

Amended & Limited 10/12/10

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Planning Department
For reading: October 12, 2010

**Anchorage, Alaska
AR 2010-285**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY
APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A
PACKAGE STORE USE AND LICENSE NUMBER 5002 IN THE B-3
(GENERAL BUSINESS) DISTRICT, FOR TCCH, INC. DBA WINE HOUSE AT
HUFFMAN; LOCATED AT 1330 HUFFMAN ROAD, SUITE H, ON THOMAS W.
SPERSTAD #1 SUBDIVISION, BLOCK 2 LOT 5A; GENERALLY LOCATED
ON THE SOUTH SIDE OF HUFFMAN ROAD BETWEEN THE OLD AND NEW
SEWARD HIGHWAYS.**

(Old Seward-Oceanview Community Council) (Case 2010-113)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. A conditional use permit for an Alcoholic Beverages Conditional Use in the B-3 District for a new Package Store Use and License Number 5002 per AMC 21.40.180 D.8, for TCCH, Inc., dba Wine House at Huffman; located at 1330 Huffman Road, Suite H, on Thomas W. Sperstad #1 Subdivision, Block 2, Lot 5A; generally located on the south side of Huffman Road between the Old and New Seward Highways, and generally meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160.

Section 2. This conditional use is approved subject to the following conditions:

1. A Notice of Zoning Action shall be filed with the District Recorder's Office within 120 days of the Assembly's approval for this new Package Store use and License in the B-3 District.

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

3. This conditional use approval is for an Alcoholic Beverages Conditional Use and License Number 5002 in the B-3 District for a Package Store Use per AMC 21.40.180 D.8 for approximately 1,457 square feet of gross leasable area located in the structure at 1330 Huffman Road, Suite H, Anchorage, AK, on Lot 5A, Block 2, Thomas W. Sperstad #1 Subdivision.

4. On-premise sale of alcohol beverages will be seven days a week as permitted per the Alaska Alcoholic Beverage Control Board requirements

5. All employees will be trained in accordance with the Alcoholic Beverage Control Board's "Liquor Server Awareness Training Program." 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. **Mandatory check of all patrons' identification.**

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.

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

Section 4. Unless renewed or extended by ordinance prior to October 31, 2011, the provisions of this resolution shall expire on December 31, 2011 without further action of the Assembly.

Section 5[4]. This resolution shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this
_____ day of _____ 2010.

ATTEST:

Chair

Municipal Clerk

(Case 2010-113)
(Tax Parcel ID# 018-023-20)



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 529-2010

Meeting Date: October 12, 2010

From: MAYOR

Subject: ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A PACKAGE STORE USE AND LICENSE NUMBER 5002 IN THE B-3 (GENERAL BUSINESS) DISTRICT, FOR TCCH, INC. DBA WINE HOUSE AT HUFFMAN; LOCATED AT 1330 HUFFMAN ROAD, SUITE H, ON THOMAS W. SPERSTAD #1 SUBDIVISION, BLOCK 2 LOT 5A; GENERALLY LOCATED ON THE SOUTH SIDE OF HUFFMAN ROAD BETWEEN THE OLD AND NEW SEWARD HIGHWAYS.

1 TCCH, Inc. has made application for a new conditional use permit for an alcoholic
2 beverages conditional use in the B-3 District for a Package Store Use and License
3 Number 5002, dba Wine House at Huffman, located at 1330 Huffman Road, Suite
4 H.

5
6 The petition property is a 36,798 square foot commercial lot generally located
7 south of Huffman Road between the Old and New Seward Highways. It contains
8 eight retail spaces in an existing 12,180 square foot commercial retail building.

9
10 The new package store will occupy 1,457 square feet of lease space. Hours of
11 operation are as allowed by Municipal ordinance, and will be Monday – Thursday
12 10:00 A.M. to 1:00 A.M., Friday- Saturday 10:00 A.M. to 2:00 P.M.; Sunday 12:00
13 P.M. to 1:00 A.M. Employees will patrol the street frontage of the building to
14 ensure minimal loitering. The applicant will work with surrounding tenants,
15 neighbors, neighboring community councils and service patrols to combat any
16 problems that arise in or near the facility.

17
18 Within 1,000 feet of this application, there are two (2) Restaurant/Eating Place
19 alcoholic beverages type licenses, two (2) package store licenses, and one (1)
20 beverage dispensary license. There are no known schools or churches within
21 200-feet of the petition site, according to Municipal records.

