	LA CABANA MEXICAN RESTAURANT Duke Investments, LLC	312 E 4TH AVENUE 1811 Abbott Road	ANCHORAGE 4200	AK B2C	99501 Beverage Dispensary
00209541000 La Cabana Mexican Restaurant	LA CABANA MEXICAN RESTAURANT La Cabana Mex. Restaurant, Inc	312 E 4TH AVENUE 312 E. 4th Ave.	ANCHORAGE 629	AK B2C	99501 Beverage Dispensary
00209547000 Thirty-Five Plus Singles	CARPENTERS UNION 35 Plus Singles Club, Inc	407 DENALI STREET STE 100 407 Denali St.	ANCHORAGE 1494	AK B2C	99501 Club
00210446000 Howard Johnson Plaza Hotel	HALLELUJAH MANAGEMENT LLC Hallelujah Corporation	239 W 4TH AVENUE 239 W. 4th Ave.	ANCHORAGE 519	AK B2B	99501 Beverage Dispensary
00212513000 Tito's Gyros	ROMO HECTOR Romo, Hector	120 E 6TH AVEUNE 120 E. 6th Ave.	ANCHORAGE 4062	AK B2B	99501 Restaurant/Eating Place

Alcohol Church and School List Report

Case Number: 2006-100

Description: 1000 feet

Parcel	Parcel Owner Name	Parcel Site Address	Description
00208366000	CORP CATHOLIC ARCHBISHOP OF ANCHORAGE		RELIGION
00208462000	CORP CATHOLIC ARCHBISHOP OF ANCHORAGE	244 E 2ND AVE	RELIGION
00209549000	GRACE COMMUNITY CHURCH	430 E 4TH AVE	CHARITABLE
00209550000	DOWNTOWN SOUP KITCHEN THE	430 E 4TH AVE	CHARITABLE
00210303000	NINE STAR ENTERPRISES INC	125 W 5TH AVE	EDUCATION PRIVATE
00212434000	SALVATION ARMY THE	742 BARROW ST	CHARITABLE
00212436000	UNIVERSITY OF ALASKA A CONSTITUTIONAL CORP	707 A ST	EDUCATION STATE
00212437000	UNIVERSITY OF ALASKA A CONSTITUTIONAL CORP	112 E 7TH AVE	EDUCATION STATE
00212438000	UNIVERSITY OF ALASKA A CONSTITUTIONAL CORP		EDUCATION STATE
00212510000	DIOCESE OF SITKA AND ALASKA ORTHODOX CHURCH IN AMERICA INC	605 A ST	RELIGION

Alcohol Church and School List Report

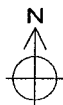
Case Number: 2006-100 Description: 200 feet

Parcel	Parcel Owner Name	Parcel Site Address	Description
--------	-------------------	---------------------	-------------

2006 100 liquor licenses

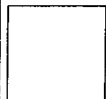
Fri Jun 09, 08:35:24, 2006

Map: Parcels--Basic Layers



Scale 1:8000

Legend:



