

Submitted by: Chair of the Assembly at
the request of the Mayor
Prepared by: Planning Department
For reading: February 27, 2007

CLERK'S OFFICE
APPROVED

Date: 2-27-07

Anchorage, Alaska
AR No. 2007-44

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A
2 CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN
3 THE B-3 SL (GENERAL BUSINESS) DISTRICT WITH SPECIAL LIMITATIONS
4 FOR A RESTAURANT/EATING PLACE USE PER AMC 21.40.180 D.8, FOR TARA
5 PETRICCA, DBA PICCOLINO'S RESTAURANT, LOCATED AT 12801 OLD
6 GLENN HIGHWAY, WITHIN DEBORA SUBDIVISION, BLOCK E, LOT 1A;
7 GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH JUANITA
8 LOOP ROAD AND THE OLD GLENN HIGHWAY.

9
10 (Eagle River Community Council) (Case 2007-029)

11
12
13 THE ANCHORAGE ASSEMBLY RESOLVES:

14
15 **Section 1.** The conditional use permit for an Alcoholic Beverages Conditional Use in the
16 B-3 SL District for a Restaurant/Eating Place Use per AMC 21.40.180 D.8, for Tara
17 Petricca, dba Piccolino's Restaurant, within Debora Subdivision, Block E, Lot 1A;
18 generally meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160.

19
20 **Section 2.** The conditional use permit for an Alcoholic Beverages Conditional Use for a
21 Restaurant/Eating Place Use is for a 1,600 square-foot leased area located at 12801 Old
22 Glenn Highway.

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

25
26 1. A Notice of Zoning Action shall be filed with the District Recorder's Office within
27 120 days of the Assembly's approval of a final conditional use approval for a
28 Restaurant/Eating Place Use in the B-3 SL District, and compliance with the other
29 conditions set forth herein.

30
31 2. All uses shall conform to the plans and narrative submitted with this conditional use
32 application.

33
34 3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the
35 B-3 SL District for a Restaurant/Eating Place Use per AMC 21.40.180.D.8 for a new
36 restaurant, the Piccolino's Restaurant. The restaurant consists of 1,600 leaseable square
37 feet. Based on a floor diagram and the application, there are a total of 32 fixed seats and
38 24 non-fixed seats.
39

1 4. On-premise sale of alcohol beverages will be daily, from 11:00 A.M. to 10:00 P.M.
2 Liquor sales will constitute approximately five percent of total gross receipts.
3

4 5. Upon demand, the applicant shall demonstrate compliance with a "Liquor Server
5 Awareness Training Program," approved by the State of Alaska Alcoholic Beverage
6 Control Board, such as or similar to, the program for "Techniques in Alcohol
7 Management" (T.A.M.).
8

9 6. The use of the property by any person for the permitted purposes, shall comply with
10 all current and future Federal, State and local laws and regulations, including but not
11 limited to, laws and regulations pertaining to the sale, dispensing, service and
12 consumption of alcoholic beverages and the storage, preparation, sale, service and
13 consumption of food. The owner of the property, the licensee under the Alcoholic
14 Beverage Control license and their officers, agents and employees, shall not knowingly
15 permit, or negligently fail to prevent the occurrence of illegal activity on the property.
16

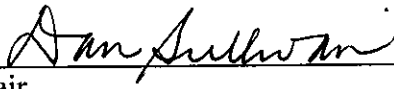
17 7. A copy of the conditions imposed by the Assembly in connection with this
18 conditional use approval shall be maintained on the premise.
19

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

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

26 PASSED AND APPROVED by the Anchorage Assembly this 27th day of
27 February 2007.
28

ATTEST:


Chair


Municipal Clerk

(2007-029) (050-031-40)



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 145-2007

Meeting Date: February 27, 2007

From: Mayor

Subject: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 SL (GENERAL BUSINESS) DISTRICT WITH SPECIAL LIMITATIONS FOR A RESTAURANT/EATING PLACE USE PER AMC 21.40.180 D.8 FOR TARA PETRICCA, DBA PICCOLINO'S RESTAURANT.

1 Tara Petricca, dba Piccolino's Restaurant, has made application for a Restaurant/Eating
2 Place Alcoholic Beverage Conditional Use in the B-3 SL District located at 12801 Old
3 Glenn Highway, within Debora Subdivision, Block E, Lot 1A.

4
5 The proposal is for a Restaurant/Eating Place Alcoholic Beverage Conditional Use within
6 an established commercial retail structure. The restaurant occupies 1,600 square feet of
7 space. The dining area has a total of 32 fixed seats and 24 non-fixed seats. This is an
8 existing restaurant located in an existing commercial structure zoned B-3 SL, in which
9 alcoholic beverage sales are permitted through the conditional use process.

10
11 A restaurant/eating place license is not subject to a 200-foot separation requirement from a
12 church or school.

13
14 There are no licenses with a 1,000-foot radius of the petition site. Approving this
15 restaurant/eating place license will add the first restaurant/eating place license within a
16 1,000-foot radius of the petition site.

17
18 On-premise sale of alcohol beverages will be available daily from 11:00 A.M. to 10:00
19 P.M. The petitioner estimates that five percent of total sales will be for alcohol compared
20 to ninety-five percent food sales. Employees involved in the dispensing of alcoholic
21 beverages will be trained in accordance with the Alcoholic Beverage Control Board's
22 "Liquor Server Alcohol Awareness Training Program," (TAM) and will hold the necessary
23 certifications.

1 | At the time this report was prepared, the Department of Health and Human Services did
2 | not provide comments. There are no outstanding personal or business taxes owing. The
3 | Anchorage Police Department reports that there have been no incident calls at this location.

4 |
5 | THIS CONDITIONAL USE FOR A RESTAURANT/EATING PLACE USE AND
6 | LICENSE IN THE B-3 SL DISTRICT GENERALLY MEETS THE APPLICABLE
7 | PROVISIONS OF AMC TITLES 10 AND 21, AND ALASKA STATUTE 04.11.100.

8 |
9 | Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department

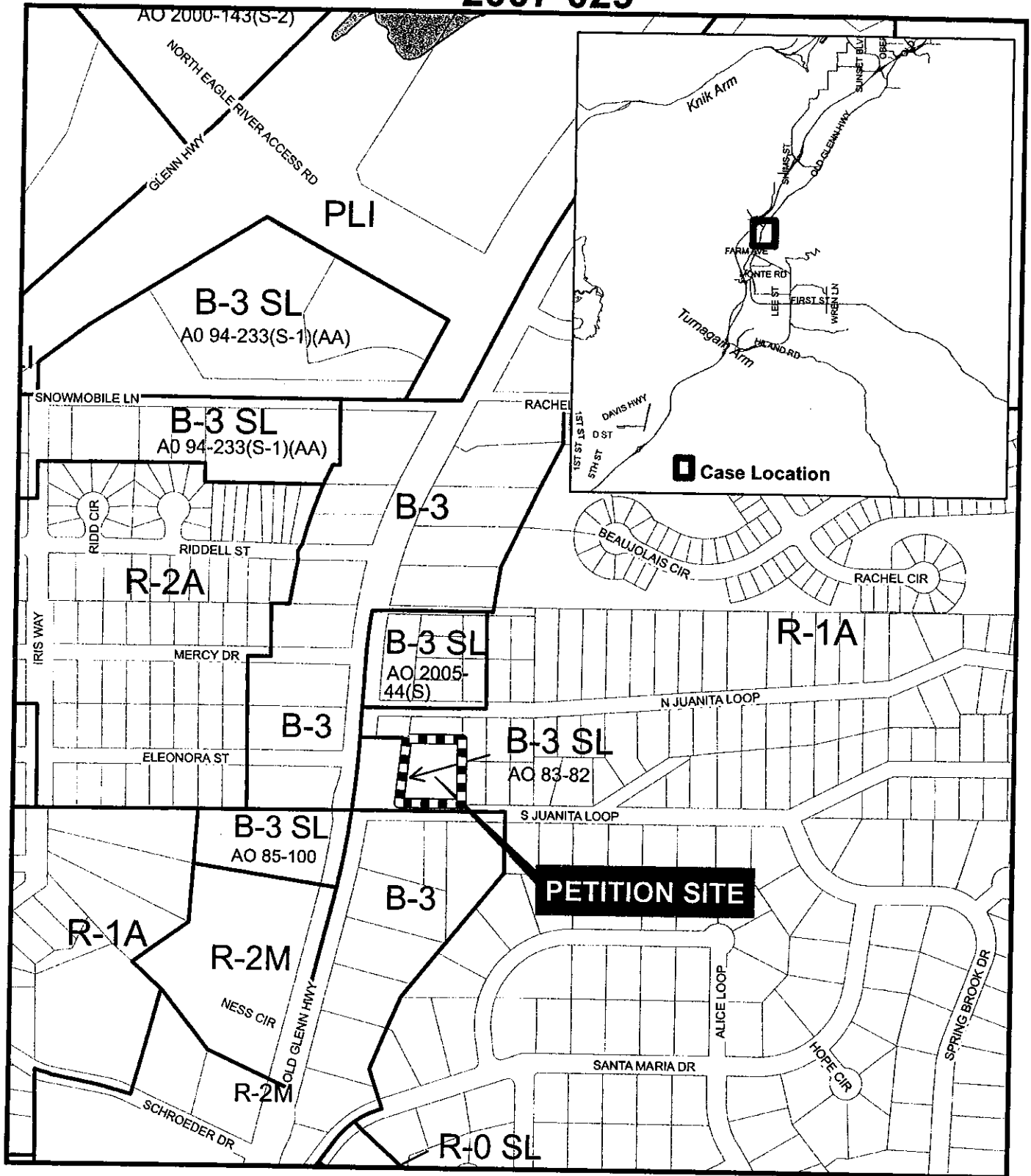
10 | Concur: Tom Nelson, Director, Planning Department

11 | Concur: Mary Jane Michael, Executive Director, Office of Economic &
12 | Community Development

13 | Concur: Denis C. LeBlanc, Municipal Manager

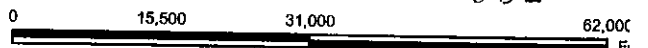
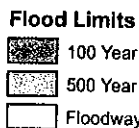
14 | Respectfully submitted: Mark Begich, Mayor

CONDITIONAL USE-ALCOHOL 2007-029



Municipality of Anchorage
Planning Department

Date: December 27, 2006



001

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

DATE: February 27, 2007

CASE NO.: 2007-029

APPLICANT: Tara Petricca
dba Piccolino's Restaurant

REPRESENTATIVE: Self

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

LOCATION: Debora Subdivision, Block E, Lot 1A; generally located on the northeast corner of the Old Glenn Highway and South Juanita Loop.

STREET ADDRESS: 12801 Old Glenn Highway

COMMUNITY COUNCIL: Old Glenn Highway

TAX PARCEL: 050-031-40/

ATTACHMENTS

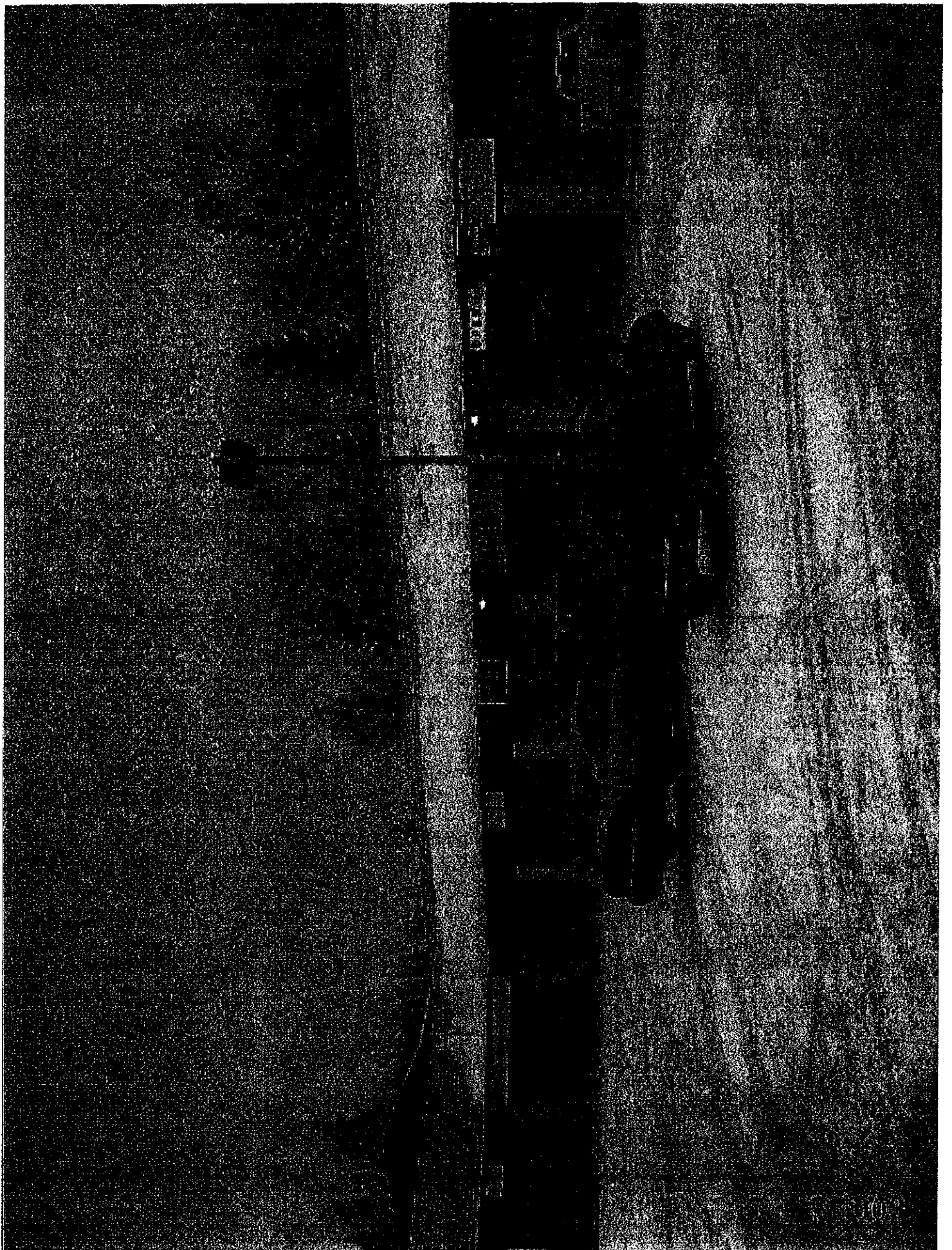
1. Location Map
2. Departmental Comments
3. Application
4. Posting Affidavit
5. Historical Information

RECOMMENDATION SUMMARY:

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

SITE:

Acres: 36,432 SF
Vegetation: Minimal Commercial Landscaping
Zoning: B-3 SL
Topography: Generally Level
Existing Use: Retail Mall Including Restaurant



Soils: Public Sewer & Water

COMPREHENSIVE PLAN – Chugiak–Eagle River Comprehensive Plan Update 2006

Classification: Commercial

Density: N/A

SURROUNDING AREA

	NORTH	EAST	SOUTH	WEST
Zoning:	R-1A/B-3 SL	R-1A	B-3	B-3
Land Use:	Commercial/ Vacant	Single Family Residential	Auto Service Garage/ Warehouse/ Residential	Commercial Retail

SITE DESCRIPTION AND PROPOSAL:

The petitioner leases 1,600 square feet of space located on the subject property within a commercial retail building. The address is 12801 Old Glenn Highway. The petitioner operates Piccolino's Restaurant and has applied to the Alcoholic Beverages Control Board for a Restaurant Beer and Wine license. The property is zoned B-3 SL. Based on a floor diagram, there are a total of thirty-two fixed seats and twenty-four non-fixed seats.

The sale of alcoholic beverages will represent five percent compared to ninety-five percent food sales. The restaurant operates seven days a week. Alcohol sales will be available Tuesday through Saturday from 11:00 AM to 10:00 PM. 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 are available and notices of penalties for driving intoxicated will be posted. 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 are no schools within 200 feet of the petition site. Municipal records show seven church properties within 200 feet. At least two are located within the same building as the restaurant.

PUBLIC COMMENTS:

One hundred eleven (111) public hearing notices (PHNs) were mailed January 31, 2007. At the time this report was written, no PHNs were returned, but two

e-mails were received in support of the request. The Eagle River Community Council did not provide written comments at the time this report was written.

FINDINGS

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

The subject property is located within an area designated as commercial in the Chugiak-Eagle River Comprehensive Plan Update 2006. This area has many components of a commercial area serving community needs, such as a wide range of retail shopping and services that meet the needs of residents in the general area.

The Chugiak-Eagle River Comprehensive Plan Update 2006 does not specifically address the sales of alcoholic beverages. However, several goals of the Comprehensive Plan do address economic and recreational opportunities. A general conclusion is that commercial opportunities are referenced in the Plan. Restaurants that sell alcoholic beverages are part of the commercial environment of this community. Uses of alcoholic beverages in restaurant settings are a legitimate element of the community's commercial opportunities.

The plan emphasizes the need for centrally located commercial uses, and the need for small-scale, local entrepreneurship. The use of this site as a restaurant in a single commercial retail building that provides a mix of retail sales under one roof, complies with the plan.

The objectives of the comprehensive plan do address economic opportunities:

- Encourage and reinforce the continued growth of the business districts in Eagle River and Peters Creek.
- Promote continued use, expansion and development within established commercial and industrial areas determined to be suitable for continued use.
- Promote the continued commercial use and development of the business district in downtown Eagle River, while including continued opportunities for adjacent high density residential development, in order to maintain a viable downtown area.

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. The retail structure is not expanding or changing uses as this is an existing restaurant location, so there is no requirement to upgrade the parking lot to current standards.

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 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 are no licenses within a 1,000-foot radius of the petition site. Approving this restaurant/eating place license will add the first restaurant/eating place license within a 1,000-foot radius of the petition site.

The Alcoholic Beverages Control statutes restrict the number of beverage dispensary and package store licenses based on a population do not restrict the number of restaurant or eating place license

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. This is a request for a restaurant/eating place license and is not subject to this requirement.

