

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: September 12, 2006

CLERK'S OFFICE
APPROVED
Date: 9-12-06

Anchorage, Alaska
AR 2006- 233

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A
2 CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN
3 THE B-3 DISTRICT FOR A BEVERAGE DISPENSARY USE PER AMC 21.40.180
4 D.8, FOR SUITE 100 RESTAURANT, LOCATED WITHIN THE GRAND
5 NORTHERN MALL SUBDIVISION, TRACT B; GENERALLY LOCATED AT THE
6 SOUTHEAST CORNER OF DIMOND BOULEVARD AND OLD SEWARD
7 HIGHWAY.

8
9 (Taku Campbell Community Council) (Planning Case Number 2006-122)
10

11
12 THE ANCHORAGE ASSEMBLY RESOLVES:
13

14 **Section 1.** The conditional use permit for an Alcoholic Beverages Conditional Use in the
15 B-3 District for a Beverage Dispensary Use per AMC 21.40.180 D.8, for the Suite 100
16 Restaurant, located within the Grand Northern Mall Subdivision, Tract B; generally
17 meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160.
18

19 **Section 2.** The conditional use permit for an Alcoholic Beverages Conditional Use for a
20 Beverage Dispensary Use is for a 6,495 square-foot area located within the Grand
21 Northern Mall Subdivision, Tract B.
22

23 **Section 3.** The conditional use permit is approved subject to the following conditions:
24

- 25 1. A Notice of Zoning Action shall be filed with the District Recorder's Office
26 within 120 days of the Assembly's approval of a final conditional use approval
27 for a beverage dispensary use in the B-3 District and compliance with the other
28 conditions set forth herein.
29
- 30 2. All uses shall conform to the plans and narrative submitted with this conditional
31 use application.
32
- 33 3. This conditional use approval is for an Alcoholic Beverages Conditional Use in
34 the B-3 District for a Beverage Dispensary Use per AMC 21.40.180.D.8 for 6,495
35 SF restaurant area, for the Suite number 100 Restaurant, located on Tract B,
36 Grand Northern Mall Subdivision. The ground floor restaurant has a bar with
37 seating for 16, 29 booths and 19 tables for a total of 124 fixed seats and 121 non-
38 fixed seats.
39

- 1 4. On-premise sale of alcohol beverages seven days a week, Sunday through
2 Thursday, 4:00 P.M. to 11:00 P.M., and Friday and Saturday 4:00 P.M. to
3 Midnight. Liquor sales will constitute approximately 25 percent of total gross
4 receipts. Upon demand, the applicant shall demonstrate compliance with a liquor
5 "Server Awareness Training Program," approved by the State of Alaska Alcoholic
6 Beverage Control Board, such as or similar to the program for Techniques in
7 Alcohol Management (T.A.M.).
8
- 9 5. The use of the property by any person for the permitted purposes shall comply
10 with all current and future Federal, State and local laws and regulations, including
11 but not limited to, laws and regulations pertaining to the sale, dispensing, service
12 and consumption of alcoholic beverages and the storage, preparation, sale, service
13 and consumption of food. The owner of the property, the licensee under the
14 Alcoholic Beverage Control license and their officers, agents and employees,
15 shall not knowingly permit, or negligently fail to prevent the occurrence of illegal
16 activity on the property.
17
- 18 6. A copy of the conditions imposed by the Assembly in connection with this
19 conditional use approval shall be maintained on the premise.
20

21 **Section 4.** Failure to comply with the conditions of this conditional use permit shall
22 constitute grounds for its modification or revocation.
23

24 **Section 5.** This resolution shall become effective immediately upon passage and
25 approval by the Anchorage Assembly.
26

27 PASSED AND APPROVED by the Anchorage Assembly this 12th
28 day of September 2006.

ATTEST:

Dan Sullivan
Chair

Barton S. Gwendt
Municipal Clerk

(2006-122)
(014-271-10)



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 644-2006

Meeting Date: September 12, 2006

From: Mayor

Subject: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 DISTRICT (GENRAL BUSINESS DISTRICT) FOR A BEVERAGE DISPENSARY USE PER AMC 21.40.180 D.4 FOR SUITE 100, INC., DBA SUITE 100 RESTAURANT.

1 Suite 100, Inc. has made application for a Beverage Dispensary Alcoholic Beverage
2 Conditional Use in the B-3 District for the Grand Northern Mall Subdivision, Tract B, dba
3 Suite 100 Restaurant. Transfer of ownership and location for beverage dispensary license
4 number 132 (Black Angus Meat Market at 1101 West Fireweed Lane) is being transferred
5 to Van Abel, Inc., dba Suite 100, located at 1000 East Dimond Boulevard as License
6 number 4562.
7

8 The proposal is for a beverage dispensary Alcoholic Beverage Conditional use located at
9 1000 East Dimond Boulevard, Suite 100, located at the southeast corner of Dimond
10 Boulevard and Old Seward Highway. The business will lease 6,495 square feet of space
11 on the ground floor of a two-story office building. The dining area has a bar with seating
12 for 16, 29 booths and 19 tables for a total for 124 fixed seats and 121 non-fixed seats.
13 Required parking for all uses in the building total 159 parking spaces: 130 spaces are
14 provided on site, and 14 spaces provided on an adjacent tract through a joint-parking
15 agreement. This results in the site being short 15 parking spaces which is within 90
16 percent of the required standards. The restaurant does not open until 4:00 P.M. The Code
17 Enforcement Manager and the Municipal Traffic Engineer approved a parking waiver to
18 allow reduced parking in accordance with AMC 21.45.080.Y, dated August 18, 2006.
19

20 There is one day care and one church within 1,000 feet of the petition site. Both are
21 operated by the Anchorage Korean Open-Door Presbyterian Church, located on Briarwood
22 Street north of Dimond Boulevard, which is more than 200 feet from the petition site.
23 There are seven (7) restaurant/eating place licenses, one (1) recreation site license, one (1)
24 beverage dispensary license and three (3) package store licenses within a 1,000-foot radius
25 of the petition site. Approving this beverage dispensary license will add a second beverage

1 dispensary-tourism license within a 1,000-foot radius of the petition site. Suite 100, an on-
2 premise sale of alcohol beverages will operate seven days a week, Sunday through
3 Thursday 4:00 P.M. to 11:00 P.M., Friday through Saturday 4:00 P.M. to Midnight. The
4 petitioner estimates that 25 percent of his total sales will be for alcohol compared to 75
5 percent food sales. The restaurant will feature a full dinner menu. Employees involved in
6 the dispensing of alcoholic beverages will be trained in accordance with the Alcoholic
7 Beverage Control Board's "Liquor Server Awareness Training Program"(TAM), and hold
8 the necessary certifications.

9
10 The Anchorage Police Department reports no incidents at this location for the last two
11 years. At the time this report was prepared, the Department of Health and Human Services
12 did not provide comments. There are no personal or business taxes owing.

13
14 This conditional use for a beverage dispensary use and license in the B-3 District generally
15 meets the applicable provisions of AMC Titles 10 and 21, and Alaska Statute 04.11.090.

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

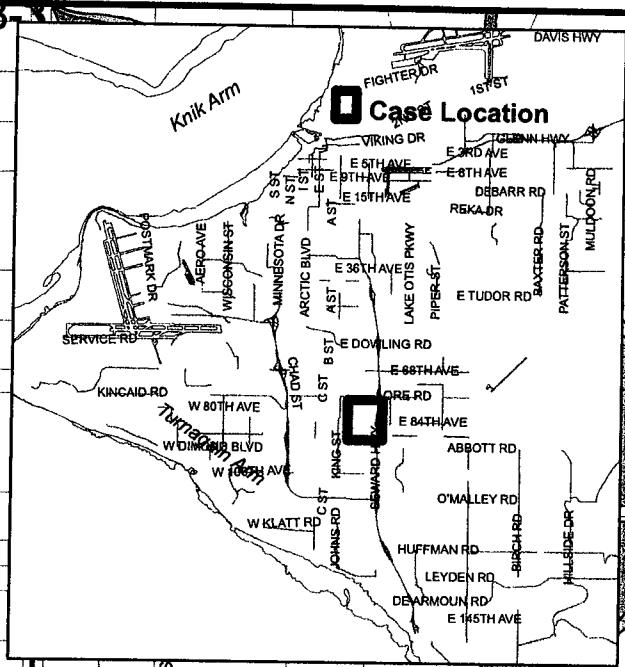
18 Concur: Tom Nelson, Director, Planning Department

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




21 Concur: Denis C. LeBlanc, Municipal Manager

22 Respectfully submitted: Mark Begich, Mayor

2006-122

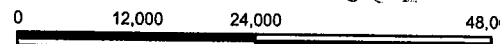


Date: July 10, 2006

 100 Year
 500 Year
 Floodway

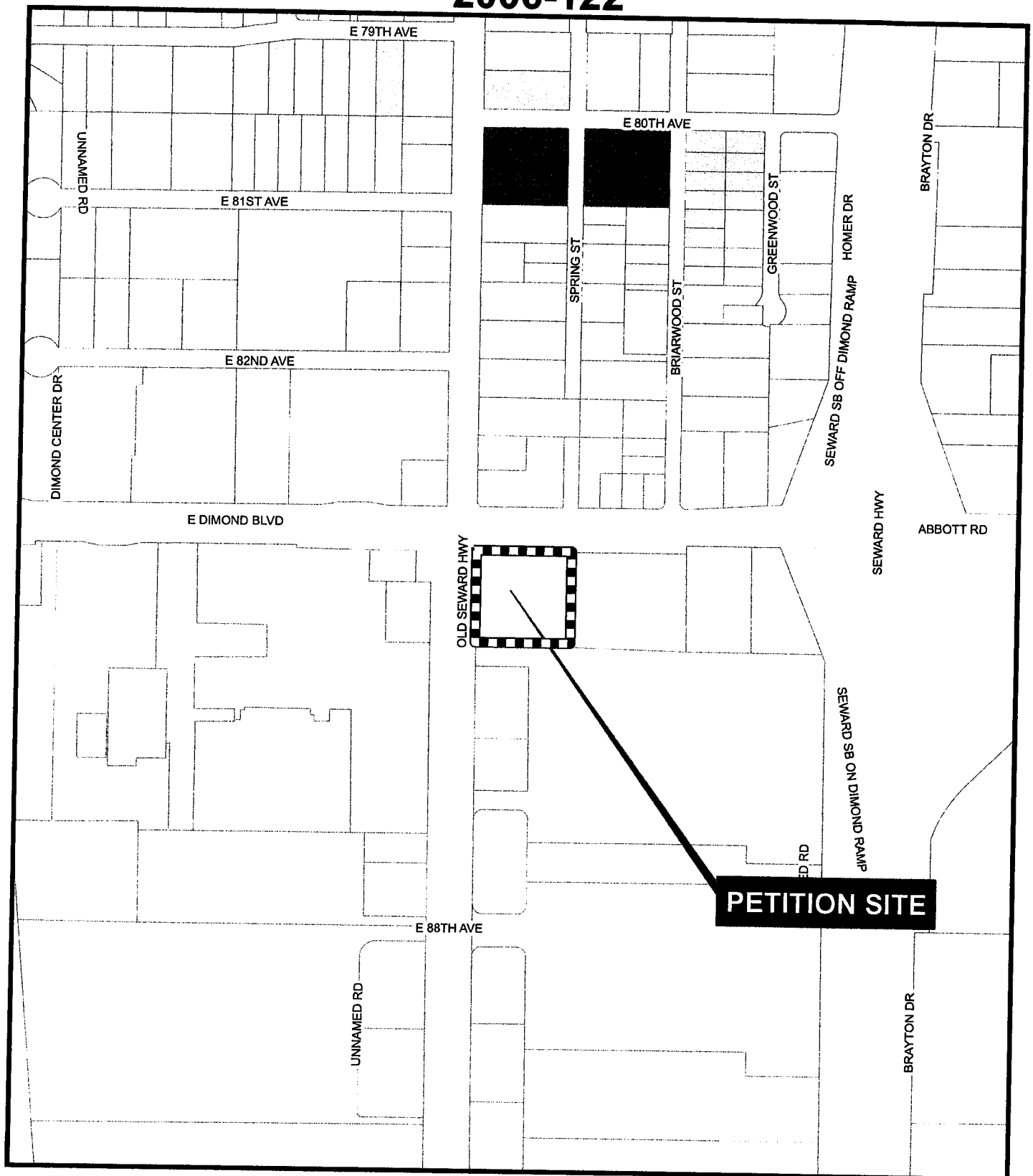


001






CONDITIONAL USE-ALCOHOL

2006-122



Municipality of Anchorage
Planning Department

Date: July 10, 2006

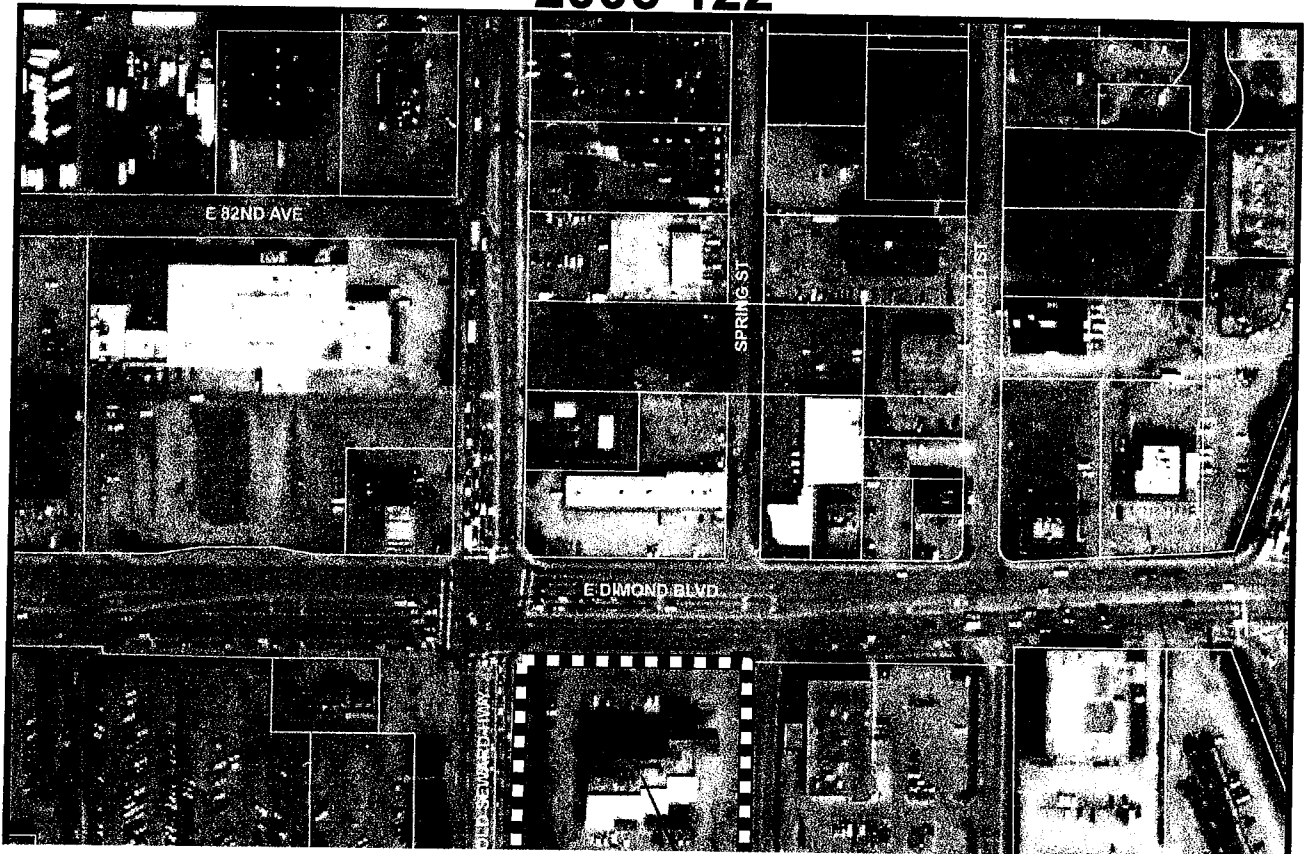
-  Single Family
-  Multi-Family
-  Mobile Home Park

0 125 250 500
Feet



002

2006-122



Alcohol Existing License List Report

Case Number: 2006-122

Description: 1000 feet alcohol

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
01308154000 Pizza Hut #11	NATIONAL BANK OF ALASKA Kurani, Inc.	PO BOX 4900 729 E. Dimond Blvd	SCOTTSDALE 2935	AZ I1	85261 Restaurant/Eating Place
01309222000 GJ's (Dimond Bowl)	DIMOND CENTER HOLDINGS LLC GJ's Enterprises, LLC	800 E DIMOND BLVD #3-500 800 E. Dimond #3-023	ANCHORAGE 2889	AK B3	99515 Recreational Site
01309222000 O'Brady's Burgers and Brew	DIMOND CENTER HOLDINGS LLC Logan Enterprises, Inc.	800 E DIMOND BLVD #3-500 800 E. Dimond Blvd #159	ANCHORAGE 1989	AK B3	99515 Restaurant/Eating Place
01309222000 Panda Express	DIMOND CENTER HOLDINGS LLC Chung, Richie B.	800 E DIMOND BLVD #3-500 800 E. Dimond Blvd, #241	ANCHORAGE 3711	AK B3	99515 Restaurant/Eating Place
01309222000 Round Table Pizza #4	DIMOND CENTER HOLDINGS LLC Dimond Roundtable, LLC	800 E DIMOND BLVD #3-500 800 E. Dimond Blvd	ANCHORAGE 2606	AK B3	99515 Restaurant/Eating Place
01312210000 Brown Jug/Dimond & Old Seward	WD CORPORATION Brown Jug, Inc.	341 W TUDOR ROAD #103 8840 Old Seward, Unit F	ANCHORAGE 3886	AK I1	99503 Package Store
01420235000 Godfather's Pizza #2503	CUSATO DAVID & MARCY ANN SKH Services, Inc.	200 W 34TH AVE 8201 Old Seward Hwy	ANCHORAGE 1682	AK B3	99503 Restaurant/Eating Place
01420282000 Sicily's Pizza	FAULK DAVID G Sicily's Pizza Inc.	8401 BRAYTON DRIVE #200 1201 E Dimond Blvd.	ANCHORAGE 4485	AK B3	99507 Restaurant/Eating Place
01420282000 Sicily's Pizza	FAULK DAVID G Sicily's Pizza Inc.	8401 BRAYTON DRIVE #200 1201 E Dimond Blvd.	ANCHORAGE 4245	AK B3	99507 Restaurant/Eating Place
01427119000 Gallo's Mexican Restaurant #2	GALLO LIMITED PARTNERSHIP Gallos Mexican Restaurant, Inc	PO BOX 111846 8615 Old Seward Hwy	ANCHORAGE 3572	AK B3	99511 Beverage Dispensary
01427128000 Goldrush Liquors	ANC HAWKINS LLC 78.45% & Goldrush Liquors Inc.	8645 W FRANKLIN ROAD 8601 Old Seward Hwy	BOISE 3349	ID B3	83709 Package Store
01428118000 Sam's Club #6601	SAMS REAL ESTATE/BUSINESS TRST Sams West, Inc.	1301 SE 10TH STREET 8801 Old Seward Hwy	BENTONVILLE 3303	AR B3	72716 Package Store

005



Alcohol Church and School List Report

Case Number: 2006-122

Description: 1000 feet

Parcel	Parcel Owner Name	Parcel Site Address	Description
01420222000	ANCHORAGE KOREAN OPEN-DOOR PRESBYTERIAN CHURCH	8220 BRIARWOOD ST	RELIGION
01420260000	VIKING HALL INC	8150 GREENWOOD ST	CHARITABLE
01420270001	GRACE PENTECOSTAL CHURCH INC		RELIGION
01420295000	ANCHORAGE KOREAN OPEN-DOOR PRESBYTERIAN CHURCH	8200 BRIARWOOD ST	RELIGION
01420306000	VIKING HALL INC	8141 BRIARWOOD ST 44	CHARITABLE