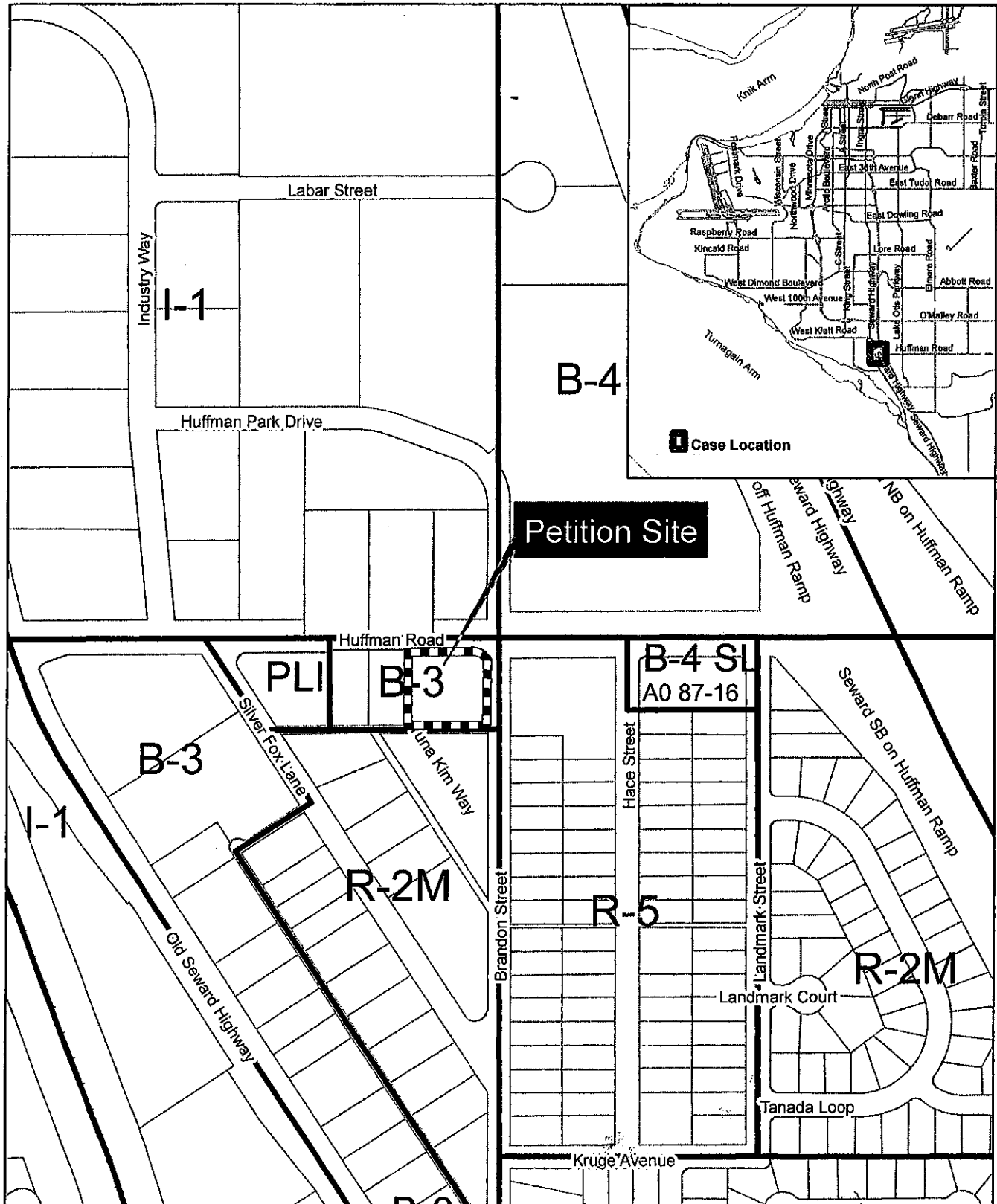
22
23 There is community opposition to this conditional use. The Old Seward-
24 Oceanview Community Council provided comments objecting to the conditional
25 use at this location due to concerns including proximity to residential uses and
26 family-oriented businesses.

27
28 There are no delinquent Personal Property Taxes or Real Property Taxes owing
29 at this time. No comments were received from the Anchorage Police Department
30 or Department of Health and Human Services at the time this report was written.

1
2
3 **THIS CONDITIONAL USE FOR A NEW PACKAGE STORE ALCOHOL**
4 **BEVERAGES USE AND LICENSE NUMBER 5002 IN THE B-3 DISTRICT**
5 **GENERALLY MEETS THE REQUIRED STANDARDS OF AMC TITLE 10 AND**
6 **TITLE 21, AND ALASKA STATUTE 04.11.150.**
7

8
9 Prepared by: Angela C. Chambers, Zoning Administrator,
10 Planning Department
11 Approved by: Jerry T. Weaver Jr, Director, Planning Department
12 Concur: Dennis A. Wheeler, Municipal Attorney
13 Concur: George J. Vakalis, Municipal Manager
14 Respectfully submitted: Daniel A. Sullivan, Mayor

2010-113



Municipality of Anchorage
Planning Department
August 20, 2010

Flood Limits
 100 Year
 500 Year
 Floodway

0 400 800 Feet

N

01

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

DATE: October 12, 2010

CASE NO.: 2010-113

APPLICANT: TCCH, LLC
Dba Wine House at Huffman Package Store

REPRESENTATIVE: Talbot Chang, President
TCCH, LLC

REQUEST: A Conditional Use for Alcoholic Beverages in the B-3
(General Business District) District for a Package Store
License #5002, per AMC 21.40.180 D.8.