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. According to Municipal records the mall has had a variety of retail uses over the years, including restaurants. It appears the mall has nonconforming rights to the site for the parking lot layout and design, and landscaping, although the extent of such nonconformities has not been established. The responsibility to comply with setback requirements and to provide conforming parking or to establish nonconforming rights should rest with the owner of the property and not with the tenant.

The Traffic Department and the State of Alaska Department of Transportation had no comments on this request.

There are adequate entrances and exits for vehicles to and from adjacent streets and roadways. Public transportation is available along the Old Glenn Highway.

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.

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

This standard is met.

As a land use, a restaurant/eating place conditional use and license will not cause or contribute to any environmental pollution. The public parking lot is paved, which helps 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 restaurant/eating place license. This is an existing restaurant business.

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.**

Approval of this conditional use will add the only restaurant/eating place liquor license within 1,000-feet.

- 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.

Tap Root Café is open daily from 11:00 AM to 10:00 PM: beer and wine will be available during those hours.

- 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 states that the employees will be trained and patron identification will be checked. No liquor will be served outside the premises and no such beverages will be allowed to leave the facility. No additional safety procedures are mentioned in the application. The Anchorage Police Department reports that there have been no incident calls in the past two years for this location.

- E. Payment of taxes and debts. When application is made for renewal of a license the assembly shall consider, pursuant to AS 4.11.330, whether the applicant is delinquent in payment of taxes owed to the Municipality. When application is made for transfer of ownership of a license the Assembly shall consider, pursuant to AS 4.11.360, whether the municipality has received either payment or adequate security, for the payment of any debts or taxes, including any estimated taxes for the current year, arising from the conduct of the licensed business. Adequate security for the payment of debts and**

taxes may be in the form of: 1) escrowed funds sufficient to pay the debts and taxes claimed and any escrow fees; 2) actual payment of debts and taxes claimed; or, 3) a guarantee agreement in accordance AMC 10.50.030. Any guarantee agreement shall be in writing, signed by the transferor, transferee and Municipality

This standard is met.

There are no outstanding Business Personal Property taxes owing, 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 at the time this report was written.

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

This form was not requested of this applicant.

RECOMMENDATION:

This application for a final conditional use for alcoholic beverages in the B-3 District for a Restaurant/Eating Place 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:

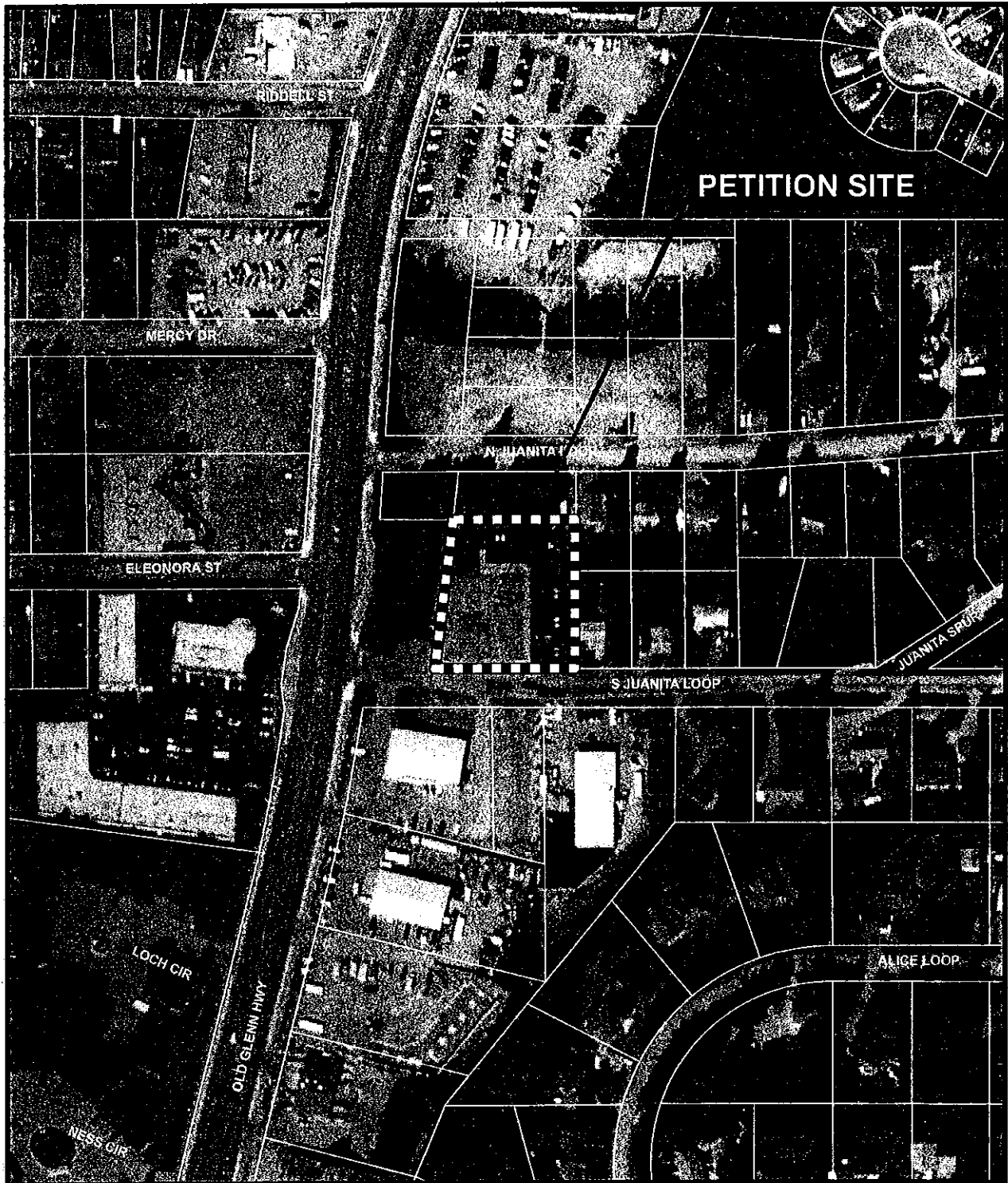
1. A notice of Zoning Action shall be filed with the District Recorder's Office within 120 days of the Assembly's approval of a final conditional use approval for a Restaurant/Eating Place Use in the B-3 District and compliance with the other conditions set forth herein.
2. All uses shall conform to the plans and narrative submitted with this conditional use application.
3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the B-3 District for a Restaurant/Eating Place Use per AMC 21.40.180.D.8 for a 1,600 square foot restaurant lease area at 12801 Old Glenn Highway, for Piccolino's, located on Debora Subdivision, Block E, Lot 1A. The restaurant has a total of 32 fixed seats and 24 non-fixed seats.
4. On-premise sale of alcohol beverages will be daily from 11:00 A.M. to 10:00 P.M. Liquor sales will constitute approximately five 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.

2

HISTORICAL MAPS AND AS-BUILTS

2007-029



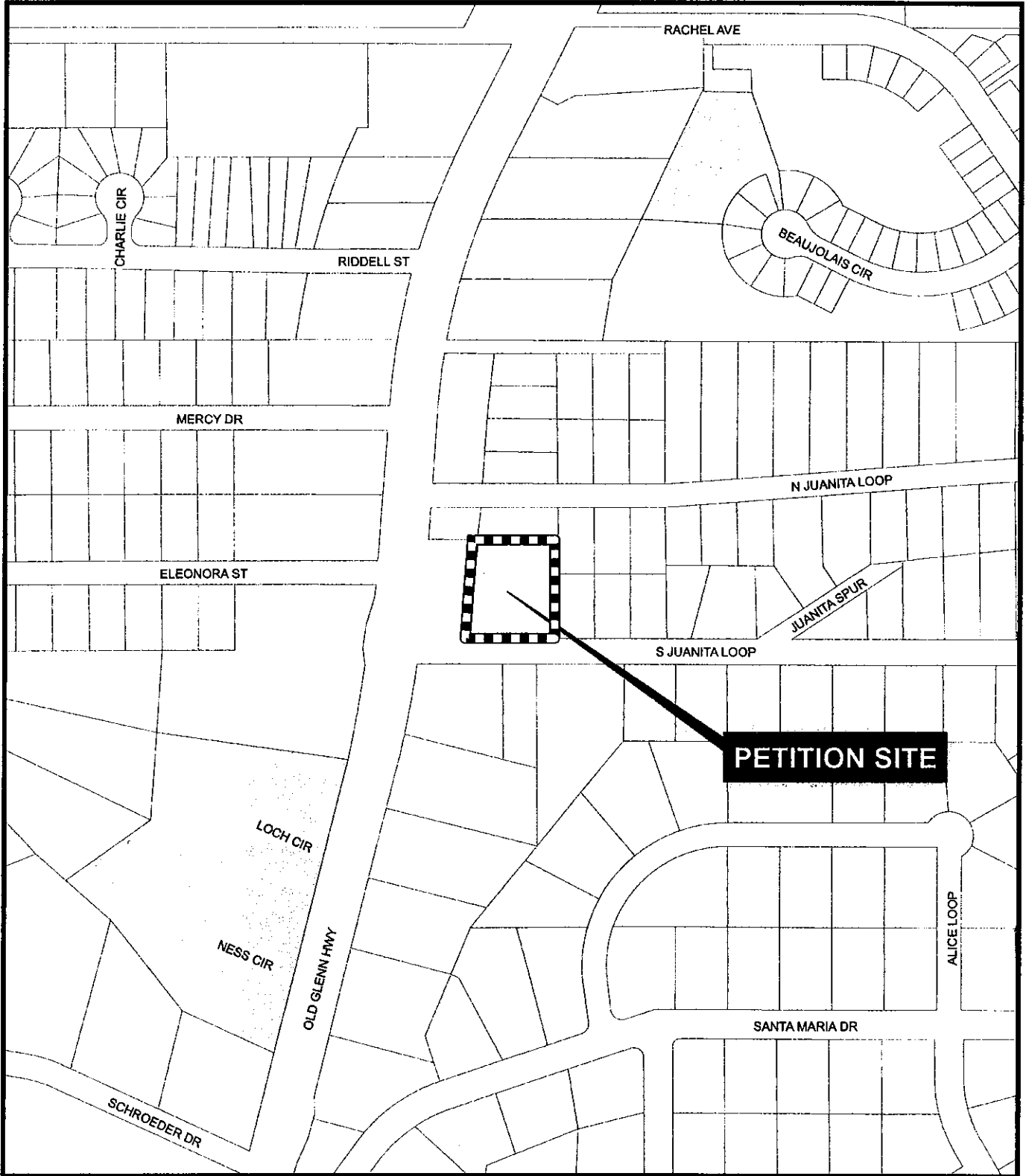
Municipality of Anchorage
Planning Department

Date: December 27, 2006






0 195 390

CONDITIONAL USE-ALCOHOL 2007-029



Municipality of Anchorage
Planning Department

Date: December 27, 2006

-  Single Family
-  Multi-Family
-  Mobile Home Park



3

DEPARTMENTAL

COMMENTS

RECEIVED

To: Planning/ Zoning Rich Cartier

JAN 12 2007

POLICE DEPARTMENT CHECK LIST
FOR INVESTIGATION OF LICENSED LIQUOR ESTABLISHMENTS

Municipality of Anchorage
Zoning Division

1. Criminal History in Local Police Files? YES NO UNK *2007-029*
{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

<u>OLD BUSINESS NAME</u>	<u>OLD LOCATION</u>
Piccolino's	12801 Old Glenn Hw
<u>BUSINESS NAME</u>	<u>LOCATION</u>
Tara Petricca	None
<u>NAME OF APPLICANT (S)</u>	<u>CURRENT LICENSEE (S)</u>

- 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.

12.27.06
DATE

Lt. Gillman,
for CHIEF OF POLICE *[Signature]*



Bar File

Activity for: 12801 OLD GLENN HW
12/27/2004 through 12/27/2006



Report#	Nature of Call	Report	Officer	MO Location
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.....

RECEIVED

JAN 11 2007

Municipality of Anchorage
Zoning Division

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

M E M O R A N D U M

DATE: January 11, 2007
TO: Jerry Weaver, Zoning Division Administrator, Planning Department
FROM: Sandy Notestine, Engineering Technician, AWWU
SUBJECT: Zoning Case Comments
Planning & Zoning Commission Hearing February 27, 2007
Agency Comments Due January 30, 2007

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

2007-029 Debora Subdivision Block E Lot 1A River Mall (Zone B-3SL) Grid NW0352

1. AWWU water and sewer services are available to the parcel.
2. AWWU has no comment regarding the conditional use for a restaurant serving alcohol.

2007-030 Thomas W. Sperstad, Block 2, Lot 5A (Zone B-3) Grid SW2832

1. AWWU water and sewer services are available to the parcel from Huffman Road.
2. AWWU has no comment regarding the conditional use for a restaurant serving alcohol.

If you have questions pertinent to public water and sanitary sewer, 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

SARAH PALIN, GOVERNOR

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

RECEIVED

January 9, 2007

JAN 10 2007

RE: MOA Zoning Review

Municipality of Anchorage
Zoning Division

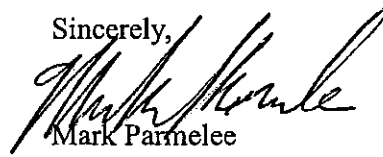
Mr. Jerry Weaver, Platting Officer
Municipality of Anchorage
P.O. Box 196650
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

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

2007-030 Final Approval of a Conditional Use Permit, Block 2 Lot 5A, Rebecca Mohlman
2007-029 Final Approval of a Conditional Use Permit, Block E Lot 1A, Tara Petricca

Sincerely,



Mark Parmelee
Area Planner

RECEIVED

JAN 08 2007

Municipality of Anchorage
Zoning Division

Municipality of Anchorage
MEMORANDUM

DATE: January 4, 2007
TO: Jerry Weaver, Manager, Zoning and Platting Division
FROM: Don Dolenc, Development Reviewer
SUBJECT: Development Review Comments, Assembly case for the meeting of February 27, 2007.

Case #: 2007-029
Type: Conditional Use for Restaurant Serving Alcohol
Subdivision: Debora Block E lot 1A
Grid: NW 352
Tax ID #: 050-031-40
Zoning: B-3SL (AO 83-82)

Platting: 82-370, filed November 3, 1982

Lot area and width: AMC 21.40.180.F: "Minimum lot requirements are as follows: ...

2. All other uses, including residential uses associated with other uses:

- a. Width: 50 feet.
- b. Area: 6,000 square feet."

OS&HP setbacks: Old Glenn Highway is a class III arterial. AMC 21.45.140 requires a 50 foot from centerline dedication or development setback in addition to the zoning district setback. The plat shows 150 feet from centerline dedication. A development setback is not required.

Yard requirements: AMC 21.40.180.G: "Minimum yard requirements are as follows: ...

2. All other uses:

- a. Front yard: Ten feet.
- b. Side yard: Ten feet adjacent to a residential district"

AMC 21.45.120.B requires that "in the case of corner lots, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage."

AMC 21.35.020.B provides that "in the case of double-frontage and corner lots, there will be no rear yards, but only front and side yards."

Submit an as-built survey to Development Review to verify compliance with yard setbacks.

Lot coverage: AMC 21.40.180.H: "Maximum lot coverage is as follows: ...
2. All other uses: Unrestricted."

Clear vision area: A clear vision area, as defined in AMC 21.45.020.A, applies to this property.

Legal nonconformities: None have been established with Development Review.

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

Use determination: Property tax records indicate a 9,600 square foot Retail Condominium built in 1984.

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

Prior Conditional Use resolutions: P&Z resolution 99-168 for a conditional use: sales of alcoholic beverages (approved with conditions)

Building height: AMC 21.40.180.I: "Maximum height of structures is unrestricted, except that no structure shall exceed the standards of section 21.65.050." The property is not within any established Airport Height Zone.

Off-street parking: **Off-street parking:** AMC 21.45.080.K: "Restaurant, bars, lounges and nightclubs. One parking is required space for every three seats. Parking space requirements for such facilities without fixed seating shall be based on maximum capacity under the provisions of the Uniform Building Code."

AMC 21.45.080.X.7: "The off-street parking area, including all points of ingress and egress, shall be constructed in accordance with the following standards:

a. A parking area related to any use within an urban or suburban use district, as defined in section 21.85.020, shall be paved with a concrete or asphalt compound to standards prescribed by the traffic engineer."

AMC 21.45.080.X.8 requires accessible parking for "commercial, industrial, public and institutional uses."

The parking plan was hand-drawn and not to scale. Submit parking calculations and a scalable parking layout to Development Review to verify compliance with AMC 21.45.080. Restaurants typically have a higher parking requirement than retail uses.

Landscaping requirements: AMC 21.40.180.N: "Landscaping ...

2. Perimeter landscaping. Except adjacent to collector or arterial streets, visual enhancement landscaping shall be planted along the perimeter of all outdoor areas used for vehicle circulation, parking, storage or display.
3. Arterial landscaping. Arterial landscaping shall be planted along all collector or arterial streets.
4. Visual enhancement landscaping. All areas not devoted to buildings, structures, drives, walks, off-street parking facilities or other authorized installations shall be planted with visual enhancement landscaping.
5. Maintenance. All landscaping shall be maintained by the property owner or his designee.”

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

AMC 21.45.080.X.6: “The perimeter of a parking area, except a parking area serving only a single-family, two-family or three-family dwelling, adjoining a lot in a residential district shall utilize the following schedule:

a. Institutional, commercial or industrial uses adjoining a residential district: Buffer landscaping or a screening structure and visual enhancement landscaping.”

AMC 21.45.080.X.10: “Landscaping for parking lots with 15 or more spaces.

a. Visual enhancement landscaping shall be planted on the perimeter of the parking area adjoining a lot line or a screening structure shall be placed on the perimeter of the parking area adjoining a lot line and an area equal to at least five percent of the surface of the parking area including appurtenant driveways shall be devoted to visual enhancement landscaping

b. The parking area shall be separated from any building on the same lot by a sidewalk or landscaped area, or both, at least four feet wide.

c. In addition to the landscaping required under subsections a and b of this subsection, visual enhancement landscaping shall be planted within the interior of a parking area containing more than 60 spaces. The area devoted to visual enhancement landscaping shall equal at least five percent of the surface of the parking area, including appurtenant driveways.”