Parcels--Multiple Layers

Fri Aug 18, 11:13:59, 2006

Map: Parcels--Multiple Layers



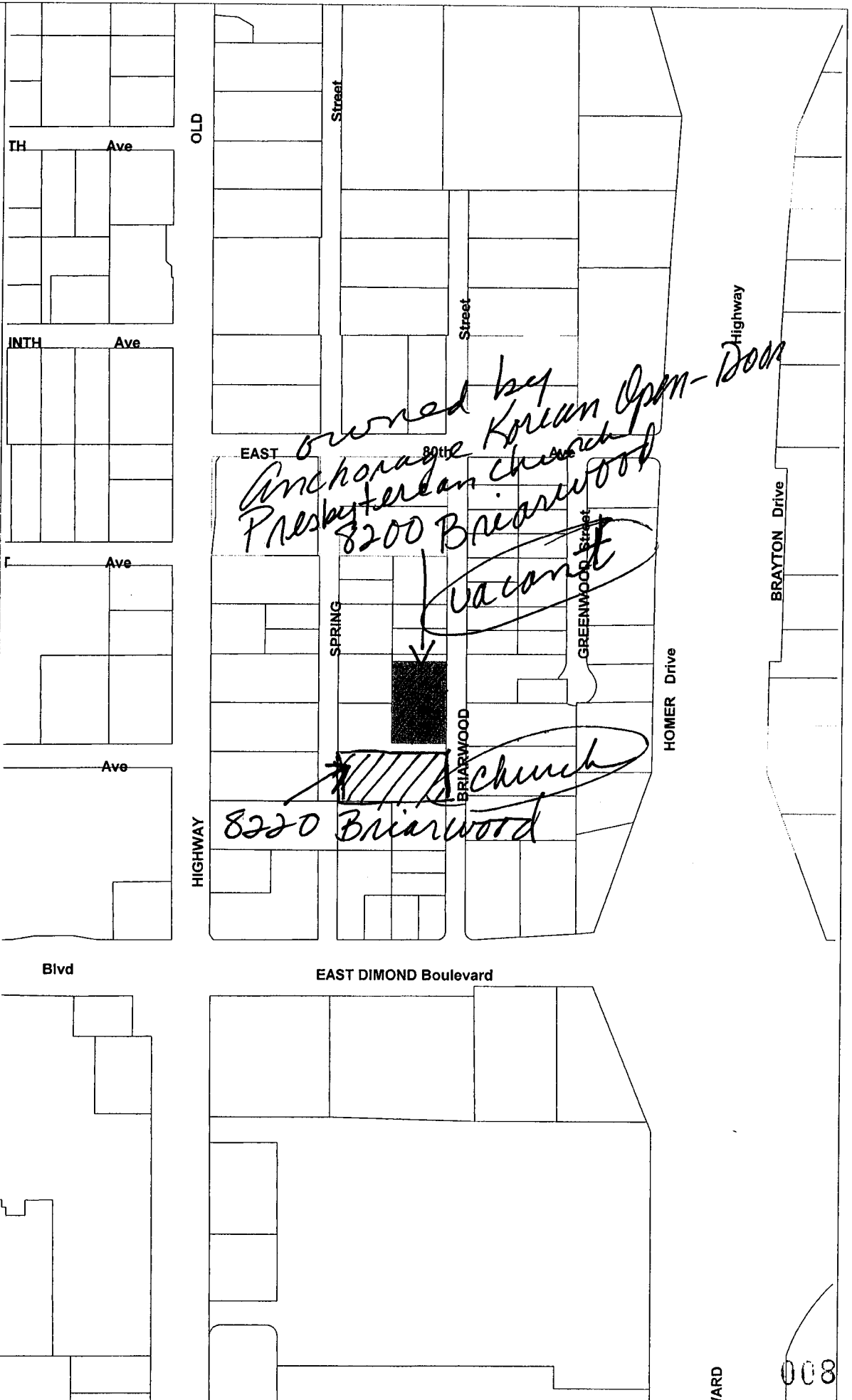
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PARCELS



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

DATE: September 12, 2006

CASE NO.: 2006-122

APPLICANT: Suite 100, Inc.

REPRESENTATIVE: Kelly A. Nichols

REQUEST: Conditional Use for an Alcoholic Beverages Conditional Use in the B-3 District for a Beverage Dispensary Use and License #4562 per AMC 21.40.180.D.8

LOCATION: Grand Northern Mall Subdivision, Tract B; generally located at the southeast corner of Dimond Boulevard and Old Seward Highway.

STREET ADDRESS: 1000 East Dimond Boulevard

COMMUNITY COUNCIL: Taku-Campbell

TAX PARCEL: 014-271-10/ Grid 2332

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.

SITE:

Acres: 2.28 acres /99,337 SF
Vegetation: none
Zoning: B-3
Topography: Flat
Existing Use: Office Building
Soils: Public Sewer & Water

COMPREHENSIVE PLAN

Classification: Commercial
Density: N/A

SURROUNDING AREA

	NORTH	EAST	SOUTH	WEST
Zoning:	B-3	B-3	B-3	B-3
Land Use:	Commercial Retail	Borders Books; Seward Highway	K-Mart	Dimond Center Mall; Old Seward Highway

SITE DESCRIPTION AND PROPOSAL:

The petition property is a 2.28-acre lot located at the southeast corner of the Old Seward Highway and Dimond Boulevard. It contains a two-story, 29,758 square foot, commercial office building.

The petitioner is seeking final conditional use approval for an alcoholic beverages conditional use in the B-3 District for a Beverage Dispensary license per AMC 21.40.180.D.8 for a new restaurant, Suite 100. The restaurant consists of 6,495 square feet and is located on the first floor of the building. Based on a floor diagram there is a bar with 16 bar stools, 29 booths and 19 tables for a total of 124 fixed seats and 121 non-fixed seats.

The sale of alcoholic beverages will represent 25 percent compared to 75 percent food sales. The restaurant and alcohol sales will operate Friday and Saturday from 4:00 PM to Midnight; Sunday through Thursday from 4:00 PM to 11:00 PM. Entertainment includes both live and recorded music. All employees with direct contact with alcohol will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program. Non-alcoholic beverages will be available, notices of penalties for driving intoxicated will be posted, and patrons will have access and assistance to public transportation. There will be no entertainment defined as "indecent material" or "adult entertainment," no happy hours, games or contests that include consumption of alcoholic beverages, and no solicitation or encouragement of alcoholic beverage consumption. Sales to persons who are inebriated or underage are prohibited. There is sufficient parking provided as evidenced by the approved building permit.

Beverage dispensary license #132 dba Black Angus Meat Market at 1101 West Fireweed Lane is being transferred to Suite #100 as license #4562.

PUBLIC COMMENTS:

Fifty-four (54) public hearing notices (PHNs) were mailed. At the time this report was written no PHNs were returned; no written comment has been received from the Taku/Campbell Community Council.

FINDINGS

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

This site is not identified on the *Anchorage 2020 Plan* Land Use Policy Map (p. 50) which sets the direction for the preferred form of long-term growth and development in the Anchorage Bowl. The 1982 *Anchorage Bowl Comprehensive Development Plan* Generalized Land Use Plan Map 3-1 classified this property as commercial. The Plan mentions the Dimond Center area as having high overall employment. 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* calls for the development of locational standards and criteria for retail sales/service of alcoholic beverages. To date these have not been developed.

Several goals of the *Anchorage 2020 Plan* address related issues such as recreational and economic opportunities. The new restaurant is located in an area with concentrations of office and commercial development. The restaurant is within walking distance of tourist related uses such as hotels, restaurants, movie theatres, recreational uses such as bowling and ice rinks, a large shopping center with general merchandise and retail businesses, a bank and office buildings. The sale of alcoholic beverages is part of the social, recreational and economic environment of the community.

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

This standard is met.

The B-3 Business District zoning regulations allow alcoholic beverage sales through the conditional use permit process: AMC 21.40.180 D.8. *Liquor stores, restaurants, tearooms, cafes, private clubs or lodges and other places serving food or beverages involving the retail sale, dispensing or service of alcoholic beverages in accordance with section 21.50.160.*

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

This standard is met.

The B-3 District is intended for general commercial uses, including restaurants that serve alcoholic beverages. The Dimond Shopping Mall includes restaurants that serve food and alcohol, such as Round Table Pizza and O'Brady's Restaurant. The restaurant is compatible with the B-3 and existing uses in area.

AMC 21.50.160.B asks that a list of all alcohol licenses located within a minimum of 1,000 feet of the proposed conditional use be provided. There is one day care and one church within 1,000-feet, but greater than 200 feet, of the petition site. Both are operated by the Anchorage Korean Open-Door Presbyterian Church located on Briarwood Street north of Dimond Boulevard. There are seven (7) restaurant/eating place licenses, one (1) recreation site license, one (1) beverage dispensary license and three (3) package store licenses within a 1,000-foot radius of the petition site. Approving this beverage dispensary license will add a second beverage dispensary-tourism license within a 1,000-foot radius of the petition site.

Alaska Statute 04.11.410, Restriction of location near churches and schools, restricts beverage dispensary and package store licenses from being located in a building the public entrance of which is within 200-feet of the public entrance of a church building, or from being located within 200-feet of school grounds. There are no church buildings or school grounds within 200 feet of this proposed restaurant.

D. *Will not have a permanent negative impact on the items listed below substantially greater than that anticipated from permitted development:*

1. *Pedestrian and vehicular traffic circulation and safety.*

This standard is met.

The B-3 District provides that all required parking be provided on site. Code Enforcement determined that 159 parking spaces are required, based on medical office, office, and restaurant cumulative use. The site provides 130 parking spaces. The site is short by 29 parking spaces. There is a joint parking agreement for 14 spaces with an adjacent tract per a recorded private agreement (Book #02694 page 374, 8/17/94). This results in the site being short 15 parking spaces which is within 90 percent of the required

standards. The restaurant does not open until 4 PM. Code Enforcement Manager and Municipal Traffic Engineer approved a waiver, dated August 18, 2006, in accordance with AMC 21.45.080.Y.

The building permit addressed vehicular and pedestrian traffic circulation and safety. There are adequate entrances and exits for vehicles to and from adjacent streets and roadways. The parking area is well lit.

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

This standard is met.

The addition of a restaurant serving alcohol at this location will not impact public services. Electrical, water and sewer, natural gas are available on 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. The public parking lots are paved, which control air 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-tourism license.

Standards Chapter 10.50 Alcoholic Beverages

In the exercise of its powers and under AS 04.11.480 and 13 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.

There is one day care and one church within 1,000-feet of the petition site. Both are operated by the Anchorage Korean Open-Door Presbyterian Church located on Briarwood Street north of Dimond Boulevard, which is more than 200-feet from the petition site. There are seven (7) restaurant/eating place licenses, one (1) recreation site license, one (1) beverage dispensary license and three (3) package store licenses with a 1,000-foot radius of the petition site. Approving this beverage dispensary license will add a second beverage dispensary-tourism license within a 1,000-foot radius of the petition site.

GJ's Dimond Bowl	800 E. Dimond #3-023	License #2869	Recreation Site
Gallo's Mexican	8615 Old Seward Hwy	License #3572	Beverage Dispensary
Brown Jug	8840 Old Seward Hwy Unit F	License #3886	Package Store
Goldrush Liquors	8601 Old Seward Hwy	License #3349	Package Store
Sam's Club #6601	8801 Old Seward Hwy	License #3303	Package Store
Pizza Hut #11	729 E. Dimond Blvd	License #2935	Restaurant
O'Brady's Burgers and Brew	800 E. Dimond Blvd #159	License #1989	Restaurant
Panda Express	800 E. Dimond Blvd #241	License #3711	Restaurant
Round Table Pizza #4	800 E. Dimond Blvd #3-500	License #2606	Restaurant
Godfather's Pizza #2503	8201 Old Seward Hwy	License #1682	Restaurant
Sicilys Pizza	1201 E. Dimond Blvd	License #4485	Restaurant
Sicilys Pizza	1201 E. Dimond Blvd	License #4245	Restaurant

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 will be trained in accordance with the T.A.M. training and hold the appropriate certificates.

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

This standard is met.

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

Suite #100 will be open from 4:00 PM to 11:00 PM Sunday through Thursday, and 4:00 PM to Midnight Friday and Saturday.

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

This standard appears to be met.

According to the application the petitioner will have closed circuit video recording system at all doors, service centers and major congregation areas. The exterior of the facility will have increase lighting and parking areas will be monitored by staff. No additional safety procedures are mentioned in the application. The Anchorage Police Department reports no incidents at this location during the last two years.

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

This standard is met.

There are no delinquent Personal Property Taxes, Real Property Taxes or Downtown Improvement Special Tax Assessments owing at this time according to the Treasury Division.

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

No comments were received from the Department of Health and Human Services.

DHHS Childcare Enforcement previously commented on another beverage dispensary conditional use for this area that the nearest licensed child care center is Morning Star Christian School, located at 8220 Briarwood, which is in the New Seward/Briarwood area. The impact is expected to be minimal.

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

This form was not requested of this applicant.

RECOMMENDATION:

This application for a final conditional use for alcoholic beverages in the B-3 District for a beverage dispensary use and license generally meets the required standards of AMC Title 10 and Title 21.

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 a final conditional use approval for a beverage dispensary use in the B-3 District.
2. All uses shall conform to the plans and narrative submitted with this conditional use application.
3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the B-3 District for a Beverage Dispensary Use per AMC

21.40.180.D.8 for 6,495 SF restaurant area, for the Suite #100 Restaurant, located on Tract B, Grand Northern Mall Subdivision. The ground floor restaurant has a bar with seating for 16), 29 booths and 19 tables for a total of 124 fixed seats and 121 non-fixed seats.

4. On-premise sale of alcohol beverages seven (7)-days a week, Sunday through Thursday, 4:00 PM to 11:00 PM, and Friday and Saturday 4:00 PM to Midnight. Liquor sales will constitute approximately 25 percent of total gross receipts.
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.

**DEPARTMENTAL
COMMENTS**

Reviewing Agency Comment Summary Case No.: 2006-122

Agency	Comments Included in Packet	No Comments and/or Objections	No Response
Air Pollution Control			
Alaska DBOC			
Alaska Division of Parks			
Alaska DOW/BP		X	
Architect, Robert Drenthman	X		
AWWA		X	
Civil Enforcement			
Development Services			
DNR			
Environmental			
PHHS State Services			
Community Council			
Fire Protection		X	
Flood Hazard		X	
GLRP			
Long-Sale Water & Wastewater			
Parks and Recreation			
Physical Planning			
Project Mgt & Engineering		X	
Rights-of-Way		X	
School District			
Tenant			
Trucking	X		
Traffic & Transportation Planning		X	

To: Planning/Zoning Rich Cartier

RECEIVED

JUL 31 2006

POLICE DEPARTMENT CHECK LIST
FOR INVESTIGATION OF LICENSED LIQUOR ESTABLISHMENTS

Municipality of Anchorage
Police Division

2006-122

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

Type of Incident	Number of Incidents
None	0

Same	1101 W. Fireweed Lane
OLD BUSINESS NAME	OLD LOCATION
Black Angus Meat Market	1000 E. Dimond Blvd #100
BUSINESS NAME	LOCATION
Van Abel, Inc.	Same
NAME OF APPLICANT (S)	CURRENT LICENSEE (S)

- ☒ Full Beverage Dispensary
- ☐ 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.

07.27.06
DATE

by G. Gollin
for CHIEF OF POLICE

Municipality of Anchorage
Treasury Division
Memorandum

RECEIVED

JUL 20 2006

Municipality of Anchorage
Zoning Division

Date: July 17, 2006
To: Rich Cartier, Planning Dept.
From: Scott S Lee, Revenue Officer *SSL*
Subject: Liquor License Conditional Use Comments

Liquor License Conditional Use Application Case # 2006-122 for Suite 100 Inc. located at 1000 East Dimond Blvd. Suite 100 Anchorage, AK 99515 I can find no reason not to approve this application.



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



RECEIVED

PZC Case Comments

JUL 12 2006

Municipality of Anchorage
Zoning Division

DATE: July 12, 2006

TO: Eileen Pierce, P&Z

FROM: Anastasia Taylor, PM&E

SUBJECT: Comments for hearing date: 9/12/06

Case No. 2006-122 Conditional Use – Alcohol, Suite 100 inc.

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

MUNICIPALITY OF ANCHORAGE
Anchorage Water & Wastewater Utility

M E M O R A N D U M

RECEIVED

JUL 24 2006

Municipality of Anchorage
Zoning Division

DATE: July 24, 2006
TO: Jerry Weaver, Zoning Division Administrator, Planning Department
FROM: Sandy Notestine, Engineering Technician, AWWU
SUBJECT: Zoning Case Comments
Planning & Zoning Commission Hearing September 12, 2006
AGENCY COMMENTS DUE August 15, 2006

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

2006-122 **Grand Northern Mall (Zone B-3 Cond. Use – Restaurant w/alcohol) Grid SW2332**

1. AWWU has no objection to a restaurant serving alcohol.

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.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

FRANK H. MURKOWSKI, GOVERNOR

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

July 20, 2006

RECEIVED

RE: MOA Zoning Review JUL 24 2006

Municipality of Anchorage
Zoning Division

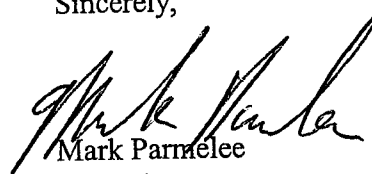
Mr. Jerry Weaver, Platting Officer
Municipality of Anchorage
P.O. Box 196650
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities, ADOT&PF, has reviewed the following platting cases and has no comment:

- 2006-122, Conditional Use, Final Approval-Restaurant Serving Alcohol, Kelly Nichols

Sincerely,


Mark Parnellee
Area Planner

/em

cc: Chuck Swenor, Anchorage M&O Superintendent
Louise Hooyer, RLS, Engineering and Survey Supervisor, Right of Way
Tucker Hum, Right of Way Agent, Right of Way
Scott Thomas, P.E., Regional Traffic Engineer, Traffic Safety and Utilities

2006-115	R. Cartier	Yes 7/31/06	No Objection
2006-116	R. Cartier	Yes 7/31/06	No Comment
2006-118	R. Cartier	Yes 7/31/06	No Objection
2006-119	R. Cartier	Yes 7/31/06	No Objection
<u>2006-122</u>	R. Cartier	Yes 7/31/06	No Objection
2006-123	R. Cartier	Yes 7/31/06	No Comment
2006-124	R. Cartier	Yes 7/31/06	No Objection
2006-125	R. Cartier	Yes 7/31/06	No Objection
2006-126	R. Cartier	Yes 7/31/06	No Objection
2006-127	R. Cartier	Yes 7/31/06	No Objection
2006-128	R. Cartier	Yes 7/31/06	No Objection
2006-129	R. Cartier	Yes 7/31/06	No Comment
S11284-3	J. Weaver	Yes 7/31/06	No Objection
S11527-1	J. Weaver	Yes 7/31/06	No Objection
S11517-1	J. Weaver	Yes 7/31/06	No Objection
S11518-1	J. Weaver	Yes 7/31/06	No Objection
S11521-1	J. Weaver	Yes 7/31/06	No Objection
S11522-1	J. Weaver	Yes 7/31/06	No Comment
S11523-1	J. Weaver	Yes 7/31/06	No Objection
S11525-1	J. Weaver	Yes 7/31/06	No Objection
S11123-3	J. Weaver	Yes 7/31/06	No Objection
S11470-2	J. Weaver	Yes 7/31/06	No Comment
S11505-2	J. Weaver	Yes 7/31/06	No Comment
S11519-1	J. Weaver	Yes 7/31/06	No Objection
S11520-1	J. Weaver	Yes 7/31/06	No Objection
S11524-1	J. Weaver	Yes 7/31/06	No Comment
S11526-1	J. Weaver	Yes 7/31/06	No Comment
S11510-1	J. Weaver	Yes 7/31/06	No Objection

RECEIVED

JUL 31 2006

Municipality of Anchorage
Zoning Division

AFD

Jim



MUNICIPALITY OF ANCHORAGE

Development Services Department

Right of Way Division



MEMORANDUM

DATE: August 10, 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 September 12, 2006.

RECEIVED

AUG 11 2006

Municipality of Anchorage
Planning Division

Right of Way has reviewed the following case(s) due August 15, 2006.

06-122 **Grand Northern Mall, Tract B, grid 2332**
(Conditional Use for Alcohol Dispensing, Restaurant)
Right of Way Division has no comments at this time.
Review time 15 minutes.



