

CLERK'S OFFICE

APPROVED

Date: 4-29-08

Submitted by:

Chair of the Assembly at
the request of the Mayor
Planning Department
April 15, 2008

Prepared by:
For reading

Anchorage, Alaska
AR No. 2008-62

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING
2 AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 (GENERAL
3 BUSINESS) DISTRICT FOR A PACKAGE STORE USE AND LICENSE PER AMC
4 21.40.180 D.8, FOR BROWN JUG, INC.; LOCATED AT 2203 WEST DIMOND
5 BOULEVARD, WITHIN BRUCE SUBDIVISION, LOT 11; GENERALLY
6 LOCATED ON THE NORTHEAST CORNER OF WEST DIMOND BOULEVARD
7 AND NORTHWOOD DRIVE.

8
9 (Sand Lake Community Council) (Case 2008-061)
10
11

12 THE ANCHORAGE ASSEMBLY RESOLVES:
13

14 **Section 1.** This conditional use approval is for an Alcoholic Beverages Conditional Use
15 in the B-3 District for a Package Store use and license per AMC 21.40.180 D.8, for
16 Brown Jug, Inc.; located within Bruce Subdivision, Lot 11; generally meets the
17 applicable provisions of AMC 21.50.020 and AMC 21.50.160.
18

19 **Section 2.** The conditional use for an Alcoholic Beverages Conditional Use for a
20 Package Store Use is comprised of 6,288 square feet of gross leasable area.
21

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

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

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

32 3. This conditional use approval is for an Alcoholic Beverages Conditional Use in
33 the B-3 District for a Package Store Use per AMC 21.40.180.D.8, for approximately
34 6,288 square feet gross leasable area to be located in the structure at Bruce Subdivision,
35 Lot 11.
36

37 4. On-premise sales will be seven days a week as permitted per the Alaska
38 Alcoholic Beverage Control Board requirements.
39

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

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

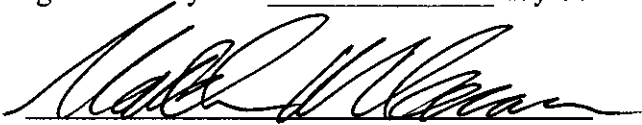
13 7. A copy of the conditions imposed by the Assembly in connection with this
14 conditional use approval shall be maintained on the premise.
15

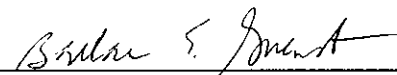
16 **Section 4.** Failure to comply with the conditions of this conditional use permit shall
17 constitute grounds for its modification or revocation.
18

19 **Section 5.** This resolution shall become effective immediately upon passage and
20 approval by the Anchorage Assembly.
21

22 PASSED AND APPROVED by the Anchorage Assembly this 29th day of
23 April 2008.
24

ATTEST:


Chair


Municipal Clerk

(Planning Case Number 2008-061)
(Tax Identification Number 012-342-23)



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 214-2008

Meeting Date: April 15, 2008

From: Mayor

Subject: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 (GENERAL BUSINESS) DISTRICT FOR A PACKAGE STORE USE AND LICENSE PER AMC 21.40.180 D.8 FOR BROWN JUG, INC.; LOCATED AT 2203 WEST DIMOND BOULEVARD, WITHIN BRUCE SUBDIVISION, LOT 11.

1 Lowell Shinn, representing Brown Jug, Inc., has made application for a Package Store
2 Alcoholic Beverage Conditional Use and license in the B-3 District, located at 2203
3 West Dimond Boulevard, within Bruce Subdivision, lot 11.

4
5 This proposal is for a Package Store Alcoholic Beverage Conditional Use for a 6,288
6 square foot gross leasable area within a new commercial/retail structure. The property
7 is zoned B-3, in which alcoholic beverage sales are permitted through the conditional
8 use process.

9
10 The petitioner has applied to the Alcoholic Beverages Control Board for the transfer of
11 an existing Package Store license owned by the petitioner, from 2534 Spenard Road to
12 the petition site. Before transfer, the business name for the license was Brown Jug –
13 Chilkoots.

14
15 There are no known churches or schools within 200 feet of the petition site, according
16 to Municipal records.

17
18 There are a total of four (4) alcohol conditional uses and licenses within a 1,000-foot
19 radius of the petition site: two (2) package store licenses and two (2) restaurant
20 licenses. Approving this package store conditional use and license will add a third
21 package store license within a 1,000-foot radius of the petition site.
22

1 The package store will operate seven days a week during the hours of 10:00 a.m. to
2 12:00 a.m. Monday through Saturday, and 12:00 p.m. to 12:00 a.m. on Sunday. On-
3 premise sale of alcohol beverages will be available as permitted by the Alcohol
4 Beverage Control Board requirements, only during the hours allowed for the specific
5 day of the week applicable. Employees involved in the sale of alcoholic beverages will
6 be trained in accordance with the Alcoholic Beverage Control Board's "Liquor Server
7 Alcohol Awareness Training Program," (TAM) and will hold the necessary
8 certifications.

9
10 At the time this report was prepared, the Department of Health and Human Services did
11 not provide comments. The Anchorage Police Department did not note any incidents at
12 the site within the last two years. Treasury reports there are no delinquent Personal
13 Property Taxes or Real Property Taxes owing at this time.

14
15 THIS CONDITIONAL USE FOR A PACKAGE STORE USE AND LICENSE IN
16 THE B-3 DISTRICT GENERALLY MEETS THE APPLICABLE PROVISIONS OF
17 AMC TITLES 10 AND 21, AND ALASKA STATUTE 04.11.150.

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

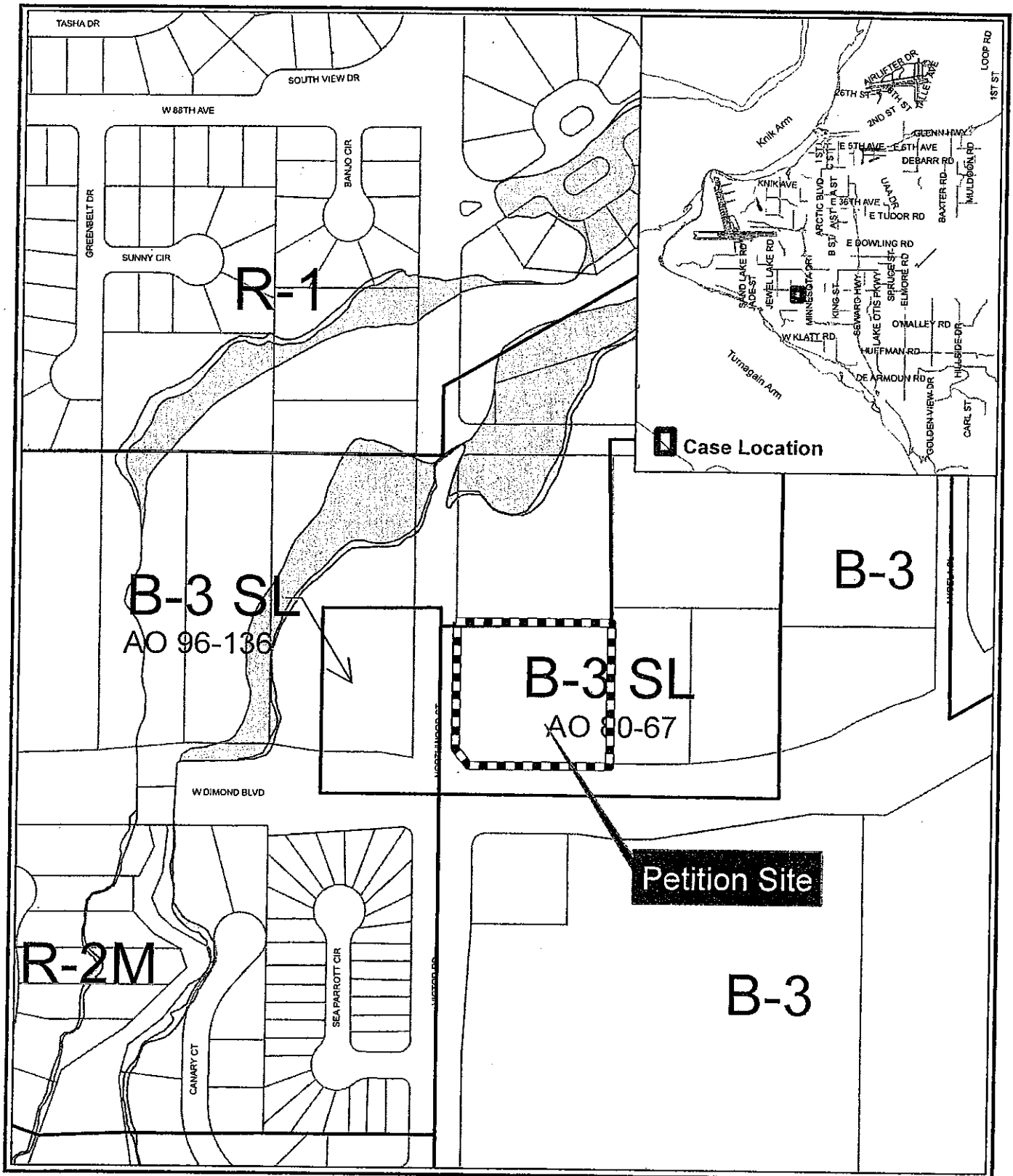
20 Concur: Tom Nelson, Director, Planning Department

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

23 Concur: Michael K. Abbott, Municipal Manager

24 Respectfully submitted: Mark Begich, Mayor

2008-061



Municipality of Anchorage
Planning Department

Date: February 21, 2008

Flood Limits

- 100 Year
- 500 Year
- Floodway

0 125 250 500 Feet



001

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

DATE: April 15, 2008

CASE NO.: 2008-061

APPLICANT: Brown Jug, Inc.

REPRESENTATIVE: Lowell Shinn

REQUEST: A Conditional Use for Alcoholic Beverages in the B-3 (General Business) District for a Package Store License, per AMC 21.40.180D.8.

LOCATION: Bruce Subdivision, Lot 1, generally located on the northeast corner of West Dimond Boulevard and Northwood Drive.

STREET ADDRESS: 2203 West Dimond Boulevard

COMMUNITY COUNCIL: Sand Lake; adjacent to Bayshore-Klatt.

TAX PARCEL: 012-342-23/ Grid SW 2328

ATTACHMENTS

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

RECOMMENDATION SUMMARY:

Brown Jug, Inc., is applying for a conditional use for new package store license and use at 2203 West Dimond Boulevard. The site is in a newly constructed one-story retail structure located at the northeast corner of West Dimond Boulevard and Northwood Street. The site had previously been occupied by a car wash.

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

SITE:

Acres: 79.763 SF
Vegetation: Commercial vegetation
Zoning: B-3 (General Business)
Topography: Relatively Level
Existing Use: Newly constructed retail/commercial structure
Soils: Public Sewer & Water

COMPREHENSIVE PLAN

Classification: Anchorage 2020 – Neighborhood Commercial Center
1982 Plan – Commercial
Density: N/A

SURROUNDING AREA

	NORTH	EAST	SOUTH	WEST
Zoning:	R-2M	B-3 SL	B-3	B-3 SL
Land Use:	Greenbelt	Commercial (self storage, car wash)	Commercial/ Retail (Fred Meyer)	Vacant

SITE DESCRIPTION AND PROPOSAL:

This is a request for a package store license conditional use for a 6,288 square foot (SF) leasable area of a new commercial/retail structure, located at 2328 West Dimond Boulevard. The petition site is 79,763 SF lot.

Daily operating hours are proposed to be from 10:00 AM to 12:00 AM Monday through Saturday, and 12:00 PM to 12:00 AM on Sunday.

All employees will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program. There will be 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. The application states that there will be security cameras and perimeter lighting on the site, and it is the policy and practice of the company to check identification of all members of the purchasing party. The employees will have immediate access to security and supervisory personnel.

PUBLIC COMMENTS:

Sixty (60) public hearing notices (PHNs) were mailed. At the time this report was written no PHNs were returned. No written comment has been received from any of the Community Councils notified (Sand Lake and Bayshore-Klatt).

FINDINGS

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

This site is identified on the Anchorage 2020 Anchorage Bowl Comprehensive Plan Land Use Policy Map as a Neighborhood Commercial Center. This land use concept comprises neighborhood-level commercial/retail facilities that serve smaller clusters of residential neighborhoods than Town Centers. This designation allows neighborhood-oriented commercial uses in and adjacent to residential areas. It has been created in response to increased urbanization, the need to reduce the number and length of auto trips, and a desire to improve quality of life in all neighborhoods. These commercial areas are intended to provide small-scale, attractive and convenient services for residential areas. The site is developed with a new small scale retail/commercial structure. It is also just outside the West Anchorage Planning Area.