Provide a landscaping plan to Development Review showing details of refuse screening and the location and type of plant materials used to satisfy the landscaping requirements of AMC 21.40.180.N and 21.45.080.

Fences: AMC 21.45.110.A: “A fence may be constructed at the lot line, provided, however, that front yard fences in residential zoning districts shall not exceed four feet in height”

Access: Access is shown to South Juanita, which complies with the requirements of AMC 21.45.040.

Public streets abut the property. Principal access to them would meet the requirements of AMC 21.45.040.

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

Wetlands: Map 54 shows the property as uplands.

Seismic hazard: The property is not within an area of high ground failure susceptibility.

Recommendations: If approval of this case is granted, Development Review recommends the following:

1. Submit an as-built survey to Development Review to verify compliance with yard setbacks.
2. The parking plan was hand-drawn and not to scale. Submit parking calculations and a scalable parking layout to Development Review to verify compliance with AMC 21.45.080. Restaurants typically have a higher parking requirement than retail uses.
3. Provide a landscaping plan to Development Review showing details of refuse screening and the location and type of plant materials used to satisfy the landscaping requirements of AMC 21.40.180.N and 21.45.080.

(Reviewer: Don Dolenc)



MUNICIPALITY OF ANCHORAGE
Traffic Department



MEMORANDUM

RECEIVED

DATE: December 29, 2007
TO: Jerry T. Weaver, Platting Supervisor, Planning Department
THRU: Leland R. Coop, Associate Traffic Engineer
FROM: Mada Angell, Assistant Traffic Engineer
SUBJECT: Traffic Engineering and Transportation Planning Comments for
February 27, 2007 Assembly

JAN 04 2007

Municipality of Anchorage
Zoning Division

07-29

Debora; Conditional Use for serving alcohol; Eagle River

Traffic Engineering and Transportation Planning have no comment.

E-MAILED

Fire

RECEIVED

DEC 29 2006

**Municipality of Anchorage
Zoning Division**

S11561-1	J. Weaver	Yes 12/28/06	No Objection
S11562-1	J. Weaver	Yes 12/28/06	No Objection
S10611-3	J. Weaver	Yes 12/28/06	No Objection
S10930-2	J. Weaver	Yes 12/28/06	No Objection
S11260-2	J. Weaver	Yes 12/28/06	No Objection
2007-001	R. Cartier	Yes 12/28/06	No Comment ✓
2007-002	R. Cartier	Yes 12/28/06	No Comment ✓
2007-007	R. Cartier	Yes 12/28/06	No Comment ✓
2007-015	R. Cartier	Yes 12/28/06	No Objection ✓
2007-019	R. Cartier	Yes 12/28/06	No Comment ✓
2007-020	R. Cartier	Yes 12/28/06	No Comment ✓
2007-029	R. Cartier	Yes 12/28/06	No Objection ✓
2007-005	R. Cartier	Yes 12/28/06	Comment

IFC D104.3 Where two access roads are required, they shall be placed a distance apart equal to not less than one half the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

2007-025 R. Cartier Yes 12/28/06 Comment

D105 Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads with a minimum unobstructed width of 26 feet. One of the required access roads shall be located within a minimum 15 feet and a maximum 30 feet from the building and shall be positioned parallel to one entire side of the building.

2007-022 R. Cartier Yes 12/28/06 Comment

- 1) Verify access road from Muldoon meets minimum unobstructed width of not less than 20 feet. IFC 503. It appears there is a center island reducing the minimum required width.
- 2) Show location of all fire hydrants and verify the minimum access road with fire hydrants has a minimum 26 feet unobstructed width. IFC Appendix C, D103.
- 3) Please verify the height of all buildings. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads with a minimum unobstructed width of 26 feet. One of the required access roads shall be located within a minimum 15 feet and a maximum 30 feet from the building and shall be positioned parallel to one entire side of the building.
- 4) Verify turning radius of fire department access road is a minimum 45 feet inside and a minimum 60 feet outside throughout development. IFC D103.3.

RECEIVED

JAN 0 2 2007

Municipality of Anchorage
Zoning Division

Municipality of Anchorage
Treasury Division
Memorandum

Date: December 28, 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 # 2007-029 for Piccolino's Restaurant located at 12801 Old Glenn Hwy Ste. 7 Eagle River, AK 99577 I can find no reason not to approve this application.

Zoning and Platting Cases On-line

View Case Comments

[Submit a Comment](#)

**** These comments were submitted by citizens and are part of the public record for the cases ****

Questions? If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

1. Select a Case: [View Comments](#)

RECEIVED

2. View Comments:

JAN 22 2007

**MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION**

Case Num: 2007-029
 Assembly conditional use for a restaurant serving alcohol

Site Address: 12801 OLD GLENN HWY
Location: An Alcoholic Beverage Conditional Use for a Restaurant License; Piccolino's Restaurant. Debora Subdivision, Block E, Lot 1A. Located at 12801 Old Glenn Highway.

[Details](#) | [Staff Report](#) | [submit a comment](#)

Public Comments

1/20/07

Karen Maskariniec
20030 Upper Greatland Drive
Chugiak AK 99567

I strongly support the request of Piccolino's restaurant for a beer and wine license. They serve really great Italian food, which I believe is best enjoyed with a nice glass of wine. Many, many restaurants have failed in this location, and some of them have deserved to. This one deserves every chance to succeed, and as a regular patron, I believe the license in question would be a big help in that regard. I also am a weekly churchgoer. I do not view this location's proximity to a church as a conflict, since it is neither a bar nor a liquor store. Not that both saints and sinners couldn't be found in those places, also! Please register my opinion as strongly in favor. Thanks!

Zoning and Platting Cases On-line

View Case Comments

[Submit a Comment](#)

**** These comments were submitted by citizens and are part of the public record for the cases ****

Questions? If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

RECEIVED

DEC 27 2006

Municipality of Anchorage
Zoning Division

1. Select a Case:

2. View Comments:

Case Num: 2007-029
 Assembly conditional use for a restaurant serving alcohol

Site Address: 12801 OLD GLENN HWY
Location: An Alcoholic Beverage Conditional Use for a Restaurant License; Piccolino's Restaurant. Debora Subdivision, Block E, Lot 1A. Located at 12801 Old Glenn Highway.

[Details](#) | [Staff Report](#) | [submit a comment](#)

Public Comments

12/27/06
 Raney Hardman
 P.O. Box 773521
 Eagle River AK 99577
 Its a great restaurant. Hard to have a great meal there without a nice glass of wine... Owner and her restaurant are a great addition to Eagle River...

[Zoning & Platting Cases On-line website](#)

029

4

APPLICATION

1

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) PETRICCA TARA		Name (last name first)	
Mailing Address PO BOX 773412 EAGLE RIVER AK 99577		Mailing Address	
Contact Phone: Day: 677-5266 Night: 206-947-7911		Contact Phone: Day:	Night:
FAX: 677-5267		FAX:	
E-mail:		E-mail:	

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

PROPERTY INFORMATION		
Property Tax #(000-000-00-000): 574-0668-44	050-031-40	(05-E-32166)
Site Street Address: 12801 Old Glenn Hwy Eagle River 99577		
Property Owner (if not the Petitioner): Jose + Lucia A Nanez		
Current legal description: (use additional sheet in necessary) Debara BLK "E" Lt. Lot. 1-A BLOCK "E" Block E Lot 1A		
Zoning:	Acreage:	Grid #

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

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

Date 11/20/06	Signature (Agents must provide written proof of authorization) Sara L Petricca
-------------------------	--

Accepted by	Poster Affidavit	Fee	Case Number 112007-029
-------------	------------------	-----	----------------------------------

031

2

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
- Neighborhood Commercial Center
- Transit - Supportive Development Corridor
- Redevelopment/Mixed Use Area
- Industrial Center
- Town Center

Eagle River-Chugiak-Peters Creek Land Use Classification:

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

Girdwood- Turnagain Arm

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

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

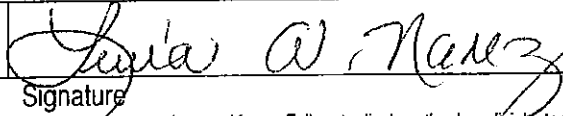

- Required:
- Site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location.
 - Building plans to scale depicting: floor plans indicating the location of sales and service areas; building elevations (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

032

Application for conditional use retail sale alcoholic beverages continued

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.

12/18/06 *Laura W. Nantz*  

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):

Piccolino's

What is the gross leaseable floor space in square feet?

1,600 -

What is the facility occupant capacity?

56

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

32

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

24

What will be the normal business hours of operation?

11am - 10pm

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

11am - 10pm

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

5 % Alcoholic beverage sales

95 % Food sales

Type of entertainment proposed: (Mark all that apply)

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

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

DISTANCE FROM CHURCHES, DAY CARE, AND SCHOOLS

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

Name	Address
<i>Cristian Alliance Fellowship (In the Wind Biker Church)</i>	<i>12801 Old Glenn Hwy Eagle River A " " Site #9,10,11,12,13 995</i>

PACKAGE STORES

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

- % less than \$5.00
- % \$5.00 to \$10.00
- % \$10.00 to \$25.00
- % greater than \$25.00

NA

CONDITIONAL USE STANDARDS

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

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

Business provides an eating place with Beer+Wine

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

Sale of Alcohol is permitted

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.

Employs 4-6 persons.

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

1. Pedestrian and vehicular traffic circulation and safety.

PARKING Lot set back from main hwy.

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

water & sewer in place.

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

None

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

STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

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

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

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

None

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

5

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

1

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

10?

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?

ALL 4

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

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

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

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

inside facility: TRAINED employees, BEER + WINE SERVED ONLY to accentuate Food, spirits will not be overserved. ID's checked, ongoing employee training as needed.

outside facility: No liquor served outside premises. ~~none~~ No spirits leave facility opened nor unopened.

036

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

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

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

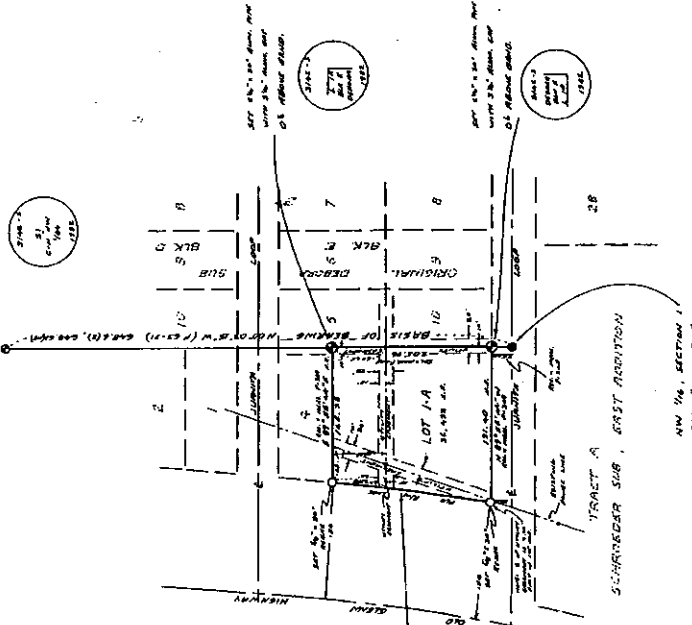
- Yes No *As the applicant and operator can you comply? If no explain*

Additional space if needed.

038

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I (we) hold the best title to the property shown in the plat hereon, and that I (we) hereby dedicate to the Municipality of Anchorage all areas indicated for use as public utility easements, streets, alleys, thoroughfares, parks, and other public areas shown hereon. These areas shall be reserved adjacent to the dedicated streets shown hereon, a slope of 1.5 feet per foot, and the easements for and the right to use such areas shall be reserved for each lot shown on this plat. I (we) hereby certify that I (we) intend providing and maintaining the lateral support of the constructed streets. There is reserved to the grantor, their heirs, successors and assigns, the right to use such areas at any time upon providing and maintaining other adequate lateral support, as approved by the Municipality.



C-N NW 1/4, SECTION 1
P.O. BOX 865
SET 2" - 30" FROM PIPE
WITH 2" BRASS CAP, 0.5 ABOVE GROUND.



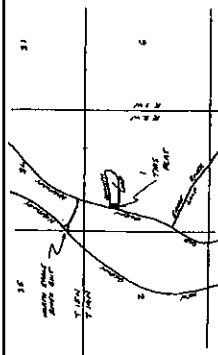
Lillian E. Stevens
LILLIAN E. STEVENS
P.O. Box 865
Eagle River, Alaska 99577

NOTARY ACKNOWLEDGEMENT

Subscribed and sworn to before me this 22nd day of August 1982
by Lillian E. Stevens.

[Signature]
Notary Public

AREA = 0.84 ACRE
VICINITY MAP SCALE: 1" = 3000'



LOT 1A, BLOCK E, DEBORA SUB.
A RESUBDIVISION OF
LOTS 1, 2 and 3, BLOCK E, DEBORA SUBDIVISION
(P-349)
LOCATED IN
NW 1/4, SEC. 1, T. 14 N., R. 2 W., S. 41. N., AK.

RICHARD P. HANKINS
REGISTERED PROFESSIONAL LAND SURVEYOR
P.O. BOX 1105, EAGLE RIVER, ALASKA
PH. 894-2371 99577

City	NW 252	Scale	1" = 100'	Date	JUNE, 1982	Book +	Page +
Drawn	RH	File No.	82-14	of	0. No.	8-6270	

1982-2868

82-370
ANCHORAGE - FILED 10th
Anchorage, Alaska
11-3
3-35
Municipality
of Anchorage

TAX CERTIFICATION

All real property taxes levied by the Municipality of Anchorage on the area shown on this plat have been paid.

[Signature]
Municipal Engineer

[Signature]
APPROVAL
Municipal Engineer

ACCEPTANCE OF DEDICATION

The Municipality of Anchorage hereby accepts for public use and for public purposes the real property dedicated on this plat including, but not limited to the easements, rights-of-way, alleys, roadways, thoroughfares and parks shown hereon.

Dated at Anchorage, Alaska this 22nd day of August 1982.

[Signature]
Municipal Engineer



SURVEYOR'S CERTIFICATE

I, Richard P. Hankins, professional land surveyor do hereby certify that the plat of Lot 1A, Block E, Debora Sub. is a true and correct representation of lands actually surveyed and that the distances and bearings are shown correctly and that all permanent exterior corner monuments, all other monuments, and all other monuments shown hereon are in accordance with the subdivision agreement. Lot corners to be set by ALL. Monuments to be set by ALL.

PLAT APPROVAL
Plat approved by the Municipal Planning Authority
this 22nd day of November, 1982.

[Signature]
Municipal Engineer

```

+-----+
| Reference number : 008942   Reference coment : BZAP - TEXT REFERENCE |
+-----+
| Print date       : 12/08/99   Date TEXT created: 08/11/99   |
| Requested by    : RAK         Executed from      : BZAP/BZ20   |
| Action number   : 99-168     |
| Action date     : 08/10/99   Expiration date  : / /     |
| Reference type  : CU         Description        : CONDITIONAL USES |
| Reference status: AWC        Description        : APPROVED WITH CONDITION |
+-----+

```

- 1 page follows -

Anchorage, Alaska
AR 99-168

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A CONDITIONAL USE FOR SALES OF ALCOHOLIC BEVERAGES (RESTAURANT AND EATING PLACE LICENSE) LOCATED AT DEBORA SUBDIVISION, BLOCK "E", LOT 1A, GENERALLY LOCATED ON THE SIDE OF OLD GLENN HIGHWAY AND NORTH OF SOUTH JUANITA LOOP ROAD
(Jose & Lucia Nanez, d.b.a. River Place Restaurant) (Case 99-147)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The conditional use permit for restaurant and eating place license located on Debora Subdivision, Block "E", Lot 1A, is approved subject to the following conditions:

1. A notice of Zoning Action shall be filed with the District Recorders Office within 120 days of the Alcoholic Beverage Control Board's approval of the license.
2. All construction and uses shall conform with the plans and narrative submitted.
3. Current information on tenants and a clear parking layout of all required parking shall be provided to Land Use Enforcement to determine adequacy of parking.
4. Resolve change of use land use permit requirements with Land Use Enforcement.
5. The use of the property by any person for the permitted purposes shall comply with all current and future federal, state

PARCEL INFORMATION

APPRAISAL INFORMATION

Legal DEBORA
BLK E LT 1A
RIVER MALL




Parcel 050-031-40-000
Owner WJW CONSTRUCTION INC
SHAREHOLDERS & DIRECTORS



Descr CONDOMINIUM MASTER
Site Addr 12801 OLD GLENN HWY

PO BOX 770998
EAGLE RIVER AK 99577 0998

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 1999-147 # of Parcels 1 Hearing Date 07/20/1999
Case Type Assembly conditional use for a restaurant serving alcohol
Legal A RESTAURANT/EATING PLACE LIQUOR LICENSE CONDITIONAL USE for Debora Subdivision, Block "E", Lot 1A, generally located on the side of Old Glenn Highway and north of South Jaunita Loop Road.