MUNICIPALITY OF ANCHORAGE
Traffic Department



MEMORANDUM

RECEIVED

JUL 31 2006

DATE: July 28, 2006

TO: Jerry T. Weaver, Platting Supervisor, Planning Department
Municipality of Anchorage Zoning Division

THRU: Leland R. Coop, Associate Traffic Engineer

FROM: Mada Angell, Assistant Traffic Engineer

SUBJECT: Traffic Engineering and Transportation Planning Comments for the
September 12, 2006 Assembly Public hearing

06-122

Grand Northern Mall; Conditional Use for serving alcohol; Grid2332

Traffic Engineering and Transportation Planning have no comment.



RECEIVED

JUL 24 2006

Municipality of Anchorage
Zoning Division

FLOOD HAZARD REVIEW SHEET for PLATS

Date: 7-21-06

Case: 2006-122

Flood Hazard Zone: C

Map Number: 0243

☐ 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

3

APPLICATION

Application for Conditional Use Retail Sale Alcoholic Beverages

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

Please fill in the information asked for below.

PETITIONER*	PETITIONER REPRESENTATIVE (IF ANY)
Name (last name first) <u>Suite 100 Inc.</u>	Name (last name first) <u>KELLY A. NICHOLS</u>
Mailing Address <u>1000 East Dimond Blvd. #208</u>	Mailing Address <u>4261 AMBLER CIRCLE</u>
<u>Anchorage, AK 99515</u>	<u>ANCH. AK 99504</u>
Contact Phone: Day: <u>240-6657</u> Night:	Contact Phone: Day: <u>240-6657</u> Night: <u>338-7762</u>
FAX:	FAX:
E-mail: <u>Suite100@gci.net</u>	E-mail: <u>suite100@gci.net</u>

*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): <u>0142711000018</u>		
Site Street Address: <u>1000 East Dimond Blvd. Anch. AK 99515</u>		
Property Owner (if not the Petitioner): <u>Dickertoff Paulina Joan - Living Trust</u>		
Current legal description: (use additional sheet in necessary) <u>Grand Northern Mall Tract B</u>		
Zoning: <u>B-3</u>	Acreage: <u>99337 sq. ft.</u>	Grid # <u>SW 2332</u>

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: <u># 132</u>		
Transfer license location: <u>1101 West Fireweed Lane, Anch., AK 99503</u>		
Transfer licensed premises doing business as: <u>Black Angus Meat Market</u>		

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 7/10/06 Signature (Agents must provide written proof of authorization) [Signature]

Accepted by: MA

|| Poster & Affidavit

|| Fee

\$ 4000.00

|| Case Number

2006-122 031

COMPREHENSIVE PLAN INFORMATION

Anchorage 2020 Urban/Rural Services: ☒ Urban ☐ Rural

Anchorage 2020 West Anchorage Planning Area: ☐ Inside ☒ Outside

Anchorage 2020 Major Urban Elements: Site is within or abuts:

- ☐ Major Employment Center ☒ Redevelopment/Mixed Use Area ☐ Town Center
☐ Neighborhood Commercial Center ☐ Industrial Center
☐ Transit - Supportive Development Corridor

Eagle River-Chugiak-Peters Creek Land Use Classification:

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

Girdwood-Turnagain Arm

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

ENVIRONMENTAL INFORMATION (All or portion site affected)

- Wetland Classification: ☒ None ☐ "C" ☐ "B" ☐ "A"
Avalanche Zone: ☒ None ☐ Blue Zone ☐ Red Zone
Floodplain: ☒ None ☐ 100 year ☐ 500 year
Seismic Zone (Harding/Lawson): ☐ "1" ☐ "2" ☐ "3" ☐ "4" ☐ "5"

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

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

DOCUMENTATION

- Required: ☒ Site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location.
☒ Building plans to scale depicting: floor plans indicating the location of sales and service areas; building elevations (photographs are acceptable).
☒ Photographs of premises from each street frontage that include and show relationship to adjacent structures and the premises visible street address number.
☒ Narrative: explaining the project; construction, operation schedule, and open for business target date.
☒ Copy of a zoning map showing the proposed location.
☒ Copy of completed Alcoholic Beverage Control Board liquor license application form including all drawings and attachments, if filed with ABC Board.
Optional: ☐ Traffic impact analysis ☐ Economic impact analysis ☐ Noise impact analysis

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

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

May 19, 2006

Mike Barry

MIKE BARRY

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):

Suite 100

What is the gross leaseable floor space in square feet?

6500, plus common areas

What is the facility occupant capacity?

268 plus employees

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

124

29 BOOTHS

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

121

19 TABLES

Included in 121
14 LOUNGE SEATS
18 BAR STOOLS

What will be the normal business hours of operation?

Fri. - Sat. 4pm - Midnight, Sun. - Thurs. 4pm - 11pm

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

Fri. - Sat. 4pm - Midnight, Sun. - Thurs. 4pm - 11pm

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

% Alcoholic beverage sales 25%

% Food sales 75%

Type of entertainment proposed: (Mark all that apply)

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

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

DISTANCE FROM CHURCHES, DAY CARE, AND SCHOOLS

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

Name

Address

None within 200 feet

* Korean Open Door Church and Daycare

625 feet (as a crow flies)

1/4 mile (pedestrian)

PACKAGE STORES

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

n/a

% 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?

none

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

7 total (1 full dispensary, 1 package, 4 Beer/Wine, 1 specialty use - catering)

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

2-3

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

need information

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? 100%

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: Professionally trained and operating staff
~~Spectra~~ Closed circuit video recording system at all doors, service centers and major congregation areas

outside facility:

Increased lighting and monitoring by staff and management as needed

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

Autor, Mary P.

From: Suite 100 [suite100@gci.net]
Sent: Thursday, August 17, 2006 11:55 AM
To: Autor, Mary P.
Subject: Re: Suite 100 Lease Area

Mary,
Floor space within the space is 6495, the lease is for 8136.
The additional 1640 sq ft is for our percentage of the buildings common area.
Hope this clarifies.
Any other problems, please ask.
Kelly

On 8/17/06 11:24 AM, "Autor, Mary P." <AutorMP@ci.anchorage.ak.us> wrote:

Can you clarify the size of your lease area. The conditional application (page 3) says the gross leaseable floor space is 6,500 SF plus common areas, but your lease says Suite 100 has 8,136 SF.

Mary Autor,
Senior Planner

autormp@muni.org
907-343-7941 (Voice)
907-343-7927 (Fax)

Planning Department
Zoning Division
4700 Bragaw Street, Room 153
PO Box 196650
Anchorage, AK 99519-6650

Narrative:

Target Start Date: 9/15/06

Business Operation:

Open:

Sunday - Thursday 4:00 PM - 11:00 PM

Friday & Saturday 4:00 PM - Midnight

Location:

1000 East Dimond Blvd. Suite 100

Anchorage, Alaska 99515

Size:

6500 square feet, plus corporate offices upstairs, and common areas

Occupancy = 268 (245 seats, 16 waiting, 7 kitchen)

Dining Room Seating Capacity = 185 (41 tables)

Bar Seating Capacity = 60 (7 tables, 16 stools, 14 lounge)

Contact Information:

Kelly A. Nichols

4261 Ambler Circle

Anchorage, Alaska 99504

Office: 333-3597

Home: 338-7762

Cell: 240-6657

Email: suite100@gci.net

Our Restaurant

Located at the corner of Dimond and Old Seward in Anchorage, Suite 100 is a locally owned and operated, full-service, dining and drinking establishment with an upscale, casual atmosphere. Suite 100 encompasses 6500 sq. ft. and has an occupancy rating of 268. Our goal for this welcome and needed addition to Anchorage dining is to create a restaurant that is captivating, yet familiar and approachable. Suite 100 will offer a full gamut of steaks, chops, pastas, salads, fresh seafood, and locally grown vegetables. Our food will be innovative and fantastic. The bar will offer tantalizing cocktails and an extensive wine cellar. The cellar will be obvious and richly

stocked with an eclectic array of labels that range from regular, everyday table wines to less recognizable, special occasion choices. Educated, engaging, professional service in a warm, comfortable, environment will create Suite 100's inviting energy.

Construction:

Suite 100 will be a new restaurant built from concrete up. This building was not previously a restaurant so, to our benefit, the remodel will be extensive and dramatic. Currently the architecture firm of Spreng and Associates along with RSA Engineering are drawing up plans for filing with the city's planning office. Plans will be finished 7/11/06. Permit timeframe is expected to take three weeks, with demolition starting 7/15/06 and construction starting 8/1/06. Our target date to open is September 15th.

Conditional Use Standards:

#1 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.

This request requires no zoning changes. Currently this location is zoned B-3, general business use, and is covered under AMC 21 .40.180. This proposed conditional use furthers the goals and policies of the comprehensive development plan while continuing to conform to the standards set forth by AMC 21.05 in a multitude of ways.

First, this conditional use request, develops, diversifies and services the immediate area while staying within the commercial district boundaries. This development adheres to the Anchorage 2020 plan and helps create a “thriving, sustainable, broad-based economy supported by an efficient urban infrastructure” (Anchorage Comprehensive Plan Page 37.) Additionally, The Anchorage Comprehensive Plan states that it wants to promote economic development, “Business Support and Development: a quality of life and a financial climate that encourages businesses to start up, expand, or relocate in Anchorage” (Anchorage Comprehensive Plan Page 41.)

Secondly, as this building is already built and located at a major transportation hub and existing shopping and gathering place, we feel we can solidify one of the plan’s stated goals by reducing trip mileage and trip generation, particularly from the hillside and South Anchorage” (Anchorage Comprehensive Plan Page 47.) We intend to accomplish this task by servicing the residents in the immediate area before or after shopping and entertainment. Simply put, the residents are already in the area we want to keep them there rather than going to midtown or downtown in order to dine out.

Finally, as this building was built 23 years prior and the portion we are occupying was vacant for several years prior to our proposed use, this conditional use request falls in exactly within the 2020 plans stated goals “in order to use existing commercial land more efficiently, redevelopment, conversion, and reuse of underused commercial areas shall be encouraged.” (Anchorage Comprehensive Plan page 75 policy #21 B) Specifically, we want to accomplish one of the plan’s stated goals of neighborhood redevelopment and adhere to this classification by providing jobs, services, and commerce within the existing neighborhood infrastructure.

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

1. Use: the B-3, general business district, zoning regulations allow for restaurants with alcoholic beverage sales through the conditional use permit process: AMC 21.40.180 D.8, "Liquor stores, restaurants, tearooms, cafes, private clubs or lodges, and other places serving food or beverages involving the retail sale, dispensing or service of alcoholic beverages in accordance with section 21.50.160"
2. Parking: AMC21.40.180 K "adequate off-street parking shall be provided in connection with any permitted use, subject to the provisions of the supplementary district regulations." Attached site plan has 132 parking spaces.
3. Loading facilities: AMC 21.40.180 L "Where applicable, off-street loading facilities shall be provided in accordance with the provisions of the supplementary district regulations." Although not required, a loading area has been designated on the SE portion of the building (see attached site plan.)
4. Refuse Collection: AMC 21.40.180 M "Where applicable, refuse collection facilities shall be provided in accordance with the supplementary district regulations." A refuse collection area has been designated on the SE portion of the property (see attached site plan.)
5. Landscaping: AMC 21.40.180 N This property has extensive existing landscaping (see attached site plans and pictures.)

#3 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.

This proposed conditional use will fit the intent of the existing neighborhood and proposed use perfectly. Located at the corner of Dimond and Old Seward Highway, this restaurant will provide needed services (entertainment and sustenance), employment opportunities (45 new jobs), and neighborhood redevelopment and vitality. This proposed

conditional use fits the Anchorage 2020 plan for a Commercial/Mixed-use Center Designations” very well because we can do all this for the surrounding neighborhoods while keeping business in the commercial district but in close proximity to other businesses and accessible to the surrounding residents. Businesses in close proximity to the space include several other restaurants, bars, extensive shopping areas, and professional offices.

#4 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.
Street and sidewalks currently exist around the property. The previous occupant of the space (4 years prior) was FNBA, a bank that had a high vehicular and pedestrian traffic over the scope of a typical day. If anything, we expect to help congestion by providing our services in the evening hours.

#2 The demand for and availability of public services and facilities.
We do not expect to put demands upon the public services and facilities above or beyond permitted development. Electrical, natural gas, water and sewer are available and on site.

#3 Noise, air, water or other forms of environmental pollution.
All of our equipment is new and adheres to and is better and more efficient than the industry standards. We will not cause or contribute to environmental pollution.

#4 The maintenance of compatible and efficient development patterns and land use intensities.
The zoning, general land use, or specific land use will not change as a result of this conditional use.

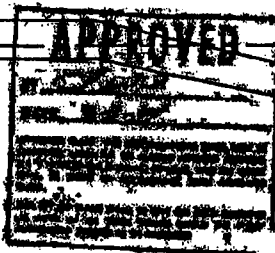
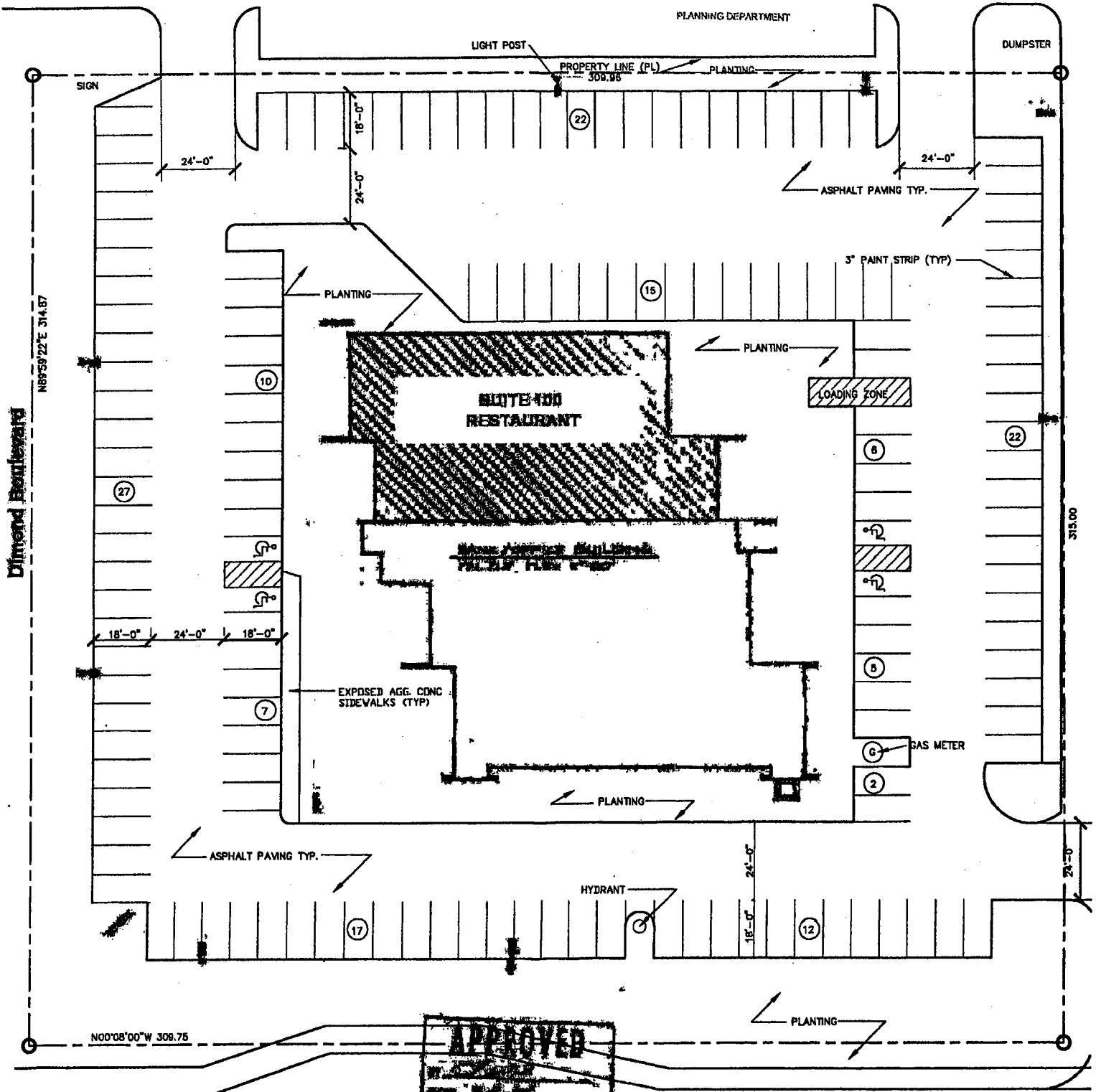
Grand Northern Building

Rec'd 8/18/06

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AUG 18 2006

PLANNING DEPARTMENT



site plan

scale 1" = 20'-0"