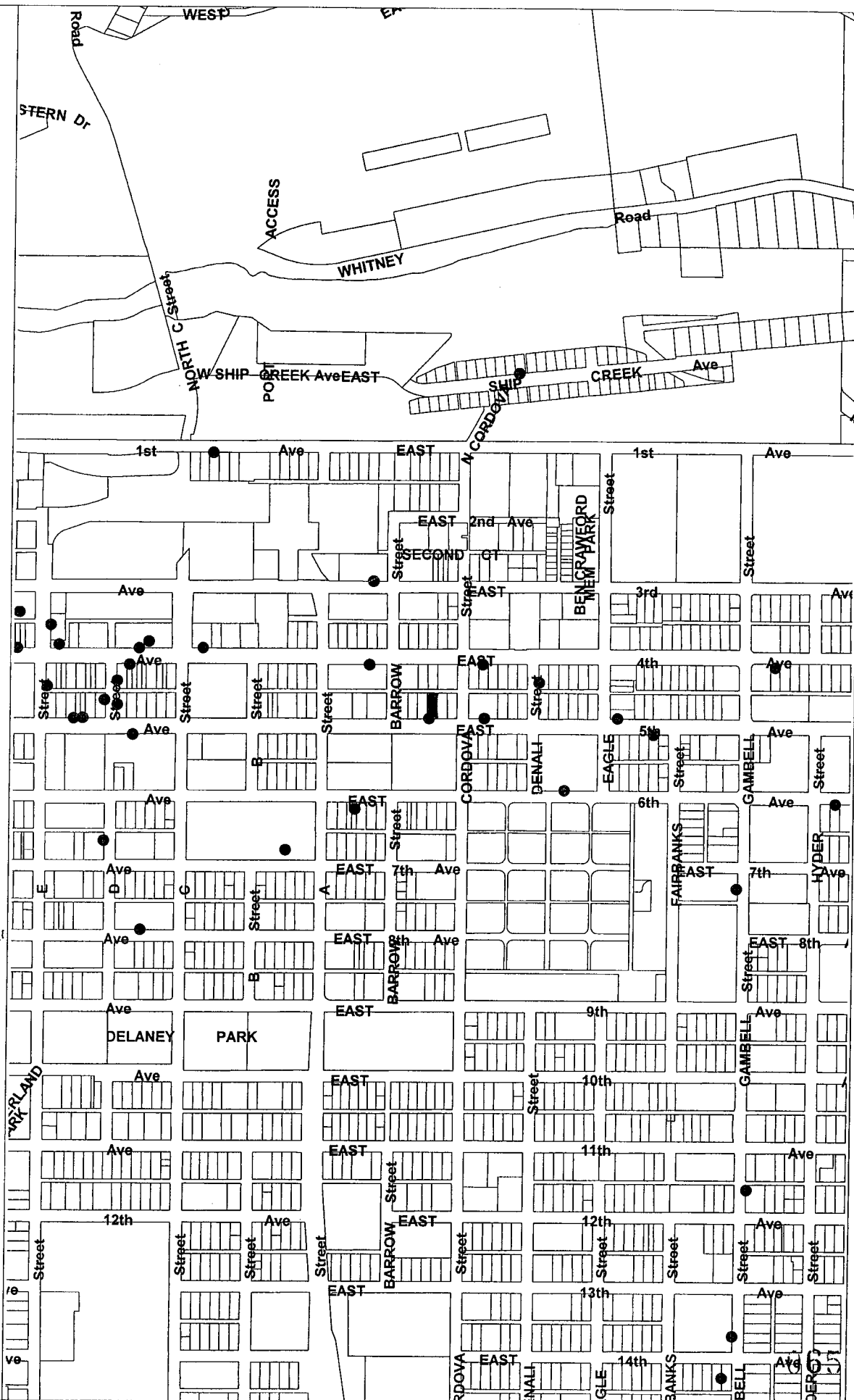
PARCELS



ALCOHOL

Txt

STRNAME_BI_L



PARCEL INFORMATION

APPRAISAL INFORMATION

Legal ORIGINAL
BLK 115 LT 10

Parcel 002-095-15-000
Owner ALESSI ROBIN LYNNE

#

Descr RESTAURANT
Site Addr 225 E 5TH AVE

225 E 5TH AVENUE
ANCHORAGE AK 99501 2519

RELATED CAMA PARCELS

Related Parcel(s)	XRef Type	Leased Parcels

Cross Reference (XRef) Type Legend

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

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

REZONE

Case Number 1996-179 # of Parcels 1 Hearing Date 11/26/1996
Case Type Assembly conditional use for a restaurant serving alcohol
Legal A RESTAURANT/EATING PLACE LIQUOR LICENSE CONDITIONAL USE for Original Townsite Subdivision, Block 115, Lot 10 (Kodiak Kafe), generally located on the north side of East 5th Avenue and west of Cordova Street.