PLAT



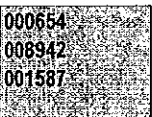
Case Number	Grid	Proposed Lots 0	Existing Lots
Action Type		Action Date	
Legal			

PERMITS



Permit Number 03E3137
Project
Work Desc 144 sq ft shed addition
Use CHURCH

BZAP



Action No. S6612
Action Date 06/21/1983
Resolution
Status APR Ruling Approved
Type PN Plat Notes

ALCOHOL LICENSE



Business Address	Applicants Name
License Type	Conditions 
Status	

82-370 Plat

Parcels--Basic Layers

Wed Dec 20, 09:41:31, 2006

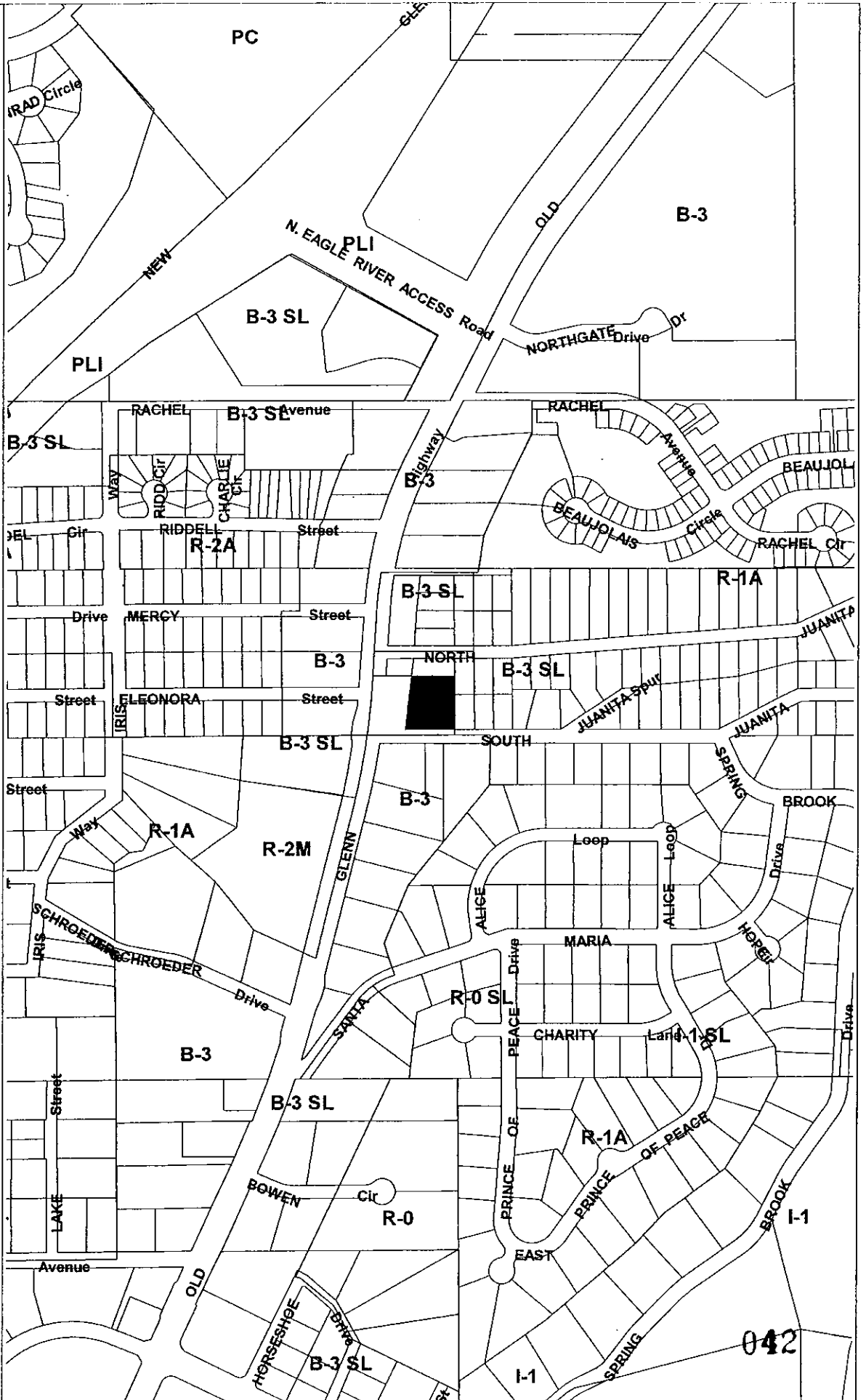
Map: Parcels--Basic Layers



Scale 1:6000

Legend:

Txt	STRNAME_BLI
Txt	ZONE_TYPE
	PARCELS
	ZONING



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

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

#1730
#1731

SECTION A. LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: 06/07/08	License Type: BEER/WINE	Statute Reference	License Fee: \$
(Office Use Only) License #: 4879		Sec. 04.11: 100	Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) EAGLE RIVER	Community Council Name(s) & Mailing Address: Eagle River Community Council PO Box 773952 Eagle River AK 99577		Fingerprint: (\$39 per person)
Federal EIN or SSN: 0000000000 024-74-0149			Total Submitted: \$ 809
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Tara Petricca	Doing Business As (Business Name): Piccolino's	Business Telephone Number: 907-622-5266	
		Fax Number: 907-622-5268	
Mailing Address: PO Box 773412	Street Address or Location of Premise: 12801 Old Glen Hwy Eagle River AK 99577	Email Address: none	
City, State, Zip: Eagle River AK 99577			
SECTION B. PREMISES TO BE LICENSED. Must be completed.			
Closest school grounds	Distance measured under: <input type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Closest church:	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality.	
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input checked="" type="checkbox"/> Not applicable	
<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings)			
<input type="checkbox"/> Diagram of premises attached			

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

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

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

Name	Name of Business	Type of License	Business Street Address	State

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

- Yes No If Yes, attach written explanation.

Office Use Only

Date Approved

Director's Signature



043

Liquor License

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) <i>Piccolino's</i>	Telephone Number <i>907-622-5266</i>	Fax Number
Corporate Mailing Address: <i>PO Box 773412</i>	City <i>Eagle River</i>	State <i>AK</i>
	Zip Code <i>99577</i>	
Name, Mailing Address and Telephone Number of Registered Agent <i>Tara Petricca PO Box 773412 Eagle River AK 206-947-7991</i>	Date of Incorporation OR Certification with DCED	State of Incorporation

Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? Yes 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
<i>Tara Petricca</i>	<i>Owner</i>	<i>100</i>	<i>16510 Centerfield APT. 66 PO Eagle River AK 99577</i>	<i>622-5266</i>	<i>11/25/74</i>

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

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

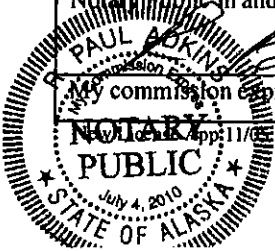
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:
Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: Work Phone:	Date of Birth:	Home Phone: Work Phone:	Date of Birth:

Declaration

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

Signature of Licensee(s)

Signature <i>Tara L. Petricca</i>	Signature
Name & Title (Please Print) <i>Tara Petricca</i>	Name & Title (Please Print)
Subscribed and sworn to before me this <i>27th</i> day of <i>October</i> , <i>2006</i>	Subscribed and sworn to before me this day of
Notary Public in and for the State of Alaska <i>Paul Kokkin</i>	Notary Public in and for the State of Alaska
My commission expires: <i>20 July 4, 2010</i>	My commission expires:



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 Beer / Wine liquor license
for Piccolino's Restaurant
located at 12801 Old Glenn Hwy Suite 7 Eagle River AK
(address and/or location) 99577

OR

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

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

10/27/06 to 11/6/06

*** 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)

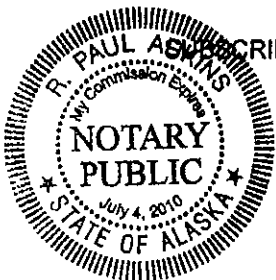
a. Location of premises to be licensed 12801 Old Glenn Hwy Eagle River AK
b. Other conspicuous location in the area US Post Office Eagle River AK 99577

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.

Jara L. Petrucca
(signature)

DEPOSED and SWORN to me this 10th day of November, 2006.



R. Paul Allison
Notary Public in and for Alaska
My commission expires: July 4, 2010

045

PUBLISHED WEEKLY

Alaska Star

16941 N. Eagle River Loop Rd. • Eagle River, AK 99577-7499 • Phone: (907) 694-2727 • Fax (907) 694-1545

AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA)
)
 STATE OF ALASKA)ss
)
 THIRD JUDICIAL DIVISION)

BEFORE ME, the undersigned, a Notary Public, this day personally appeared Mary Rall who, being first duly sworn, according to law, says that he/she is the Editor of the ALASKA STAR published at Eagle River in said Division and State of Alaska, and that the advertisement, of which the annexed is a true copy, was published in said publication on

Oct. 19, 2006
Oct. 26, 2006
Nov. 2, 2006

New Applications
13 AAC 104.125

Tara Petricca is making application for a new Beer & Wine (AS 04.11.100) liquor license, doing business as Piccolino's located at 12801 Old Glenn Hwy, Eagle River, AK 99577.

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

Pub: October 19, 26, November 2, 2006

and that the rate charged thereon is not in excess of the rate charged private individuals.

Mary M. Rall
 Subscribed and sworn before me this 9th
 day of November 2006

Tracy L. Allison
 Notary Public for State of Alaska

TRACY L. ALLISON
 NOTARY PUBLIC
 STATE OF ALASKA
 My Comm. Exp. 01/14/09

046

J & L Enterprises, Inc.
16751 Theodore Dr.
Eagle River, Alaska 99577

LEASE AGREEMENT

Whereas on this 15th day of October, 2006 J & L Enterprises, Inc. Lessor, whose address is 16751 Theodore Dr., Eagle River, Alaska 99577 and the Lessee whose name and address is:

Name Tara Petrica
Address 16510 Centerfield Dr. G6
City Eagle River, Alaska 99577

Both agree to a lease of the premises more particularly described as:

Address. 12801 Old Glenn Hwy Suite 748
Eagle River, Alaska 99577

The following are the terms which each has read and fully understands as follows:

1 Duration: The terms of this agreement shall last Two Year and may be renew for an addition Two Years, except that either party may terminate the agreement upon substantial breach of this agreement and prior written notice to the other at the address above. The notice shall contain a clause granting the other party 10 days to cure the defect to avoid the termination. Upon agreement this lease can be extended for additional period by an addend to this lease. The lease may go month to month at the end of the lease if both parties agree.

2 Payment: The monthly lease amount shall be Two Thousand Three Hundred Dollars and no cents (\$ 2,300.00), which must be tendered on the 1st day of each month, a late charge of Fifty Dollars (\$50.00), will be charge if the payment does not arrive by the 5th day of month. If the lease payment does not arrive by the 15th day of the month a late charge of One Hundred Dollars (\$100.00) will be charged and in addition the Lessor may give a notice of breach as above stated, and Lessee agrees to vacate.

3. Security Deposit: The parties agree that a security and cleaning deposit of Two Thousand Three Hundred Dollars (\$2,300.00) will be given by the Lessee to the Lessor Which may be used to ensure that the premises will be left in good order, except for damage that is the result of the tenant's use of the premises by normal, non-abusive living, Which said portion of this deposit may be used as a portion of the last month's rent. The remaining portion of these deposits shall be returned to the lessee within 30 days after vacating the premises

4. Insurance and utilities: The lessee shall pay the following items that are checked:
[X] Water, [X] sewer, [X] refuse, [X] electricity [X] heating fuel or gas, [X] cable
television [X] telephone, [X] insurance, [X] taxes.

5. General Conditions: (a) All of the premises will be kept clean, safe and in good repair by the Lessee, normal wear and tear excepted, provided that the Lessee, will notify the Lessor immediately of any other type of repair needed to keep the premises safe and decent: (b) Lessee is responsible for the maintenance and repair of any breakage to structure or equipment belonging to the premises, so long as such breakage was not due to negligent or intentional damage to the premises by the Lessee in which case, the Lessee shall bear such responsibility: (c) No alterations or remodeling may be done without written approval of the Lessor, and any such improvement becomes a part of the premises: (d) the premises may not be sublet without written consent of the Lessor: (e) All Alaskan law not specifically preempted herein is made a part of this agreement to the extent that such law would have a reasonable effect upon the agreement.

A: The Lessee is leasing the equipment that is in attachment to the building and The Lessee agrees that such equipment will be return to the lessor in Same condition as it was received as of the date of this lease. If not the Lessee shall replace such equipment at his cost at the end of the lease.

B. The Lease shall maintain Insurance of not less than \$1,000,000. Per accordance and shall name the lessor as additional insurance on the policy. Insurance shall be in place 10 days after the lease is signed and prior to the lease using the building.

C The Lessee shall hold the lessor hold harmless, in all uses of the building located at 12201 Old Glenn Hwy # 7
Eagle River, AK 99577

D. The lease also contains a requirement that NO MEXICAN FOOD items can be sold in the restaurant during this lease. If the restaurant is sold this provision shall carry forward to the new operators of this lease.

All parties to this lease has read it and under the terms and conditions to the lease and is not under duress upon it signing.

Jessie A. Manz

Lessee

J & L Enterprises, Inc.

10-15-06

Dated

Tara L. Petricca

Lessor

Tara Petricca

10-15-06

Dated



Lunch Menu

APPETIZERS

- | | | | |
|---|---------|--|---------|
| STUFFED MUSHROOMS | \$12.95 | MOZZARELLA STICKS | \$8.95 |
| Mushroom caps stuffed with a shrimp, scallop & crab bread stuffing mix. Topped with a creamy lobster sauce. Served with bread sticks. | | 7 deep-fried breaded sticks. Served with marinara sauce. | |
| CLAMS | \$12.95 | CALAMARI | \$9.95 |
| Fresh Manila clams sautéed in garlic, white wine, butter, seafood stock & Mediterranean herbs. Served with bread sticks. | | Deep-fried breaded squid rings. Served with cocktail sauce. | |
| DOLMAS | \$8.95 | TZATZIKI | \$5.95 |
| Stuffed grape leaves with lemon flavored rice. Served with pita bread & tzatziki sauce. | | A cucumber dipping sauce. Served with pita bread. | |
| BREAD STICKS | \$3.95 | GRECIAN BRUSCHETTA | \$8.95 |
| Basket of pizza bread. Served with marinara sauce. | | Garlic toast topped with sliced tomato, basil, garlic, Kalamata olives, feta cheese & olive oil. | |
| | | GRECIAN SCAMPI | \$13.95 |
| | | Large prawns sautéed with olive oil, garlic & white wine. Topped with feta & gremesan. Served with bread sticks. | |

SALADS

- | | | | |
|---|---------|---|---------|
| CAESAR | \$7.95 | SOUP & SALAD | \$8.95 |
| Romaine lettuce, croutons, parmesan cheese, tossed with our homemade Caesar dressing. | | Dinner salad with bowl of daily soup & bread sticks. | |
| CHICKEN CAESAR | \$11.95 | GREEK SALAD | \$9.95 |
| Marinated chicken breast served on traditional Caesar. | | Mixed lettuce, Greek olives, tomato, pepperoni, onions & feta cheese. Served with house vinaigrette & bread sticks. | |
| HALIBUT CAESAR | \$13.95 | CYBO SALAD | \$11.95 |
| Charbroiled fillet with Mediterranean herbs. Topped with our special Greek lemon sauce. | | Greek salad topped with gyro meat. Served with tzatziki sauce, house vinaigrette & bread sticks. | |
| DINNER SALAD | \$8.95 | ANTIPASTO | \$9.95 |
| Side salad with mixed lettuce, tomatoes, croutons, feta cheese. Served with bread sticks. | | Mixed lettuce topped with pepperoni, Canadian bacon, salami, mushrooms, tomato, pepperoni & black olives. Served with bread sticks. | |

HOMEMADE DRESSINGS

House Vinaigrette, Ranch, Blue Cheese, Thousand Island

HOMEMADE DAILY SOUP

- | | | | |
|------------------|--------|-------------------|--------|
| CUP | \$3.95 | BOWL | \$4.95 |
|------------------|--------|-------------------|--------|

SOUYLAKI

- | | |
|---|---------|
| BEEF SOUYLAKI | \$12.95 |
| Chunks of marinated top sirloin in Mediterranean herbs with onions, mushrooms, green peppers. Charbroiled to perfection. Served with spaghetti marinara & bread sticks. | |

ASK YOUR SERVER ABOUT OUR **DELICIOUS DESSERTS!**



Lunch

SANDWICHES/SUBS

Served with soup, salad or fries.

HAMBURGER	\$7.95	EGGPLANT PARMESAN SUB	\$8.95
Homemade beef patty served on sesame seed bun with lettuce, tomato, pickles & mayonnaise.		Slices of eggplant sautéed in olive oil & garlic. Oven-baked with mozzarella. Topped with marinara on a French roll.	
ADD AMERICAN CHEESE	\$1.00	CYRO SANDWICH	\$8.95
ADD MEDITERRANEAN	\$1.00	Tasteful mix of seasoned beef & lamb, wrapped in a pita with onion, tomato & tzatziki sauce.	
ADD SAUCE	\$1.00	CHICKEN CYRO	\$8.95
CAESAR SANDWICH	\$8.95	Marinated grilled chicken, wrapped in pita with onion, tomato & tzatziki sauce.	
Roasted chicken breast, Cheddar cheese, lettuce & tomatoes on a French roll.		CHICKEN SANDWICH	\$8.95
CHICKEN SANDWICH	\$8.95	Charbroiled chicken breast seasoned with Mediterranean herbs, topped with lettuce, tomato, onion & pickles. Served on a sesame bun with mayonnaise & Swiss cheese.	
Roasted chicken breast, mozzarella & tomato sauce. Served on a French roll.		HALIBUT SANDWICH	\$10.95
BEEF FRANKS SUB	\$8.95	Deep-fried, beer-battered or charbroiled with Mediterranean herbs. Served on a sesame bun with lettuce, tomato, onion & tartar sauce.	
Slices of beef sautéed with green peppers, onions & mushrooms. Served with mozzarella, tomato sauce on a French roll.		BLT	\$8.95
ITALIAN SAUSAGE SUB	\$8.95	Bacon, lettuce, tomato on grilled garlic bread.	
Sautéed with onions, green peppers on a French roll. Topped with mozzarella. Oven-baked.			

PASTA

Served with bread sticks.