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

The Anchorage 2020 Plan (ref. P.40) contains a generalized community vision that advocates “an active learning community with abundant cultural amenities.” Several goals of the Anchorage 2020 Plan do address related issues such as recreational and economic opportunities. The sale of alcoholic beverages is part of the social, recreational and economic environment of the community. The bar expansion will also facilitate a growing hospitality and tourism industry in Anchorage.

Another of the Plan’s stated economic development goals are “Business Support and Development: a quality of life and a financial climate that encourages businesses to start up, expand or relocate in Anchorage (p. 41).

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

This standard is met.

Except for the alcoholic beverages conditional use standards established in AMC 21.50.160, the Assembly has not adopted specific zoning regulations for

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

The existing structure has been issued building permits for the new 13,416 SF retail/commercial structure, and has been determined to be conforming in regards to characteristics of use such as parking, access, landscaping, etc. The proposed conditional use will not change the parking requirements.

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 petition property is adjacent to a Neighborhood Commercial Center: a commercial area that is expected to remain in that land use category for the foreseeable future. See discussion above regarding *Anchorage 2020* discussion. It is also just outside the West Anchorage Planning Area. Land to the east and west are zoned B-3 SL, and to the south is B-3 land developed with a Fred Meyer store. To the north is a greenbelt zoned R-2M. Staff site and area visits have indicated that there appear to be no churches, day care or schools within 200 feet of the site property line.

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 a total of four licenses within 1,000 feet of the proposed conditional use site. There are two package store licenses and two restaurant/eating place licenses.

Package Store	Dimond Liquor	1901 W. Dimond Blvd., #2808
Package Store	Fred Meyer #71 – Dimond	2000 W. Dimond Blvd., #3906
Restaurant	La Scala Restaurant	1921 W. Dimond Blvd., #2099
Restaurant	Siam Cuisine	1911 W. Dimond Blvd., #3084

This request will still make a total of 3 Package Store licenses within 1,000 feet.

Alaska Statute 04.11.410, Restriction of location near churches and schools, restricts beverage dispensary and package store licenses from being located in a building the public entrance of which is within 200-feet of the public entrance of a church building, or from being located within 200-feet of school

grounds. There appear to be no church buildings or school grounds within 200 feet of the petition site.

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

1. Pedestrian and vehicular traffic circulation and safety.

This standard is met.

The 2007 approved building permit addressed vehicular and pedestrian traffic circulation and safety. There are adequate entrances and exits for vehicles to and from adjacent streets and roadways.

The parking area will be lit, the parking areas paved, and the site incorporates pedestrian sidewalks along the along the roadways adjacent to the parking lot entrances.

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

This standard is met.

The addition of the package store license will not impact public services. Electrical, water and sewer, natural gas are available on site. Road infrastructure and public transit is already in place. The petition site is within ARDSA, Police and Fire service areas. Required site improvements will be made regarding required parking and landscaping.

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

This standard is met.

As a land use, a Package Store conditional use and license will not cause or contribute to any environmental pollution. The public parking lots are required to be paved, which control air pollution.

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

This standard is met.

The zoning, land use and the general area land use will not change as a result of this license. There will be no change in the new structure or site. The intensity of this proposed use appears to be

no greater than general traffic generated in the area from the adjacent commercial, retail and related uses, and the large Fred Meyer store directly to the south.

Standards Chapter 10.50 Alcoholic Beverages

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

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

See table and narrative under Findings, Item C for other alcohol licenses within 1,000 feet of this application.

This conditional use for a package store license will not adversely impact the immediate area or surrounding uses. See narrative under Findings, Item D.

Staff site/area visits and agency comments indicate that there are no schools or churches within 1,000-feet of the petition site. There are a total of four (4) licenses in the vicinity, with two being package store licenses, and the remaining two being two restaurant licenses.

- 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 with serving alcohol will be involved in the dispensing of alcoholic beverages and will be trained in accordance with the T.A.M. training and hold the appropriate certificates.

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

This standard is not applicable.

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

This standard appears to be met.

There will be 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. The application states that security includes DVR recording of all transactions, immediate access to security and supervisory personnel, security cameras and perimeter lighting, and policies and practice to check identification of all members of the purchasing party.

The Anchorage Police Department provided comments stating that there is no criminal history in the local police files, and stated there were no incidents occurring within the last two years at the site.

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

The Treasury Division found no outstanding taxes on this application.

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

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

- 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 conditional use for alcoholic beverages in the B-3 District to allow a package store use and license per AMC 21.40.180D.8 for Bruce Subdivision, Lot 11, meets the required standards of AMC Title 10 and Title 21.

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

1. A notice of Zoning Action shall be filed with the District Records Office within 120 days of the Assembly's approval of the amendment for a package store license use on Bruce Subdivision, Lot 11.
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 Package Store Use per AMC 2140.180 D.8 for approximately 6,288 SF gross leasable area to be located in the structure at Bruce Subdivision, Lot 11.
4. On-premise sale of alcohol beverages will be seven days a week as permitted per the Alaska Alcoholic Beverage Control Board requirements.
5. Upon demand the applicant shall demonstrate compliance with a liquor "Server Awareness Training Program approved by the State of Alaska alcoholic Beverage Control Board, such as or similar to the program for techniques in alcohol management (T.A.M.).
6. The use of the property by any person for the permitted purposes shall comply with all current and future federal, state and local laws and regulations including but not limited to laws and regulations pertaining to the sale, dispensing, service and consumption of alcoholic beverages and the storage, preparation, sale, service and consumption of food. The owner of the property, the licensee under the Alcoholic Beverage Control

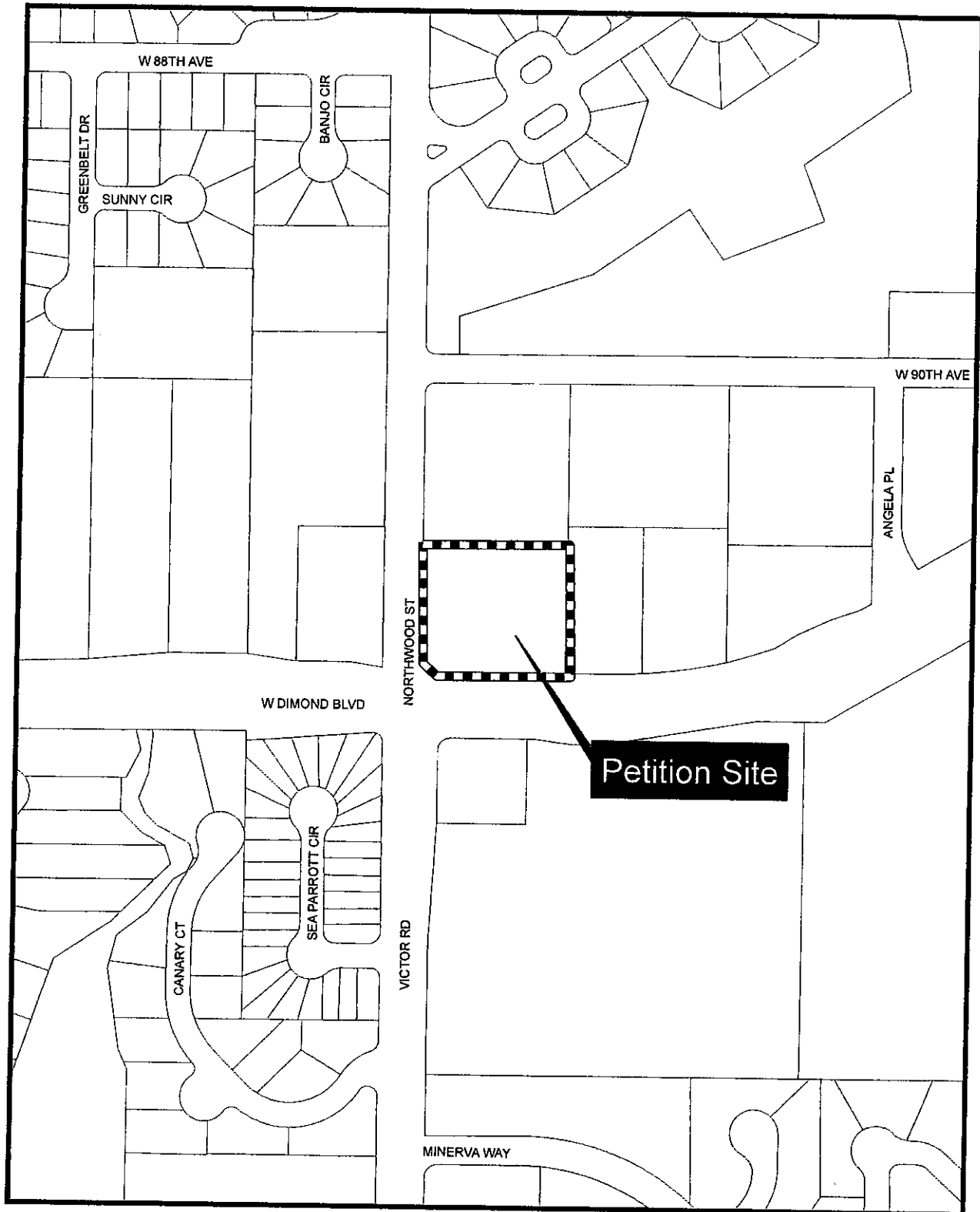
license and their officers, agents and employees shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the property.

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

2

HISTORICAL MAPS AND AS-BUILTS

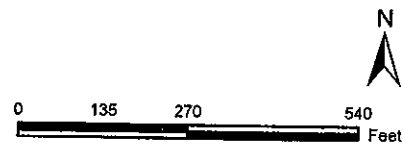
2008-061



Municipality of Anchorage
Planning Department

Date: February 21, 2008

-  Single Family
-  Multi-Family
-  Mobile Home Park

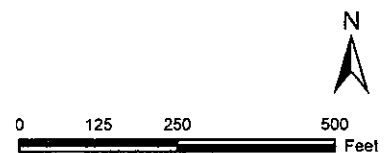


2008-061



Municipality of Anchorage
Planning Department

Date: February 21, 2008



3

DEPARTMENTAL

COMMENTS



Municipality of Anchorage
Project Management & Engineering Department



Comments to Miscellaneous Planning and Zoning Applications

RECEIVED

DATE: March 18, 2008

MAR 18 2008

TO: Jerry Weaver, Platting Officer

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

FROM: Sharen Walsh, P.E., Private Development Plan Review Engineer

SUBJECT: Comments for Assembly hearing date: April 15, 2008

Case No. 2008-061 - Conditional use to permit an alcoholic beverage package store

The Private Development Division of Project Management and Engineering has no objection to the request for the conditional use.

Municipality Of Anchorage
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

MEMORANDUM

MAR 03 2008

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

DATE: February 28, 2008

TO: Jerry Weaver, Zoning Division Administrator, Planning Department

FROM: Paul Hatcher, Engineering Technician III, AWWU *PH*

SUBJECT: **Zoning Case Comments**
Planning & Zoning Commission Hearing April 15, 2008
Agency Comments due March 18, 2008

AWWU has reviewed the materials and has the following comments.

08-061 BRUCE LT 11, A request concept/final approval of a conditional use permit (an alcoholic beverage package store), Grid SW2328

1. AWWU water main located in Dimond Blvd and Northwood Drive currently serves this parcel.
2. AWWU sanitary sewer located in Northwood Drive currently serves this parcel.
3. AWWU has no objection to this conditional use permit.

If you have any questions pertinent to public water and sanitary sewer, you may call me at 564-2721 or the AWWU planning section at 564-2739, or e-mail paul.hatcher@awwu.biz.

Municipality of Anchorage
Treasury Division
Memorandum

RECEIVED

Date: February 28, 2008
To: Rich Cartier, Planning Dept.
From: Daisy VanNortwick, Revenue Officer
Subject: Liquor License Conditional Use Comments

FEB 28 2008
MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

Request: Conditional Use permit # 2008-061 Brown Jug Inc. located at 2203 W Dimond Blvd
Anchorage AK 99503

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

**POLICE DEPARTMENT CHECK LIST
FOR INVESTIGATION OF LICENSED LIQUOR ESTABLISHMENTS**

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

Type of Incident	Number of Incidents
NONE	

RECEIVED

FEB 27 2009

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

Brown Jug Chilkoots 2534 Spenard Rd

OLD BUSINESS NAME OLD LOCATION

Brown Jug-Diamond and Victor 2203 West Dimond Bl.