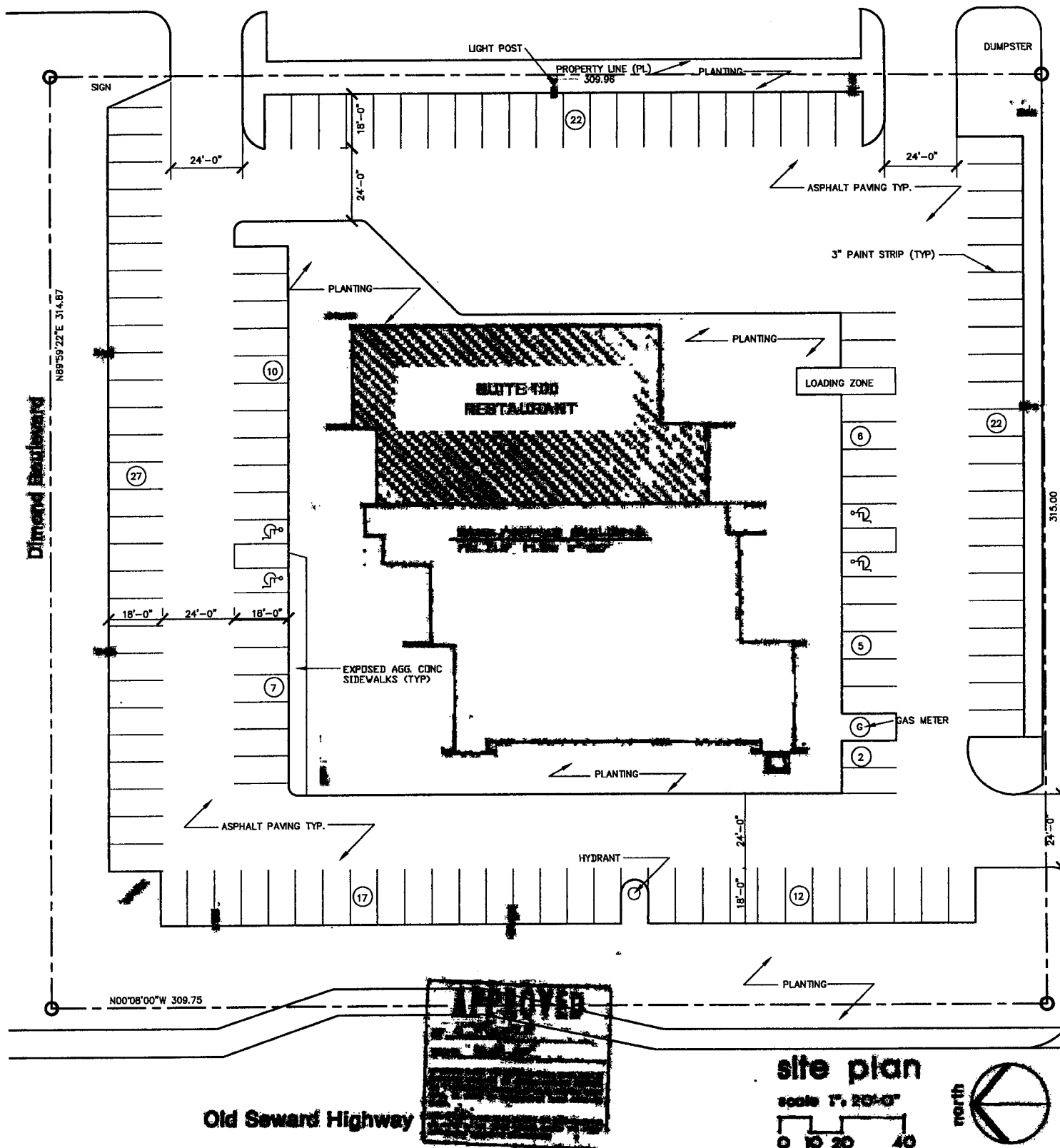


Old Seward Highway

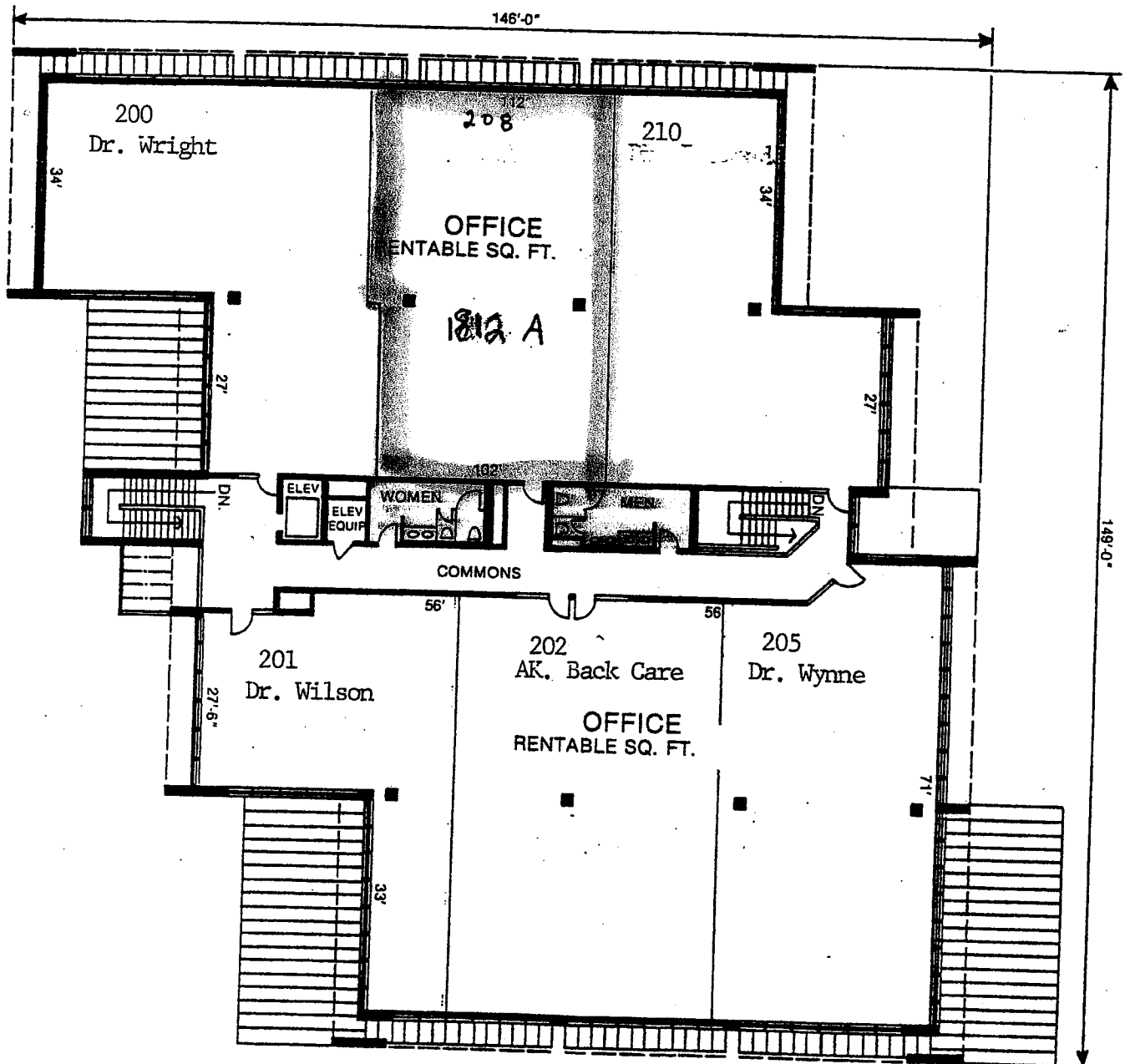
Seal certifies parking conditions are accurately shown based on actual site observation.

044

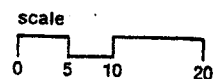
Old Seward Highway



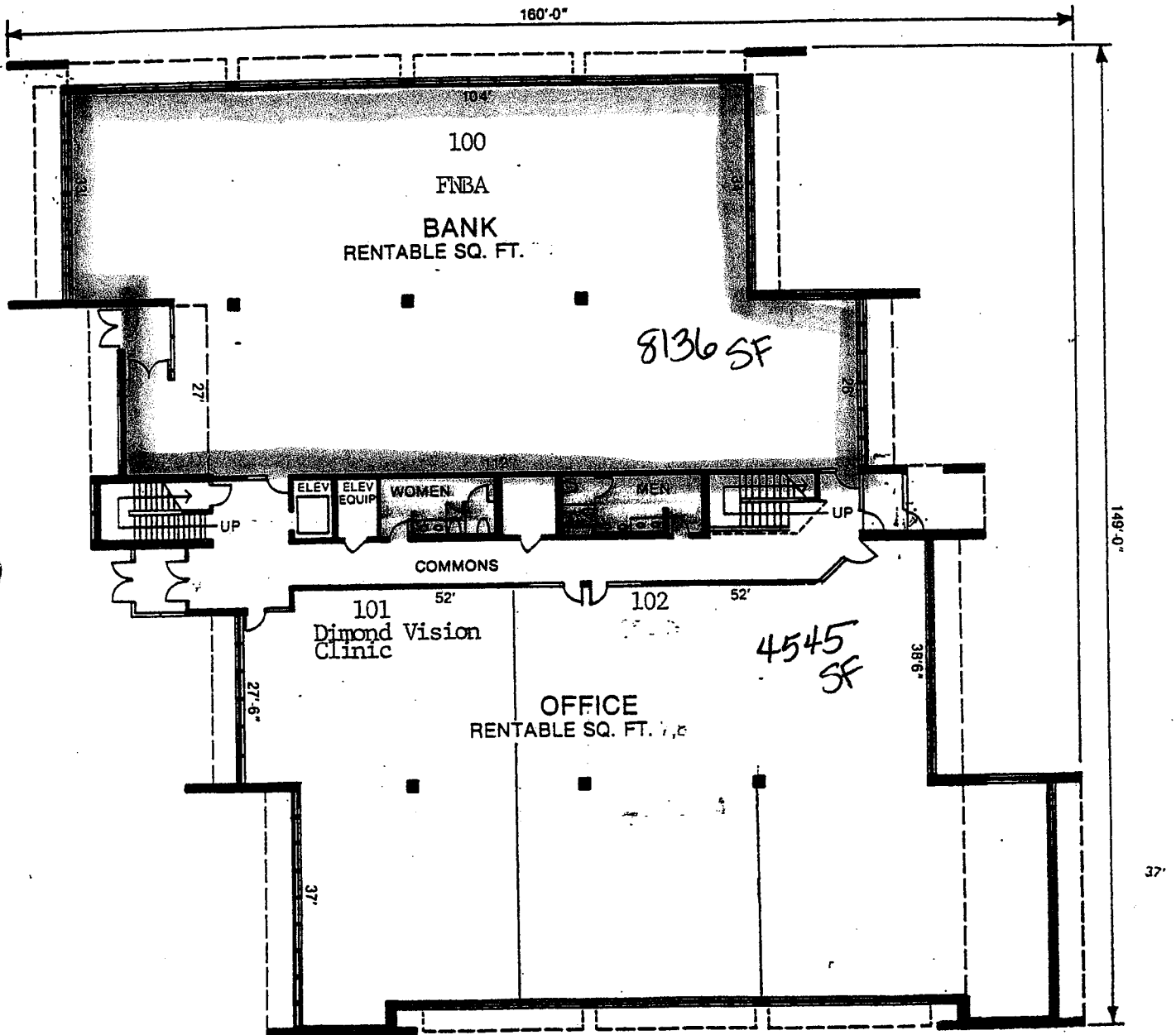
Grand Northern Building



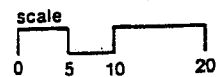
second floor lease plan



Grand Northern Building



first floor lease plan



Suite 100-Dinner Menu

Small Plates:

10-15 offerings, ranging in price from \$5.00-\$15.00

Ceviche of the Day

Seared Tuna

The Cheese and Olive World Tour, a sampler plate

Steamed Alaskan Mussels with a blood orange saffron cream sauce

Sautéed mushroom caps

Pan seared Gyoza

Herbed Fresh Goat Cheese stuffed Zucchini Rolls

Scallop and Shrimp Kabobs

Seared Fairweather Scallops in a tomato cream sauce

Gulf of Alaska Roasted Oysters

Pancetta wrapped Asparagus

Crab and Lobster Spring Rolls with Apricot vinaigrette

Prime Rib, pineapple, and teriyaki mango skewers

Kumamoto Oysters with blood orange aspic

“Meat on a stick”- chicken, beef or pork skewers with assorted dunking sauces

Surf and Turf combo platter

Soups and Salads:

5-7 different salads available in 2 sizes

Price range from \$4.00-\$12.00

House clam chowder and a rotating soup of the day

Cumin-Lime vinaigrette with butter crunch lettuce and pasilla peppers

Baby spinach, blue cheese and chutney salad

Sweet strawberry spinach salad

Sweet pea with bacon salad

Salad #5 TBA

Salad #6 TBA

House salad with 4 choice dressings to choose from.

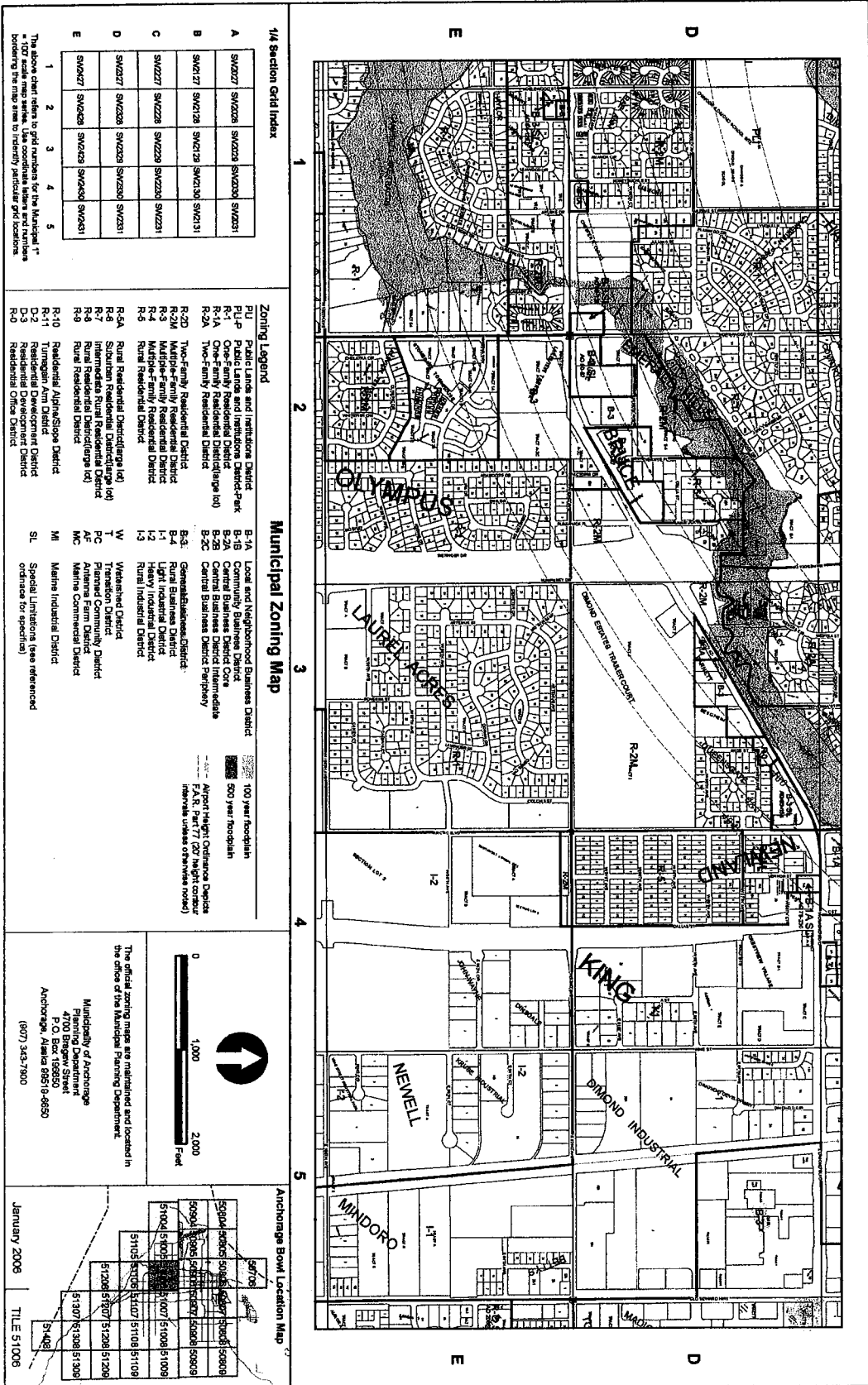
Large Plates:

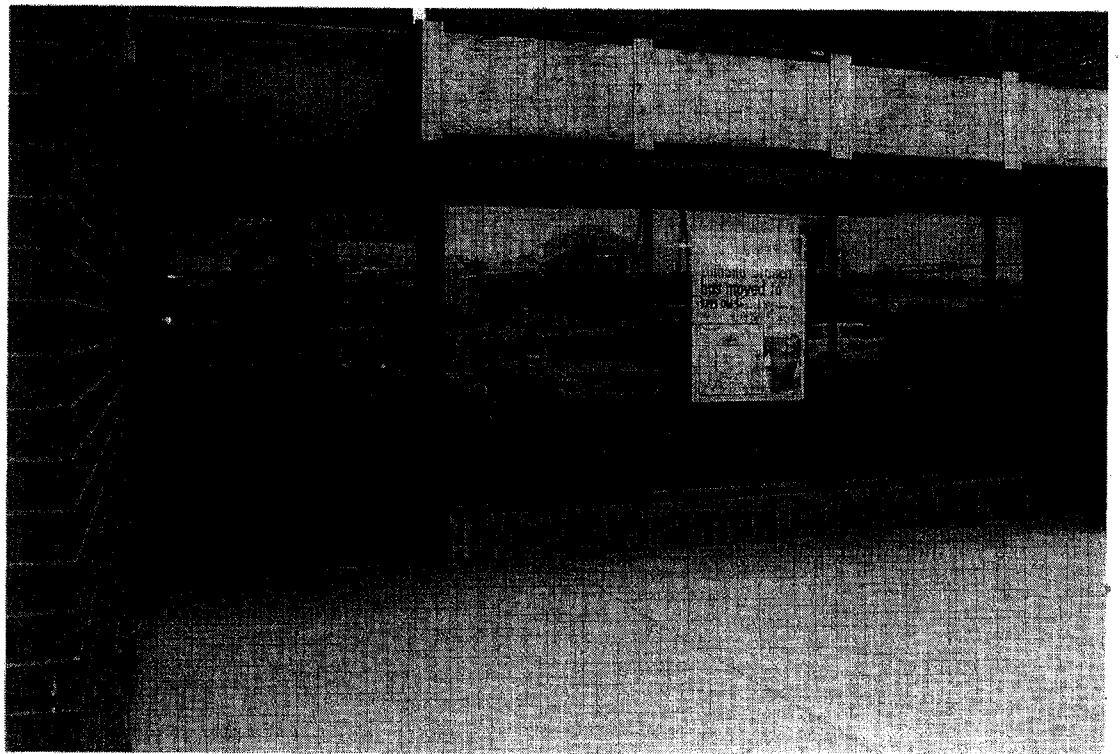
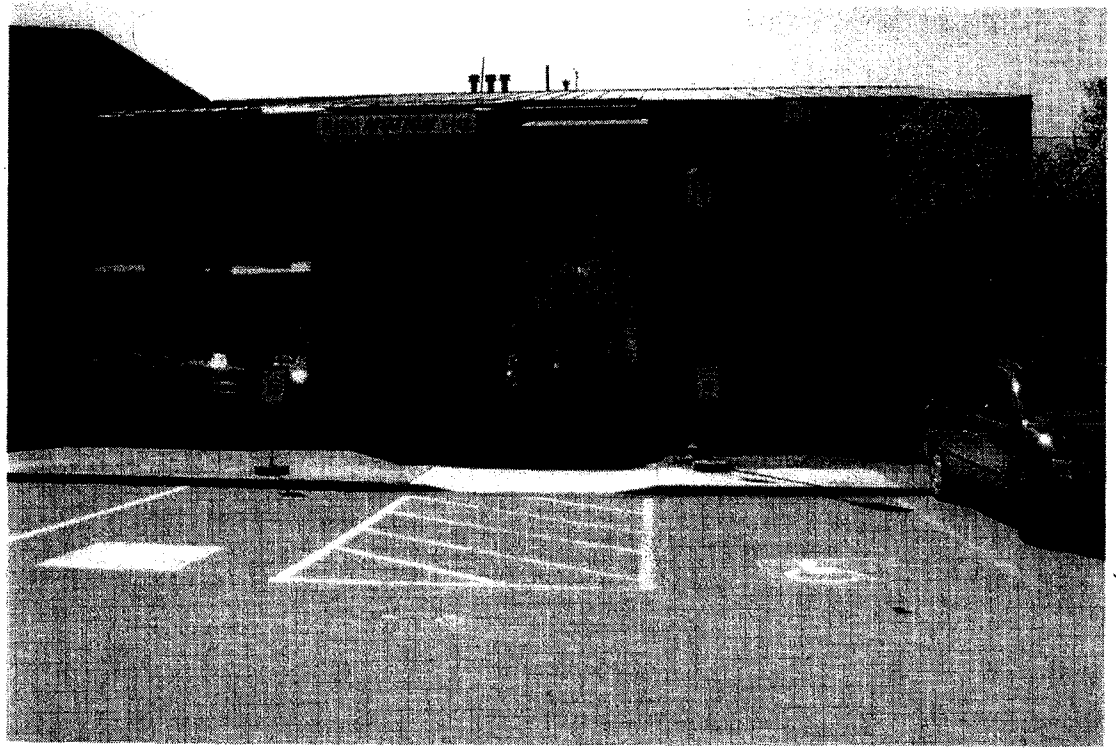
15-24 different offerings