SPAGHETTI	\$8.95	MOUSAKA	\$12.95
With homemade meat sauce or marinara.		Layered eggplant, potatoes, seasoned ground beef. Topped with Besamel cream sauce. Oven-baked.	
WITH SAUSAGE	\$10.95	GREEK SPAGHETTI	\$10.95
WITH MEATBALLS	\$10.95	Sautéed with garlic, olive oil, feta & parmesan cheese.	
FETTUCINE ALFREDO	\$10.95	CHEESE RAVIOLI	\$9.95
Noodles sautéed with garlic, olive oil, parmesan & Alfredo sauce.		6 ricotta filled raviolis. Served with meat or marinara sauce.	
WITH CHICKEN	\$12.95	CHICKEN PARMESAN	\$11.95
LASAGNA	\$10.95	Lightly breaded chicken breast sautéed with olive oil & garlic. Topped with marinara & mozzarella. Oven-baked. Served with spaghetti.	
Layers of noodles with three cheeses & meat sauce. Topped with mozzarella. Oven-baked.			

SEAFOOD

HALIBUT FISH & CHIPS	\$10.95	TASTE OF ALASKA	\$13.95
Deep-fried beer battered chunks. Served with tartar sauce & French fries.		Deep-fried beer battered prawns, halibut & scallops. Served with fries, tartar & cocktail sauces.	
HALIBUT PICCOLINO	\$10.95	SEAFOOD FETTUCINE	\$14.95
Charbroiled with Mediterranean herbs, olive oil & garlic lemon sauce. Served with spaghetti marinara & bread sticks.		Sautéed prawns, scallops & halibut with noodles, garlic & Alfredo sauce. <i>Arabicata or regular</i>	

ASK YOUR SERVER ABOUT OUR **DELICIOUS DESSERTS!** 051



HAND TOSSED PIZZA

Made Fresh Daily

TOPPINGS

Pepperoni, sausage, Canadian bacon, ground beef, salami, anchovies, onions, tomatoes, black olives, green peppers, mushrooms, green olives, jalapeños, pineapple

	12"	14"	16"
MOZZARELLA CHEESE	\$9.95	\$11.95	\$13.95
1 TOPPING	\$11.95	\$13.95	\$15.95
2 TOPPINGS	\$12.95	\$14.95	\$16.95
HOUSE SPECIAL	\$14.95	\$16.95	\$18.95
Pepperoni, sausage, black olives, mushrooms, green peppers.			
VEGETARIAN	\$13.95	\$15.95	\$17.95
Black olives, onions, green peppers, mushrooms, fresh tomato.			
VENEZIA	\$13.95	\$15.95	\$17.95
Pepperoni, mushrooms, onions, green olives.			
MAMA MIA	\$16.95	\$20.95	\$24.95
Pepperoni, Canadian bacon, sausage, black olives, mushrooms, onions, green peppers, tomatoes, extra cheese, double crust.			
MEAT LOVERS	\$16.95	\$20.95	\$24.95
Sausage, ground beef, salami, pepperoni, Canadian bacon.			

GOURMET PIZZAS

Sorry, No Half & Half On Gourmet Pizzas

	12"	14"	16"
GREEK STYLE	\$16.95	\$18.95	\$20.95
Garlic butter, pepperoni, mushrooms, onions, green peppers, fresh tomatoes, feta & mozzarella.			
GREEK SPINACH	\$16.95	\$18.95	\$20.95
Garlic butter, fresh baby spinach, mushrooms, onions, feta & mozzarella.			
GYRO	\$16.95	\$20.95	\$24.95
Garlic butter, gyro meat, onions, mushrooms, fresh tomatoes, feta & mozzarella. Served with tzatziki sauce.			
CHICKEN DELUXE	\$16.95	\$20.95	\$24.95
Garlic butter & Alfredo sauce. Charbroiled marinated chicken, mushrooms, onions, mozzarella.			
MEDITERRANEAN	\$16.95	\$18.95	\$20.95
Garlic butter, mushrooms, onions, green peppers, tomatoes, Kalamata olives, oregano, pepperoncini peppers, feta & mozzarella.			
NEOPOLITAN	\$16.95	\$20.95	\$24.95
Garlic butter & Alfredo sauce. Charbroiled marinated chicken breast, artichoke hearts, fresh baby spinach, fresh tomatoes & mozzarella.			
VEGGIE SUPREME	\$16.95	\$18.95	\$20.95
Garlic butter, mushrooms, onions, black olives, green peppers, artichoke hearts, fresh tomatoes, fresh baby spinach & pineapple.			
GRECIAN EGGPLANT	\$16.95	\$18.95	\$20.95
Garlic butter. Roasted eggplant, fresh tomatoes, feta & mozzarella.			
EXTRA TOPPINGS	\$1.50	\$2.00	\$2.50
DOUBLE CRUST	\$1.50	\$2.00	\$2.50
ANCHOVIES	\$3.00 ANY SIZE		

PICK-UP AND DELIVERY AVAILABLE

052



DINNER

ITALIAN SPECIALTIES

Served with bread sticks. Add soup or salad for \$.

- SPAGHETTI** \$11.95
Meat or marinara.
- WITH MEATBALLS OR SAUSAGE** ... \$13.95
- EGGPLANT PARMESAN** \$15.95
Sauteed in garlic, olive oil, white wine & parmesan. Topped with marinara. Oven-baked. Served with spaghetti.
- LASAGNA** \$14.95
Layers of noodles, seasoned beef and three cheeses. Oven-baked.
- CHICKEN PARMESAN** \$15.95
Lightly breaded and sauteed with garlic, olive oil & white wine. Oven-baked with mozzarella & marinara. Served with spaghetti.
- RAVIOLI** \$13.95
7 cheese filled-ravioli. Oven-baked with mozzarella & parmesan. Topped with marinara.
- FETTUCCINE ALFREDO** \$12.95
Noodles sauteed in garlic, olive oil & parmesan alfredo sauce.
- WITH CHICKEN** \$14.95
- WITH SHRIMP** \$20.95

GREEK SPECIALTIES

Served with bread sticks. Add soup or salad for \$2.50.

- GYRO DINNER** \$13.95
Slow roasted lamb & beef mix over pita bread with onions & tomatoes. Open-faced. Served with tzatziki sauce & pita bread. Choice of soup, salad or fries.
- CHICKEN GYRO DINNER** \$13.95
Chicken breast marinated in herbs, charbroiled. Open-faced with tomatoes & onions. Served with tzatziki & pita bread. Choice of soup, salad or fries.
- OLYMPIAN CHICKEN** \$15.95
Chicken breast charbroiled with Mediterranean herbs. Topped with olive oil & garlic lemon sauce. Served over Greek spaghetti.
- GREEK SPAGHETTI** \$12.95
Spaghetti sauteed in fresh garlic, olive oil, feta & parmesan.
- SPAGHETTI PUTTANESCA** \$12.95
Spaghetti sauteed with Greek olives, pepperoncini peppers, green peppers, garlic & parmadoro basil sauce. Topped with feta.
- WITH CHICKEN** \$14.95
- WITH SHRIMP** \$20.95
- GREEK CHICKEN** \$18.95
1/2 chicken roasted in lemon, butter & Mediterranean spices. Served with Greek spaghetti.
- MOUSAKA** \$15.95
Layered sauteed eggplant, potatoes & seasoned ground beef. Topped with Besamel sauce. Oven-baked.

SEAFOOD

Served with soup or salad and bread sticks.

- HALIBUT PICCOLINO** \$22.95
Halibut charbroiled with Mediterranean herbs. Topped with an olive oil & garlic lemon sauce. Served with fresh vegetables and Greek spaghetti or spaghetti marinara.
- HALIBUT FISH & CHIPS** \$18.95
Halibut strips breaded & deep-fried. Served with tartar sauce & French fries.
- FETTUCCINE DILMARE** \$22.95
Sauteed prawns, scallops & halibut in garlic & Alfredo sauce with fettuccine noodles. Arabiata or regular.
- HALIBUT CALEBRESE** \$23.95
Baked Halibut stuffed with a crab, shrimp & scallop bread stuffing. Wrapped in filo dough. Topped with a creamy lobster sauce. Served with fresh vegetables & Greek spaghetti or spaghetti marinara.
- CIOPPINO** \$22.95
Sauteed prawns, scallops & halibut in garlic, olive oil & white wine. Simmered in parmadoro basil sauce with spaghetti noodles.
- ITALIAN SCAMPI** \$22.95
Sauteed prawns, garlic, white wine, lemon & sun-dried tomatoes. Finished in a seafood broth reduction with spaghetti noodles.

HOUSE SPECIALTIES

- GREEK COMBO (DINNER FOR 2)** \$25.95 PER PERSON
Starts with a Greek salad & bread sticks, followed by lamb chops, marinated chicken, gyro meat, pita bread, tzatziki sauce, fresh vegetables & Greek spaghetti. **053**
- ALASKA GOLD MINE (DINNER FOR 2)** \$25.95 PER PERSON
Starts with a lemon drink, followed by 2 fish, fried bone battered halibut, scallops, & prawns. Served with french fries.

DINNER

MEATS

Served with soup or salad and bread sticks. Choice of Greek spaghetti, spaghetti marinara or fries.

NEW YORK STEAK	\$24.95	RIB EYE STEAK	\$2
Center cut, 14 oz.		Center cut, 14 oz.	
ADD FRIED PRAWNS	\$7.95	ADD FRIED PRAWNS	\$7.
ADD CHARBROILED HALIBUT ...	\$7.95	ADD CHARBROILED HALIBUT ...	\$7.
LAMB CHOP	\$25.95	BEEF SOUVLAKI	\$2
Premium cut tender lamb seasoned in our special herb mix. Charbroiled to perfection.		Marinated top sirloin chunks, onions, green peppers mushrooms marinated in Mediterranean herbs & charbroiled.	

CABERNET SAUVIGNION BEAULIEU VINEYARD, NAPA VALLEY, CA NAPA RULES CABERNET	23.00 BOTTLE ONLY
MERLOT WOLFBLOSS, AUSTRALIA ANCHORAGES FAVORITE CAB	22.00 BOTTLE
MIRASSOU, MODESTA, CA APOLLOS FAVORITE	25.00 BOTTLE
EVINOS XINOMAURO , GREECE A MEAT LOVERS' WINE	22.00 BOTTLE
CHARDONNAY CHATEAU ST., INDIAN WELLS, WA A WHITE SAUCE FANTASY, THE BEST OF THE CHATEAU ST. MICHELLE WINES	28.00 BOTTLE
J LOHR RIVER STONE, MONTEREY COUNTY, CA A NICE FLAVOR	18.00 BOTTLE
BLUSH WINES (FRUITY) BERINGER WHITE ZINFANDEL	18.00 BOTTLE
FOREST GLENN WHITE MERLOT	18.00 BOTTLE ONLY
RED ITALIAN WINES CASTELLO BANFI CHIANTI CLASSICO	30.00 BOTTLE ONLY
BATASIOLO DOLETTA DI ALBA	24.00 BOTTLE
OTHER REDS ROSE MOUNT ESTATES, DIAMOND SHIRAZ, AUSTRALIA GREAT WITH SPICY FOOD	19.00 BOTTLE
CLINE ZINFANDEL, CONTRA COSTA, CA A PUTANESCA FAVORITE	19.00 BOTTLE ONLY
GUIGAL COTES DU RHONE ROUGE, FRANCE GREAT WITH SALMON, THE SOPHISTICATED WINE	24.00 BOTTLE ONLY
FIRESTEED PINOT NOIR, OREGON GREAT WITH SALMON, OREGON PINO IS THE BEST	28.00 BOTTLE ONLY
BONNY DOON CA' DEL SOLO BIG HOUSE RED, SANTA CRUZ, CA LOTS OF FRUIT WITH LOTS OF DIFFERENT GRAPES	24.00 BOTTLE
OTHER WHITES MONKEY BAY SAVIGNON BLANC, NEW ZEALAND GOLD MEDAL WINNER	24.00 BOTTLE ONLY
CHATEAU ST. MICHELLE JOHANISBERG REISLING, COLUMBIA VALLEY, WA A CRAB WINE	23.00 BOTTLE ONLY
DANZANTE PINOT, GRIGIO, ITALY A MASTERPIECE	25.00 BOTTLE
MOSCHOFILERO, GREECE A FISH LOVERS' WINE	19.00 BOTTLE
PORTS AND DESSERT WINES MAYRODAPHNE 100 YEARS OF LOVE FROM PATRA, GREECE	
BONNY DOON "BOOK OF LOVE" A CRANBERRY DREAM	23.00 BOTTLE

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 13 AAC 104.715-794
FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 19 for employment. If for employment, please state in detail, how the person will be employed, duties, etc. (13 AAC 104.745).

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

- 1 Under AS 04.16.010(c) Bona fide restaurant/eating place.
- 2 Persons age 16 to 20 may dine unaccompanied.
- 3 Persons under 16 may dine accompanied by a person 21 years or older.
- 4 Persons between 16 and 19 years may be employed. (See note below).

LICENSEE: Tara Petricca

D/B/A: Piccolino's

ADDRESS: 12801 Old Glenn Hwy Eagle River AK 99577

1. Hours of Operation: 11 am to 10 pm Telephone # 622-5216
 2. Have police ever been called to your premises by you or anyone else for any reason: Yes No
 If yes, date(s) and explanation(s).

3. Duties of employment: server, cashier, busser, dishwasher, delivery driver

4. Are video games available to the public on your premises? NO COOK

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

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

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

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

This permit remains in effect until the liquor license is transferred OR at the discretion of the Alcoholic Beverage Control Board. (13 AAC 104.795)

I certify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and have instructed my employees about provisions contained therein.

Tara Petricca
Applicant(s) signature

Subscribed and sworn to before me this 10th day of November 2006

R. Paul Adkins
Notary Public in and for Alaska

My Commission expires July 4, 2010

Application approved (13 AAC 104.725(e))
Governing Body Official

Date: _____

Director, ABC Board

Date: _____

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

* Describe how food is served on back of form





800-478-2427 or
274-8133
www.alaskacharr.com

DUPLICATE

ALCOHOL MANAGEMENT

CERTIFICATE

(Not valid for reciprocity)

Instructor
11-30-09
Expires

Name: TARA PATIECA

Birthdate: 11-25-74

Signature: M. E. Ite

Certification No.: 27642

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: Piccolino's

PREMISES LOCATION: 12801 Old Glenn Hwy Suite 1 Eagle River, AK

Indicate scale by x after appropriate statement or show length and width of premises.