BUSINESS NAME LOCATION

Brown Jug, Inc. Brown Jug

NAME OF APPLICANT (S) CURRENT LICENSEE (S)

☐ Package Store

☒ Transfer Liquor License

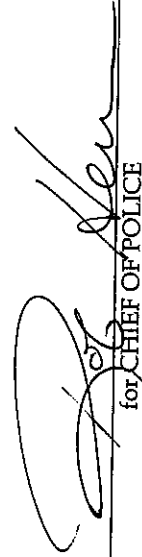
☐ Corporate Stock Transfer Only

☐ Transfer of Location

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

02/26/08

DATE


for CHIEF OF POLICE



Bar File

Activity for: 2203 W DIMOND BL
02/26/2006 through 02/26/2008



Report#	Nature of Call	Report	Officer	MO Location
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RETURN COMMENTS :

DEPARTMENT OF PLANNING
Zoning and Platting Division
P.O. Box 196650
Anchorage, Alaska 99519-6650
Phone 343-7942

Case No. 2008-061

*Routed
2/22/08*

A request concept/final approval of a conditional use to permit:

an alcoholic beverage package store

in the B-3 General business district

COMMENTS AND MEETING SCHEDULE:

Municipal Assembly Public hearing

Assembly Hearing Date: Tuesday, April 15, 2008

Agency Comments Due: Tuesday, March 18, 2008

Council Comments Due: Friday, March 28, 2008

DISTRIBUTION: STANDARD DISTRIBUTION
COMMUNITY COUNCIL(S):

Sand Lake
Bayshore-Klatt

MUNICIPAL ASSEMBLY
Assembly Hall, Z. J. Loussac Library
3600 Denali Street, Anchorage, Alaska
Thursday, February 21, 2008 6:30 p.m.

4

APPLICATION

Application for Conditional Use Retail Sale Alcoholic Beverages

City of Anchorage
Planning Department
300 South
Anchorage, AK 99501-6000

Please fill in the information asked for below.

PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first)	BROWN SUB, INC.	Name (last name first)	SHINN, LOWELL
Mailing Address	PO Box 190027	Mailing Address	PO Box 190027
ANCHORAGE, AK 99519-0027		ANCHORAGE, AK 99519-0027	
Contact Phone: Day: 907.562.3815 Night:		Contact Phone: Day: 907.562.3815 Night:	
FAX: 907.562.3008		FAX: 907.562.3008	
E-mail:		E-mail: lshinn@brownsubalaska.com	

*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):	012-342-23-00012
Site Street Address:	2203 WEST DIMOND BLVD
Property Owner (if not the Petitioner):	DIMOND VICTOR, LLC
Current legal description: (use additional sheet if necessary)	LOT 11 BRUCE SUBDIVISION PLAT # P-341 3RD JUDICIAL, STATE OF ALASKA
Zoning: B-3	Acreage: 79,763 sq. ft. Grid # SW 2328

ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE PROPOSED	
☐ Beverage Dispensary	☐ Private Club
☐ Beverage Dispensary-Tourism	☐ Public Convenience
☐ Brew Pub	☐ Recreational
☒ Package Store	☐ Restaurant
Is the proposed license: ☐ New	☒ Transfer of location: ABC license number: 318
Transfer license location: 2534 SPENARD ROAD	
Transfer licensed premises doing business as: BROWN SUB - CHILKOOT 5	

I hereby certify that I am/are 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	2/19/08	Signature (Agents must provide written proof of authorization)	LOWELL SHINN PRESIDENT BROWN SUB, INC.
------	---------	--	--

COMPREHENSIVE PLAN INFORMATION

Anchorage 2020 Urban/Rural Services: ☒ Urban ☐ Rural	
Anchorage 2020 West Anchorage Planning Area: ☒ Inside ☐ Outside	
Anchorage 2020 Major Urban Elements: Site is within or abuts:	
☐ Major Employment Center	☐ Redevelopment/Mixed Use Area ☒ Town Center
☐ Neighborhood Commercial Center	☐ Industrial Center
☐ Transit - Supportive Development Corridor	
Eagle River-Chugiak-Peters Creek Land Use Classification:	
☐ Commercial ☐ Industrial	☐ Parks/opens space ☐ Public Land Institutions
☐ Marginal land ☐ Alpine/Slope Affected	☐ Special Study
☐ Residential at _____ dwelling units per acre	
Girdwood - Turnagain Arm	
☐ Commercial ☐ Industrial	☐ Parks/opens space ☐ Public Land Institutions
☐ Marginal land ☐ Alpine/Slope Affected	☐ Special Study
☐ Residential at _____ dwelling units per acre	

ENVIRONMENTAL INFORMATION (All or portion site affected)

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

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

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

DOCUMENTATION

Required:	☒ Site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location.
NEW PROJECT	☐ 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.
ATTACHED	☒ Copy of completed Alcoholic Beverage Control Board liquor license application form including all drawings and attachments, if filed with ABC Board.
Optional:	☐ Traffic impact analysis ☐ Economic impact analysis ☐ Noise impact analysis

PROPERTY OWNER AUTHORIZATION* (if petitioner is not property owner)	
(I/WE) hereby grant permission to and acknowledge that person shown as the petitioner on this application is applying for a conditional use permit for the retail sales of alcoholic beverages on a property under (MY/OUR) ownership and that as part of the conditional use permit process the Assembly may apply conditions which will be (MY/OUR) responsibility to satisfy.	
Date	2/19/08
Signature	<i>[Signature]</i> CURT NADINS

*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):	
BROWN JUG	
What is the gross leaseable floor space in square feet?	
6,288 sq. ft.	
What is the facility occupant capacity?	
NA	
What is the number of fixed seats(booth and non movable seats)?	
NA	
What is the number non-fixed seats(movable chairs, stools, etc.)?	
NA	
What will be the normal business hours of operation?	
10 AM - 12 AM (M-SAT) 12 PM - 12 AM (SUNDAY)	
What will be the business hours that alcoholic beverages will be sold or dispensed?	
SAME AS BUSINESS HOURS	
What do you estimate the ratio of food sales to alcohol beverage sales will be?	

% Alcoholic beverage sales	NA
% Food sales	NA
Type of entertainment proposed: (Mark all that apply)	
☐ Recorded music	☐ Live music
☐ Floor shows	☐ Patron dancing
☐ Sporting events	☒ Other
Do you propose entertainment or environmental conditions in the facility that will meet the definition of "indecent material" or "adult entertainment" as set forth by AMC 8.05.420 Minors-Disseminating indecent material or AMC 10.40.050 Adult oriented establishment?	
☐ Yes	☒ No

DISTANCE FROM CHURCHES, DAY CARE, AND SCHOOLS	
Locate and provide the names and address of all churches, day care, and public or private schools within 200 feet of the site property lines	
Name	Address
NONE	

PACKAGE STORES

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

1	%	less than \$5.00
5	%	\$5.00 to \$10.00
69	%	\$10.00 to \$25.00
25	%	greater than \$25.00

CONDITIONAL USE STANDARDS

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

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

PACKAGE LIQUOR STORES ARE A COMPATIBLE USE FOR B-3 ZONES IN THE WEST ANCHORAGE PLANNING AREA.

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

B-3 ZONING PERMITS ALCOHOL BEVERAGE SALES BY CONDITIONAL USE PERMIT.

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.

B-3 ZONING IS INTENDED AS GENERAL COMMERCIAL PROPERTY AND THE SUBJECT PROPERTY IS NOT NEAR ANY DAYCARE FACILITIES, SCHOOLS, OR CHURCHES. THE SURROUNDING AREA IS GENERALLY MIXED USE, COMMERCIAL, AND RESIDENTIAL.

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.
PEDESTRIAN AND VEHICULAR TRAFFIC WILL USE SIMILAR CIRCULATION AS THE FORMER CARWASH. TRAFFIC WILL APPROXIMATELY EQUAL TO THE PREVIOUS HIGHEST USE PERIODS
2. The demand for and availability of public services and facilities.
NO CHANGE
3. Noise, air, water or other forms of environmental pollution.
NONE
4. The maintenance of compatible and efficient development patterns and land use intensities.
TEARING DOWN THE DILAPIDATED CARWASH AND BUILDING A NEW SHOPPING CENTER TO TITLE 21 STANDARDS WILL ENHANCE THE ATTRACTIVENESS OF THE SITE.

STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

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

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

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

NONE

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

(1) RESTAURANT, (2) PACKAGE LICENSES

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

2

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

10-12

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

NO, THE GENERAL AREA IS MIXED USE COMMERCIAL.

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"

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:
- SERVER TRAINING POLICIES
 - DVR RECORDING OF ALL TRANSACTIONS
 - IMMEDIATE ACCESS TO SECURITY AND SUPERVISORY PERSONNEL

- outside facility:
- CAMERAS AND PERIMETER LIGHTING
 - POLICIES AND PRACTICE TO CHECK ID'S OF ALL MEMBERS OF THE DISCRETIONARY PARTY

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

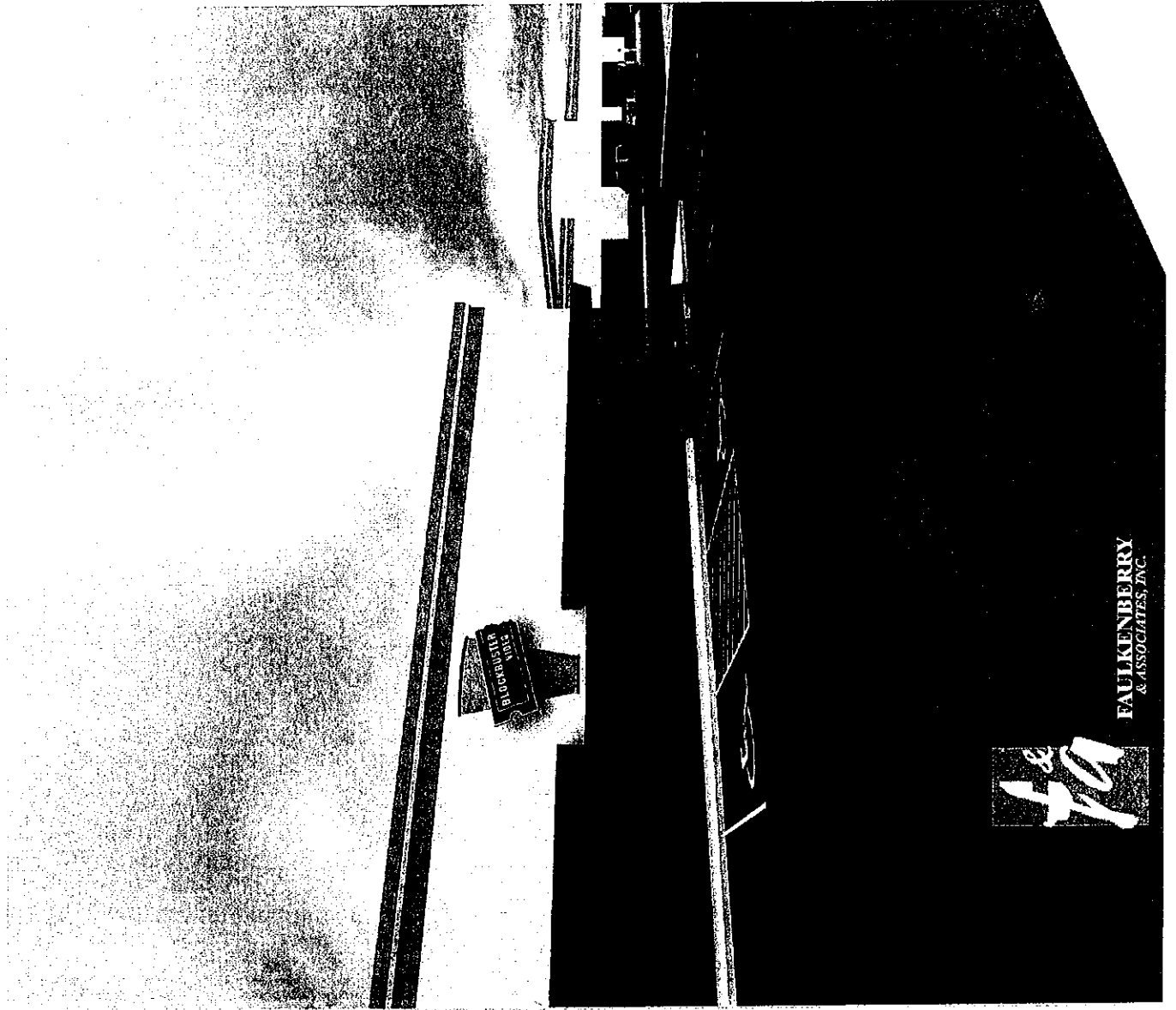
☒ Yes ☐ No Are real estate and business property taxes current?

☐ Yes ☒ No Are there any other debts owed to the Municipality of Anchorage?