PLAT

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

PERMITS

Permit Number
Project
Work Desc
Use

BZAP

Action No. Z-81-13
Action Date 02/12/1981
Resolution
Status APR
Type VAR
Ruling Approved
Variance

ALCOHOL LICENSE

Business Days Inn
Address 321 E. 5th Ave.
Anchorage, AK 99501
License Type Beverage Dispensary Tour
Status Valid/Active
Applicants Name Plaza Inn Hotels, Inc.
Conditions

PARCEL INFORMATION

OWNER
ALESSI ROBIN LYNNE

225 E 5TH AVENUE
ANCHORAGE AK 99501 2519
Deed 3097 0000857
CHANGES: Deed Date Jul 25, 1997
Name Date Aug 01, 1997
Address Date Aug 01, 1997

PARCEL
Parcel ID 002-095-15-000
Status
Renumber ID 000-000-00-00000
Site Addr 225 E 5TH AVE
Comm Concl DOWNTOWN
Comments

01

TAX INFO
2006 Tax 4,675.68 Balance 4,928.19 District 001

LEGAL

ORIGINAL
BLK 115 LT 10

Unit
Plat 000000
Zone B2B
SQFT 6,500
Grid SW1231

HISTORY

	Year	Building	Land	Total
Assmt Final	2004	175,000	110,500	285,500
Assmt Final	2005	184,100	117,000	301,100
Assmt Final	2006	182,100	123,500	305,600
Exemptions				0
State Credit				0
Tax Final				305,600

PROPERTY INFO

#	Type	Land Use
01	COMMERCIAL	RESTAURANT

SALES DATA

Mon	Year	Price	Source	Type
07	1997	230,000	BUYER	LAND & BLDG
07	1997	175,000	DEED/T	LAND & BLDG
11	1990	99,500	AGENT	LAND & BLDG

LAND & COMMON PARCEL INFORMATION**APPRAISAL INFORMATION**

Legal ORIGINAL
BLK 115 LT 10

Parcel 002-095-15-000

01 of 01

Owner ALESSI ROBIN LYNNE

Site Addr 225 E 5TH AVE

225 E 5TH AVENUE
ANCHORAGE

AK 99501

LAND INFORMATION

Land Use RESTAURANT
Class COMMERCIAL
Living Units 000
Community Council 000 DOWNTOWN
Entry: Year/Quality 01 1980 0
07 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 N
Wet Land

CONDOMINIUM INFORMATION

Common Area 0
Undivided Interest 0.00

RESIDENTIAL INVENTORY

APPRAISAL INFORMATION

Legal ORIGINAL
 Site Addr 225 E 5TH AVE
 Property Info # Descr RESTAURANT

Parcel 002-095-15-000 # 01 of 01

Owner ALESSI ROBIN LYNNE

01

RESIDENTIAL STRUCTURE INFORMATION

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

AREA

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

CONDOMINIUM INFO

Condo Style
 Condo Level

ADDITIONS

Basement	1st Floor	2nd Floor	3rd Floor	Area

OTHER BUILDINGS & YARD IMPROVEMENTS

Type	Qty	Yr Built	Size	Grade	Condition

COMMERCIAL INVENTORY

APPRAISAL INFORMATION

Legal ORIGINAL
BLK 115 LT 10

Parcel 002-095-15-000

01 of 01

#

01

Owner ALESSI ROBIN LYNNE

Site Addr 225 E 5TH AVE
Prop Info # RESTAURANT

225 E 5TH AVENUE
ANCHORAGE AK 99501

BUILDING INFORMATION

Structure Type RESTAURANT

Building SQFT 3,929

Year Built 1958

Grade C

Effective Year Built 1979

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
B1	B1	NORMAL	HOT WATER/STEAM	NONE	ADEQUATE	NORMAL	NORMAL
01	01	NORMAL	HOT WATER/STEAM	CENTRAL	ADEQUATE	NORMAL	NORMAL

EXTERIOR DATA

Floor	Level	Size	Perim	Use Type	Hgt	Wall Type	Const Type
B1	B1	1,961	210	MULTI-USE STORAGE	08	NONE	WOOD JOIST(WD & STL)
01	01	1,968	210	RESTAURANT	10	CONC. BLOCK	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