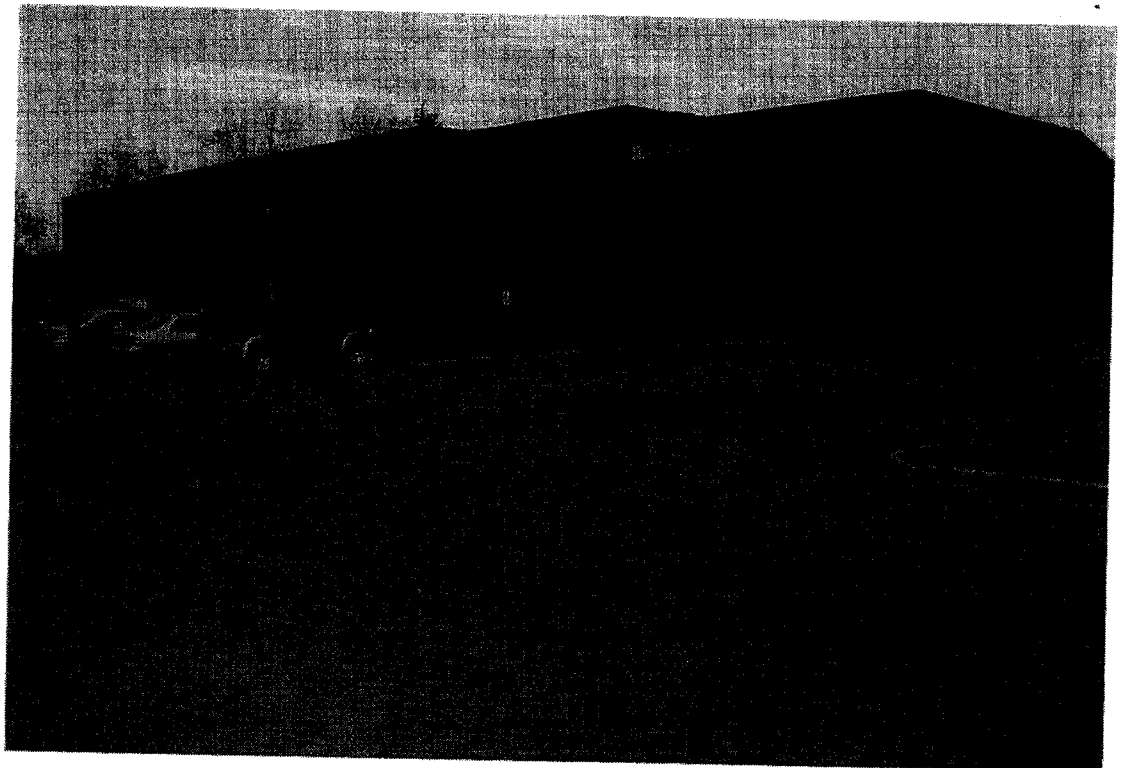
Price ranges from \$12.00- \$34.00

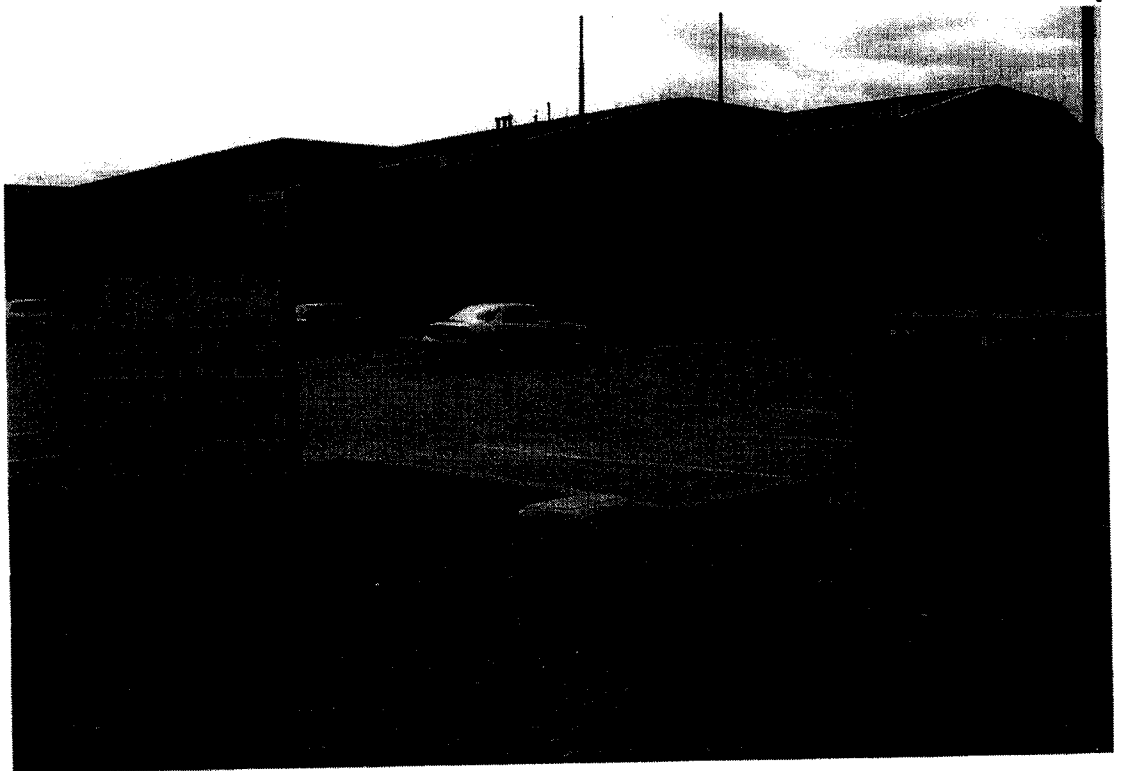
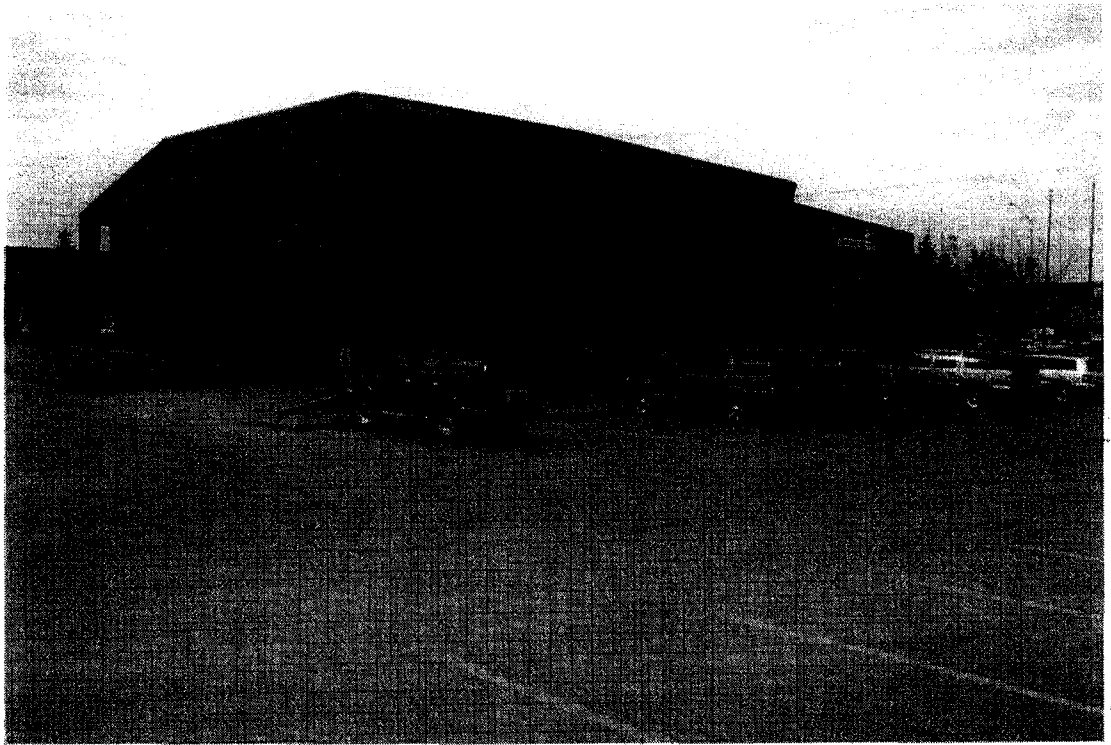
Alberta Buffalo Rib Eye	22
-12 oz grilled steak with pickled horseradish, mashed sweet potatoes and veg	
Bleu cheese stuffed Filet Mignon with mushroom medley	22
-8 oz hand cut filet with mushroom, bleu cheese compound butter	
Peppercorn encrusted New York with a bourbon demiglaze	24
-Grilled center cut steak served with a tasty demi and tellicherry peppercorns	
The best Babybacks in town! Half and Full Rack options	22
-Smokey, slow roasted, and falling off the bone, served with mashed sweets and coleslaw	
Fresh Ground Chuck Burger	12
-Fresh, all natural, ground daily, like "the \$8 milkshake", worth every penny	
Slow roasted Pork Shoulder Sandwich	14
-Served with a spicy BBQ sauce, sweet and sour coleslaw, fries	
Split Cornish Game Hens	18
-Grilled to perfection and seasoned with a sesame soy dressing and papaya lime relish	
"Island" Flank Steak Pinwheels	22
-Sweet, savory and spicy, served with mashed sweets and baby bok choy	
Grilled Raspberry Pork tenderloin medallions	18
-Raspberry marinated tenderloin charbroiled till crunchy on the outside and juicy in the middle	
Center cut, bone-in pork chops	16
Pan seared to perfection and served with Marsala cream, caper berries, and fresh sage	
Heidi's Halibut Olympia	20
-Creamy, rich, goodness that flakes, an Alaskan staple	
Jumbo Alaskan Scallops with wild mushrooms	24
-Admittedly an odd combination, wait till you try them.	
Sam and Mimi's Korean BBQ Salmon	20
-Fresh wild salmon grilled to perfection with a spicy Korean BBQ, served with rice and veg	
Gourmet Fish and Chips	18
-Fresh Halibut battered and fried to perfection	
Coconut encrusted Jumbo Alaskan Shrimp	16
-Served with a cool mango-jalapeno dipping sauce, steamed rice and veg	

New Zealand Lobster Tail	34
-A charbroiled 8 oz tail from beautiful New Zealand, served with butter	
Alaska King Crab	32
-A full pound steamed and served with butter, rice and veg	
Fairweather Scallop kabobs	22
-Six jumbo succulent Scallops grilled and basted	
Organic boneless Chicken Breast	16
-Madeira and fresh herb marinated and pan seared to perfection	
Penne Pasta with a vodka cream sauce	16
-Contrary to popular belief, this is not a Russian dish, but they wish it were	
Crab, Shrimp and Lobster stuffed Ravioli	18
-Creamy sauce, sweet seafood, fresh made raviolis, and Parmesan cheese	









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: <u>2006</u>	License Type: <u>FULL BEVERAGES DISPENSARY</u>	Statute Reference Sec. 04.11. <u>090</u>	License Fee: \$
License #: <u>132</u>			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) <u>ANCHORAGE ASSEMBLY</u>	Community Council Name(s) & Mailing Address: <u>TAKU CAMPBELL COMMUNITY COUNCIL</u>		Fingerprint: (\$59 per person)
Federal EIN or SSN:			Total Submitted: 3
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>VAN ABEL, INC.</u>	Doing Business As (Business Name): <u>SUITE 100</u>	Business Telephone Number: <u>245-5580</u>	
		Fax Number: <u>245-5581</u>	
Mailing Address: <u>724 EAST 15th AVE #1</u>	Street Address or Location of Premise: <u>1000 E. JENKINS BLVD</u>	Email Address: <u>JUANABEL@CCI.NET</u>	
City, State, Zip: <u>ANCHORAGE, AK</u>	<u>SUITE #100</u> <u>ANCHORAGE, AK 99515</u>		

SECTION B - TRANSFER INFORMATION.

☒ Regular Transfer

☐ 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.

☐ Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.

Name and Mailing Address of Current Licensee:

BLACK ANGUS MEAT MARKET, INC.

6034 STADEN A. ANCHORAGE, AK

Business Name (dba) BEFORE transfer:

BLACK ANGUS MEAT MARKET

Street Address or Location BEFORE transfer:

1161 W. FINLANDER LANE, ANCHORAGE AK 99503

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

Closest school grounds:
ST. ANTHONY'S ELEMENTARY

Distance measured under:

- ☐ AS 04.11.410 OR
☐ Local ordinance No.

Closest church:

KOREAN GYM CHURCH

Distance measured under:

- ☐ AS 04.11.410 OR
☐ Local ordinance No.

- ☐ Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.
☐ Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.
☒ Not applicable

Premises to be licensed is:

- ☐ Proposed building
☒ Existing facility
☐ New building

- ☒ Plans submitted to Fire Marshall (required for new & proposed buildings)
☒ 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

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

☐ Yes ☒ No If Yes, attach written explanation.

Office use only

Date Approved

Director's Signature

ALC

6 JUN 30 112:13

Control

Alcoholic Beverage Control Board
5848 E Tudor Rd
Anchorage AK 99507
PH: 907 269-0350 - FX: 907 272-9412

Liquor License

PAGE 2 of 2
Licensee Information
www.dps.state.ak.us/abc

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

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): VAN ABEL, INC.		Telephone Number: 245-5580	Fax Number: 245-5581
Corporate Mailing Address: 724 E. 15TH AVENUE, SUITE 1	City: ANCHORAGE	State: ALASKA	Zip Code: 99501
Name, Mailing Address and Telephone Number of Registered Agent: 245-5580 724 E. 15TH AVENUE, SUITE 1 JEFFREY M. VAN ABEL ANCHORAGE, AK. 99501		Date of Incorporation OR Certification with DCED: MARCH 13, 2006	State of Incorporation: ALASKA
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
JEFFREY M. VAN ABEL	PRES.	100	3430 W. 31 ST AVE. 248-2080 ANCHORAGE, ALASKA 99517	245-5580	3/24/1947


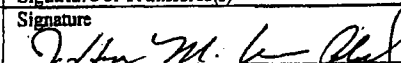
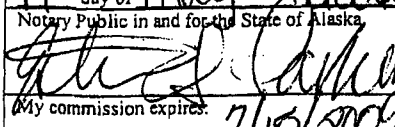
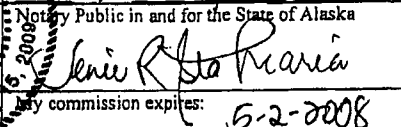
NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.

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

Name: MARSHA K. VAN ABEL Address: 3430 W. 31ST AVENUE ANCHORAGE, AK. 99517 Home Phone: 248-2080 Work Phone: N/A	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
	Date of Birth: 7/8/1952		Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
	Date of Birth:		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: 		Signature of Transferee(s) Signature: 	
Name & Title (Please Print) YUNG-KUEI(SAM) LEONG, PRESIDENT		Name & Title (Please Print) JEFFREY M. VAN ABEL, PRESIDENT	
Subscribed and sworn to before me this 19th day of May , 2006		Subscribed and sworn to before me this 19th day of May , 2006	
Notary Public in and for the State of Alaska  My commission expires: 7/15/2009		Notary Public in and for the State of Alaska  My commission expires: 5-2-2008	

Transfer App 11/05

057

ANCHORAGE PUBLISHING, INC.

Mail: P.O. Box 241841, Anchorage, Alaska 99524-1841
Office: 540 E. Fifth Avenue, Anchorage, Alaska 99501
Phone: (907) 561-7737 Fax: (907) 561-7777



ANCHORAGE PRESS AFFIDAVIT OF PUBLICATION

Liquor License Transfer Notice

Black Angus Meat Market Inc., d/b/a
Black Angus Meat Market Inc. located
at 1101 W. Fireweed Lane, Anchorage,
Alaska 99503 is applying for transfer of
a Beverage Dispensary Liquor License
A.S. 04.11.090 to Van Abel, Inc. d/b/a
Suite 100 located at 1000 E. Dimond
Blvd., Anchorage, Alaska 99515.

** Interested persons should
submit written comment to
their local governing body,
the applicant, and the Alcoholic
Beverage Control Board at
5848 East Tudor, Anchorage,
AK 99507.

I, Bridget Mackey, advertising representative for Anchorage Publishing, Inc.,
verify that the Liquor License Transfer Notice for Black Angus Meat Market Inc.,
d/b/a Black Angus Meat Market Inc. located at 1101 W. Fireweed Lane,
Anchorage, Alaska 99503, was published in the May 25, June 1 and June 8, 2006
issues of the Anchorage Press Newspaper.

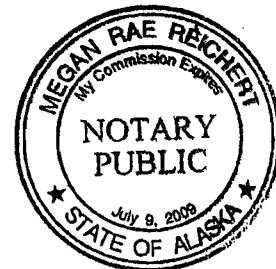
A handwritten signature in black ink, appearing to read "Bridget Mackey".
Bridget Mackey

Subscribed and sworn to me in the Municipality of Anchorage, in the state of
Alaska, 8th day of June, 2006.

A handwritten signature in black ink, appearing to read "Megan Rae Reichert".
Notary Public Signature

Notary Public Seal:

07/09/2009
Commission Expires



Rec'd # 01474112

**GRAND NORTHERN BUILDING
OFFICE LEASE AGREEMENT**

THIS Lease Agreement is made this 27 day of April, 2006 between Grand Northern LLC, hereinafter referred to as "Landlord", and Suite 100, Inc. and Kelly Nichols as personal guarantor, whose principal office is located at 1000 E. Dimond Blvd. Suite 100/208, hereinafter referred to as "Tenant".

RECITALS:

Landlord is the owner of a structure (hereinafter the "Building") and all other improvements situated on real property at 1000 E. Dimond Blvd., Anchorage, Alaska, and more particularly described as:

TRACT "B", GRAND NORTHERN MALL SUBDIVISION, in accordance with Plat No. 83-139, records of the District Recorder for the Anchorage Recording District, Third Judicial District, State of Alaska.

All of which collectively, including the building, is the "Property", and is illustrated on Exhibit "A" attached hereto and by reference incorporated herein, and

In consideration for the rents to be paid and of the mutual covenants, promises and conditions hereinafter set forth, the parties have and do agree as follows:

1. **Grant of Leased Premises.** Landlord hereby leases to Tenant and Tenant hereby rents from Landlord, certain premises designated as:

Suite 100, which is located on the First floor of the Building as per Exhibit B. The suite (hereinafter referred to as the "Leased Premises") contains an area of approximately 8,136 rentable square feet.

Suite 208, which is located on the Second floor of the Building as per Exhibit B. The suite (hereinafter referred to as the "Leased Premises") contains an area of approximately 1,812 rentable square feet.

Tenant shall have the contractual right to use the janitor's mop sink located in the adjacent maintenance closet by keyed access.

2. **Term of Lease.** The term of this lease shall be for a period of Ten (10) year(s) and Zero month(s) following the

Landlord

Tenant

commencement of the term as provided for in Paragraph 3 of this Office Lease Agreement. Term shall commence August 1, 2006 and occupancy granted at execution.

3. **Commencement of Term.** The occupancy shall commence on the ____ day of at execution of lease and payment of deposit. Further Term and rent shall commence August 1, 2006.

4. **Use of Common Areas.** Notwithstanding payment of rent, Tenant, and its customers, invitees, and employees, is hereby granted, subject to paragraph 10 hereof, a non-exclusive license to reasonably use all of the common areas and any enlargements thereof within and outside of the Building for such purposes as the areas are designed and designated.