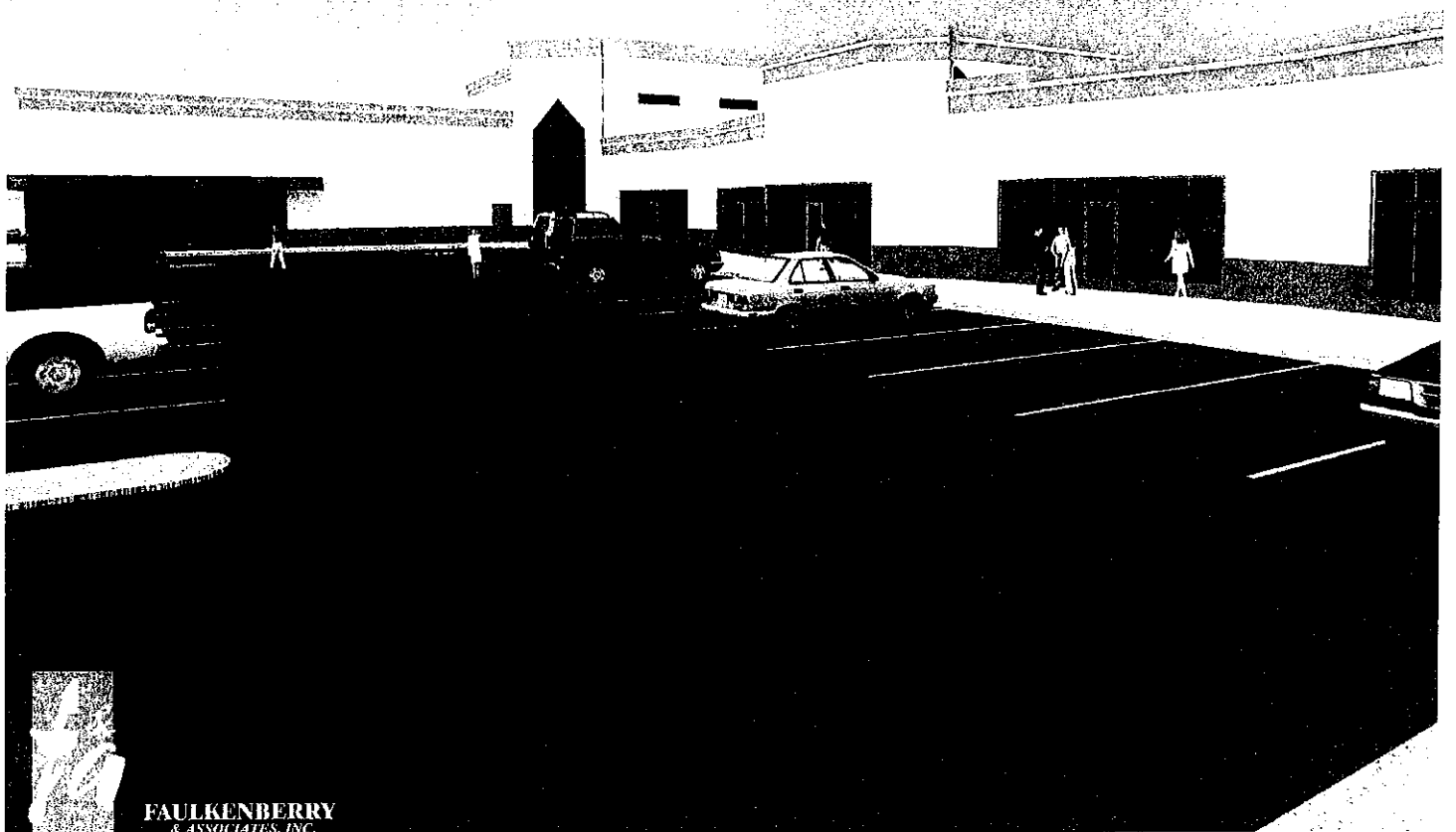
Public health. If application is made for the renewal or transfer of location or transfer of ownership of a license, the Assembly shall consider whether the operator has engaged in a pattern of practices injurious to public health or safety, such as providing alcohol to minors or intoxicated persons, 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

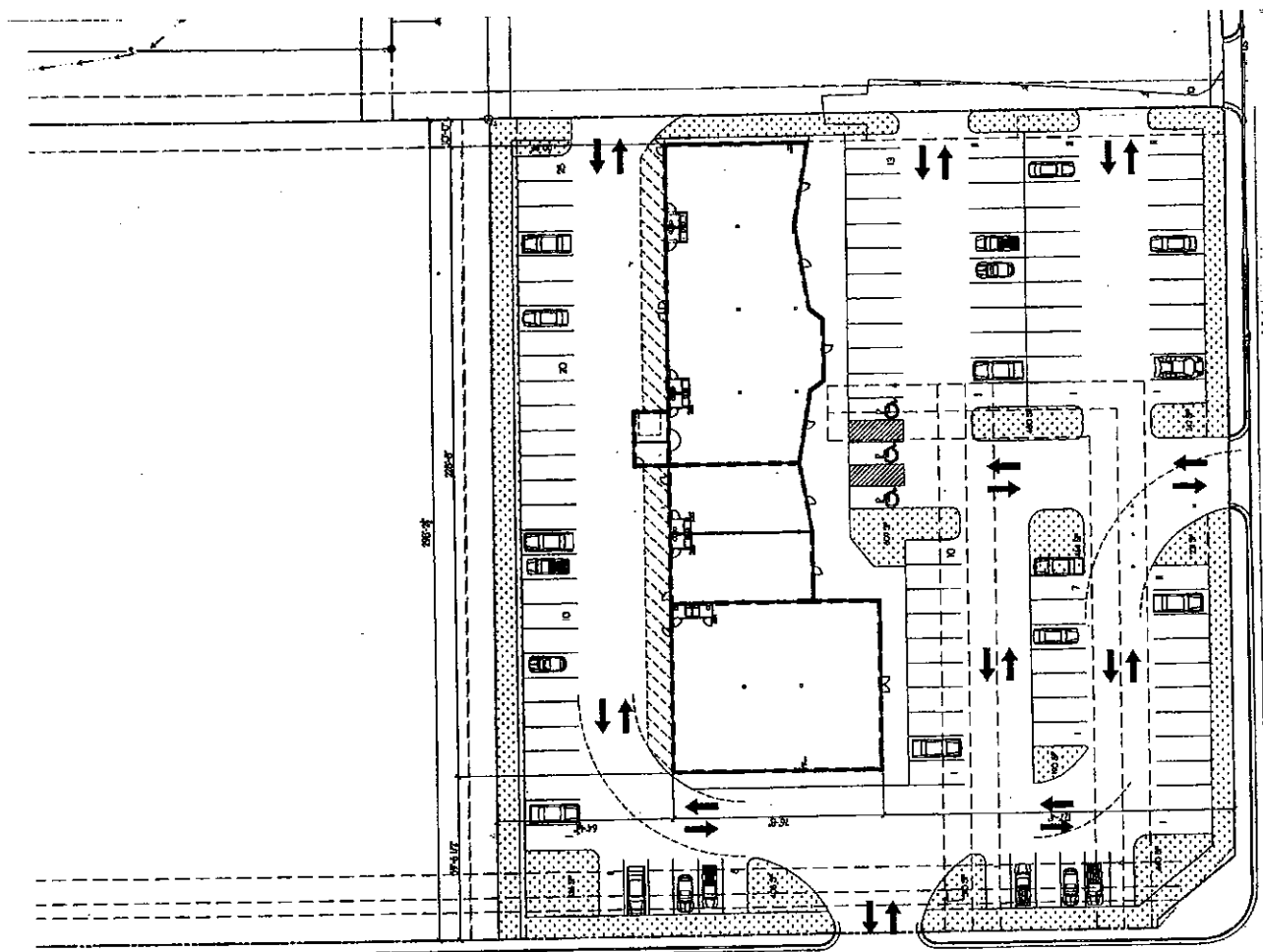
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FAULKENBERRY
& ASSOCIATES, INC.

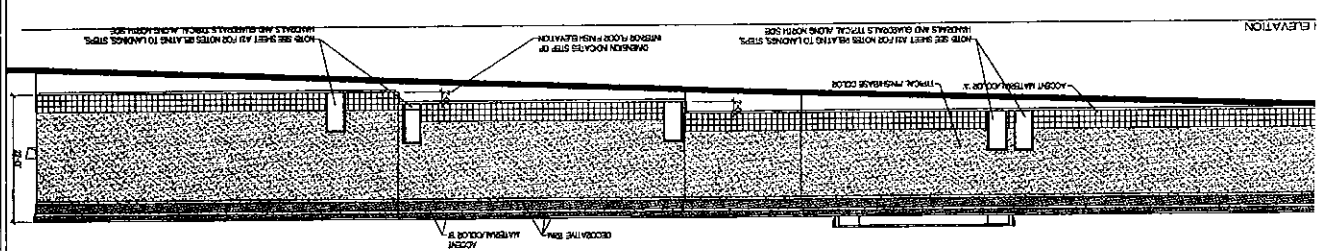
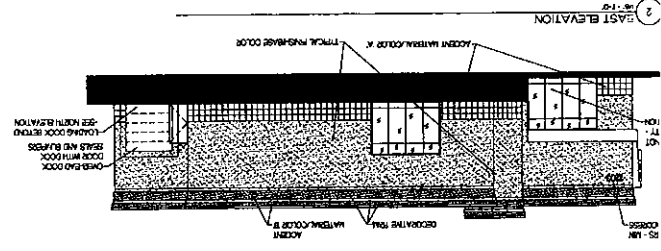
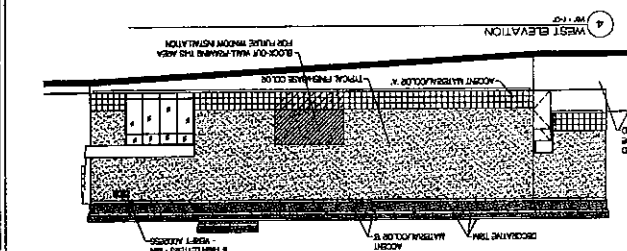
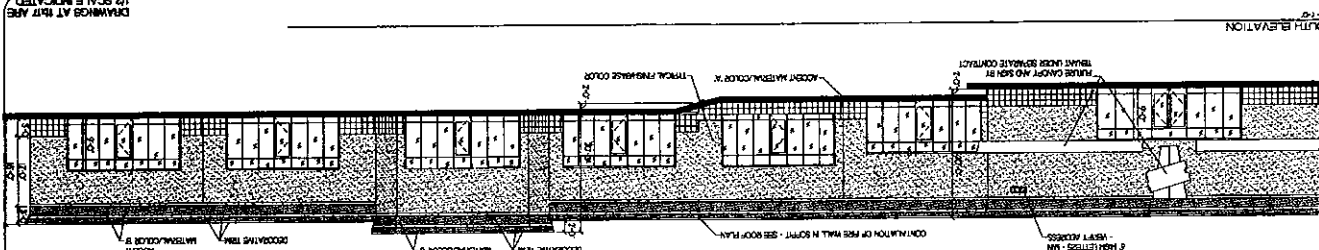


FAULKENBERRY
& ASSOCIATES, INC.