BUILDING PERMIT INFORMATION

APPRAISAL INFORMATION

Legal ORIGINAL
BLK 115 LT 10

Parcel 002-095-15-000

01 of 01

#

Owner ALESSI ROBIN LYNNE

Prop Info # RESTAURANT
Site Addr 225 E 5TH AVE

225 E 5TH AVENUE
ANCHORAGE

AK 99501

BUILDING PERMITS

Permit #

Class Type

Class Use

Date

Address

Cond Occ/Occ

Certification

Contract Type

Name

E-mail

Phone () -

Fax () -

Address

City/State/Zip

Project

Sewer / Water

Work Type

Work

Description

CASES

1996-179

2006-100

Case Number 1996-179

of Parcels 1

Hearing Date Tuesday, November 26, 1996

PERMIT COMMENT

OWNER HISTORY

APPRAISAL INFORMATION

Parcel 002-095-15-000

01 of 01

01

Legal ORIGINAL

BLK 115 LT 10

Property Info # Descr RESTAURANT

Site Address 225 E 5TH AVE

Current 07/25/97

ALESSI ROBIN LYNNE

225 E 5TH AVENUE

ANCHORAGE

AK 99501 2519

3rd

0000 0000 00/00/00

AK SEED & NURSERY

% WALTRAUD BARRON

1204 H ST

ANCHORAGE

AK 99501

Prev

2098 0000 11/14/90

STEVENS RONALD D

PO BOX 141675

ANCHORAGE

AK 99514

4th

0000 0000 / /

00000

2nd

1800 0000 10/25/88

ALASKA USA FEDERAL CREDIT
UNION

PO BOX 196613

ANCHORAGE

AK 99519

5th

0000 0000 / /

00000

ON-SITE WATER \ WASTE WATER

APPRAISAL INFORMATION

Legal ORIGINAL
BLK 115 LT 10

Parcel 002-095-15-000 # 01 of 01

Owner ALESSI ROBIN LYNNE

01

Site Addr 225 E 5TH AVE
Land Use RESTAURANT

225 E 5TH AVENUE
ANCHORAGE AK 99501

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 ORIGINAL
BLK 115 LT 10

Parcel 002-095-15-000 # 01 of 01

Owner ALESSI ROBIN LYNNE

Site Addr 225 E 5TH AVE
Prop Info # RESTAURANT

225 E 5TH AVENUE
ANCHORAGE

AK 99501

ASSESSMENT

Assessment 01
03
06

Description SEWER LATERAL

Assessment Area 6,500
Original Assessment 0.00
Original Principal 0.00
Annual Payment 0.01
YTD Payment 0.00
Delinquent Payment 0.00
Unbilled Payment 0.00

RESOLUTION

Resolution C92517
C92517
C77W75

PLAT
000000

Status HISTORY
Total Area 6,500

LAST PAYMENT INFORMATION

Date Monday, October 03, 1994
Principal 0.00
Payment 0.00
Delinquent Interest 0.00
Penalty 0.00
Bond Interest 0.00
Cost 0.00

Content Information**Content ID :** 004228**Type:** AR_AllOther - All Other Resolutions

Title: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-2B
(CENTRAL BUSINESS DISTRICT, INTERMEDIATE) FOR A
BEVERAGE DISPENSARY USE PER AMC 21.40.160 D.13. FOR
ROBIN L. ALESSI, DBA **KODIAK BAR & GRILL.**

Author: weaverjt**Initiating Dept:** Planning

Description: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-2B
(CENTRAL BUSINESS DISTRICT, INTERMEDIATE) FOR A
BEVERAGE DISPENSARY USE PER AMC 21.40.160 D.13. FOR
ROBIN L. ALESSI, DBA **KODIAK BAR & GRILL.**

Date Prepared: 8/2/06 9:11 AM**Director Name:** Tom Nelson**Assembly****Meeting Date** 8/15/06**MM/DD/YY:****Public Hearing** 8/15/06**Date MM/DD/YY:****Workflow History**

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOtherARWorkflow	8/2/06 9:15 AM	Checkin	weaverjt	Public	004228
Planning_SubWorkflow	8/2/06 12:03 PM	Approve	nelsontp	Public	004228
ECD_SubWorkflow	8/2/06 2:24 PM	Approve	thomasm	Public	004228
MuniManager_SubWorkflow	8/4/06 8:13 AM	Approve	leblancdc	Public	004228
MuniMgrCoord_SubWorkflow	8/4/06 9:12 AM	Approve	abbottmk	Public	004228

M.O.A.
 2006 AUG - 7 PM 1:15
 CLERKS OFFICE