LOCATION: Thomas W. Sperstad #1, Block 2, Lot 5A generally
located on the south side of Huffman Road between the
Old and New Seward Highways.

STREET ADDRESS: 1330 Huffman Road, Suite H

COMMUNITY COUNCIL: Old Seward-Oceanview

TAX PARCEL: 018-023-20/ Grid SW 2832

ATTACHMENTS

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

RECOMMENDATION SUMMARY:

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

SITE:

Acres: 36,798 SF
Vegetation: Street landscaping
Zoning: B-3 (General Business District)

Topography: Level
Existing Use: Commercial Retail Mall
Soils: Public Sewer & Water

COMPREHENSIVE PLAN – Anchorage 2020 Plan

Classification: Town Center
Density: N/A

SURROUNDING AREA

	NORTH	EAST	SOUTH	WEST
Zoning:	I-1	R-5	R-2M	B-3
Land Use:	Carr's; Huffman Business Ctr.	Single and Multi- Family Residential	Mixed Residential	Commercial Retail

SITE DESCRIPTION AND PROPOSAL:

The petitioner leases 1,457 square feet of space located on the subject property within a commercial retail strip mall building known as the Huffman Mall. The address is 1330 Huffman Road, Unit "H". Within the mall are the following businesses: Subway, Smoking Joe's (tobacco shop), State Farms Insurance, King's Dry Cleaners, Taco King Restaurant, Sonia's Hair Salon, and a catering business. The building/mall was constructed circa 1985. The petitioner has applied to the Alcoholic Beverages Control Board for a Package Store license #5002. The property is zoned B-3.

Based on the application and floor plan diagram, the lease area for the package store is 1,457 square feet out of 12,180 square feet of the strip mall. Hours of operation are as allowed by Municipal ordinance, and will be Monday – Thursday 10:00 a.m. – 1:00 a.m., Friday- Saturday 10:00 a.m. – 2:00 p.m.; Sunday 12:00 p.m. to 1:00 a.m. All employees will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program. Employees will patrol the street frontage of the building to ensure the minimization of loitering. The applicant will work with surrounding tenants, neighbors, neighboring community councils and service patrols to combat any problems that arise in or near the facility.

The petitioner made application to the Alcoholic Beverage Control Board in for a new package store license #5002 (*The Wine House at Huffman*), and is seeking final alcoholic beverages conditional use approval in the B-3 District for a new alcoholic beverages package store per AMC 21.40.180 D.8. Within 1,000 feet of this application, there are two restaurant licenses, two package store licenses, and one beverage dispensary license. There are no schools or churches within 200 feet of this site.

PUBLIC COMMENTS:

One hundred ninety-six (96) public hearing notices (PHNs) were mailed on September 3, 2010. At the time this report was written one (1) PHN was returned opposing the conditional use; no comment from the community council.

FINDINGS

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

The subject property is located within an area designated as a Town Center area on the Land Use Policy Map of the *Anchorage 2020 Comprehensive Plan*. No Town Center plan has been developed for the Huffman Road/New-Old Seward Highway area, although this area already has some of the desired components of a town center, such as post office, and has a wide range of retail shopping and services that meet the needs of residents in the general area.

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

Several goals of the *Anchorage 2020 Plan* address related issues such as recreational and economic opportunities. The sale of alcoholic beverages is part of the social, recreational and economic environment of the community. Hotel dining, night clubs, bars and restaurants which serves alcohol enhances the hospitality and tourism industry in Anchorage, and provide eating places for local residents and downtown employees. Another of the Plan's stated economic development goals are "Business Support and Development: a quality of life and a financial climate that encourages businesses to start up, expand or relocate in Anchorage (p. 41).

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

This standard is met.

The B-3 Business District zoning regulations allow alcoholic beverage sales through the conditional use permit process: AMC 21.40.180 D.8.

Liquor stores, restaurants, tearooms, cafes, private clubs or lodges and other places serving food or beverages involving the retail sale, dispensing or service of alcoholic beverages in accordance with section 21.50.160.

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

This standard is met.