TO REMAIN EXISTING
 EXISTING BUILDING
 TOTAL
 100'-0" x 200'-0" = 20,000 SQ. FT.
 REQUIRED PARKING 6 PER 100 SF
 12,000 SPACES AT 1000
 12,000 SPACES AT 1000 WITH 8 FT. ALLE
 12,000 SPACES AT 1000 WITH 8 FT. ALLE
 TOTAL REQUIRED 12,000

1/2" SCALE INDICATED



A3.1

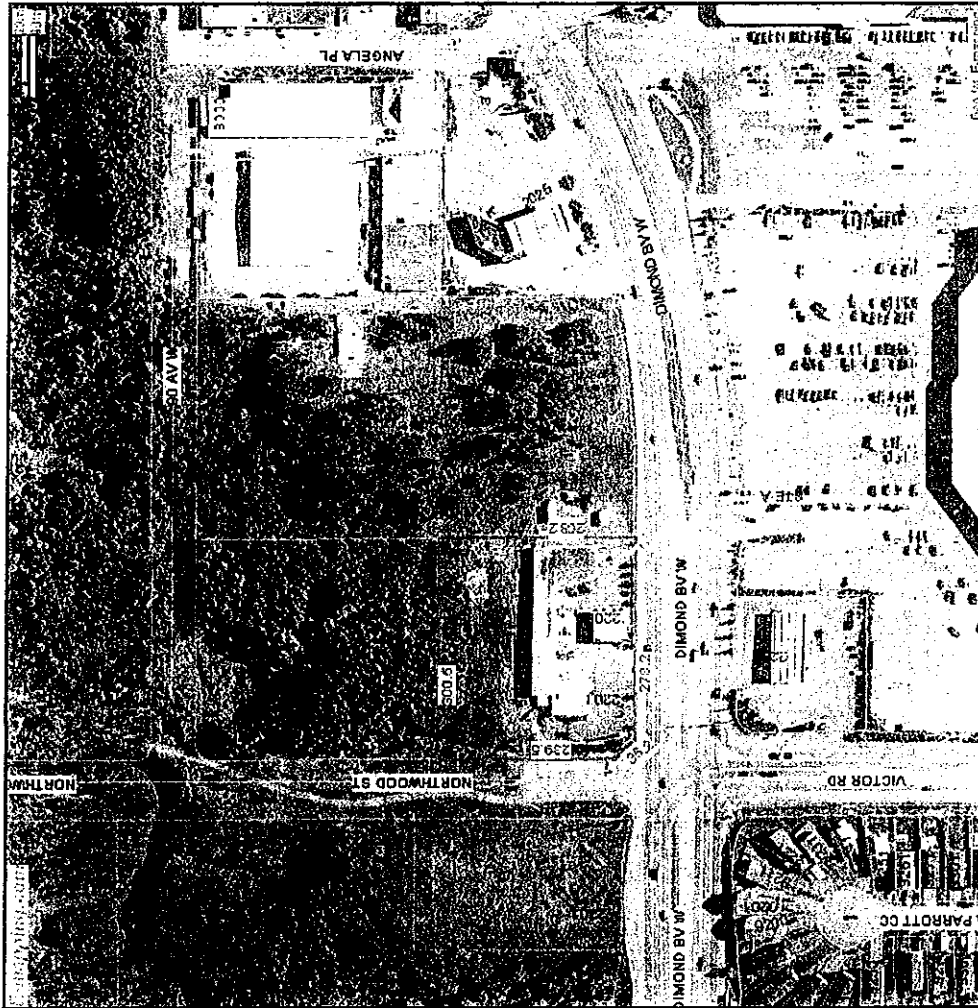
Diamond-Victor Retail Plaza

Scale: 1/2" = 1'-0"

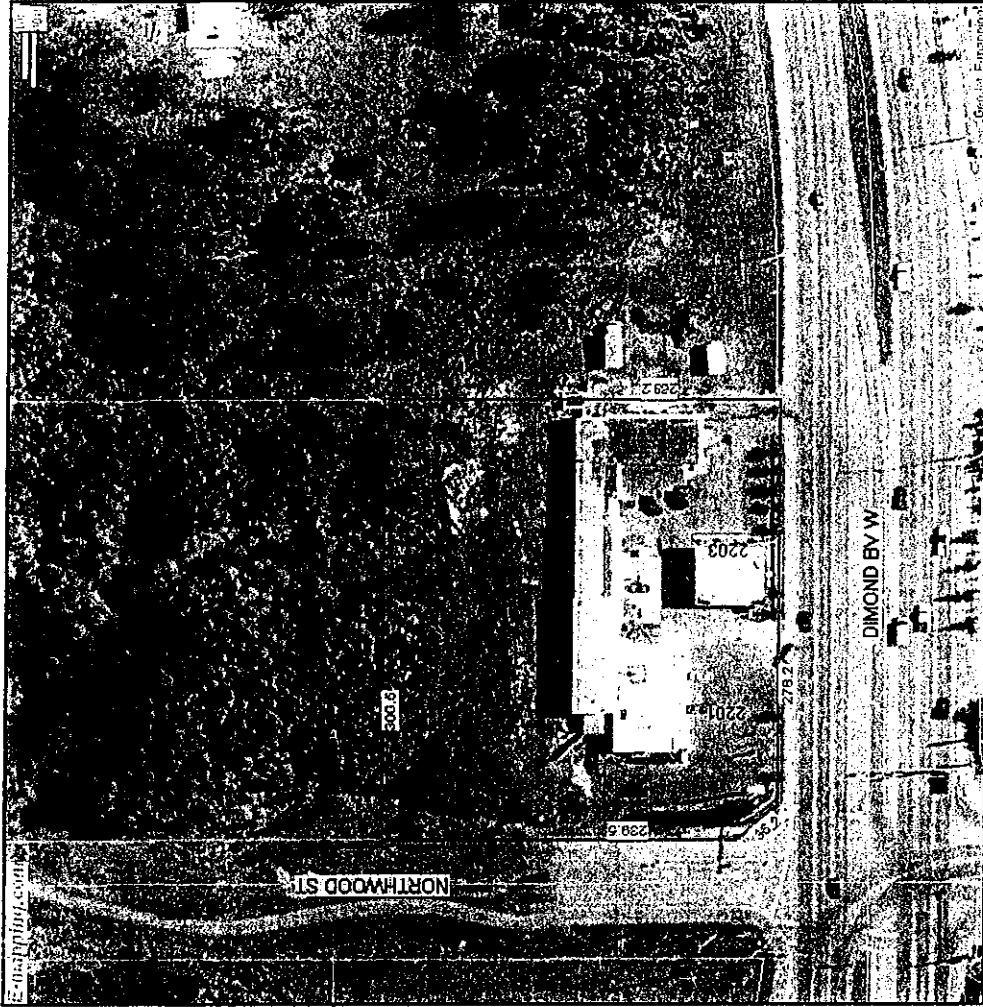
PAUL KENNEDY & ASSOCIATES
ARCHITECTS



Revisions
Date: 08-08-07
Checked by: JOK
Drawn by: JOK
Scale: 1/2" = 1'-0"

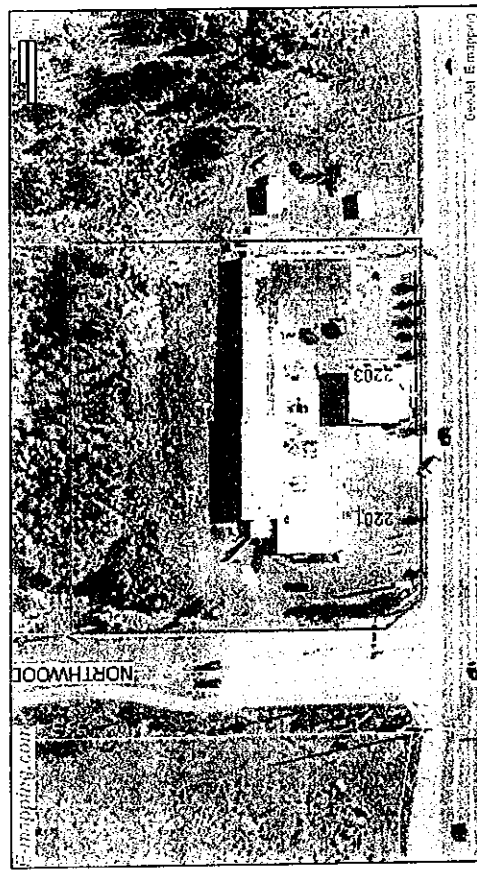


1. 2203 Dimond Bv W, Anchorage 99515
2. 2201 Dimond Bv W, Anchorage 99515
3. 2203 Dimond Bv W, Anchorage 99515



C

Aerial Map for Map Location 1
Address: 2203 W Dimond Blvd, Anchorage, 99502



[illegible]

State of Alaska
Alcoholic Beverage Control Board
5848 E Tudor Rd
Anchorage, Alaska

February 20, 2008 – Hand delivered

Brown Jug License Transfer to 2203 West Dimond Blvd, Anchorage.

Please find enclosed forms required to transfer package store license number 318 in the Municipality of Anchorage to 2203 West Dimond Blvd.

I have enclosed:

- \$100.00 check for filing fee
- Liquor License Application
- Posting Affidavit
- Proof of Advertising
- Proof of Right, Title or Interest (premises lease)
- Statement of Financial Interest
- Diagram of Premises to be Licensed
- Affidavit of Creditors.

The following are on file with the Board and have not been enclosed:
Certificate of Incorporation
Fingerprint Cards.

Please let me know if you would like another copy.

If you need any further information, please call me at 563-3815 x224.

Sincerely,

Lowell John Shinn
President
Brown Jug, Inc.

Transfer Liquor License

PAGE 1 OF 2

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

(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

SECTION A - LICENSE INFORMATION. Must be completed for all types of applications.		FEES	
License Year: 2006-2007	License Type: Package Liquor	Statute Reference Sec. 04.11.150	License Fee: \$
License #: 318	Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage	Community Council Name(s) & Mailing Address: Sand Lake C/O Federation of Community Councils 401 E. Northern Lights Blvd. Anchorage, Alaska 99503-2814	Filing Fee: \$100.00 Fingerprint: (\$39 per person)
Federal EIN or SSN:			Total Submitted: \$100.00
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Brown Jug, Inc.	Doing Business As (Business Name): Brown Jug - Diamond and Victor	Business Telephone Number: (907) 563-3815	
Mailing Address: PO Box 190027	Street Address or Location of Premise: 2203 West Diamond Blvd	Fax Number: (907) 562-3008	
City, State, Zip: Anchorage, AK 99519-0027		Email Address: lshinn@brownjugalaska.com	

SECTION B - TRANSFER INFORMATION.

☒ Regular Transfer	Name and Mailing Address of Current Licensee: Brown Jug, Inc. PO Box 190027 Anchorage, AK 99519-0027
☐ Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application. (15 AAC 104.107). Real or personal property conveyed with this transfer must be described. Provide security interest documents.	Business Name (do) BEFORE transfer: Brown Jug - Chalkoots
☐ Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.	Street Address or Location BEFORE transfer: 2534 Spruand Road

SECTION C - PREMISES TO BE LICENSED. Must be completed for RELOCATION applications.	
Distance measured under: Closest school grounds: 5/10 th of a mile	☐ Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. ☐ Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. ☒ Not applicable
Distance measured under: Closest church: 4/10 th of a mile	☒ Plans submitted to Fire Marshall (required for new & proposed buildings) ☐ Diagram of premises attached
Premises to be licensed is: ☒ Proposed building ☐ Existing facility ☐ New building	
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
(See Attached)				
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.				

Liquor License

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

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

Name of Entity (Corporation/LLC/LLP) (or N/A if an individual ownership):	Telephone Number: (907) 563-3815	Fax Number: (907) 562-3008
Corporate Mailing Address:	State: Alaska	Zip Code: 99519-0027
City: Anchorage	Date of Incorporation OR Certification with DCED:	State of Incorporation: Alaska
PO Box 190027	3/30/1978	
Name, Mailing Address and Telephone Number of Registered Agent: Lowell John Shinn		
PO Box 190027 Anchorage, Alaska 99519-0027 (907) 563-3815		
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
Lowell J. Shinn	Pres/Treas	0	950 P Street Anchorage, AK 99501 (907) 278-5152	(907) 563-3815	5/12/53
Edward M. O'Neill	Secretary	0	7610 Big Spruce Circle Anchorage 99502 (907) 240-1818	(907) 563-3815	6/12/37
Timothy J. Schrage	V.P.	0	4900 Sportsman Drive Anchorage, AK 99502 (907) 244-8354	(907) 563-3815	10/05/70
O.C. Madden	V.P.	0	17228 Lacuna Drive Eagle River AK 99577 (907) 622-6107	(907) 563-3815	3/17/1960
O'Neill Properties, Inc.	NA	100	NA	(907) 563-3815	NA

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:	Applicant ☐ Affiliate ☐	Name:	Applicant ☐ Affiliate ☐
Address:		Address:	
Home Phone:	Date of Birth:	Home Phone:	Date of Birth:
Work Phone:		Work Phone:	
Name:	Applicant ☐ Affiliate ☐	Name:	Applicant ☐ Affiliate ☐
Address:		Address:	
Home Phone:	Date of Birth:	Home Phone:	Date of Birth:
Work Phone:		Work Phone:	

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 connected obligations.
- I hereby certify that there have been no changes in offices 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 of Transferee(s)
Signature	Signature
Signature: <i>Lowell John Shinn</i>	Signature: <i>Lowell John Shinn</i>
Name & Title (Please Print): Lowell John Shinn, President	Name & Title (Please Print): Lowell John Shinn, President
Subscribed and sworn to before me this 12th day of June, 2007	Subscribed and sworn to before me this 12th day of June, 2007
Notary Public in and for the State of Alaska	Notary Public in and for the State of Alaska

Brown Jug Inc.
Package Store License List

License Number	Store #	Brown Jug d.b.a.	Location	License Year
4089	570	Brown Jug - College Mall	2210 E Northern Lights Blvd	2007-2008
162	350	Brown Jug - Eagle River	11221 Old Glenn Hwy	2007-2008
686	510	Brown Jug - Whaler	171 Muktoon Road	2007-2008
4520	620	Brown Jug / Northern Lights at Spenard	2710 Spenard Rd	2007-2008
4558		Brown Jug	No Premises - Previously Billik #123	2008-2009
1410	530	Brown Jug - Wasilla	509 Parks Hwy	2008-2009
1561	550	Brown Jug - West Mt. View	131 S Bragaw	2008-2009
4453	670	Brown Jug #670	2451 East Sun Mountain Drive	2008-2009
1461	420	Brown Jug Warehouse	4140 Old Seward Hwy	2008-2009
169	340	Brown Jug-Bragaw	1555 S Bragaw	2008-2009
318	610	Brown Jug-Chilkoots	2534 Spenard Road	2008-2009
3886	110	Brown Jug-Diamond & Old Seward	8840 Old Seward Hwy Unit F	2008-2009
395	230	Brown Jug-Fireweed	525 W Fireweed Lane	2008-2009
1941	260	Brown Jug-Independence Park	2101 Abbott Loop Road	2008-2009
1072	210	Brown Jug-Minnesota	3727 Spenard Road	2008-2009
759	320	Brown Jug-Mountain View	119 Klevin Street	2008-2009
1967	760	Brown Jug-Northern Lights	5400 E Northern Lights Blvd	2008-2009
114	750	Brown Jug-Spenard	3900 Spenard Road	2008-2009
1174	130	Brown Jug-Tudor	3561 E Tudor Road	2008-2009
3322	250	Downtown Wine & Spirits	930 W 5th Avenue	2008-2009

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD

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

POSTING AFFIDAVIT

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

1. a. Posting of application for a new _____ liquor license

for _____

located at _____
(address and/or location)

OR

- b. Posting of application for transfer of a PACKAGE liquor license

currently issued to BROWN JUG, INC. whose business name (db/a)

is BROWN JUG-CHILFOOTS located at 2534 SPENARD ROAD

(address and/or location)

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

JUNE 13, 2007 to JUNE 24, 2007

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 2203 W. DIAMOND BLVD.