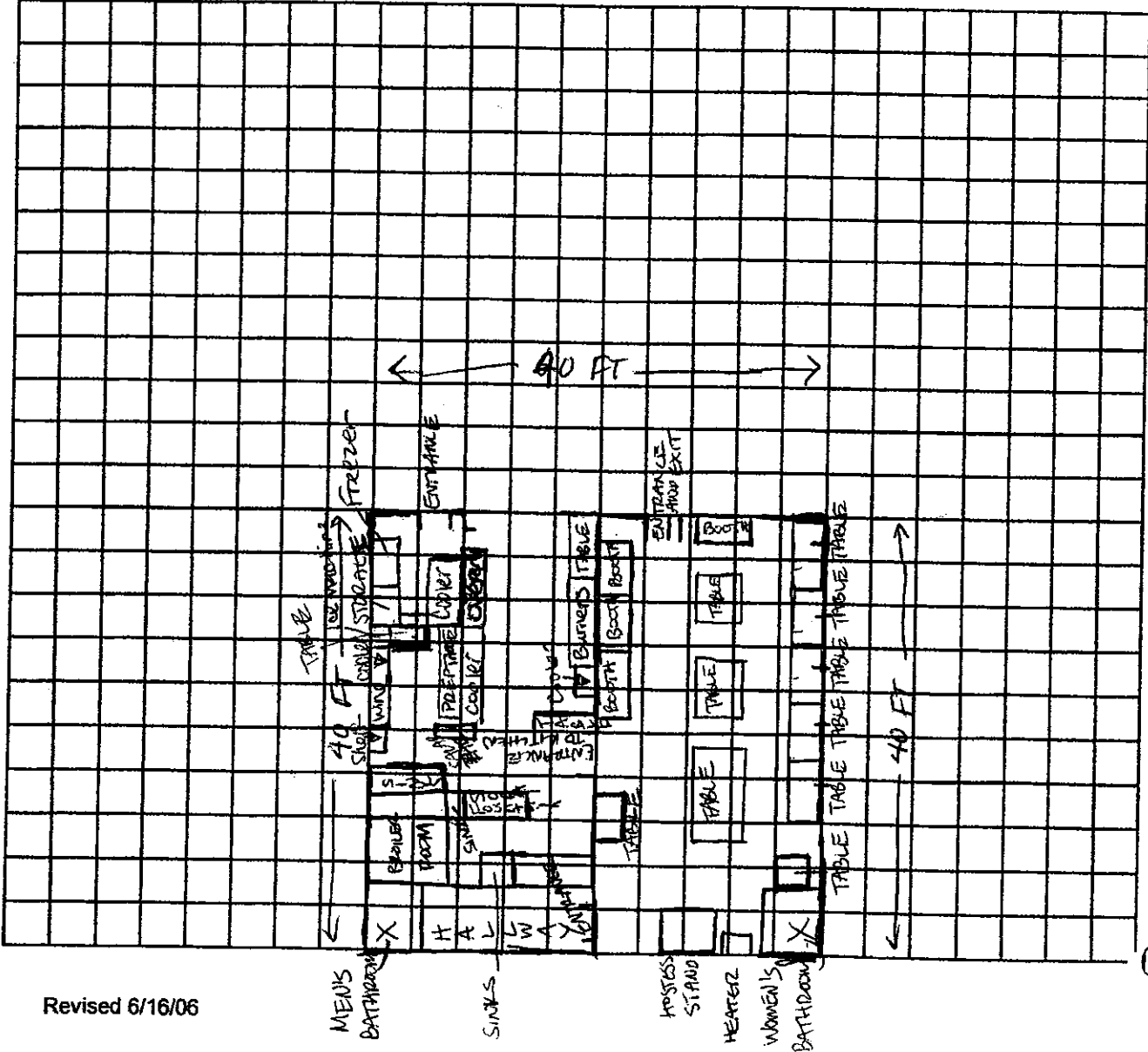
99577

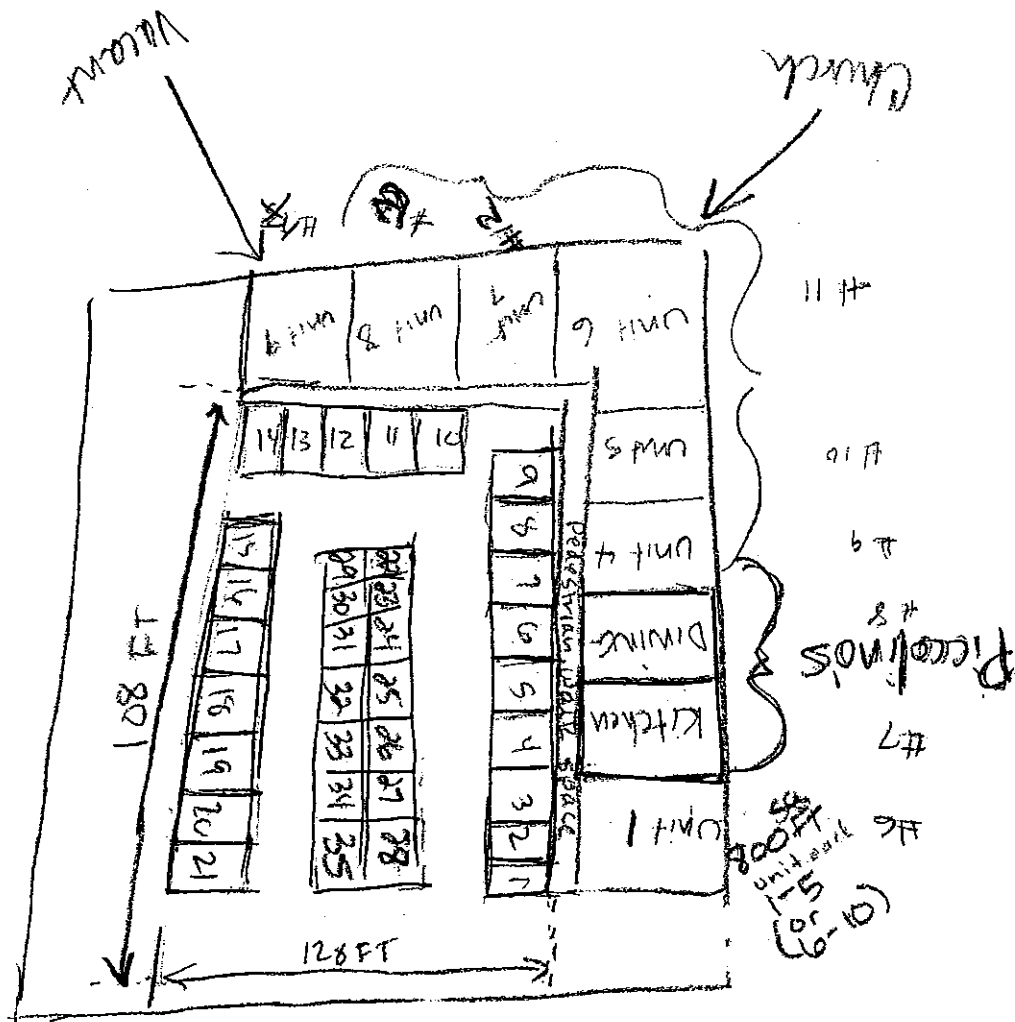
SCALE A: 1 SQ. = 4 FT. SCALE B: 1 SQ. = 1 FT.

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.

DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.



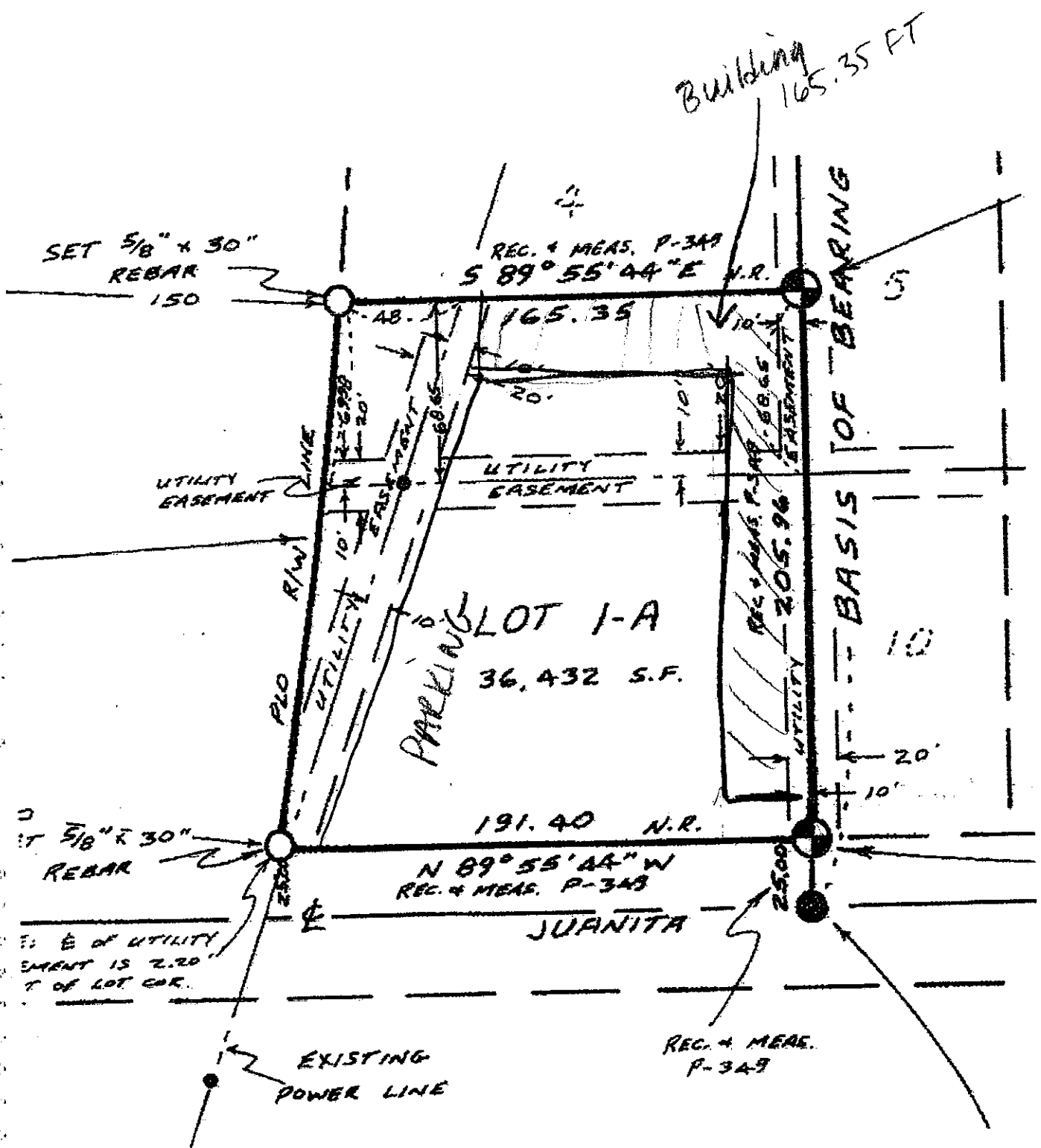


□ = Parking area
 approx 35 spaces

Unit 4-8 AKA BLOCK 10-13
 Cristian Alliance

20x9 each
 Unit 9 or Block 14
 Vacant

Condominium Association
 (3 owners)
 Jose/Lucia Nunez
 Unit 1-3 AKA Block 7, 8, 9



My name is Tara L Petrucci & I own Piccolino's Restaurant located at 12801 Old Glen Hwy in Eagle River. The building is leased from Jose & Lucia Nancy of Eagle River. The Restaurant is located, attached, in the same complex, to the Cristian Alliance Fellowship & one vacant unit.

Before I opened the restaurant on Nov 1, 2006, I introduced myself to the members on the Condominium Association & explained to them that I would be opening a Greek/Italian Restaurant & would like to be able to serve beer & wine. They were all in agreement & had no reservations about a liquor license.

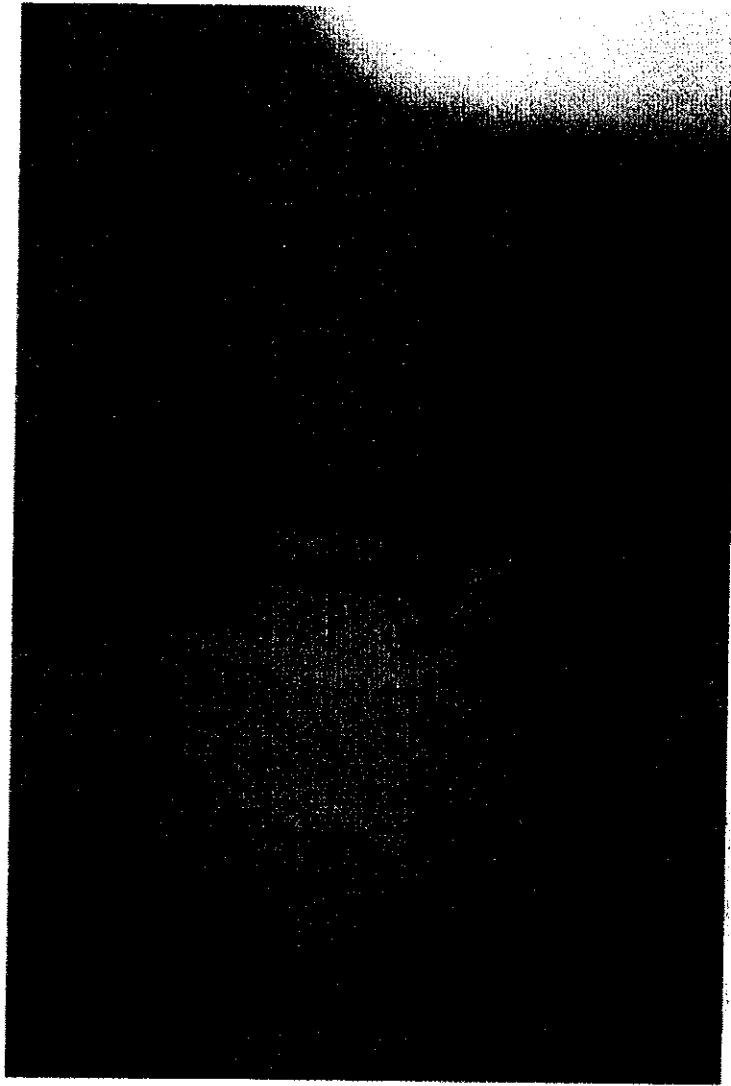
This is a small restaurant, accommodating a maximum of 56 people. The parking area is big; fitting ^{approximately} 35 vehicles. The restaurant itself has 2 exits.

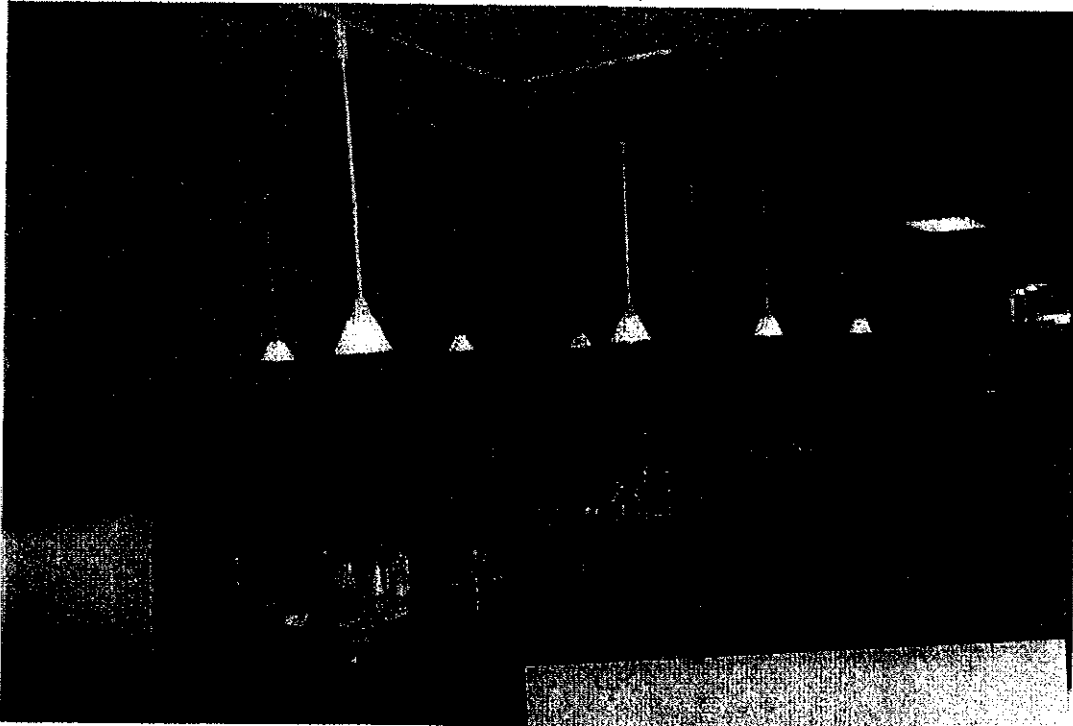
Although I've only been open since Nov 1, 2006, a restaurant/eating place has been established for at least

8 or 9 years. Licensing for alcohol has never been in effect, but the application was in process at least once before under Portofino Restaurant open in June 2006 - only open for 1-2 weeks.

The application with the ABC board has been submitted & attached. There has been no protest to a liquor license with the mandatory postings nor with the condominium association, associated with this space. Please consider my request for a conditional use permit.