The B-3 District is intended for general commercial uses, including retail sales of alcoholic beverages, such as package store, bars/lounges and restaurants. A package store is a compatible use 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 two (2) restaurant/eating place licenses, two (2) package store licenses, and one (1) beverage dispensary license in a restaurant within a 1,000-foot radius of the petition site. Approving this package store license will add a third package store license within a 1,000-foot radius of the petition site.

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

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 was constructed in 1985 and 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.

Based on the retail and restaurant uses on the lot a total of 58 parking spaces are required. The site plan shows 43 spaces. A parking study was completed and the Traffic Engineer approves of the shared parking. An *Agreement to Provide Shared Parking for Multiple Uses on a Single Parcel*, dated August 19, 2010, between the Municipality and Abram Gallo, owner of the property, has been recorded

There are adequate entrances and exits for vehicles to and from adjacent streets and roadways. Public transportation is available along Huffman Road.

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

This standard is met.

The addition of a package store at this location will not impact public services. Electrical, water and sewer, natural gas are available on site. Road infrastructure and public transit is already in place. The petition site is within ARDSA, Police and Fire service areas.

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

This standard is met.

As a land use, a package store 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 package store license.

Standards Chapter 10.50 Alcoholic Beverages

In the exercise of its powers and under AS 04.11.480 and 13 AAC 104.145 to protest issue, renewal and transfer or alcoholic beverage licenses within the Municipality of Anchorage, the Assembly shall consider whether the proposed license meets each and every factor and standard set forth below

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

Approval of this conditional use will add a third package store liquor license within 1,000-feet.

Oaken Keg #1813	1465 E. Huffman Road	License #1799	Package Store
Tesoro 2 Go Mart #15	1211 E. Huffman Road	License #4054	Package Store
O'Brady's Burgers & Brew #2	1501 E. Huffman Road	License #4614	Beverage Dispensary
Southside Bistro Restaurant	1320 E. Huffman Pk. Dr.	License #3278	Restaurant
Sushi Garden	1120 E. Huffman Rd	License #3405	Restaurant

- B. Training. If application is made for issue, renewal or transfer of a beverage dispensary license, restaurant or eating place license, or package store license, whether the applicant can demonstrate prospective or continued compliance with a Liquor "Server Awareness Training Program approved by the State of Alaska alcoholic Beverage Control Board, such as or similar to the program for techniques in alcohol management (T.A.M.). Until such plan is approved, training by a licensee's employees in the T.A.M. shall constitute compliance with this ordinance.**

This standard is met.

The applicant states that all employees involved in the dispensing of alcoholic beverages will be trained in accordance with the T.A.M. training and hold the appropriate certificates.

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

This standard is met.

AMC 10.50.035 sets forth that persons seeking the issue or transfer of a license shall comply with restrictions regarding happy hours, games or

contests involving the consumption of alcohol, public transportation, notice of penalties, availability of nonalcoholic drinks, compliance determination with techniques in alcohol management (T.A.M.), solicitation of purchase of alcoholic beverages for consumption by employees, and warning signs. The petitioner has stipulated in his application that he will abide by requirements of AMC 10.50.035.

- 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 order will be maintained by properly trained staff and management. The premises will be clean and well-lit. No additional safety procedures are mentioned in the application. At the time this report was completed, no written comment had been received from the Anchorage Police Department.

- 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 conditional use for alcoholic beverages in the B-3 District to allow a package store use and license per AMC 21.40.180 D.8 for 1330