- b. Other conspicuous location in the area SAND LAKE POST OFFICE

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

- a. ☐ a radius of five (5) miles of the proposed location.

- b. ☐ an incorporated city, organized borough or unified municipality.

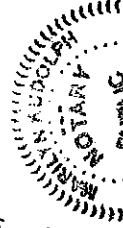
- c. ☒ does not apply (application filed under AS 04.11.400(d)(e)(g) or transfer of license holder or location within an incorporated city or unified municipality or organized borough).

- d. ☐ established village.

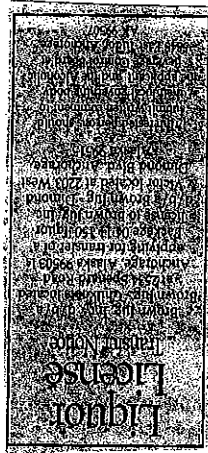
(signature)

SUBSCRIBED and SWORN to me this 26th day of June, 20 07.

Marilyn Rudolph



ANCHORAGE PUBLISHING, Co
540 E. Fifth Avenue
Anchorage, Alaska 99501
Phone: 561-7737 Fax: 561-7777



I, Bridget Mackey, advertising representative for Anchorage Publishing, Inc., verify that the liquor license notice for Brown Jug, Inc. was published in the January 3, January 10 and January 17, 2008 Issues of the Anchorage Press Newspaper.

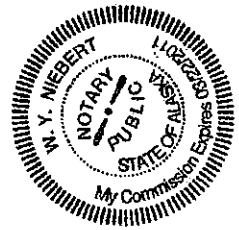
Bridget Mackey
Bridget Mackey

Subscribed and sworn to me in the Municipality of Anchorage, in the state Alaska, on this 17th day of January, 2008

M. Niebert
Notary Public Signature

03/22/2011

Commission Expires



SHOPPING CENTER LEASE
Dimond & Victor Retail Plaza

1. **PARTIES.** This Shopping Center Lease (this "Lease"), dated, for reference purposes only, October 18, 2007, is made by and between **DIMOND & VICTOR LLC**, ("Landlord") and **BROWN JUG, INC.** ("Tenant").

1.1 This Lease shall be subject to the following conditions precedent, which Landlord shall use its commercially reasonable efforts to cause to occur.

- a. Landlord closing on the purchase of the Property;
- b. Landlord obtaining permits from the Municipality of Anchorage for re-development of the Property into a Shopping Center by no later than November 30, 2007;
- c. Landlord's final bid contract amount for completion of the Shopping Center, including common areas, does not exceed the estimated amount by which Landlord computed the lease rates and terms contained herein; and
- d. Landlord obtaining a commitment for a land acquisition and construction loan under terms acceptable to Landlord by no later than November 1, 2007.

2. **PREMISES.** Landlord hereby leases to Tenant and Tenant hereby leases from Landlord, for the Term (defined in Section 3.1), at the rental and upon all the conditions set forth herein, that certain space (the "Premises") containing approximately 6,935 square feet of floor area known as Unit 5, located at 2203 W. Dimond Boulevard, Anchorage, Alaska 99515 (The "Shopping Center") as set forth on Exhibit A attached hereto and incorporated herein by reference. The Premises are located in the Anchorage Recording District, Third Judicial District, State of Alaska, and are located on the real estate described in said Exhibit A (the "Property").

3. **TERM.**

3.1 **INITIAL TERM.** The Lease term ("Term") shall commence on the later of June 1, 2008 or forty-five (45) days following the date on which Landlord delivers the Premises to Tenant ("Rent Commencement Date"), however, in no event shall delivery of the Premises be later than September 1, 2008, and the Term shall continue for Ten (10) years thereafter, unless sooner terminated pursuant to any provision hereof or extended by Tenant pursuant to Section 3.2 of this Lease. Landlord and Tenant shall memorialize the date of such delivery of the Premises to Tenant in writing by completion and execution of the form attached as Exhibit "B", which date shall represent the Lease Commencement Date for all purposes herein. Landlord and Tenant shall enter into an agreement, in recordable form, specifying the aforesaid date of possession and the commencement date of the term hereof as soon as the same are determined.

3.2 **OPTION TO EXTEND.** The Tenant shall have one 5-year option to renew this Lease so long as Tenant shall be current at each expiration as to all obligations contained in the Lease and not be in default and so long as Tenant shall provide to Landlord written notice of each election to renew at least 180 days prior to each expiration. The lease rates for the option period shall be at the then prevailing market lease rate for comparable properties ("FRV") OR \$3.00 per square foot, whichever is greater.

3.2.1 Determination of FRV. In the event that Tenant exercises its option to extend the Term for years 11 through 15, the FRV shall be determined by mutual agreement between Landlord and Tenant at least one hundred twenty (120) days before the commencement of option year 11

42. **LICENSEE RELATIONSHIPS:** In accordance with Alaska State laws which became effective on January 1, 2005, The Landlord and Tenant acknowledge the following: Listing Licensee(s) Curt Nading with Realty Executives Alaska, Inc. is exclusively representing the Landlord and is assisting the Tenant in this transaction as per the attached Alaska Real Estate Commission Consumer Pamphlet.

43. **DISCLOSURE OF CONFLICT OF INTEREST:** (a) Licenses/Broker/Owner: Curt Nading and Dena Nading are licensed real estate Licensee and Broker in the State of Alaska, licensed with Realty Executives Alaska, Inc. who will provide property management for the Shopping Center, and have a financial interest in Landlord's limited liability company and (b) Lowell J. and Debra D. Shinn (or their living trusts) have a financial interest in both Landlord's limited liability company and Tenant's corporation.

IN WITNESS WHEREOF, the parties hereto have executed this Lease on the dates set forth below their respective signatures.

DIMOND & VICTOR LLC, Landlord
By: [Signature]
Title: Managing Member
Date: 10/18/07

BROWN JUG INC, Tenant
By: [Signature]
Title: Vice Chairman
Date: 10/11/07



STATE OF ALASKA)
THIRD JUDICIAL DISTRICT) ss.

On this 18th day of October, 2007, before me, a Notary Public in and for the State of Alaska, personally appeared Curt Nading to me known, or satisfactorily proven to be the Managing Member of **Dimond & Victor, LLC**, who executed the within and foregoing instrument, and acknowledged he was authorized by said limited liability company to execute said instrument as his free and voluntary act and deed for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

[Signature]
Notary Public in and for the State of Alaska

My Commission Expires: July 28, 2011

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

On this 11th day of October, 2007, before me, a Notary Public in and for the State of Alaska, personally appeared Ed O'Neill, to me known, or satisfactorily proven to be the Secretary of Brown Jug, Inc., the corporation who executed the within and foregoing instrument, and acknowledged he was authorized by said corporation to execute said instrument as his/her free and voluntary act and deed for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Marilyn Rudolph
Notary Public in and for the State of Alaska
My Commission Expires: 12/11/07 04/15/09

EXHIBIT A

Legal Description

Retail Mall
Lot 11, Bruce Subdivision, according to the official plat thereof, filed under Plat No. P-341, Anchorage
Recording District, Third Judicial District, State of Alaska.
2203 W. Dimond Boulevard, Suite 5

THB

EXHIBIT B

Attachment to the Lease dated _____, 2007 by and between Diamond & Victor, LLC. (hereinafter "Landlord") and Brown Jug, Inc. (hereinafter "Tenant") for Premises commonly known as 2203 W. Diamond Boulevard, Anchorage, AK 99507.

Landlord and Tenant hereby agree to the following:

1. Landlord has received a Conditional Certificate of Occupancy from the Municipality of Anchorage;
2. The Landlord has delivered the Premises to the Tenant as of _____, 20____ and Tenant is satisfied that all work identified as Landlord's Improvements in Section 5 of the Lease; and
3. The Lease Commencement Date is hereby established for all intents and purposes of the Lease terms to be _____, 200____. Therefore the Term shall expire on _____, 2____.

LANDLORD:

Diamond & Victor, LLC.

By: _____

Title: _____

TENANT:

Brown Jug, Inc.

By: _____

Title: _____

EXHIBIT "E"

[illegible]

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: Brown Jug - Diamond & Victor

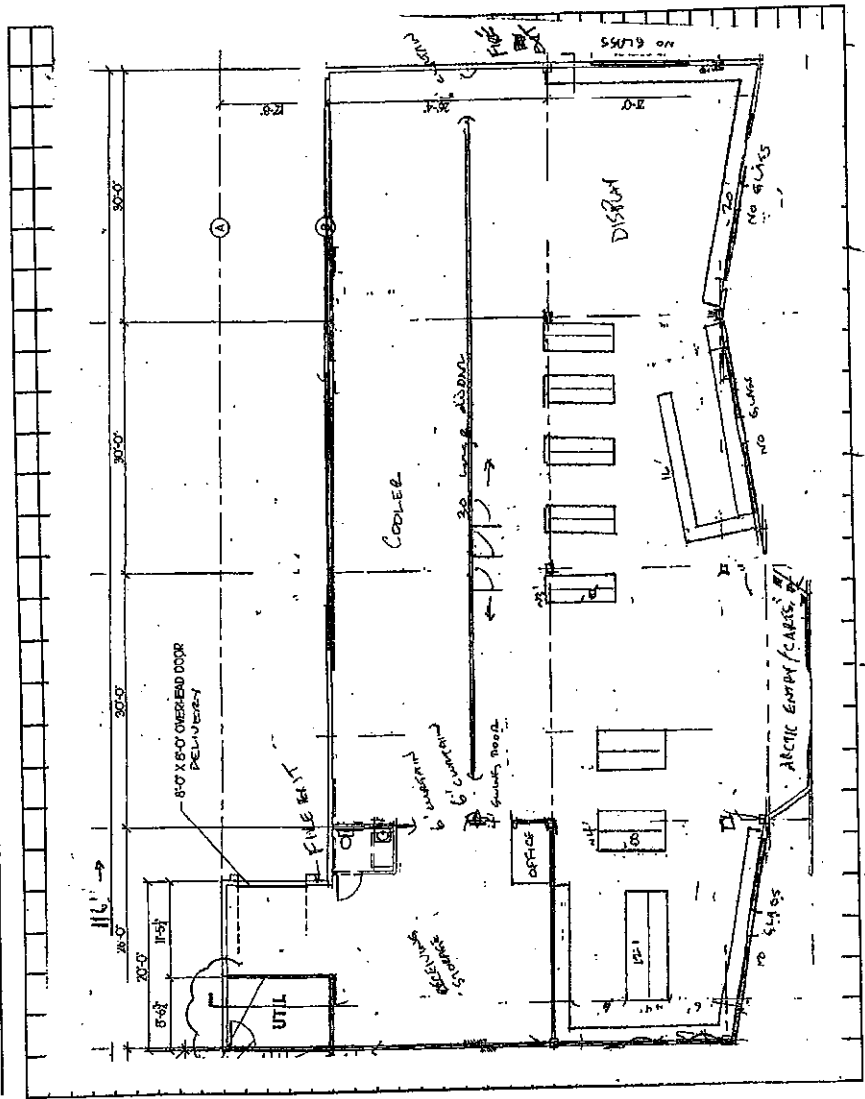
PREMISES LOCATION: 2203 West Diamond, Anchorage, AK

Indicate scale by x after appropriate statement or show length and width of premises. 1 SQ. = 4 FT.