Landlord



Tenant

Landlord's Address:
Grand Northern LLC
% Hilligas Company
903 W. Northern Lights Blvd. #210
Anchorage, Alaska 99503

LANDLORD:

Michael O. Barry
Michael O. Barry
Title: _____
Date: _____

Tenant's Address:

Suite 100 / 208
1900 East Diamond Blvd
Anchorage AK

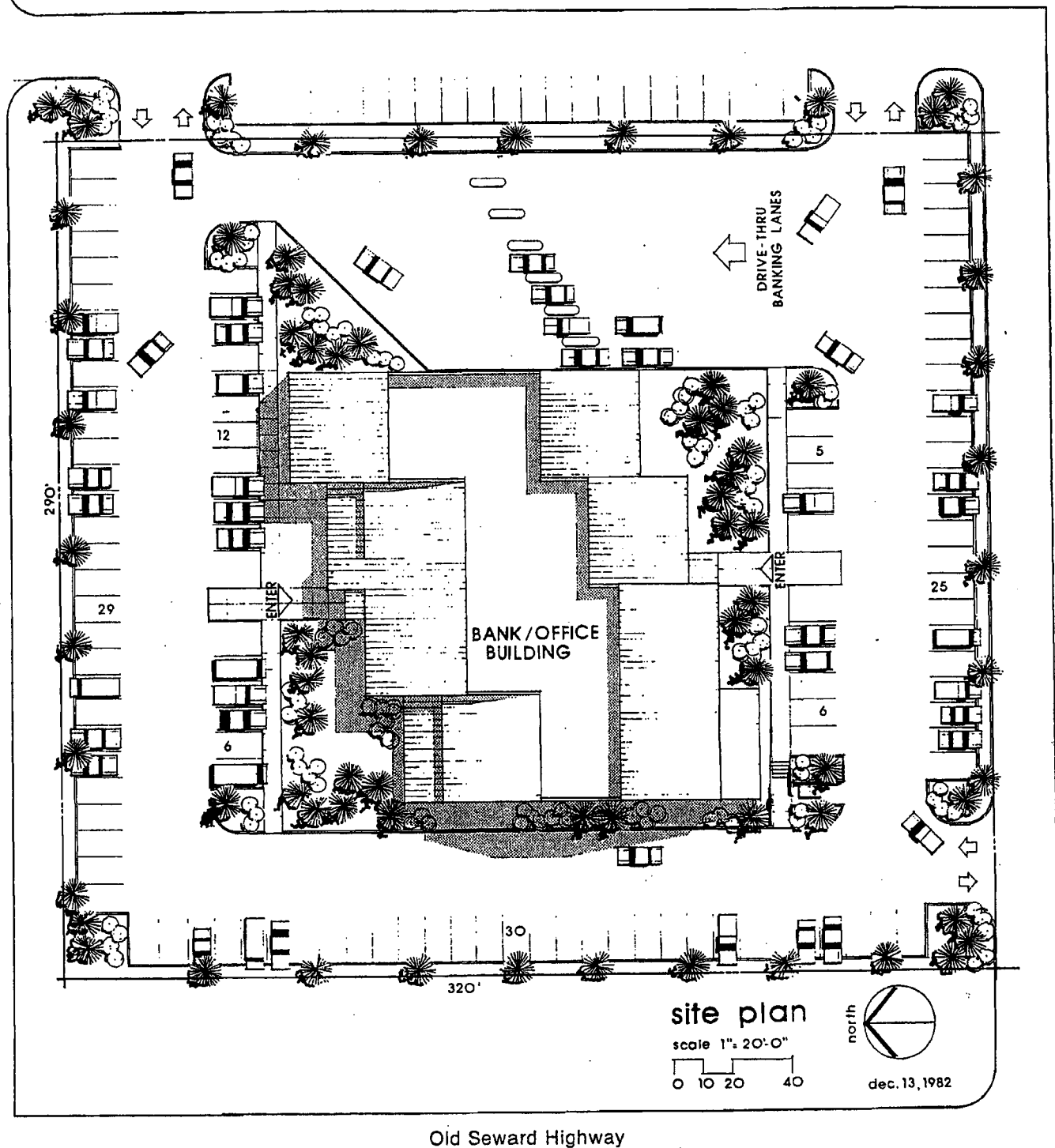
TENANT:

By: [Signature]
Title: President
Date: 4/28/06

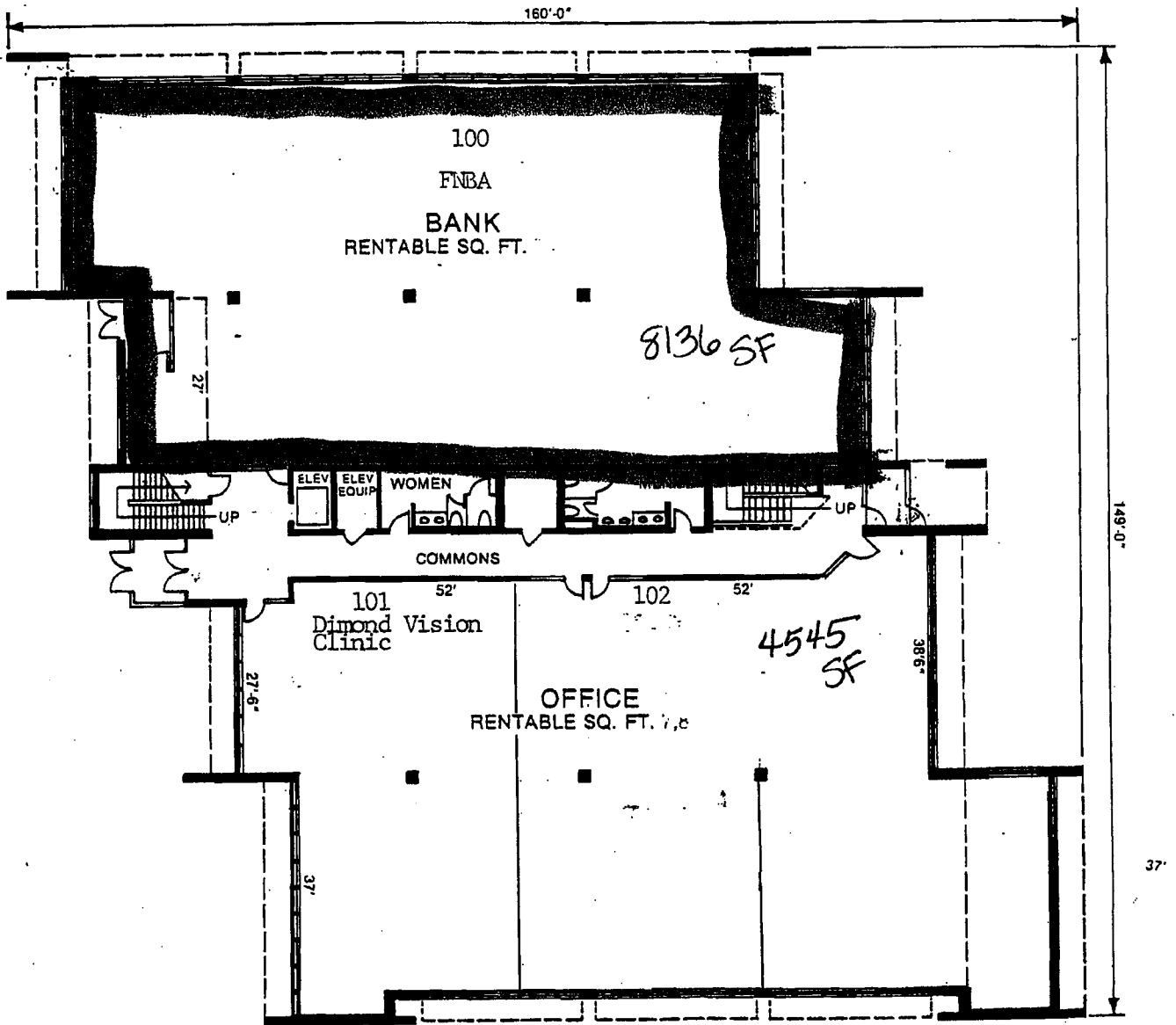
[Signature]
Landlord

[Signature]
Tenant

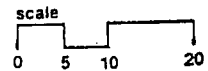
Grand Northern Building



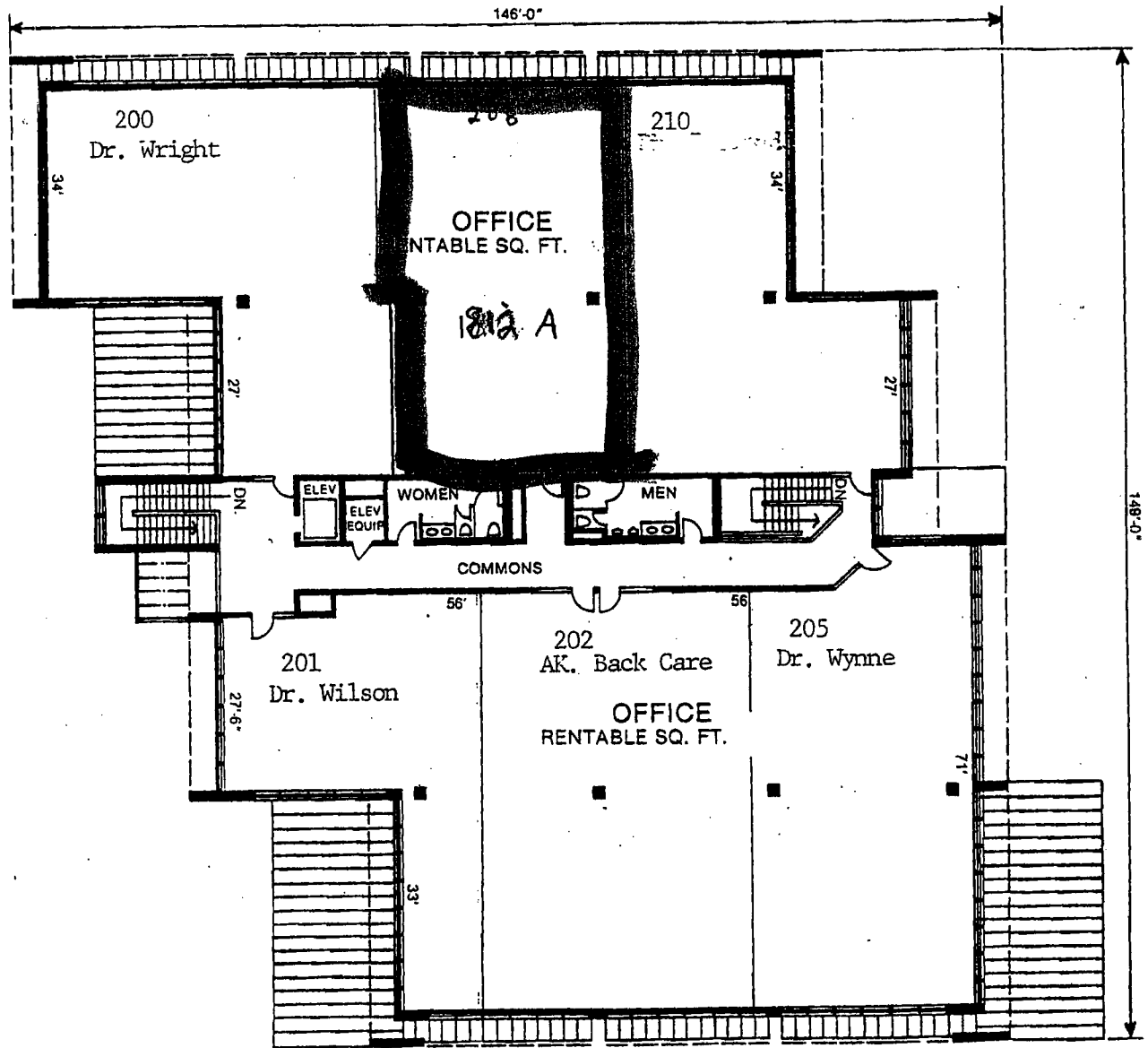
Grand Northern Building



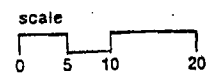
first floor lease plan



Grand Northern Building



second floor lease plan



STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD

STATEMENT OF FINANCIAL INTEREST

CONFIDENTIAL

TO BE COMPLETED BY EACH APPLICANT, EITHER INDIVIDUAL OR CORPORATE

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

APPLICANT'S NAME AND MAILING ADDRESS	DBA (BUSINESS NAME) AND LOCATION
<i>VAN ABEL, INC.</i>	<i>SUITE 100</i>
<i>724 E. 15th AVENUE, SUITE 1</i>	<i>1000 E. DIMOND BLVD</i>
<i>ANCHORAGE, ALASKA 99501</i>	<i>ANCHORAGE, ALASKA 99515</i>

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

NAME	ADDRESS	AMOUNT	PURPOSE
<i>NONE</i>			

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

Signature of Applicant/Transferee:

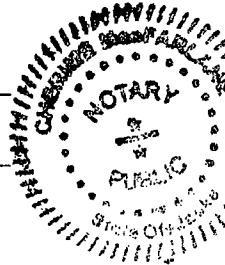
Jeff M. K. Paul

6-23-2006

Date

Subscribed and sworn to before me this

23rd Day of *June* *2006*



Notary Public in and for the State of Alaska

My commission expires *11/22/08*

Alaska Entity #: 99691

**State of Alaska
Department of Commerce, Community, and
Economic Development
Corporations, Business and Professional Licensing**

**CERTIFICATE
OF
INCORPORATION
Business Corporation**

THE UNDERSIGNED, as Commissioner of Commerce, Community, and Economic Development of the State of Alaska, hereby certifies that Articles of Incorporation duly signed and verified pursuant to the provisions of Alaska Statutes has been received in this office and have been found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce, Community, and Economic Development, and by virtue of the authority vested in me by law, hereby issues this certificate to

Van Abel, Inc.

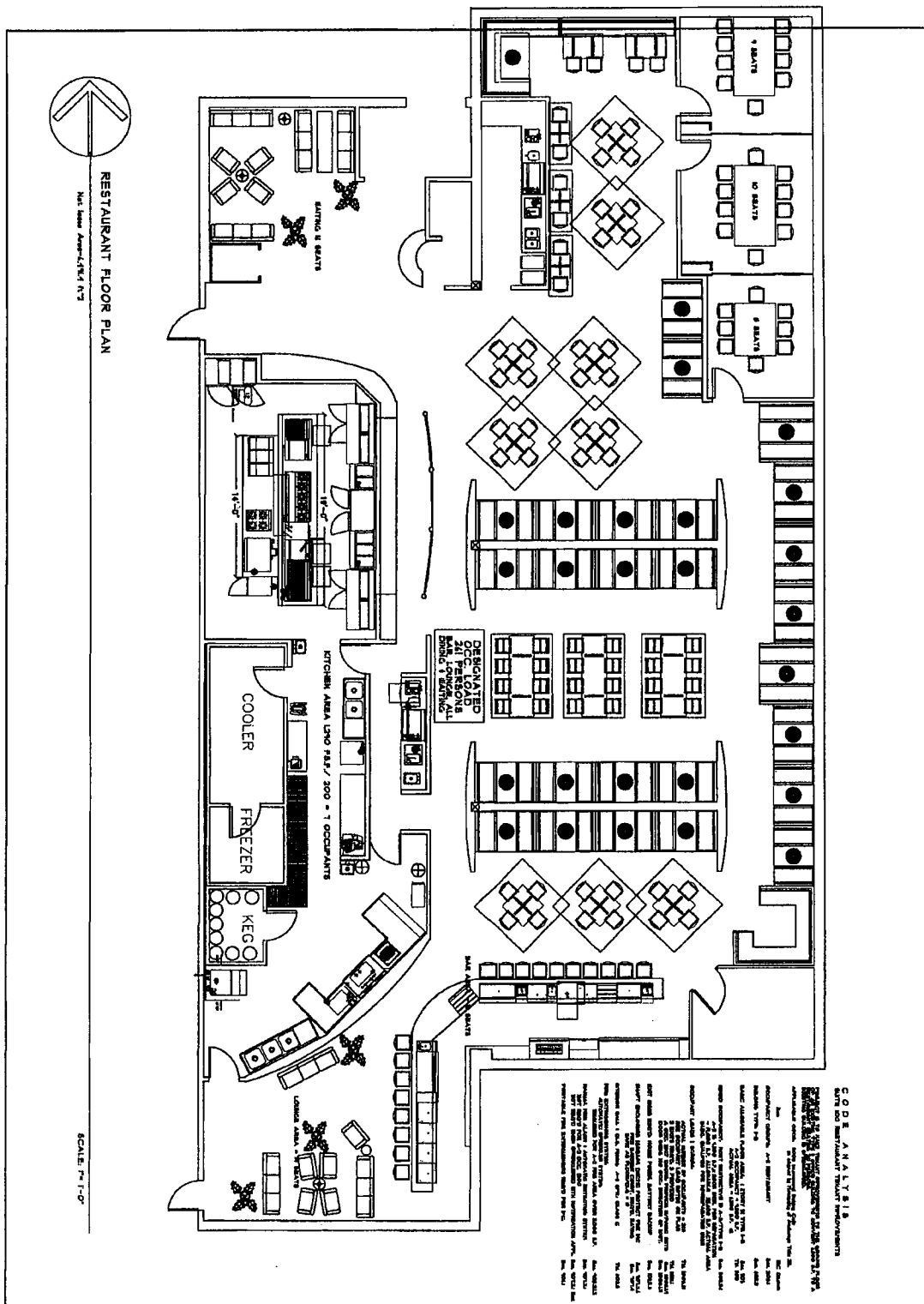
and attaches hereto the original copy of the Articles of Incorporation for such certificate.



IN TESTIMONY WHEREOF, I execute this certificate and affix the Great Seal of the State of Alaska on March 13, 2006.

A handwritten signature in black ink, appearing to read "William C. Noll".

William C. Noll
Commissioner

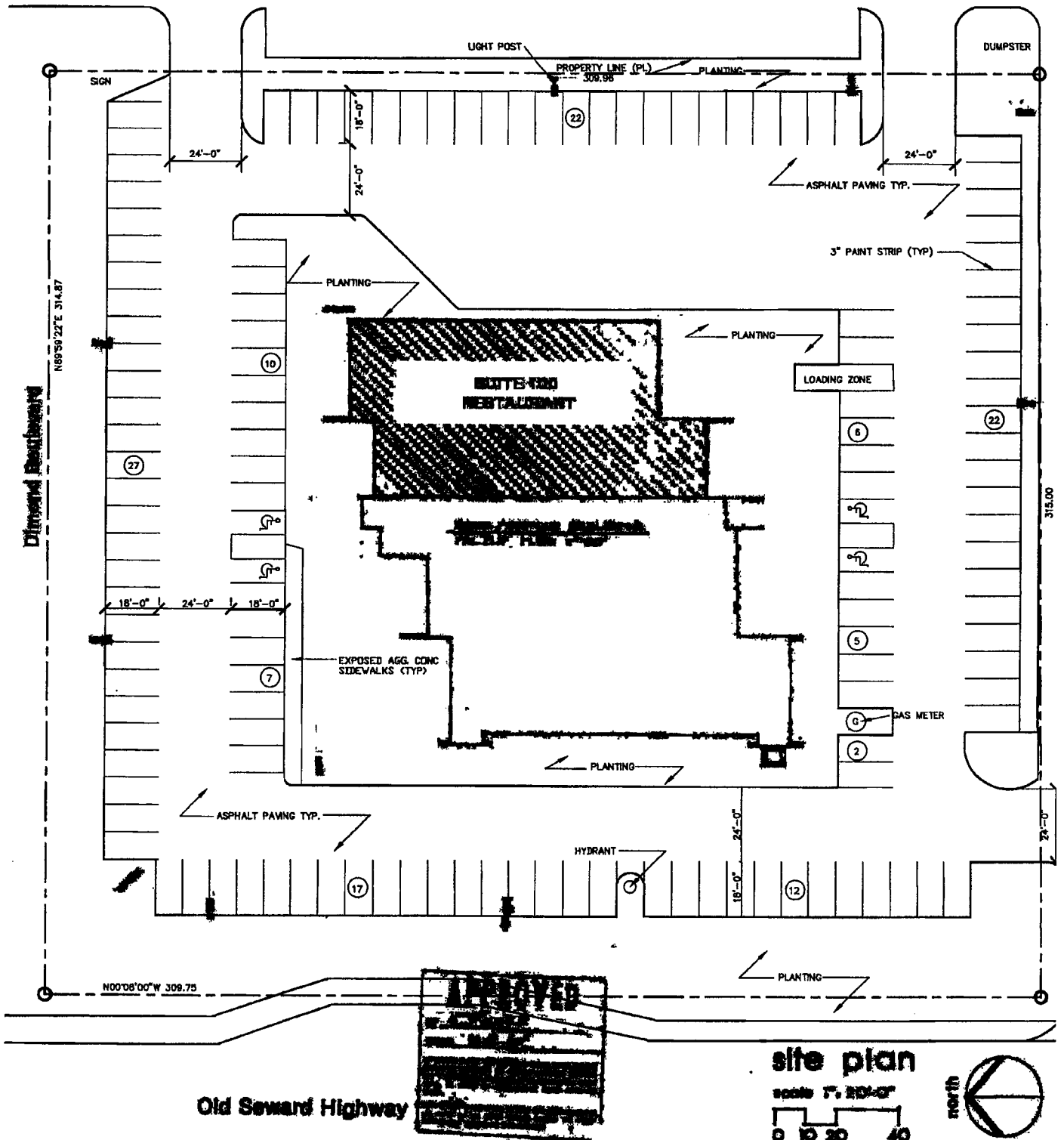


SHEET NO. A-1

PROJECT TITLE: SUITE 100 RESTAURANT IMPROVEMENTS
 1000 E. DRUM BLVD.
 ANCHORAGE, ALASKA
FLOOR PLAN & CODE ANALYSIS

SPRENG ASSOCIATES INC., AIA
 Architecture © 2008 Planning
 2322 Arctic Blvd. Ste 102/Anchorage, Alaska 99503-5414/FAX:270-2377
 Job No. 000000 Drawn By: SEP Check by: GAB Date: 11 MAY 2008 Revision:

Grand Northern Building



Suite 100-Dinner Menu

Small Plates:

10-15 offerings, ranging in price from \$5.00-\$15.00

Ceviche of the Day	10
Seared Tuna	10
The Cheese and Olive World Tour, a sampler plate	8
Steamed Alaskan Mussels with a blood orange saffron cream sauce	9
Sautéed mushroom caps	5
Pan seared Gyoza	6
Herbed Fresh Goat Cheese stuffed Zucchini Rolls	6
Scallop and Shrimp Kabobs	8
Seared Fairweather Scallops in a tomato cream sauce	8
Gulf of Alaska Roasted Oysters	10
Pancetta wrapped Asparagus	6
Crab and Lobster Spring Rolls with Apricot vinaigrette	12
Prime Rib, pineapple, and teriyaki mango skewers	8
Kumamoto Oysters with blood orange aspic	8
"Meat on a stick"	6
- chicken, beef or pork skewers with assorted dunking sauces	
Surf and Turf combo platter	15

Soups and Salads:

5-7 different salads available in 2 sizes

Price range from \$4.00-\$12.00

House clam chowder and a rotating soup of the day

Cumin-Lime vinaigrette with butter crunch lettuce and pasilla peppers

Baby spinach, blue cheese and chutney salad

Sweet strawberry spinach salad

Sweet pea with bacon salad

Salad #5 TBA

Salad #6 TBA

House salad with 4 choice dressings to choose from.