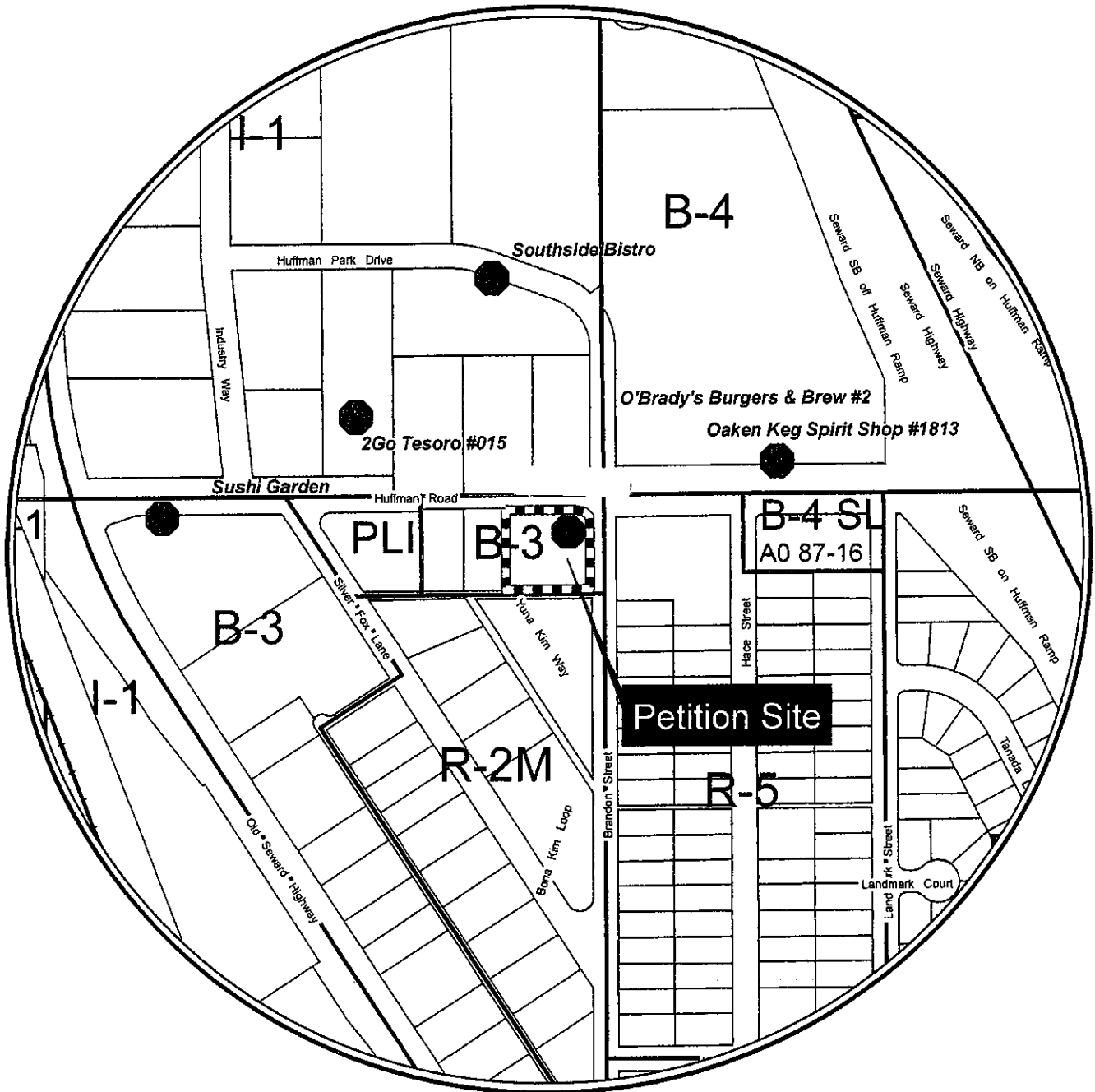
Huffman Road, Suite #H, generally meets the required standards of AMC Title 10 and Title 21.

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 for this new Package Store use and license in the B-3 District.
2. All uses shall conform to the plans and narrative submitted with this conditional use application.
3. This conditional use approval is for an Alcoholic Beverages Conditional Use and License Number 5002 in the B-3 District for a Package Store Use per AMC 21.40.180 D.8 for approximately 1,457 square feet of gross leasable area located in the structure at 1330 Huffman Road, Suite H, Anchorage, AK, on Lot 5A, Block 2, Thomas W. Sperstad #1 Subdivision.
4. On-premise sale of alcohol beverages will be seven days a week as permitted per the Alaska Alcoholic Beverage Control Board requirements
5. All employees will be trained in accordance with the Alcoholic Beverage Control Board's "Liquor Server Awareness Training Program." 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.

2010-113

● EXISTING LIQUOR LICENSES WITHIN 1000'



Municipality of Anchorage
Planning Department

Date: August 20, 2010

0 200 400 800 Feet



Alcohol Existing License List Report

Case Number: 2010-113 Description: 1000'

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
01619166000 Southside Bistro	HUFFMAN BUILDING S LLC Southside Bistro, Inc.	4000 W DIMOND BLVD #240 1320 Huffman Park Dr	ANCHORAGE 3278	AK I1	99502 Restaurant/Eating Place
01619169000 Oaken Keg Spirit Shop #1813	HUFFMAN SHOPPING CENTER LLC Carr Gottstein Foods Co.	4000 W DIMOND BLVD #240 1465 E Huffman Rd	ANCHORAGE 1799	AK B4	99502 Package Store
01619169000 O'Brady's Burgers & Brew #2	HUFFMAN SHOPPING CENTER LLC Macdonald Jr., Maurice B.	4000 W DIMOND BLVD #240 1501 Huffman Rd	ANCHORAGE 4614	AK B4	99502 Beverage Dispensary
01619170000 2 Go Mart #015	HUFFMAN AUTO CENTER LLC Tesoro Northstore Company	4000 W DIMOND BLVD #240 1211 Huffman Rd	ANCHORAGE 4054	AK I1	99502 Package Store
01802320000 Tap Root Cafe	GALLE LIMITED PARTNERSHIP Rebecca Huffman	PO BOX 111846 1330 Huffman Rd Unit C	ANCHORAGE 4677	AK B3	99511 Restaurant/Eating Place
01802443000 Sushi Garden	HUFFMAN SQUARE LLC Kim, Song C. & Young H.	2525 GAMBELL ST #307 1120 E Huffman Rd	ANCHORAGE 3405	AK B3	99503 Restaurant/Eating Place