SCALE A: 1 SQ. = 1 FT. SCALE B: 1 SQUARE = 4.83 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.



ATQIDAVIT

I/we Lawrence Samuels, Jr. being first duly sworn on oath, depose
and state that I/we am/are the licensee(s) and transferor(s) of that certain business known as
Brown Tree - Diner & Viceroy located at
2203 West Diner & Blvd in connection with liquor license
number _____ and that the following is a listing of accounts payable and taxes owed by the
above licensed business as of 2/19/08

[illegible]

SIGNED *Dave Johnson* SIGNED

SIGNED

SIGNED

SIGNED

Subscribed & sworn to before me this
19th day of February 20 08

Marilyn Rudolph
Notary Public in & for Alaska

My commission expires 4-15-09



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POSTING

AFFIDAVIT



AFFIDAVIT OF POSTING

Case Number: 2008-061

I, Lowell Shinn, President, Brown Jug, Inc., 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 package store license transfer. The notice was posted on February 21, 2008, 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 25 day of March, 2008.

Signature

LEGAL DESCRIPTION

Tract or Lot Lot 11

Block

Subdivision Bruce s/d

Chambers, Angela C.

From: Lowell Shinn [lshinn@brownjugalaska.com]
Sent: Tuesday, March 25, 2008 4:10 PM
To: Chambers, Angela C.
Subject: RE: Posting Affidavit
Attachments: Brown Jug CU Post 2008-061.pdf

Hi Angela,

Attached is PDF of signed posting affidavit. Do you need the original also?

Lowell

From: Chambers, Angela C. [mailto:ChambersAC@ci.anchorage.ak.us]
Sent: Tuesday, March 25, 2008 3:47 PM
To: Lowell Shinn
Subject: Posting Affidavit

Please fax or bring it to us as soon as you can.

Angela C. Chambers, AICP

Senior Planner
MOA Planning Department
Zoning and Platting Division
4700 Bragaw Street
PO Box 196650
Anchorage, AK 99507

tel. (907) 343-7940
fax (907) 343-7927

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**HISTORICAL
INFORMATION**

BUILDING PERMIT REPORT

Permit number: 07 5823 Date of application: 2007-07-30 00:00:00.0 Permit Class: COMMERCIAL

PROPERTY

Property tax code number: 0123422300001
 Subdivision: BRUCE
 Lot/space: 11
 Block:
 Tract:
 Plat: 000000
 Grid: SW2328
 Zoning district: B-3-GENERAL-BUSINESS
 Site Address: 2203 W DIMOND BLVD, ANCHORAGE
 Sewage disposal:
 Water supply: PRIVATE

PROJECT

Project Name: DIMOND-VICTOR RETAIL PLAZA
 Proposed use: M/MERCANTILE
 Type of work: NEW
 Work description: 13,416 sq ft VB core & shell
 Value of construction: \$1237599
 General contractor(s): DOKOOZIAN CONSTRUCTION LLC
 Items submitted: None

Change Orders:

Change Order	Valuation	Date	Description
0	\$1,237,599	2007-07-30 11:53:45.0	13,416 sq ft VB
1	\$0	2007-10-26 00:00:00.0	Deferred sub - Submit design & calcs for retaining wall / tb
2	\$0	2007-12-07 00:00:00.0	Deferred sub - truss details / tb
3	\$0	2008-01-29 00:00:00.0	Revised plbg sheets M1 & M2 / tb
4	\$0	2008-01-31 00:00:00.0	U/G Plbg for Papa Murphy's T/I / tb
5	\$0	2008-01-31 00:00:00.0	U/G Plbg for Great Clips T/I / tb
6	\$0	2008-03-04 00:00:00.0	Deferred sub - roofing system & connections / tb
7	\$0	2008-03-04 00:00:00.0	Deferred sub - roof top unit to structure / tb

Items re-submitted:

Discipline	Date	Re-submittal Description
ARCHITECTURAL	2007-09-14 00:00:00.0	sub Z, TR, PWE, SW, ROW, A, F 10/29/07 sub A 11/6/07 Sub to A
FIRE	2007-09-14 00:00:00.0	sub Z, TR, PWE, SW, ROW, A, F
MECHANICAL	2007-11-28 00:00:00.0	sub P, M

PLUMBING	2007-11-28 00:00:00.0	sub P, M
PUBLIC ENGINEERING	2007-09-14 00:00:00.0	sub Z, TR, PWE, SW, ROW, A, F 11/28/07 sub PWE, SW 1/10/08 sub PWE, SW
RIGHT-OF-WAY	2007-09-14 00:00:00.0	sub Z, TR, PWE, SW, ROW, A, F 1/14/08 sub ROW
STORM WATER	2007-09-14 00:00:00.0	sub Z, TR, PWE, SW, ROW, A, F 11/28/07 sub PWE, SW 1/10/08 sub PWE, SW
STRUCTURAL	2007-09-06 00:00:00.0	sub S 9/19/07 sub S 11/28/07 sub S
STRUCTURAL	2007-11-01 00:00:00.0	sub S 11/05/07 SUB S
STRUCTURAL	2007-12-06 00:00:00.0	sub S for CO#2 12/20/07 sub S for CO#2
TRAFFIC ENGINEERING	2007-09-14 00:00:00.0	sub Z, TR, PWE, SW, ROW, A, F 1/10/08 sub TR
ZONING	2007-09-14 00:00:00.0	sub Z, TR, PWE, SW, ROW, A, F

Stop Work Orders:

Posted Date	Reason	Date Lifted
1999-08-30 15:40:20.0	STOP WORK-OBTAIN PERMIT-STRUCT WORK HAS BEEN PERFORMED W/O PERMIT-DOUBLE CHARGE-OBTAIN INSPECTIONS-	
2002-07-11 00:00:00.0	THE PROJECT AT THE REAR OF BLDG REQUIRES A PERMIT. PLEASE OBTAIN PERMIT WITHIN 5 WRKG DAY TO AVOID POSSIBLE CITATIONS & FINE DO NOT PROCEED UNTIL PERMIT IS ISSUED AND POSTED	

PLAN REVIEWS

Check to see comment history

Plans reviewed:

Change Order	Discipline	Reviewer	Current Status	Comments
0	ARCHITECTURAL	CRAFTS, DONALD E.	Approved	
0	ELECTRICAL	ABUOBAID, DAVID H.	Approved	
0	FIRE	CARPENTER, FRANK E.	Approved	
0	FLOOD HAZARD	URBANUS, JEFFREY D.	N/A	
0	MECHANICAL	BERGSTROM, LEIGH W.	Approved	
0	PLUMBING	BERGSTROM, LEIGH W.	Approved	
0	PUBLIC ENGINEERING	GUZIK, MARC A.	Approved	
0	RIGHT-OF-WAY	MC GEE, LYNN M.	Approved	
0	STORM WATER	ELLIS, STEVE M.	Approved	
0	STRUCTURAL	CREWDSON, JAMES A.	Approved	

ENGINEERING			
0	ZONING	CALHOUN, SONNET L.	Approved
1	STRUCTURAL	CREWDSON, JAMES A.	Approved
2	STRUCTURAL	CREWDSON, JAMES A.	Approved
3	PLUMBING	BERGSTROM, LEIGH W.	Approved
4	PLUMBING	BERGSTROM, LEIGH W.	Approved
5	PLUMBING	BERGSTROM, LEIGH W.	Approved
6	STRUCTURAL	CREWDSON, JAMES A.	Approved
7	MECHANICAL	BERGSTROM, LEIGH W.	N/A
7	STRUCTURAL	CREWDSON, JAMES A.	Approved

PERMITS

Permits issued:

Permit Type	Issuance Type	Date	Issued To
ELECTRICAL	FULL	2008-01-17 00:00:00.0	ARCTIC LIGHTS ELECTRIC, INC.
ELECTRICAL	TEMPORARY	2007-08-06 00:00:00.0	SAFE-T-WAY ELECTRIC INC
ELECTRICAL	UNDERGROUND	2007-12-13 00:00:00.0	ARCTIC LIGHTS ELECTRIC, INC.
PLUMBING	FULL	2008-01-29 00:00:00.0	KLEBS MECHANICAL, INC.
PLUMBING	TEMPORARY GAS	2007-10-26 00:00:00.0	CRL SERVICES LLC
PLUMBING	UNDERGROUND	2008-01-10 00:00:00.0	KLEBS MECHANICAL, INC.
STRUCTURAL	FOOTING/FOUNDATION	2007-09-20 00:00:00.0	DOKOOZIAN CONSTRUCTION LLC
STRUCTURAL	FULL	2008-01-17 00:00:00.0	DOKOOZIAN CONSTRUCTION LLC

INSPECTIONS

Final Inspections: None

COMPLETION

Conditional Certificate of Occupancy (CCO) date: None
 Certificate of Occupancy (CO) date: None

APPRAISAL INFORMATION Legal BRUCE LT 11		Parcel 012-342-23-000 Owner DIMOND & VICTOR LLC		01 #	
# Descr CAR WASH AUTOMATIC Site Addr 2203 W DIMOND BLVD		341 W TUDOR RD STE 103 ANCHORAGE		AK 99503 66339	
RELATED CAMA PARCELS					
Related Parcel(s)		XRef Type		Get "Type" explanation Bring up this form focused on the related parcel	
Econ Link E = Old to New I = New to Old Reunumber N = New to Old X = Old to New		Cross Reference (XRef) Type Legend Replot R = Old to New F = New to Old Combine C = New to Old P = Old to New Unclear U = Old to New Q = New to Old Lease L = GIS to Lease M = Lease to GIS			
Case Number 2008-061		# of Parcels 1		Hearing Date 02/21/2008	
Case Type Assembly conditional use for an alcoholic beverage package store Legal An Assembly conditional use for an alcoholic beverage package store license for Brown Jug Liquor Store, Bruce Subdivision, Lot 11. Located at 2203 W. Dimond Blvd.					
REZONE 2008-061		PLAT			
Case Number Action Type Legal		Grid		Proposed Lots 0 Action Date Existing Lots	
PERMITS					
00 5054 02 5647 05 5000 07 5923		Permit Number 07 5923 Project DIMOND-VICTOR RETAIL PLAZA Work Desc 13,416 sq ft VB core & shell Use M MERCANTILE			
BZAP					
065019 000414		Action No. 87-5498 Action Date 09/21/1987 Resolution			
ALCOHOL LICENSE		Status APR Type LP		Ruling Approved Landscape Plan	
Business Address License Type Status		Applicants Name Conditions			

PARCEL INFORMATION

OWNER DIMOND & VICTOR LLC 341 W TUDOR RD STE 103 ANCHORAGE AK 99501 8639 CHANGES: Deed Date Jun 08, 2007 Name Date Aug 07, 2007 Address Date Aug 07, 2007		PARCEL Parcel ID 012-342-23-000 Status Renumber ID 000-000-00-000000 Site Addr 2203 W DIMOND BLVD Comm Concl Comments SF CHG 3-8-86 FOR 86 DIMOND ROW PLAT P-341		# 01																																			
TAX INFO 2008 Tax 18,195.35 Balance 0.00 District 003																																							
LEGAL BRUCE LT 11 Unit 79,763 Plat 030000 Zone B3 Grid SW2228		HISTORY <table border="1"> <thead> <tr> <th>Assmt Final</th> <th>Year</th> <th>Building</th> <th>Land</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2006</td> <td>2006</td> <td>426,300</td> <td>789,700</td> <td>1,216,000</td> </tr> <tr> <td>2007</td> <td>2007</td> <td>461,700</td> <td>789,700</td> <td>1,251,400</td> </tr> <tr> <td>2008</td> <td>2008</td> <td>0</td> <td>1,228,400</td> <td>1,228,400</td> </tr> <tr> <td colspan="4">Exemptions</td> <td>0</td> </tr> <tr> <td colspan="4">State Credit</td> <td>0</td> </tr> <tr> <td colspan="4">Tax Final</td> <td>1,228,400</td> </tr> </tbody> </table>			Assmt Final	Year	Building	Land	Total	2006	2006	426,300	789,700	1,216,000	2007	2007	461,700	789,700	1,251,400	2008	2008	0	1,228,400	1,228,400	Exemptions				0	State Credit				0	Tax Final				1,228,400
Assmt Final	Year	Building	Land	Total																																			
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PROPERTY INFO <table border="1"> <thead> <tr> <th>#</th> <th>Type</th> <th>Land Use</th> </tr> </thead> <tbody> <tr> <td>01</td> <td>COMMERCIAL</td> <td>CAR WASH AUTOMATIC</td> </tr> </tbody> </table>		#	Type	Land Use	01	COMMERCIAL	CAR WASH AUTOMATIC	SALES DATA <table border="1"> <thead> <tr> <th>Mon</th> <th>Year</th> <th>Price</th> <th>Source</th> <th>Type</th> </tr> </thead> <tbody> <tr> <td>06</td> <td>1991</td> <td>725,000</td> <td>OTHER</td> <td>LAND & BLDG</td> </tr> <tr> <td>07</td> <td>2004</td> <td>1,250,000</td> <td>SELLER</td> <td>LAND & BLDG</td> </tr> </tbody> </table>			Mon	Year	Price	Source	Type	06	1991	725,000	OTHER	LAND & BLDG	07	2004	1,250,000	SELLER	LAND & BLDG														
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LAND & COMMON PARCEL INFORMATION