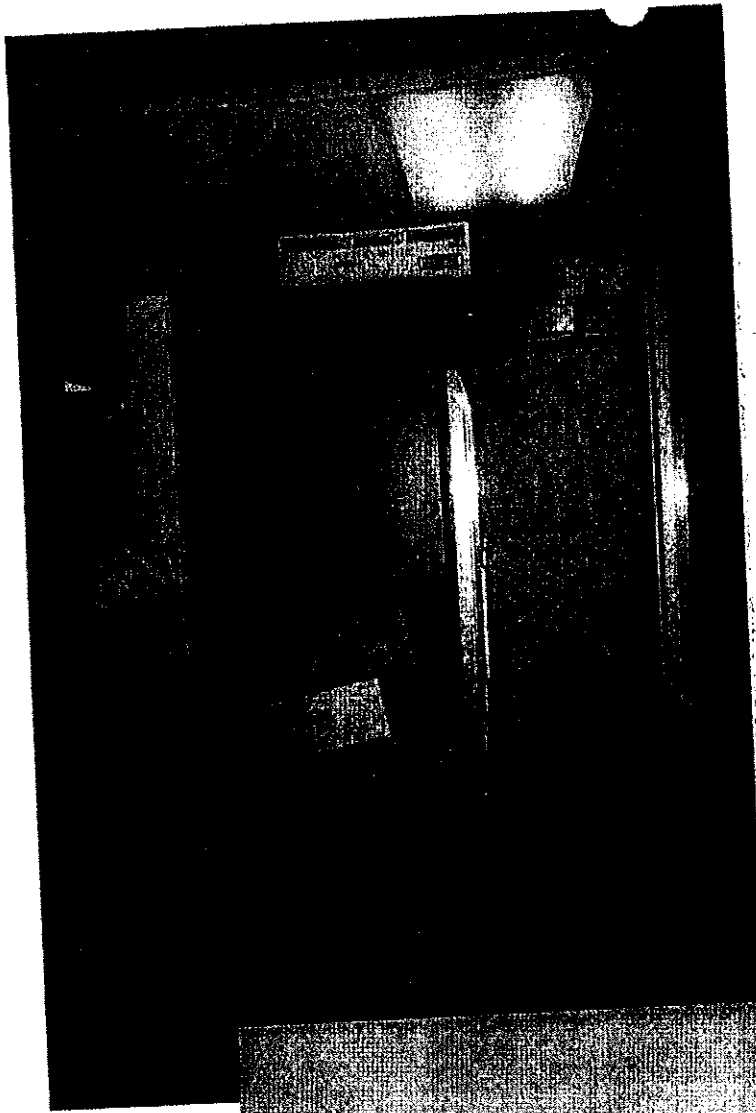
Thank You,
Lara Peluccia



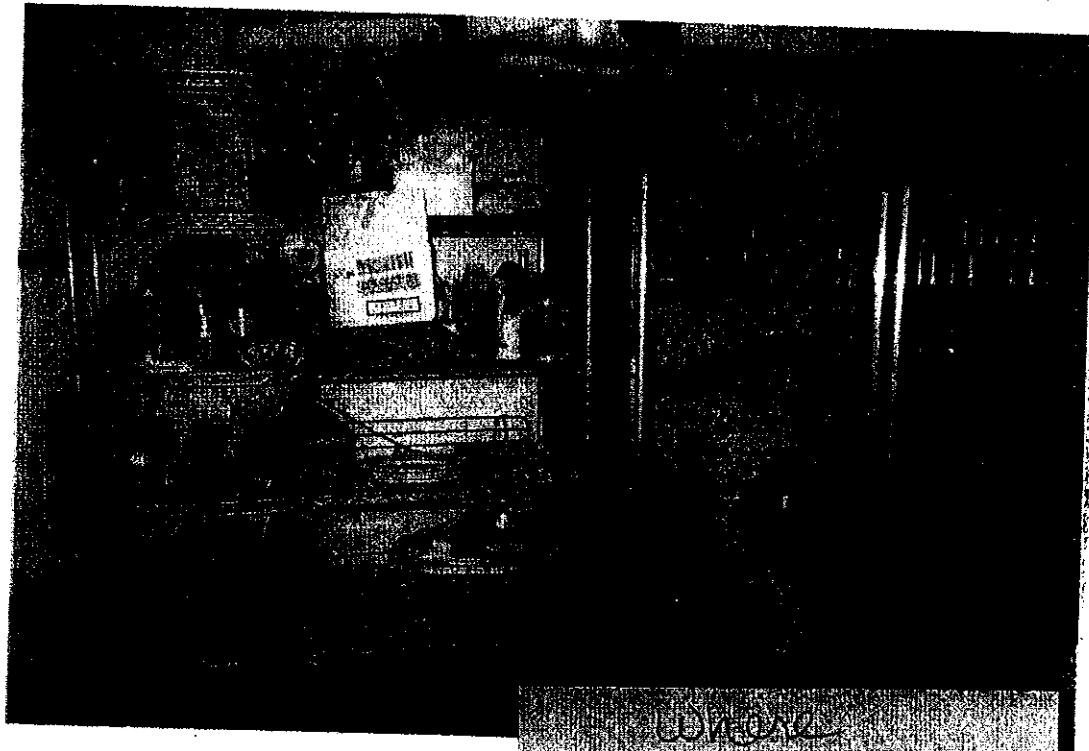


Dining area
700 sq ft

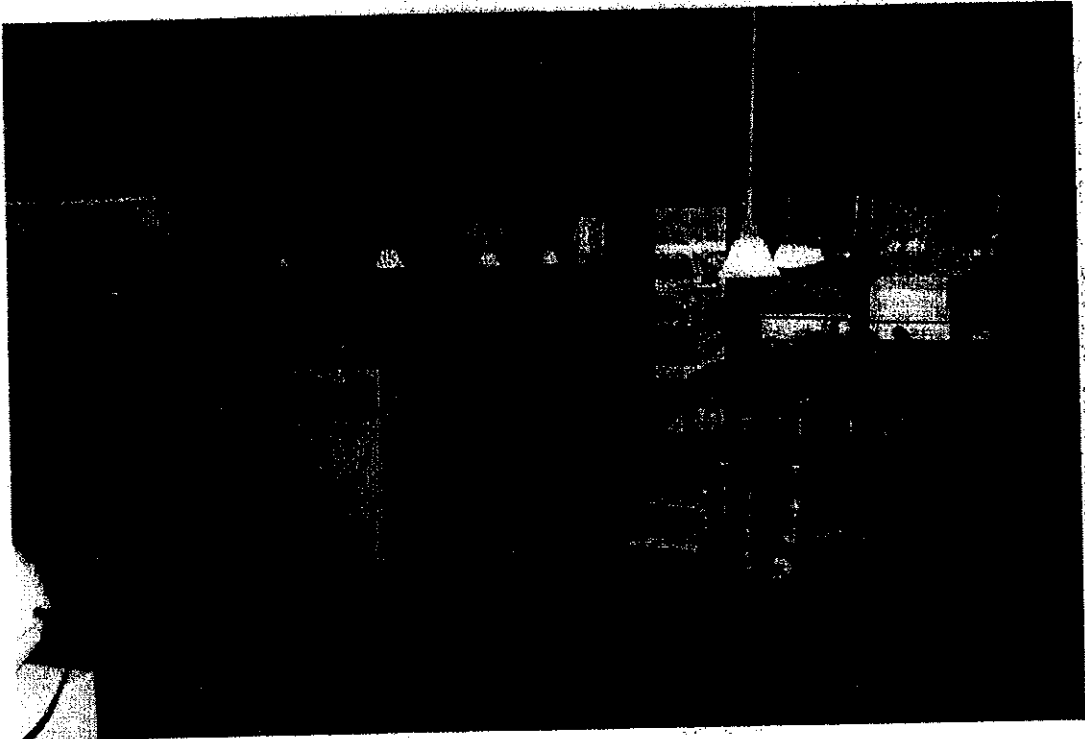
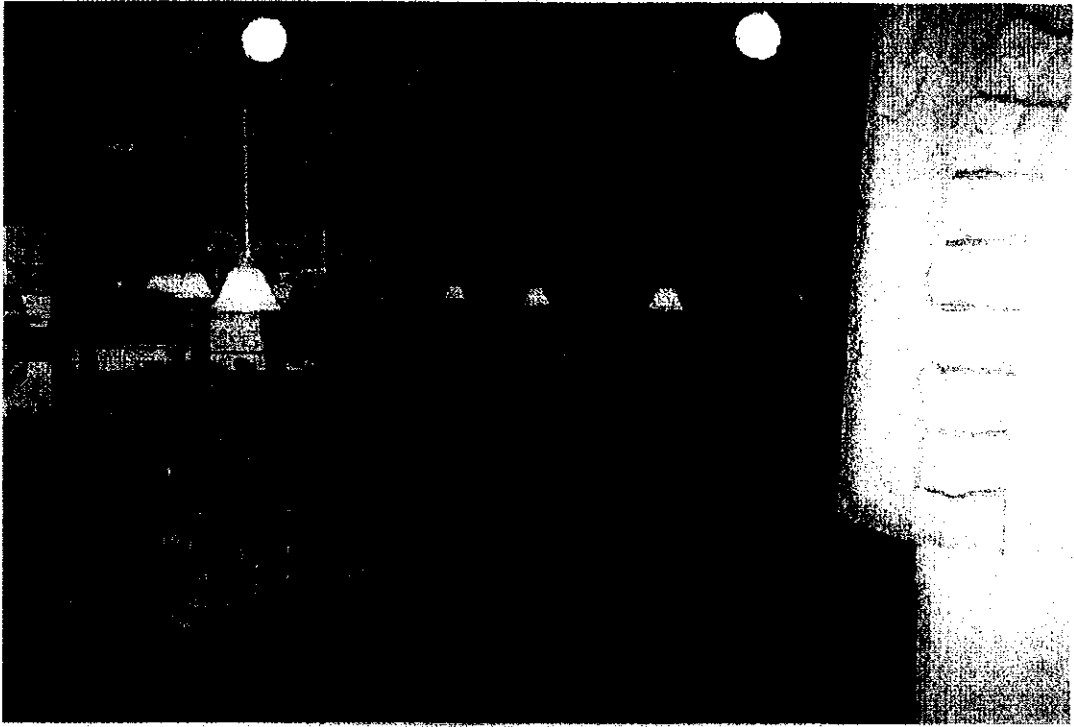
Kitchen
700 sq ft

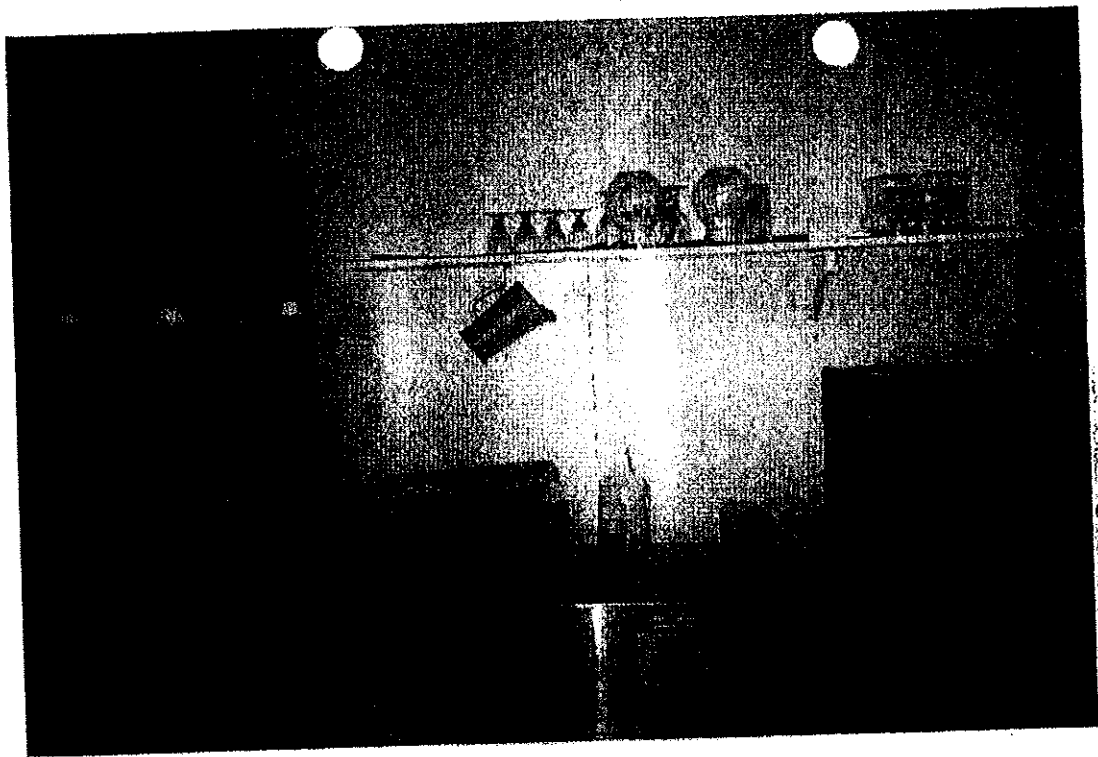


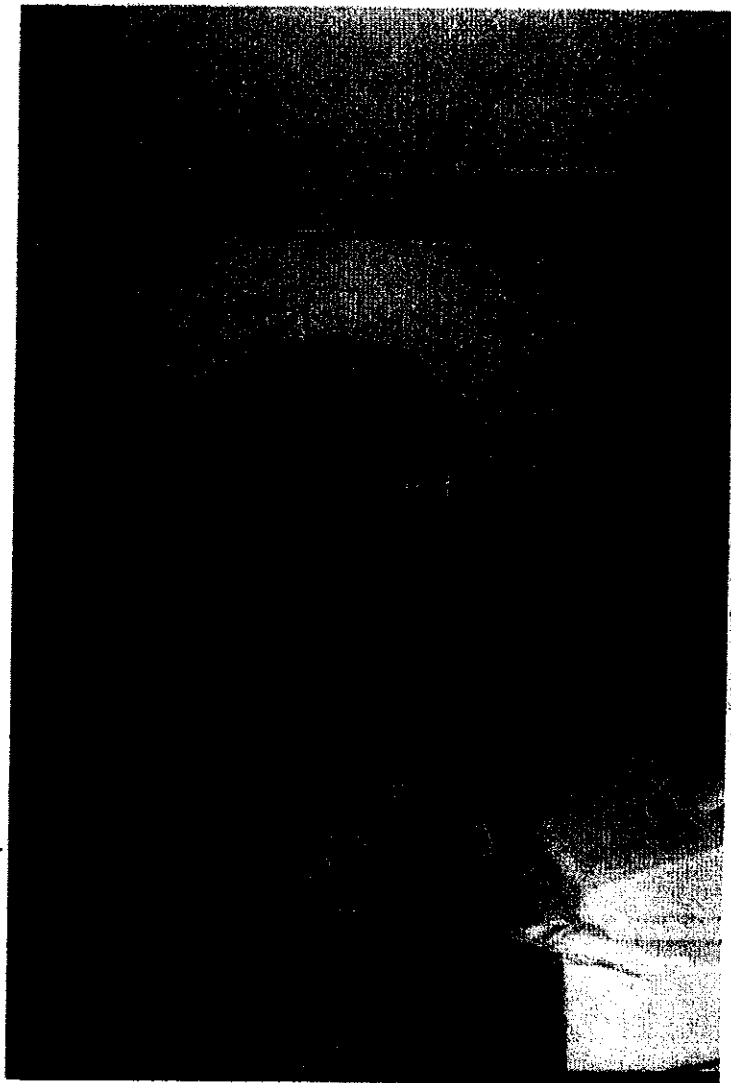
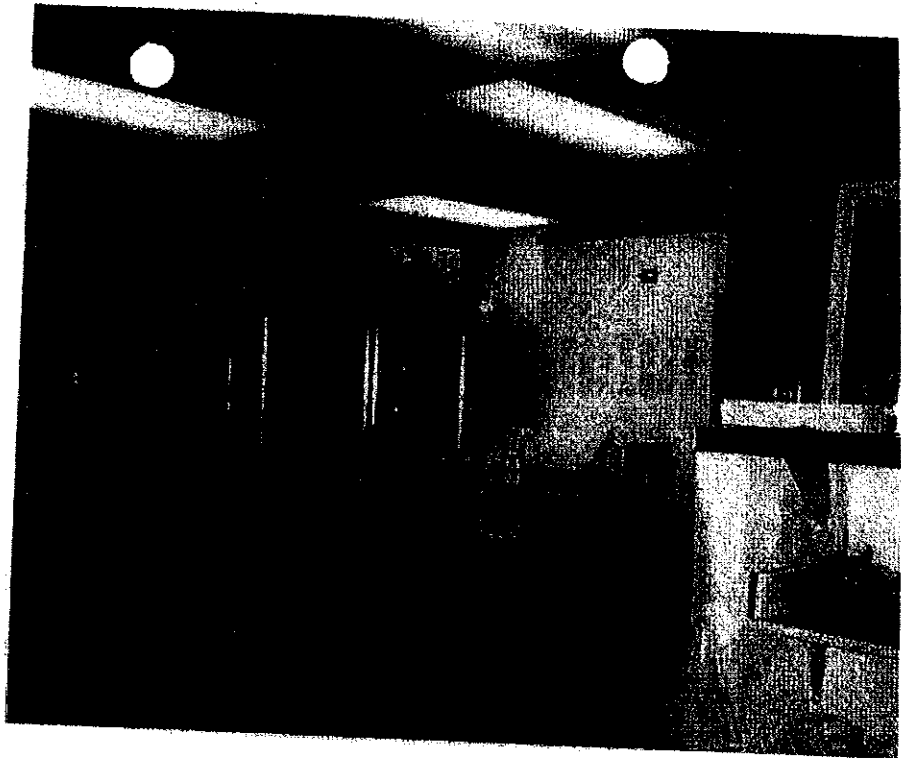
Dry Storage
Excess

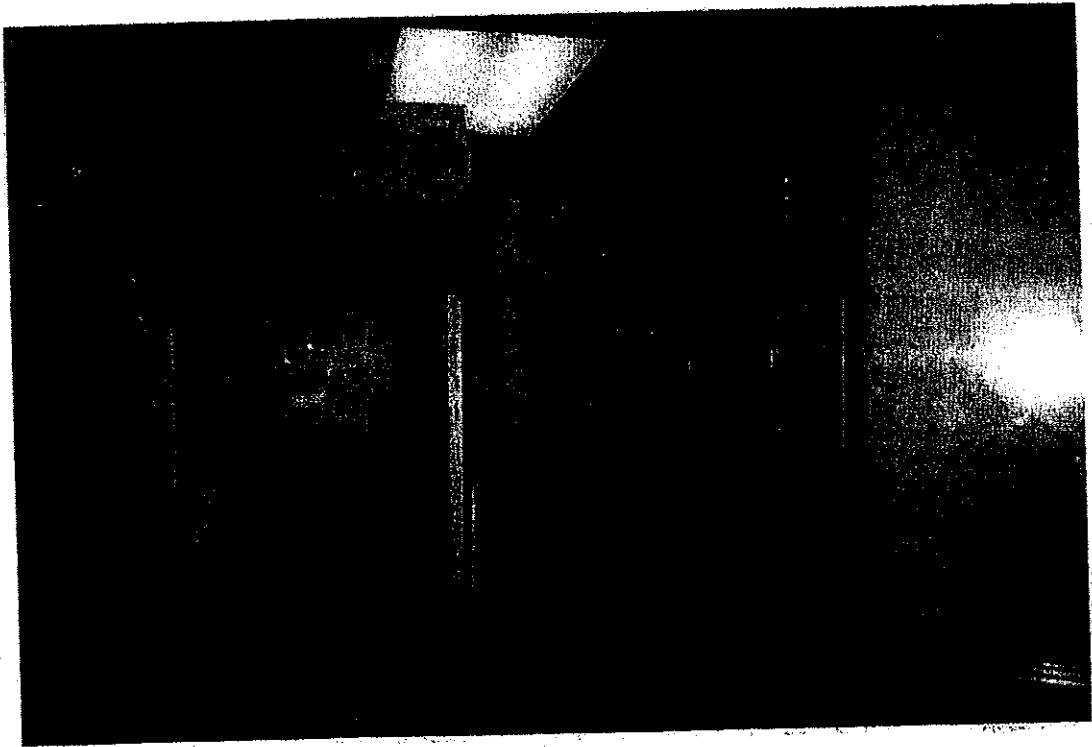
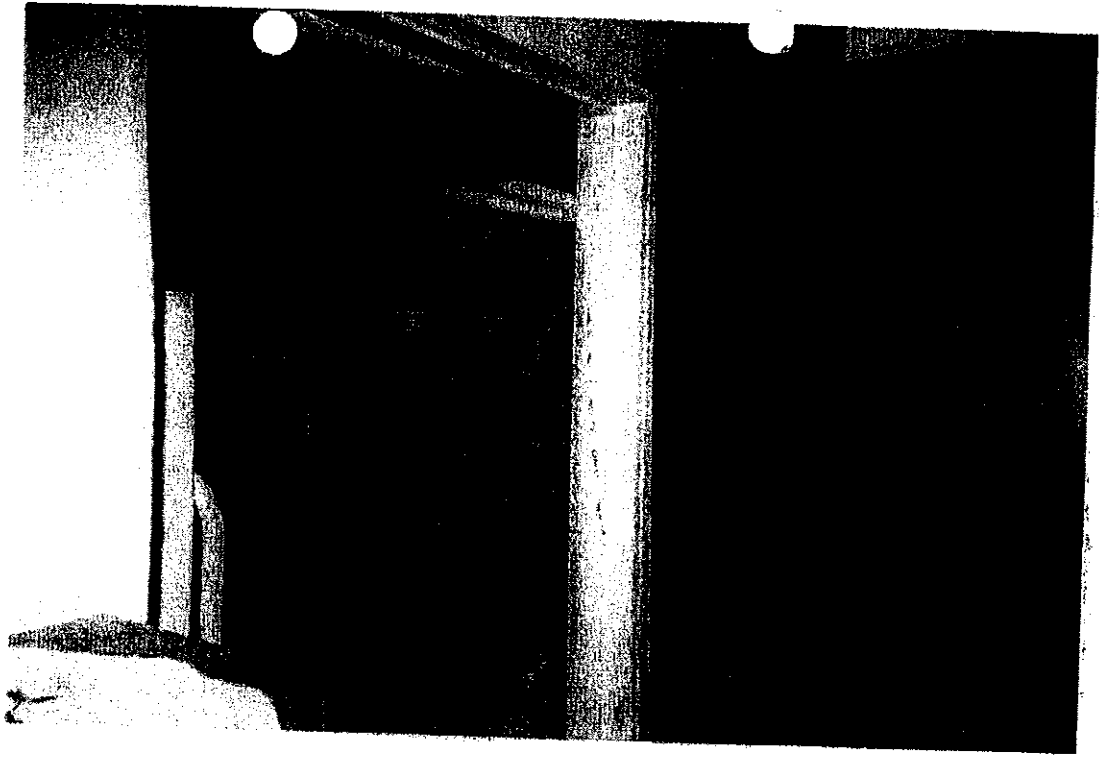