Large Plates:

15-24 different offerings

Price ranges from \$12.00- \$34.00

Alberta Buffalo Rib Eye	22
-12 oz grilled steak with pickled horseradish, mashed sweet potatoes and veg	
Bleu cheese stuffed Filet Mignon with mushroom medley	22
-8 oz hand cut filet with mushroom, bleu cheese compound butter	
Peppercorn encrusted New York with a bourbon demiglaze	24
-Grilled center cut steak served with a tasty demi and tellicherry peppercorns	
The best Babybacks in town! Half and Full Rack options	22
-Smokey, slow roasted, and falling off the bone, served with mashed sweets and coleslaw	
Fresh Ground Chuck Burger	12
-Fresh, all natural, ground daily, like "the \$8 milkshake", worth every penny	
Slow roasted Pork Shoulder Sandwich	14
-Served with a spicy BBQ sauce, sweet and sour coleslaw, fries	
Split Cornish Game Hens	18
-Grilled to perfection and seasoned with a sesame soy dressing and papaya lime relish	
"Island" Flank Steak Pinwheels	22
-Sweet, savory and spicy, served with mashed sweets and baby bok choy	
Grilled Raspberry Pork tenderloin medallions	18
-Raspberry marinated tenderloin charbroiled till crunchy on the outside and juicy in the middle	
Center cut, bone-in pork chops	16
Pan seared to perfection and served with Marsala cream, caper berries, and fresh sage	
Heidi's Halibut Olympia	20
-Creamy, rich, goodness that flakes, an Alaskan staple	
Jumbo Alaskan Scallops with wild mushrooms	24
-Admittedly an odd combination, wait till you try them.	
Sam and Mimi's Korean BBQ Salmon	20
-Fresh wild salmon grilled to perfection with a spicy Korean BBQ, served with rice and veg	
Gourmet Fish and Chips	18
-Fresh Halibut battered and fried to perfection	
Coconut encrusted Jumbo Alaskan Shrimp	16

-Served with a cool mango-jalapeno dipping sauce, steamed rice and veg

New Zealand Lobster Tail 34

-A charbroiled 8 oz tail from beautiful New Zealand, served with butter

Alaska King Crab 32

-A full pound steamed and served with butter, rice and veg

Fairweather Scallop kabobs 22

-Six jumbo succulent Scallops grilled and basted

Organic boneless Chicken Breast 16

-Madeira and fresh herb marinated and pan seared to perfection

Penne Pasta with a vodka cream sauce 16

-Contrary to popular belief, this is not a Russian dish, but they wish it were

Crab, Shrimp and Lobster stuffed Ravioli 18

-Creamy sauce, sweet seafood, fresh made raviolis, and Parmesan cheese

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
CREDITORS AFFIDAVIT AS 04.11.280 AND AS 04.11.360

AFFIDAVIT

I/We Yuni Kuri Sam + Dina Lee being first duly sworn on oath, depose and state that I/we am/are the licensee(s) and transferor(s) of that certain business known as BLACK ANGUS MEATS MARKET, LLC located at 1101 WEST FIREWEEP LANE, ANCHORAGE in connection with liquor license number 132 and that the following is a listing of accounts payable and taxes owed by the above licensed business as of May 19, 2006.

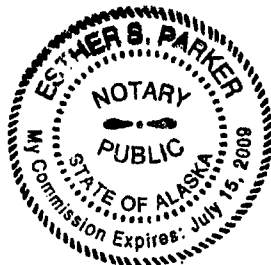
Creditor/Taxing Authority	Complete Mailing Address	Amount	Purpose of Liability
<u>N/A</u>			

SIGNED

SIGNED

SIGNED

SIGNED



(Rev. 5/2001)

Subscribed & sworn to before me this

19th day of May 20 06

[Signature]
Notary Public in & for Alaska

My commission expires

7/15/2009

**STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD**

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

POSTING AFFIDAVIT

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

1. a. Posting of application for a new _____ liquor license
for _____
located at _____
(address and/or location)

OR

- b. Posting of application for transfer of a Full Beverage liquor license
currently issued to Black Angus Meat Market, Inc whose business name (d/b/a)
is Black Angus Meat Market located at 1101 West Firwood Lane, Anch.
(address and/or location) AK

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

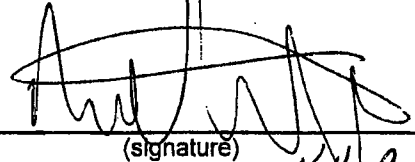
May 21, 2006 to June 22, 2006

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

- a. Location of premises to be licensed 1000 E. Dimmock Blvd, Suite 100, Anchorage, AK
b. Other conspicuous location in the area Huffman Post Office 1221 Hartzman Dr., Anch. AK

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

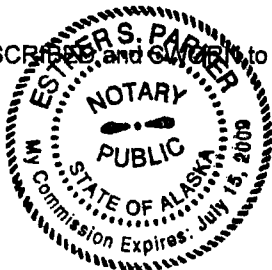
- a. () a radius of five (5) miles of the proposed location.
b. (☒) an incorporated city, organized borough or unified municipality.
c. () does not apply (application filed under AS 04.11.400(d)(e)(g) or transfer of license holder or location within an incorporated city or unified municipality or organized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

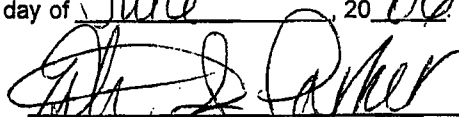

(signature)

Kelly A. Nichols

SUBSCRIBED and SWORN to me this

22nd day of June, 2006





Notary Public in and for Alaska

My commission expires: 7/15/2009

POSTING

AFFIDAVIT



AFFIDAVIT OF POSTING

CASE NUMBER: 2006-122

I, Kelly A. Nichols 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 New Beverage Dispensing. The notice was posted on 7/10/06 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 10th day of July, 2006

Signature

LEGAL DESCRIPTION

Tract or Lot B

Block _____

Subdivision Grand Northern Mall

5

HISTORICAL INFORMATION

Municipality of Anchorage



TRAFFIC DEPARTMENT
4700 S. Bragaw

P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 343-8406
Fax: (907) 343-8488
<http://www.ci.anchorage.ak.us>

Mark Begich, Mayor

August 18, 2006

Mr. Kelly Nichols
Suite 100 Restaurant and Bar
1000 East Dimond Blvd., Suite 100
Anchorage, Alaska 99515

Dear Mr. Nichols;


We have reviewed your request to administratively reduce the number of required parking spaces for Suite 100 Restaurant and Bar. Your request is pursuant to Anchorage Municipal Code Title 21.45.080.A.5. The parking evaluation you provided indicates a reduction in your parking requirements is appropriate.

The restaurant is required to provide 159 parking spaces, the site provides 140 parking spaces, a parking agreement exists with adjacent property that will provide another 14 spaces, and your facility does not open for business until 4 pm.


A waiver, as provided for in Title 21, is approved by this letter.

Sincerely,

Concur:



Brian Dean
Code Enforcement Manager
Land Use Division



Robert Kniel, P.E.
Municipal Traffic Engineer
Traffic Engineering

cc: Building Safety w/attachments
Zoning Plan Review w/attachments
Traffic Department w/attachments

Angell, Mada M.

From: Inglis, Jillanne M.
Sent: Wednesday, August 16, 2006 9:30 AM
To: Angell, Mada M.
Subject: FW: 2006-122

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

From: Inglis, Jillanne M.
Sent: Wednesday, August 16, 2006 9:27 AM
To: Dean, Brian G.
Cc: Autor, Mary P.
Subject: 2006-122

Hi Brian,

I took a look at the conditional use application for Suite 100. My initial calculation was that the site was short by over 50 parking spaces. However, new information was submitted and the following parking calculations do apply:

12,701 sq ft for medical office:	$12,701/250 = 50.80$
6,336 sq ft for office:	$6,336/300 = 21.12$
261 occupants/seating:	$261/3 = 87$

Total required parking: $50.80 + 21.12 + 87 = 158.92$ (rounded up 159 required parking spaces).

The site provides 130 parking spaces. The site is short by 29 parking spaces. They indicate they have use of 14 parking spaces on the adjacent lot. Therefore, they will be short by 15 parking spaces.

The restaurant does not open until 4pm. It seems reasonable to provide a waiver. The parking is within 90% of the required standards if we include the 14 spaces on the adjacent lot.

Thanks,
Jillanne

Aug 2000
Received
Filing

To:
Municipality of Anchorage
Traffic Engineer, Robert Kniefel
Code Enforcement Manager, Brian Dean

From:
Suite 100 Restaurant and Bar
Kelly Nichols-owner
1000 East Dimond Blvd. Suite 100
Anchorage Alaska 99515

Regarding: Waiver Application Off-street parking, MOA Code 21.45.080.A.5

Hello Gentlemen,
Thank you for taking the time to consider this request. My name is Kelly Nichols and I am renovating a portion of the Grand Northern Building at the corner of Dimond and Old Seward Highway in order to open a restaurant and bar. We are a full service, upscale, casual place that will serve dinner only. This space was previously "the old First National Bank" and consequently we are "changing its use." This "change of use" criteria brings us to the point of this letter: Parking.

According to 21.45.080.A.5 "if we increase the parking demand... but do not reduce the number of pre existing spaces... and the amount of the proposed off street parking is within 90% of the total otherwise required... you can grant a waiver..."

The parking schedule per MOA code is as follows:
51 parking spaces for 12,701 sf of medical office (1 per 250)
21 parking spaces for 6,336 sf of office space (1 per 300)
87 parking spaces for 261 occupants of the new restaurant (1 per 3)
159 Total Parking Spaces required after renovation

Currently the building has 149 parking spaces on site. This lack of ten spaces should be mitigated by two circumstances.

First, the building has 14 sites in the adjacent tract per a recorded private agreement. (MOA recording district Book #02694 page 374, 8/17/94) Second, this parking requirement is for the hours of 4:00PM -6:00 PM weekdays only. According to our lease we cannot open until 4:00 PM. These offices are only open until 6:00 at the latest, most close at 5:00, and two of them are not open on Friday at all.

Common sense is the reason I am requesting this relief. In the unlikely event that all of offices and the restaurant are completely full between 4:00 and 6:00 PM Monday thru Thursday, our on site parking is still 93.71% of the required amount. Granting a waiver in this matter would be greatly appreciated.

Thank you for your time and consideration and if I can be of assistance please feel free to contact me anytime.

Kelly Nichols
Cell 240-6657 or Suite100@gci.net.

B.L.D.B. PERMIT #
06-5722

079

08020740014

COVENANT BETWEEN LANDOWNERS

(Tract B)

This COVENANT BETWEEN LANDOWNERS is dated this 17th day of August, 1994, by and between KMART CORPORATION, a Michigan corporation, whose address is 3100 West Big Beaver Road, Troy, Michigan 48084 ("Kmart") and JOAN DICKERHOFF, whose mailing address is 7272 East Gainey Ranch, No. 133, Scottsdale, Arizona 85258 ("Owner"), and WAL-MART STORES, INC., of 702 S.W. 8th Street, Bentonville, Arkansas 72716 ("Wal-Mart").

R E C I T A L S:

A. Kmart is the owner of ten (10) tracts of land located within the Municipality of Anchorage, Anchorage Recording District, Third Judicial District, State of Alaska, described as follows:

Tracts K-1A, K-2A, K-4A, K-4B, K-5A, K-6A, K-7A, K-8A, K-9A and K-10A, of the Commercial Tract (Plat 93-163) of Tract A, Madigan Place Subdivision, Plat No. 93-46, Anchorage Recording District, Third Judicial District, State of Alaska.

B. Tract B Owner is the owner of certain real property adjacent to the Kmart Tracts adjacent to Kmart Tracts K-1A, K-9A and K-10A described above, and the land owned by Tract B Owner is described as follows:

Tract B, Grand Northern Mall Subdivision, Plat 83-139, Anchorage Recording District, Third Judicial District, State of Alaska, excepting therefrom that portion taken by the State of Alaska by document recorded January 23, 1985, in Book 1218 at Page 834, Anchorage Recording District.

C. Wal-Mart is the owner of one (1) tract of land located within the Municipality of Anchorage, Anchorage Recording District, Third Judicial District, State of Alaska, described as follows:

Tract K-3A, of the Commercial Tract (Plat 93-163) of Tract A, Madigan Place Subdivision, Plat No. 93-46, Anchorage Recording District, Third Judicial District, State of Alaska.

D. The Kmart Tracts, the Wal-Mart Tract and Tract B, described above, together with other real property, were previously subject to a Declaration of Easements with Covenants and Restrictions recorded in Book 1080 at Page 590 on April 18, 1984 and amended by document recorded in Book 1094 at Page 06, recorded May 10, 1984, Anchorage Recording District, Third Judicial District, State of Alaska, all containing certain reciprocal easements and use restrictions and other covenants relating to the properties subject thereto (the "1984 Declaration").

E. Kmart, Wal-Mart and Tract B Owner and the owners of other land subject to the 1984 Declaration have agreed to terminate the 1984 Declaration and to enter into separate agreements addressing certain easements and use restrictions relating to their respective tracts of real property.

NOW, THEREFORE, the parties hereto agree as follows:

1. Termination of Declaration. The 1984 Declaration recorded April 18, 1984, Anchorage Recording District, and the amendment thereto recorded May 10, 1984, Anchorage Recording District, as and between Kmart, Wal-Mart and Tract B Owner is hereby terminated and is of no further force and effect.

2. Easements for Ingress and Egress. Kmart hereby gives, grants and conveys to the Tract B Owner, a perpetual, irrevocable, non-exclusive easement over to the Kmart tracts for the benefit of Tract B to use, without payment of any charge therefor, the driveways, paved areas, roads, sidewalks, curb cuts, and means of ingress and egress located on or to be located on Kmart tracts for ingress and egress of pedestrian and vehicular traffic between the Kmart tracts and Tract B and the public highways adjoining the Kmart Tracts. Existing Declarations of record allow and provide for non-exclusive access easements between Kmart Tracts and the Wal-Mart Tract.

3. Parking Easement. Kmart hereby gives and grants and conveys to Tract B Owner for the benefit of Tract B, a perpetual, irrevocable, and non-exclusive easement over Tract K-1A (the Kmart parcel) for the benefit of Tract B, for occupants of Tract B to use, without payment of any charge therefor, including without limitation, any metered parking charge, of that portion of Tract K-1A depicted on Exhibit "A" attached to this covenant. The non-exclusive parking easement in favor of Tract B is described on (attached) Exhibit "A" as the "Parking Easement Area" and includes fourteen (14) parking spaces.

4. Encroachment to Kmart Tracts By Improvements Constructed on Tract B. With the consent of Tract B Owner, Kmart has removed and relocated certain improvements consisting of parking spaces and

encroached on and in the westerly portion of Tract K-10A of these relocated improvements continue to the westerly portion of Tract K-10A (the roadway), as attached Exhibit "A". Kmart hereby grants Tract B to maintain and continue the encroachment of such and into Tract K-10A. Tract B Owner hereby waives the existing (as of the date of this covenant) improvements as constructed by Kmart and Exhibit "A" is satisfactory. The encroachment (as of the date of this covenant) shall not be expanded or altered without written approval executed by the then owners of Tract K-1A, K-10A and K-3A.

Maintenance and Repair.

Kmart shall cause the paved areas of the Kmart parking lot where easements have been granted for the benefit of Tract B to be continuously maintained in good order and condition, as and when necessary, repaired and replaced in a Kmart-like manner, including, without limitation, repaving, striping, removal of garbage, debris and trash, removal of snow and ice, and repairs to the paving, curbs, and driveways, as may be required from time to time, at no expense to the Tract B Owner.

The parking island running in a north-south direction along the eastern boundary line of Tract B, encroaching on Tract K-1A, shall be maintained by the owner of Tract B.

The parking island running in an east-west direction along the northern border of Tract B, located generally on and within the corner of Tract K-1A, shall be maintained by the owner of Tract K-1A.

Use and Height Restrictions.

Tract B shall not be used for any building now constructed, or constructed in the future, for the following purposes:

- (1) Warehousing, industrial or manufacturing except for the storage and/or manufacture of such goods as are required as a necessary incident to the conduct of a regular business use otherwise permitted;
- (2) Wholesaling;
- (3) Residential purposes;
- (4) Entertainment or recreational purposes, without limitation, cinema, theater, bowling alley, health studio or gym (except for one aerobics or fitness center).

lio not to exceed 2000 square feet in size),
om, game arcade or amusement center including,
itation, a bingo parlor or the sale of pull tabs;

5) Bar or tavern (except where and when incidental
ation of a restaurant or delicatessen);

6) "Adult" book store or massage parlor;

7) Place or business of instruction or any other
atering primarily to the general public, students,
s, rather than to customers of an otherwise
business use, i.e., in house business classes,
or customers; or

8) Purposes which would necessitate the long term
parking areas for the storage of motor vehicles;
s defined as over 24 hours.

No building or other improvement shall be erected or
ollowing a casualty or taking by eminent domain (or
ieu thereof) on Tract B except within and on the
ng footprint, as of the date of this covenant,
the event of casualty and reconstruction of the
reconstructed building footprint may exceed the
int by an additional ten per cent (10%) footprint
ng shall be constructed on Tract B in excess of 40
measured from the grade level to the highest point
e, including parapets and roof installations. A
f one parking space for every 300 square feet of
area must be maintained on Tract B, or the parking
ted by the Anchorage Municipal Code must be
e provisions of this paragraph shall be modified
agreement of the then owners of Tract B and Tracts
K-1A.

Signage shall meet the standards set forth in
cipal Code 21.45.160. The building height
tained in Paragraph 6(B) above shall not apply to
n height allowed under Anchorage Municipal Code.

ant Runs with the Land; Successors and Assigns. The
ined herein shall run with the land and shall be
inure to the benefit of Kmart, Wal-Mart, and the
er, and their respective heirs, executors,
beneficiaries, successors and assigns.

ning Law. This Agreement shall be construed in
the laws of the State of Alaska.

nt, Modification or Termination. Except as
e in this Agreement, this Agreement can be amended
by a writing executed by the then owners of Tracts
and Tract B described hereinabove.

3.
any notice, demand, request, consent, approval,
other communication made pursuant to this Agreement
any other shall be in writing and shall be given or
ated by personal delivery, United States registered
l, return receipt requested, or by pre-paid Federal
recognized overnight delivery service, addressed

of Kmart, send to:

Kmart Corporation
1100 West Big Beaver Road
Troy, Michigan 48084
Attention: Real Estate Department

case of the Tract B Owner, send to:

Joan Dickerhoff
7272 East Gainey Ranch, No. 133
Scottsdale, Arizona 85258

case of Tract K-3A, send to:

Wal-Mart Stores, Inc.
Property Management
702 S.W. 8th Street
Bentonville, Arkansas 72716

an unregistered or uncertified copy to:

James T. Stanley Corporation, P.C.
3003 Minnesota Drive, Suite 200
Anchorage, Alaska 99503

an unregistered or uncertified copy to:

Don Hilligas
Hilligas Company
903 W. Northern Lights Blvd., Suite 210
Anchorage, Alaska 99503

In the event of the sale or conveyance of any real
st to this Agreement, notice shall be given by such

owner's address for the purpose of sending and
in the manner described herein.

any notice, demand, request, consent, approval,
other communication so sent shall be deemed to have
been communicated, as the case may be, on the date
personally delivered or delivered by United States
mail or certified matter, with postage thereon fully
paid by Federal Express or other recognized overnight

due execution hereof as of the day and year first
written which shall be the date inserted by the last of the
month of the year of the date of this Agreement.