APPRAISAL INFORMATION Legal BRUCE LT 11		Parcel 012-342-23-000 # 01 of 01 Owner DIMOND & VICTOR LLC
Site Addr 2203 W DIMOND BLVD 341 W TUDOR RD STE 103 AK 99503 ANCHORAGE		
LAND INFORMATION		
Land Use CAR WASH AUTOMATIC Class COMMERCIAL Living Units 000 Community Council 12 1984 INTERIOR Entry: Year/Quality 08 2004 EXTERIOR Access Quality GOOD Access Type Leasehold (N)=Leasehold Drainage GOOD Front Traffic HIGH Street PAVED Topography EVEN Utilities PRIVATE WATER HOLDING TANK Wellsite N Wet Land	CONDOMINIUM INFORMATION Common Area 0 Undivided Interest 0.00	

RESIDENTIAL INVENTORY

APPRAISAL INFORMATION		Parcel 012-342-23-000	# 01 of 01	# 01
Legal BRUCE				
Site Addr 2203 W DIMOND BLVD				
Property Info # Descr CAR WASH AUTOMATI		Owner DIMOND & VICTOR LLC		

RESIDENTIAL STRUCTURE INFORMATION		AREA
Style Exterior Walls Year Built Remodeled Effective Year Built Heat Type Heat System Fuel Heat Type Extra Value Grade Cost&Design Factor Condition	Story Height Total Rooms Bed Rooms Recreation Rooms Full Baths Half Baths Additional Fixtures Fireplace Stacks Openings Free Standing E-Z Set Fireplace	1st Floor 2nd Floor 3rd Floor Half Floor Attic Area Recroom Area Basement Finished Basement Basement Garage Total Living Area
CONDOMINIUM INFO		Condo Style Condo Level

ADDITIONS			
Basement	1st Floor	2nd Floor	3rd Floor

OTHER BUILDINGS & YARD IMPROVEMENTS					
Type	Qty	Yr Built	Size	Grade	Condition

COMMERCIAL INVENTORY

APPRAISAL INFORMATION		Parcel 012-342-23-000 # 01 of 01		# 01				
Legal BRUCE LT 11		Owner DIMOND & VICTOR LLC						
Site Addr 2203 W DIMOND BLVD		341 W TUDOR RD STE 103						
Prop Info # CAR WASH AUTOMATIC		ANCHORAGE AK 99503						
BUILDING INFORMATION								
Structure Type		Property Information # 01						
Building SQFT		Building Number						
Year Built		Identical Units						
Grade		Number of Units						
Effective Year Built								
INTERIOR DATA								
Floor	Level	Partitions	Heat System	Air Conditioner	Plumbing	Physical Condition	Functional	
EXTERIOR DATA								
Floor	Level	Size	Perim	Use Type	Hgt	Wall	Type	Const Type
BUILDING OTHER FEATURES - ATTACHED IMPROVEMENTS								
Type	Qty	Size1	Size2					
OTHER BUILDINGS AND YARD IMPROVEMENTS								
Type	Size/Amt	Units	Yr/Built	Condition	Func/Utility			

BUILDING PERMIT INFORMATION

APPRAISAL INFORMATION Legal BRUCE LT 11		Parcel 012-342-23-000 # 01 of 01 Owner DIMOND & VICTOR LLC		01 #
Prop Info # CAR WASH AUTOMATIC Site Addr 2203 W DIMOND BLVD		341 W TUDOR RD STE 103 AK 99503 ANCHORAGE		
BUILDING PERMITS				
Permit # 02 5647 05 5000 07 5823		CASES 2008-061 Case Number 2008-061 # of Parcels 1 Hearing Date Thursday, February 21, 2008		
Class Type C Class Use M MERCANTILE Date Jul 30, 2007 Address 2203 W DIMOND BLVD Cond Occ/Occ 00000000 00000000 Certification Contract Type OWNER Name JABEZ ENTERPRISES LLC E-mail Phone () - Fax () - Address 12831 MISSION CIRCLE City/State/Zip ANCHORAGE AK 99516-2760 Project DIMOND-VICTOR RETAIL PLAZA		PERMIT COMMENT		
Sewer / Water Work Type NEW Work 13,416 sq ft VB core & shell Description				

OWNER HISTORY

APPRAISAL INFORMATION		Parcel 012-342-23-000 # 01 of 01		# 01
Legal BRUCE LT 11		Site Address 2203 W DIMOND BLVD		
Property Info # Descr CAR WASH AUTOMATIC				
Current	08/08/07 DIMOND & VICTOR LLC 341 W TUDOR RD STE 103 ANCHORAGE AK 99503 8639	3rd 1632 0000 08/06/87 HANNA ACCEPTANCE CORP C/O THOMAS & SHARON SNELLING 13441 GLEN ALDS ROAD ANCHORAGE AK 99516		
Prev 2004 0050 07/08/04 JABEZ ENTERPRISES LLC 12831 MISSION CIRCLE ANCHORAGE AK 99516	4th 1632 0000 08/06/87 HANNA ACCEPTANCE CORP HANNA DRIVE PORTLAND OR 97222			
2nd 2162 0000 06/20/81 SNELLING THOMAS E & SHARON J PO BOX 112163 ANCHORAGE AK 99511	5th 1591 0000 04/27/87 HANNA ACCEPTANCE CORP & HANNA DANIEL C PO BOX 3736 PORTLAND OR 97208			

ON-SITE WATER \ WASTE WATER

APPRAISAL INFORMATION

Legal BRUCE LT 11
 Parcel 012-342-23-000 # 01 of 01
 Owner DIMOND & VICTOR LLC
 Site Addr 2203 W DIMOND BLVD
 Land Use CAR WASH AUTOMATIC
 341 W TUDOR RD STE 103 ANCHORAGE AK 99503
 01 #

ON-SITE PERMITS

Permit Id

Permit Number
 Date Issued
 Permit Bedrooms
 Permit Type ID
 Private Well Request
 Privy Request
 Receipt #
 Septic Tank Request
 Status ID
 Total Bedrooms

AS BUILT

AS Built Permit
 Date Completed
 Date Inspected
 Well Permit Type
 Well Depth
 Well H2O Level
 Well Yield
 Well Distance to Septic
 Well Distance to Absorp
 Well Distance to Hold
 Tank Type
 Bedroom Count

SPECIAL ASSESSMENTS

APPRAISAL INFORMATION Legal BRUCE LT 11 Site Addr 2203 W DIMOND BLVD Prop Info # CAR WASH AUTOMATIC		Parcel 012-342-23-000 # 01 of 01 Owner DIMOND & VICTOR LLC 341 W TUDOR RD STE 103 ANCHORAGE AK 99503	
ASSESSMENT Assessment 01 03 06 Description SEWER LATERAL Assessment Area 42,000 Original Assessment 13,230.42 Original Principal 13,230.42 Annual Payment 1,247.73 YTD Payment 0.00 Delinquent Payment 0.00 Unbilled Payment 0.00		RESOLUTION Resolution R19490 R19490 C77W77 PLAT 000000 Status ACTIVE Total Area 87,749	
LAST PAYMENT INFORMATION Date Monday, October 01, 2007 Principal 0.00 Payment 0.00 Delinquent Interest 0.00 Penalty 0.00 Bond Interest 0.00 Cost 0.00			

Basic Layers

11, 12:07:56, 2008

Layers--Basic Layers



Scale: 6000

Legend:

TRNAME_BI_DIR

.COHOL

ARCELS

View™
Software Corporation



Alcohol Existing License List Report

Case Number: 2008-061

Description: 1000'

<u>Parcel</u> <u>Owner Name</u>	<u>Parcel</u> <u>Owner Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	
Name	Applicant Name	Business Address	Lic. Number	Lic. Zone	Lic. Type
3000 Liquor	SLATTERY MICHAEL C Kim, Hong T.	903 W NORTHERN LIGHTS #210 1901 W Dimond Blvd	ANCHORAGE 2808	AK B3	99503 Package Store
3000 Restaurant	SLATTERY MICHAEL C Choe, Yong K. & Pok S.	903 W NORTHERN LIGHTS #210 1921 W Dimond Blvd #106	ANCHORAGE 2099	AK B3	99503 Restaurant/Eating Place
3000 isine	SLATTERY MICHAEL C Saengsudham, Sanith	903 W NORTHERN LIGHTS #210 1911 W Dimond Blvd	ANCHORAGE 3084	AK B3	99503 Restaurant/Eating Place
3000 er #71-Dimond	METROPOLITAN LIFE INSURANCE CO Fred Meyer of Alaska, Inc.	3336 EAST 32ND STREET #217 2000 W Dimond Blvd	TULSA 3906	OK B3	74135 Package Store

Alcohol Church and School List Report

Case Number: 2008-061

Description: 1000'

Parcel Owner Name

Parcel Site Address

Description

te: 02/21/2008

Page 1



Bayshore/Klatt Community Council

March 30, 2008

Municipality of Anchorage
Planning and Zoning Commission
PO Box 196650
Anchorage AK 99519-6650

Subject: Case 2008-061, Municipality of Anchorage Planning and Zoning Commission
Brown Jug, Inc. alcoholic beverage store at Dimond and Victor

2008-061
Brown Jug, Inc.
alcoholic beverage store
at Dimond and Victor

To Whom It May Concern:

The following resolution was presented and approved by the members in attendance of the March 6, 2008 council meeting concerning the above conditional use permit application.

Concerns

This intersection already has two liquor stores within sight of each other. There is no reason for a third at this location as this part of the community is already well served.

Additionally, there are two more liquor stores located a few minutes away between Arctic Boulevard and near C Street on Dimond. Another is located near Jewel Lake and Dimond.

In-between these locations are a minimum of 5 restaurants and one bar that serve alcohol. This Council sees this as more than enough saturation of alcohol serving establishments in this area.

The proposed location is adjacent to a well-used bike trail with Campbell Creek access. This is a popular location for fishing by all ages. Located across the creek is a community park used by prep football teams, soccer teams and families. The easy access to alcohol is not desirable for the problems it will produce along with an increase in the trashing of the general area of empty containers.

Another package store has the strong potential to make the area property values decline, as they will be the dominant (by visibility) business in a small area at a busy intersection. This type of scenario has been allowed in other areas of town and has proved to be detrimental to the area in the long term. This Council strongly recommends that the same mistakes not be repeated again at this location.

Resolution

Be it resolved that the Bayshore Community Council does not support this or any other package liquor store at this location for the reasons stated above.

Thank you for the opportunity to comment on this topic.

Sincerely,

Bob Hoffman
President
Bayshore/Klatt Community Council

Cc: Ms. Jennifer Johnston
Mr. Chris Birch

Content ID: 006175**Type:** AR_AllOther - All Other Resolutions

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 (GENERAL BUSINESS) DISTRICT FOR A PACKAGE STORE USE AND LICENSE PER

Title: AMC 21.40.180 D.8, FOR BROWN JUG, INC.; LOCATED AT 2203 WEST DIMOND BOULEVARD, WITHIN BRUCE SUBDIVISION, LOT 11; GENERALLY LOCATED ON THE NORTHEAST CORNER OF WEST DIMOND BOULEVARD AND NORTHWOOD DRIVE.

Author: weaverjt

Initiating Dept: Planning

Description: A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 (GENERAL BUSINESS) DISTRICT FOR A PACKAGE STORE USE

Date Prepared: 3/26/08 9:13 AM

Assembly Meeting Date: 4/15/08

Public Hearing Date: 4/15/08

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	4/4/08 10:14 AM	Exit	Heather Handyside	Public	006175
MuniMgrCoord_SubWorkflow	4/4/08 10:14 AM	Approve	Heather Handyside	Public	006175
MuniManager_SubWorkflow	4/4/08 9:47 AM	Approve	Michael Abbott	Public	006175
ECD_SubWorkflow	3/26/08 11:09 AM	Approve	Lisa Villareal	Public	006175
Planning_SubWorkflow	3/26/08 10:46 AM	Approve	Tom Nelson	Public	006175
AllOtherARWorkflow	3/26/08 9:19 AM	Checkin	Jerry Weaver Jr.	Public	006175