Where
Beer
Wine
Storage
will be

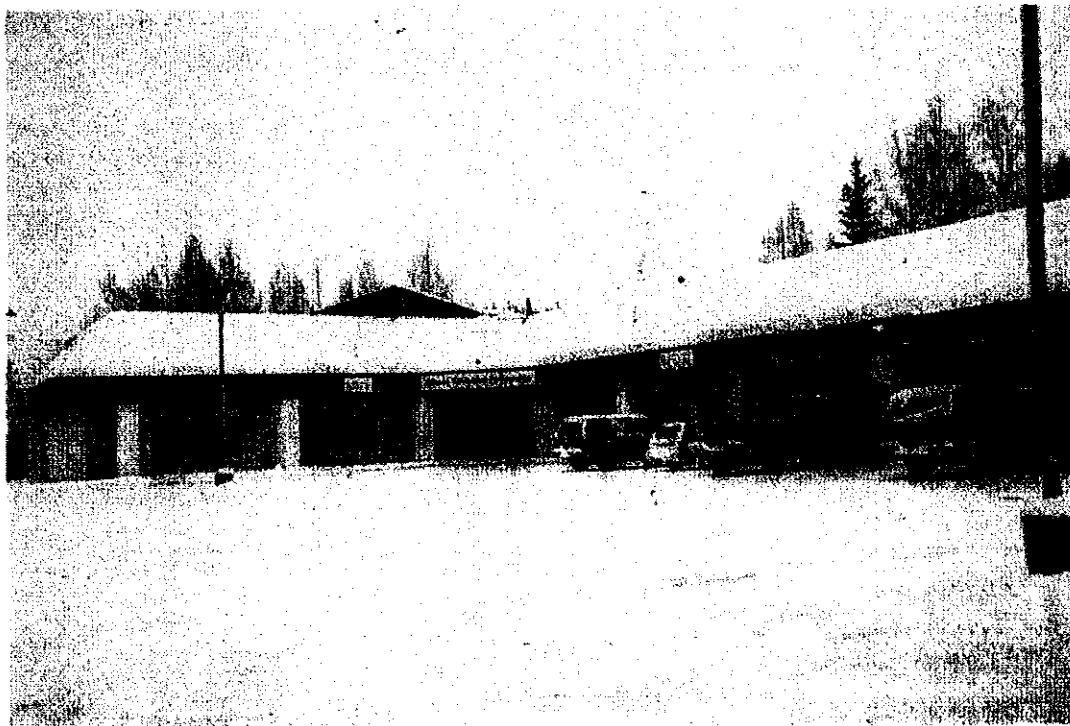
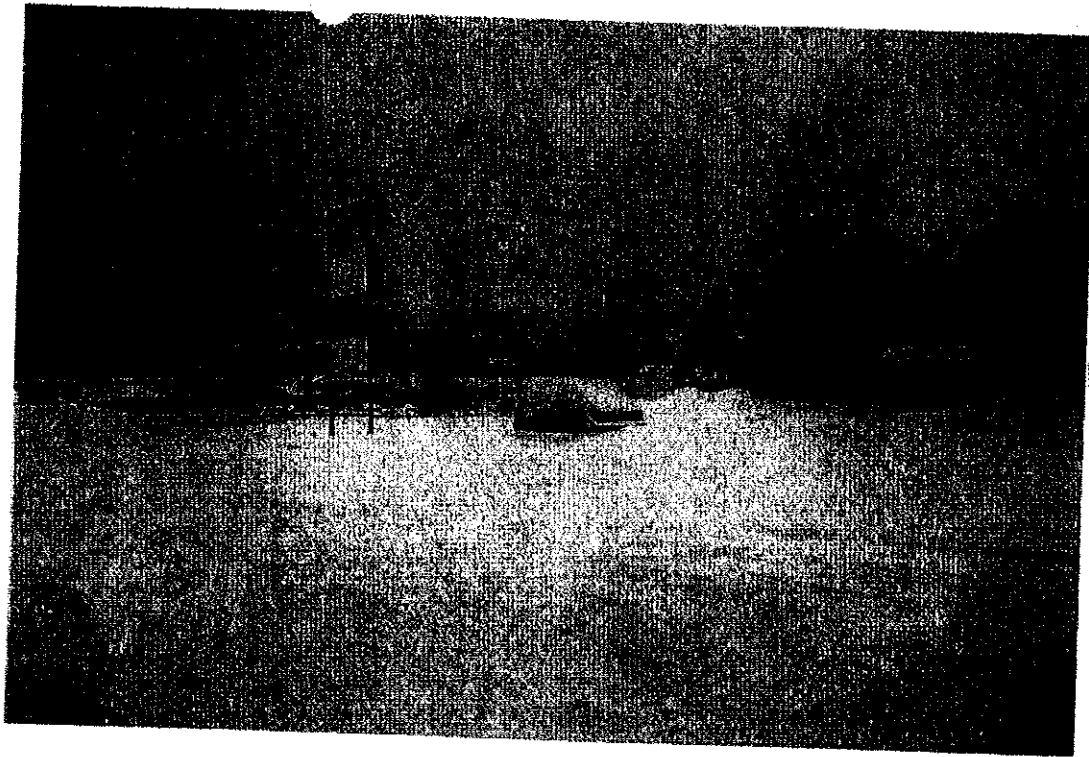


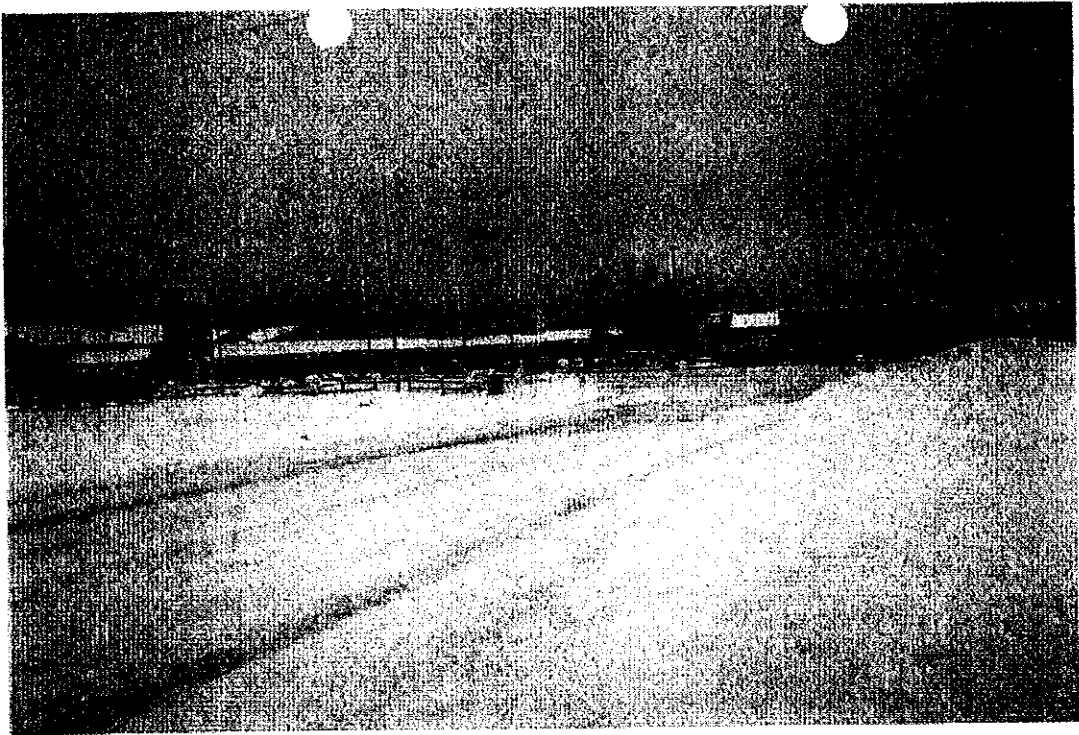


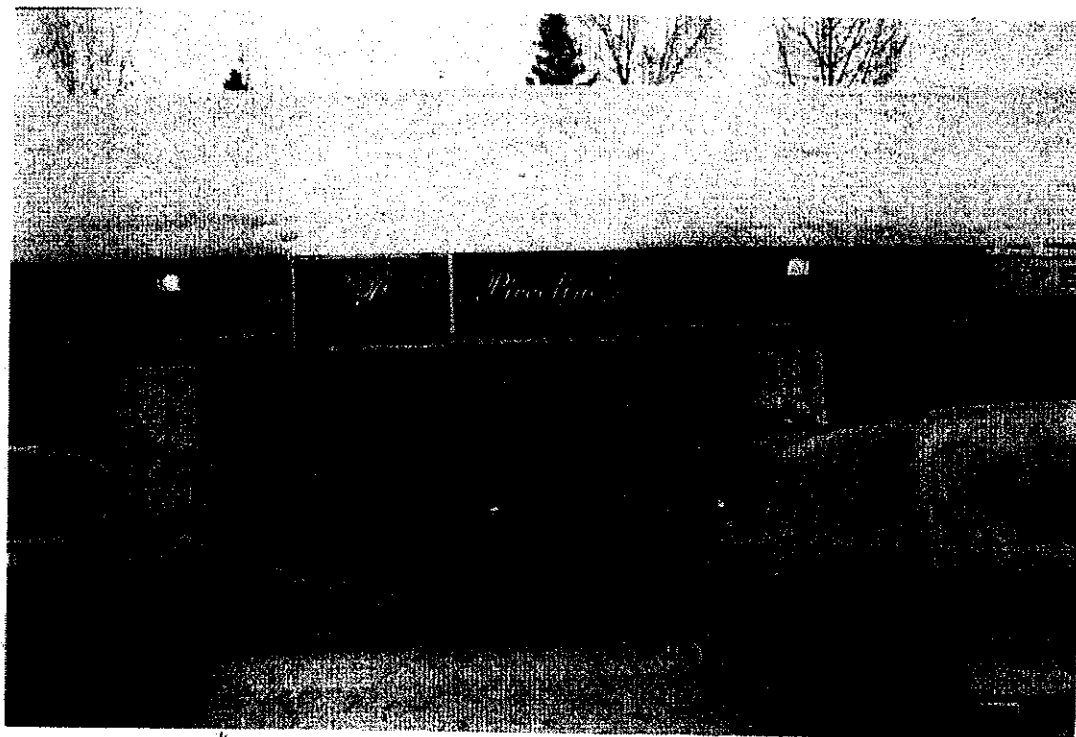












5

POSTING

AFFIDAVIT

RECEIVED

DEC 27 2006

Municipality of Anchorage
Zoning Division



AFFIDAVIT OF POSTING

CASE NUMBER: 2007-029 Unknown

I, Tara Petricca 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 Conditional use Permit/beer wine license. The notice was posted on 12/22/06 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 22nd day of Dec, 2006

Tara L Petricca

Signature

LEGAL DESCRIPTION

Tract or Lot 1-A

Block "E"

Subdivision DEbora Blk "E" Lt.

6

HISTORICAL INFORMATION

Alcohol Existing License List Report

Case Number: 2007-029 Description: 1000 feet

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
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Alcohol Church and School List Report

Case Number: 2007-029

Description: 1000 feet

Parcel	Parcel Owner Name	Parcel Site Address	Description
05003140002	ALLIANCE CHRISTIAN FELLOWSHIP OF THE CHRISTIAN & MISSIONARY ALLIANCE		RELIGION
05003140003	ALLIANCE CHRISTIAN FELLOWSHIP		RELIGION
05003140004	ALLIANCE CHRISTIAN FELLOWSHIP		RELIGION
05003140005	ALLIANCE CHRISTIAN FELLOWSHIP		RELIGION
05003140006	ALLIANCE CHRISTIAN FELLOWSHIP		RELIGION
05003545000	EAGLE RIVER PRESBYTERIAN CHURCH	12836 OLD GLENN HWY	RELIGION
05003546000	EAGLE RIVER PRESBYTERIAN CHURCH INC	12912 OLD GLENN HWY	RELIGION

2007 029 1000 feet alcohol

Tue Dec 26, 09:56:39, 2006

Map: Parcels--Basic Layers



Scale 1:8000

Legend:



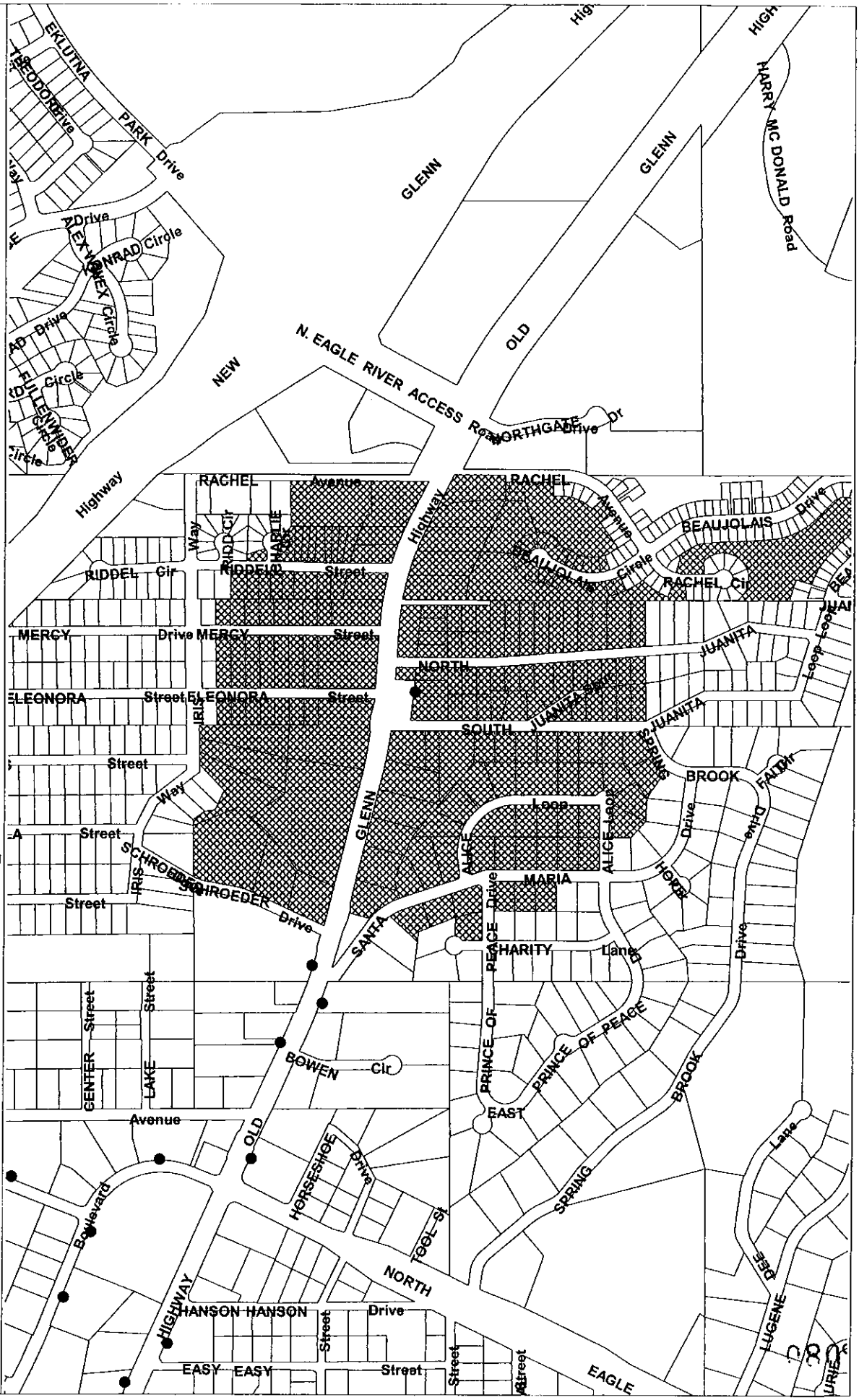
ALCOHOL

Txt



STRNAME_BI_L

PARCELS



Content Information

Content ID : 004819

Type: AR_AllOther - All Other Resolutions

Title: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 SL (GENERAL BUSINESS) DISTRICT WITH SPECIAL LIMITATIONS FOR A RESTAURANT/EATING PLACE USE PER AMC 21.40.180 D.8 FOR TARA PETRICCA, DBA PICCOLINO'S RESTAURANT.

Author: weaverjt

Initiating Dept: Planning

Description: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 SL (GENERAL BUSINESS) DISTRICT WITH SPECIAL LIMITATIONS FOR A RESTAURANT/EATING PLACE USE PER AMC 21.40.180 D.8 FOR TARA PETRICCA, DBA PICCOLINO'S RESTAURANT.

Date Prepared: 2/13/07 9:22 AM

Director Name: Tom Nelson

Assembly

Meeting Date 2/27/07

MM/DD/YY:

Public Hearing 2/27/06
Date MM/DD/YY:

M.O.A.
 2007 FEB 16 AM 11:14
 CLEMENS OFFICE

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllOtherARWorkflow	2/13/07 9:25 AM	Checkin	weaverjt	Public	004819
Planning_SubWorkflow	2/13/07 9:26 AM	Approve	weaverjt	Public	004819
ECD_SubWorkflow	2/13/07 10:26 AM	Approve	thomasm	Public	004819
MuniManager_SubWorkflow	2/16/07 9:22 AM	Approve	leblancdc	Public	004819
MuniMgrCoord_SubWorkflow	2/16/07 9:57 AM	Approve	maglaquijp	Public	004819