KMART CORPORATION, a Michigan corporation

By: [Signature]
Its: Attorney in Fact

TRACT B OWNER

[Signature]
JOAN DICKERHOFF, Owner

WAL-MART STORES, INC., a Delaware
corporation

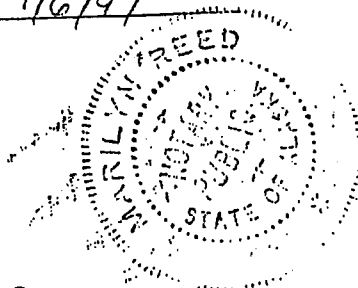
By: [Signature]
Its: Exec. Vice Pres.

)
) ss.
DISTRICT)

certify that upon the 17th day of August, 1994,
signed Notary Public, personally appeared James T.
known to me to be the Attorney in Fact of Kmart
person who executed the within instrument on
corporation herein named, acknowledged to me that
executed the same as the free act and deed of such

WHEREOF, I have hereunto set my hand and notarial

Marilyn Reed
Notary Public in and for Alaska
My Commission Expires: 9/6/97



)
) ss.
DISTRICT)

CERTIFY that on the 1st day of August,
the undersigned, a Notary Public in and for the
duly commissioned and sworn, personally appeared
known to me and to me known to be the individual
and who executed the within instrument and
me that she executed the within instrument and
me that she signed the same as her free and
d deed for the uses and purposes therein mentioned.

R MY HAND and official seal the day and year last

Marilyn Reed
Notary Public in and for Alaska
My Commission Expires: 9/6/97



)
) ss.
)

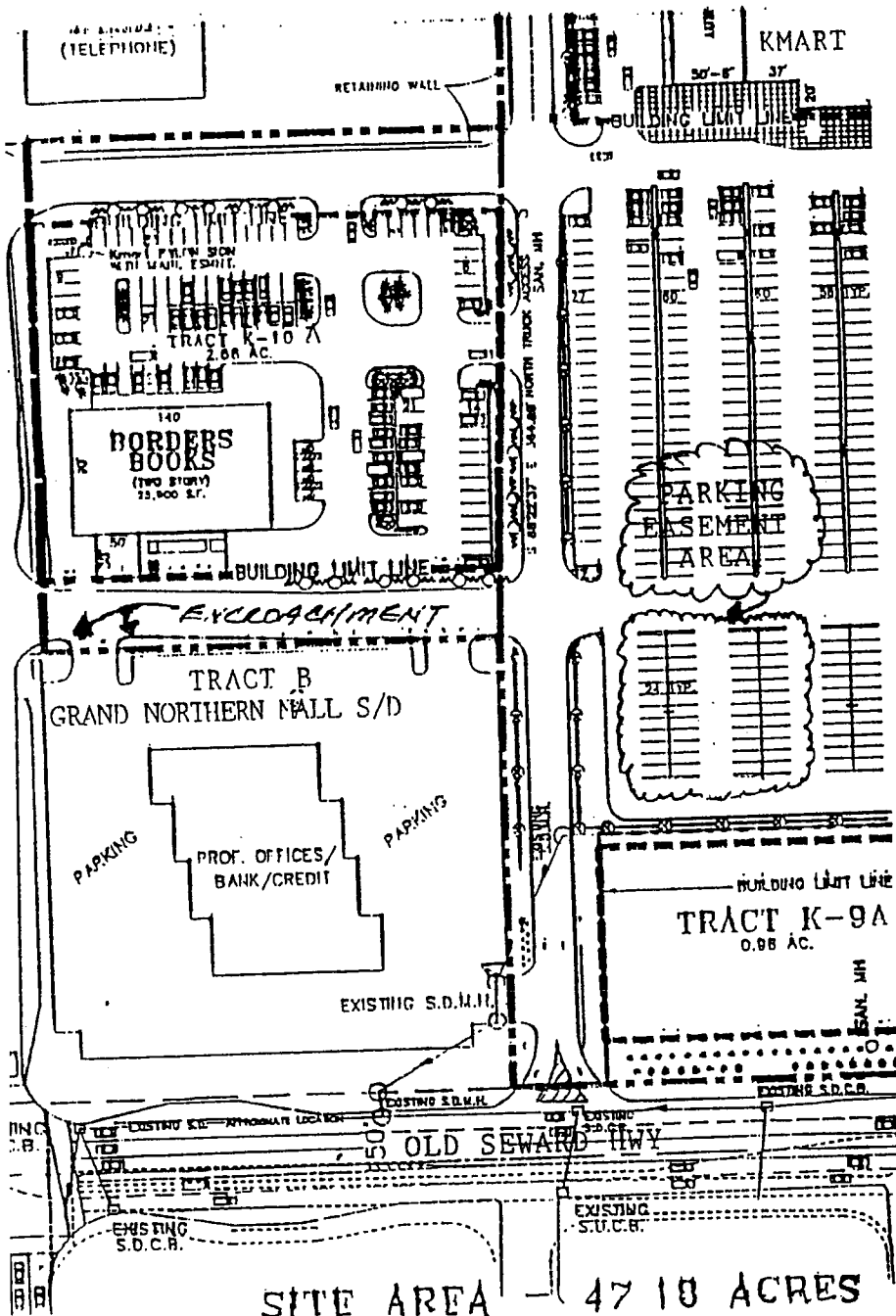
certify that upon the 10th day of August,
undersigned Notary Public, personally appeared
 , who is known to me to be the Exec. Vice President
res, Inc., the person who executed the within
half of the corporation herein named, acknowledged
corporation executed the same as the free act and
poration.

WHEREOF, I have hereunto set my hand and notarial

Charlene E. Lyon
Notary Public in and for Arkansas
My Commission Expires: March 1, 2004

WHEN RECORDED RETURN TO:

JAMES T. STANLEY CORPORATION, P.C.
3003 Minnesota Drive, Suite 200
Anchorage, Alaska 99503



SITE AREA - 47.18 ACRES

EXHIBIT "A"
COVENANT BETWEEN LANDOWNERS
(For illustration purposes only)

94-054394

39-CC

ANCHORAGE REC. DISTRICT
REQUESTED BY

J. Stanley Corp.

'94 AUG 17 PM 1 44

PARCEL INFORMATION

APPRAISAL INFORMATION

Legal GRAND NORTHERN MALL
TR B

Parcel 014-271-10-000
Owner DICKERHOFF PAULINA JOAN
LIVING TRUST
DICKERHOFF PAULINA J/TRUSTEE
7746 E BISBEE ROAD
SCOTTSDALE AZ 85258 0000

#



Descr OFFICE BLDG LOW RISE 1-4
Site Addr 1000 E DIMOND BLVD

RELATED CAMA PARCELS

Related Parcel(s)	XRef Type	Leased Parcels

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

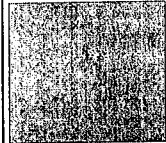
Get "Type" explanation
Bring up this form focused on the related parcel

REZONE



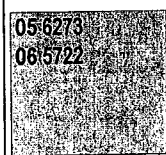
Case Number 2006-122 **# of Parcels** 1 **Hearing Date** 07/11/2006
Case Type Assembly conditional use for a restaurant serving alcohol
Legal An alcoholic beverage conditional use for a beverage dispensary license for a restaurant, Suite 100. Grand Northern Mall Subdivision, Tract B. Located at 1000 E Dimond Blvd.

PLAT



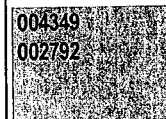
Case Number **Grid** **Proposed Lots 0** **Existing Lots**
Action Type **Action Date**
Legal

PERMITS



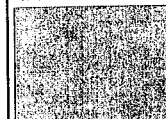
Permit Number 05 6273
Project GRAND NORTHERN
Work Desc replace flex oil line with hand pipe
Use B BUSINESS

BZAP



Action No. 86-5273
Action Date 01/01/1986
Resolution **Status** OPN **Case Open**
Type BP **Building Permits**

ALCOHOL LICENSE



Business Address **Applicants Name** **Conditions**
License Type **Status**



PARCEL INFORMATION

OWNER
 DICKERHOFF PAULINA JOAN
 LIVING TRUST
 DICKERHOFF PAULINA J/TRUSTEE
 7746 E BISBEE ROAD
 SCOTTSDALE AZ 85258 0000
 Deed 2650 0000094
 CHANGES: Deed Date May 11, 1994
 Name Date Jun 27, 1994
 Address Date Jun 04, 1996

PARCEL
 Parcel ID 014-271-10-000
 Status # 01
 Renumbr ID 000-000-00-00000
 Site Addr 1000 E DIMOND BLVD
 Comm Concl TAKU/CAMPBELL
 Comments SF CHG FOR 86 DUE TO HWY PROJ
 FM-0520(3) 12488 TAKE

TAX INFO
 2006 Tax 69,528.58 Balance 0.00 District 003

LEGAL
 GRAND NORTHERN MALL
 TR B
 Unit SQFT 99,337
 Plat 830139
 Zone B3 Grid SW2332

HISTORY	Year	Building	Land	Total
Assmt Final	2004	2,392,900	1,490,100	3,883,000
Assmt Final	2005	2,587,400	1,589,400	4,176,800
Assmt Final	2006	2,881,400	1,668,900	4,550,300
Exemptions				0
State Credit				0
Tax Final				4,550,300

PROPERTY INFO		
#	Type	Land Use
01	COMMERCIAL	OFFICE BLDG LOW RISE 1-4

SALES DATA				
Mon	Year	Price	Source	Type

LAND & COMMON PARCEL INFORMATION

APPRAISAL INFORMATION

Legal GRAND NORTHERN MALL
TR B

Parcel 014-271-10-000

01 of 01

Owner DICKERHOFF PAULINA JOAN
LIVING TRUST
DICKERHOFF PAULINA J/TRUSTEE
7746 E BISBEE ROAD
SCOTTSDALE AZ 85258

Site Addr 1000 E DIMOND BLVD

LAND INFORMATION

Land Use OFFICE BLDG LOW RISE 1-4
Class COMMERCIAL
Living Units 000
Community Council 02E TAKU/CAMPBELL
Entry: Year/Quality 05 1987 INTERIOR
11 2002 EXTERIOR
Access Quality GOOD
Access Type
Leasehold (Y=Leasehold)
Drainage POOR
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

COMMERCIAL INVENTORY

APPRAISAL INFORMATION

Legal GRAND NORTHERN MALL
TR B

Parcel 014-271-10-000

01 of 01

01

#

Owner DICKERHOFF PAULINA JOAN
LIVING TRUST
DICKERHOFF PAULINA J/TRUSTEE
7746 E BISBEE ROAD
SCOTTSDALE AZ 85258

Site Addr 1000 E DIMOND BLVD

Prop Info # OFFICE BLDG LOW RISE 1-4

BUILDING INFORMATION

Structure Type LOW RISE OFFICE BLDG

Building SQFT 29,758

Year Built 1983

Grade B

Effective Year Built 1983

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
02	02	NORMAL	HOT AIR	CENTRAL	ADEQUATE	NORMAL	NORMAL
02	02	NORMAL	HOT AIR	CENTRAL	ADEQUATE	NORMAL	NORMAL
01	01	NORMAL	HOT AIR	CENTRAL	ADEQUATE	NORMAL	NORMAL
01	01	NORMAL	HOT AIR	CENTRAL	ADEQUATE	NORMAL	NORMAL

EXTERIOR DATA

Floor	Level	Size	Perim	Use Type	Hgt	Wall Type	Const Type
02	02	9,639	412	OFFICES	13	BRICK VENEER	WOOD JOIST(WD & STL)
02	02	4,659	190	MEDICAL CENTER	13	BRICK VENEER	WOOD JOIST(WD & STL)
01	01	7,930	430	OFFICES	13	BRICK VENEER	WOOD JOIST(WD & STL)
01	01	7,530	278	BANK/SAVINGS INST	13	BRICK VENEER	WOOD JOIST(WD & STL)

BUILDING OTHER FEATURES - ATTACHED IMPROVEMENTS

Type	Qty	Size1	Size2
BANK VAULT DOOR	01	13,770	1
	01	1	1
	01	7,930	1
OPEN AREA BANK/OFF	01	1	556
BANK PNEUMATIC TUBE	01	30	1
CANOPY- SVC STATION	01	1	120
BANK DRIVE-IN WINDOW	01	1	1
	01	7,530	1

OTHER BUILDINGS AND YARD IMPROVEMENTS

Type	Size/Amt	Units	Yr/Built	Condition	Funct/Utility
PAVING ASPHALT PK	53,000	01	1983	NORMAL	NORMAL
MERCURY LIGHT POLE	1	14	1983	NORMAL	NORMAL
PAVING CONCRETE-AV	1,920	01	1983	NORMAL	NORMAL
BANK CANOPY DRIVE IN	975	01	1983	NORMAL	NORMAL

BUILDING PERMIT INFORMATION**APPRAISAL INFORMATION**

Legal GRAND NORTHERN MALL
TR B

Parcel 014-271-10-000

01 of 01

01

Prop Info # OFFICE BLDG LOW RISE 1-4
Site Addr 1000 E DIMOND BLVD

Owner DICKERHOFF PAULINA JOAN
LIVING TRUST
DICKERHOFF PAULINA J/TRUSTEE
7746 E BISBEE ROAD
SCOTTSDALE AZ 85258

BUILDING PERMITS

Permit # 05 6273
06 5722

Class Type C

Class Use B BUSINESS

Date Nov 17, 2005

Address 1000 E DIMOND BLVD

Cond Occ/Occ 00000000 | 00000000

Certification

Contract Type GENERAL CONTRACTOR

Name THYSSENKRUPP ELEVATOR CORPORA

E-mail bobby.ness@thyssenkruppelevators.com

Phone (907) 569-5500

Fax (907) 569-5565

Address 600 E 57TH PL #B

City/State/Zip ANCHORAGE AK 99518-1305

Project GRAND NORTHERN

Sewer / Water PUBLIC | PUBLIC

Work Type ALTERATION

Work replace flex oil line with hand pipe

Description

CASES

2006-122

Case Number 2006-122

of Parcels 1

Hearing Date Tuesday, July 11, 2006

PERMIT COMMENT

OWNER HISTORY

APPRAISAL INFORMATION

Legal GRAND NORTHERN MALL
TR B

Parcel 014-271-10-000

01 of 01

01

Property Info # Descr OFFICE BLDG LOW RISE 1-4

Site Address 1000 E DIMOND BLVD

Current 05/11/94

DICKERHOFF PAULINA JOAN
LIVING TRUST
DICKERHOFF PAULINA J/TRUSTEE
7746 E BISBEE ROAD
SCOTTSDALE AZ 85258 0000

3rd

1481 0000 09/17/86
MALL DEVELOPMENT INC

1209 ORANGE ST
WILMINGTON DE 19801

Prev

1673 0000 11/16/87
DICKERHOFF JOAN

7272 EAST GAINEY
RANCH ROAD #133
SCOTTSDALE AZ 85258

4th

0000 0000 00/00/00
JULIANO WM T
1000 E DIAMOND
SUITE 205

ANCHORAGE AK 99515

2nd

1624 0000 07/28/87
FIRST FEDERAL BANK OF
ALASKA S B

PO BOX 92200
ANCHORAGE AK 99509

5th

0000 0000 / /
JULIANO WM T

5333 FAIRBANKS STE 6
ANCHORAGE AK 99502

ON-SITE WATER \ WASTE WATER

APPRAISAL INFORMATION

Legal GRAND NORTHERN MALL
TR B

Parcel 014-271-10-000

01 of 01

01

#

Owner DICKERHOFF PAULINA JOAN
LIVING TRUST
DICKERHOFF PAULINA J/TRUSTEE
7746 E BISBEE ROAD
SCOTTSDALE

AZ 85258

Site Addr 1000 E DIMOND BLVD
Land Use OFFICE BLDG LOW RISE 1-4

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 GRAND NORTHERN MALL
TR B

Parcel 014-271-10-000

01 of 01

Owner DICKERHOFF PAULINA JOAN
LIVING TRUST
DICKERHOFF PAULINA J/TRUSTEE
7746 E BISBEE ROAD
SCOTTSDALE

AZ 85258

Site Addr 1000 E DIMOND BLVD
Prop Info # OFFICE BLDG LOW RISE 1-4

ASSESSMENT

Assessment 03
06

Description SEWER TRUNK
Assessment Area 111,825
Original Assessment 0.00
Original Principal 0.00
Annual Payment 0.00
YTD Payment 0.00
Delinquent Payment 0.00
Unbilled Payment 0.00

RESOLUTION

Resolution R51682
CAUW83

PLAT
830139

Status HISTORY
Total Area 111,825

LAST PAYMENT INFORMATION

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

PARCEL INFORMATION

APPRAISAL INFORMATION

Legal VANS

BLK 3 LT 5A

Parcel 014-202-95-000

Owner ANCHORAGE KOREAN OPEN-DOOR
PRESBYTERIAN CHURCH

#



Descr VACANT LAND

8220 BRIARWOOD STREET




Site Addr 8200 BRIARWOOD ST

ANCHORAGE

AK 99518 3330

RELATED CAMA PARCELS

Cross Reference (XRef) Type Legend

Related Parcel(s)	XRef Type	Leased Parcels
		

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

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

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

Get "Type" explanation

Bring up this form focused
on the related parcel

REZONE



Case Number

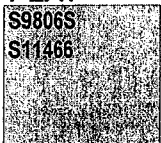
of Parcels

Hearing Date

Case Type

Legal

PLAT



Case Number S9806S

Grid 2232

Proposed Lots 2

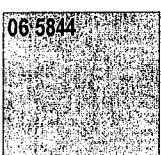
Existing Lots 2

Action Type Short Plat only

Action Date 09/18/1995

Legal Vans Subdivision, Block 3, Lots 5A & 6A, located within the NW 1/4 of Section 8, T12N, R3W, S.M., AK

PERMITS



Permit Number 06 5844

Project KOREAN OPEN DOOR PRESBYTERIAN

Work Desc 2400 cubic yds fill, 9300 cubic yds excavation

Use FILL/GRADING/EXCAVATION

BZAP



Action No.

Action Date

Resolution

Status

Type

ALCOHOL LICENSE



Business

Address

Applicants Name

Conditions

License Type

Status



PARCEL INFORMATION

APPRAISAL INFORMATION

Legal VANS
BLK 3 LT 4

Parcel 014-202-22-000
Owner ANCHORAGE KOREAN OPEN-DOOR
PRESBYTERIAN CHURCH



Descr RELIGIOUS
Site Addr 8220 BRIARWOOD ST

8220 BRIARWOOD STREET
ANCHORAGE AK 99518 3330

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

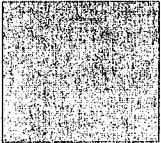


Case Number
Case Type
Legal

of Parcels

Hearing Date

PLAT



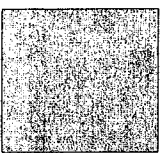
Case Number
Action Type
Legal

Grid

Proposed Lots 0
Action Date

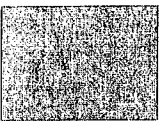
Existing Lots

PERMITS



Permit Number
Project
Work Desc
Use

BZAP



Action No.
Action Date
Resolution

Status
Type

ALCOHOL LICENSE



Business
Address
License Type
Status

Applicants Name
Conditions



Content Information

Content ID : 004311

Revision: 0

Type: AR_AllOther - All Other Resolutions

Title: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 DISTRICT
(GENERAL BUSINESS DISTRICT) FOR A BEVERAGE DISPENSARY USE
PER AMC 21.40.180 D.4 FOR SUITE 100, INC., DBA SUITE 100
RESTAURANT

Author: weaverjt

Initiating Dept: Planning

Select Routing: Standard

Review Depts:

Description: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 DISTRICT
(GENERAL BUSINESS DISTRICT) FOR A BEVERAGE DISPENSARY USE
PER AMC 21.40.180 D.4 FOR SUITE 100, INC., DBA SUITE 100
RESTAURANT

Keywords:

Date Prepared: 8/24/06 10:10 AM

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>	<u>Revision</u>
AllOtherARWorkflow	8/24/06 10:13 AM	Checkin	weaverjt	Public	004311	0
Planning_SubWorkflow	8/24/06 5:40 PM	Approve	nelsontp	Public	004311	0
ECD_SubWorkflow	8/25/06 11:10 AM	Approve	thomasm	Public	004311	0
MuniManager_SubWorkflow	9/1/06 9:26 AM	Approve	leblancdc	Public	004311	0
MuniMgrCoord_SubWorkflow	9/1/06 9:28 AM	Approve	abbottmk	Public	004311	0