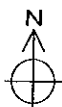
Alcohol Church and School List Report

Case Number: 2010-113 Description: 200'

Parcel	Parcel Owner Name	Parcel Site Address	Description
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Fri Aug 20, 13:11:24, 2010

Map: Parcels--Basic Layers



Scale 1:6000

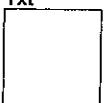
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ALCOHOL

Text

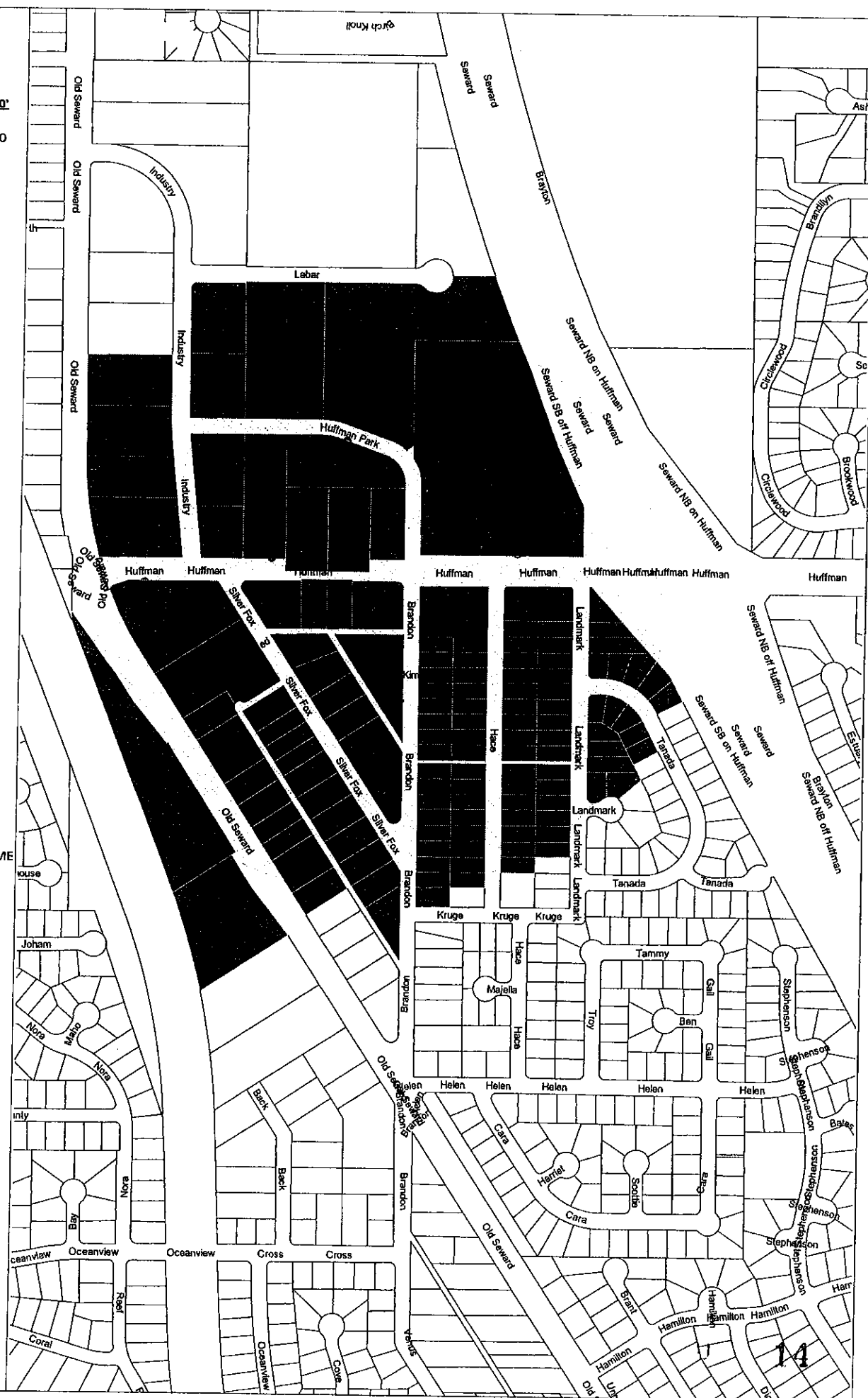
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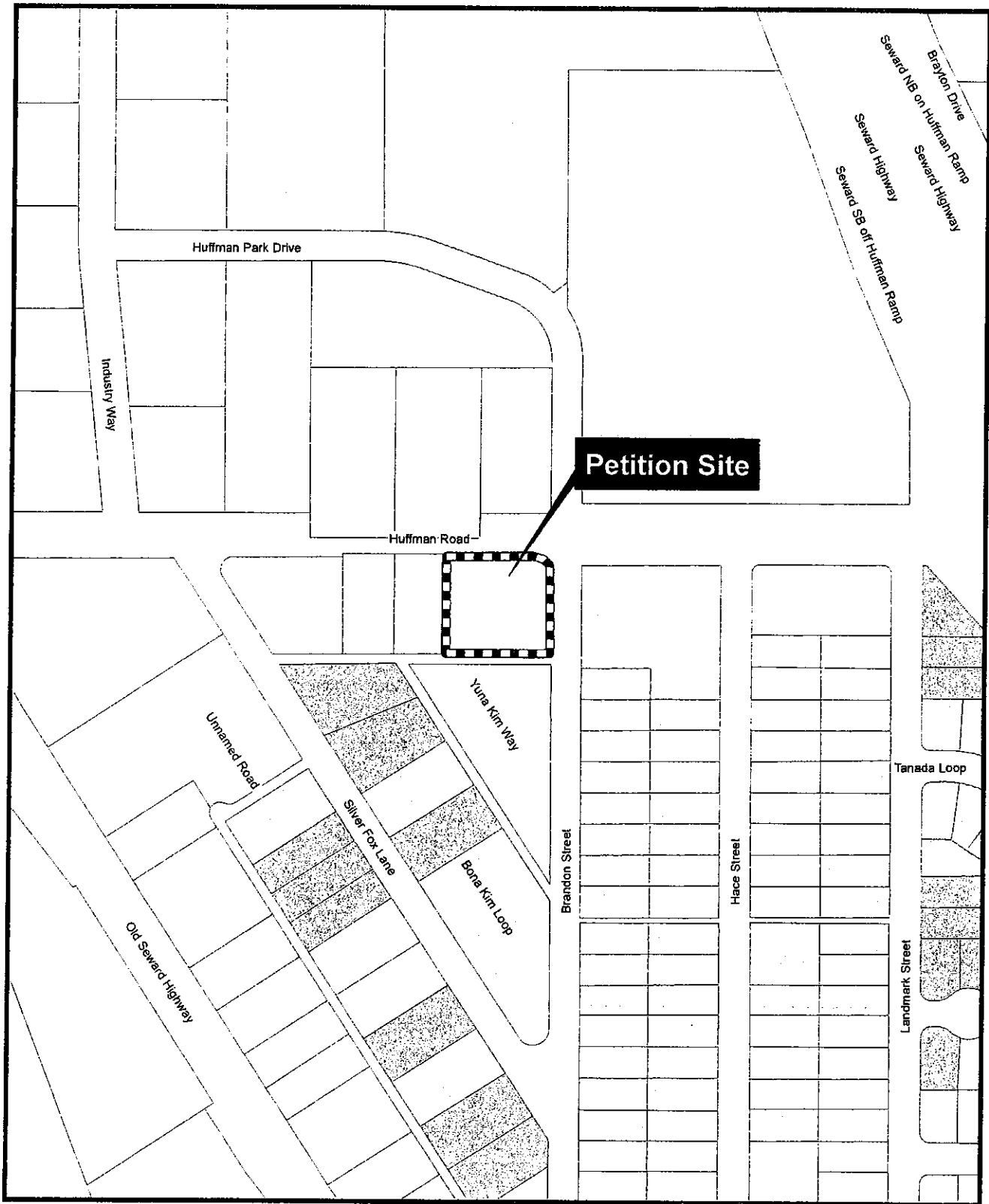
PARCELS

CityView™




Municipal Software Corporation



2010-113



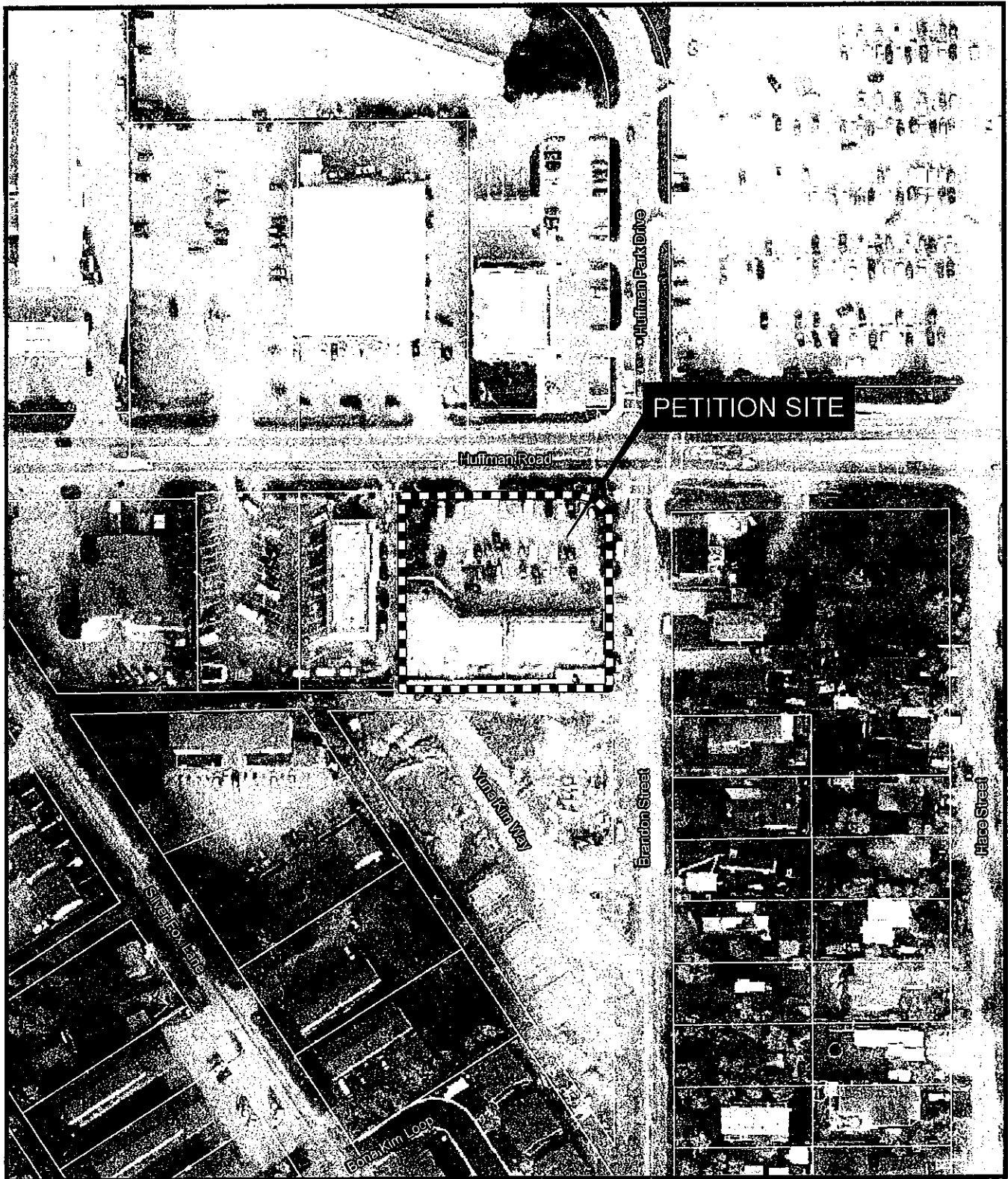
Municipality of Anchorage
Planning Department
Date: August 20, 2010

 Mobile Home Park
 Multi-Family
 Single Family

0 300 600 Feet



2010-113



Municipality of Anchorage
Planning Department

August 20, 2010

0 150 300
Feet

ORTHOPHOTO 2007 USGS 1FT



DEPARTMENTAL COMMENTS



MUNICIPALITY OF ANCHORAGE
Traffic Department



MEMORANDUM

RECEIVED

SEP 20 2010

DATE: September 17, 2010
TO: Angela Chambers, Acting Division Manager, Zoning and Platting
Division
FROM: Leland R. Coop, Traffic Engineer Associate
SUBJECT: Traffic Engineering Comments for October 12, 2010 Assembly Public
Hearing

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

2010-113 Conditional Use for and alcoholic beverage package store in B-3

Traffic has no comment.

Municipality Of Anchorage
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

M E M O R A N D U M

SEP 14 2010

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

DATE: September 9, 2010

TO: Jerry Weaver, Zoning Division Administrator, Planning Department

FROM: Paul Hatcher, Engineering Technician III, AWWU

SUBJECT: Zoning Case Comments
Planning & Zoning Commission Hearing October 12, 2010
Agency Comments due September 14, 2010

AWWU has reviewed the materials and has the following comments.

10-113 THOMAS W SPERSTAD # 1 BLK 2 LT 5A, A request concept/final approval of a conditional use to permit, Grid SW2832

1. AWWU water main located in Huffman Road is available to this parcel.
2. AWWU sanitary sewer main located in Huffman Road is available to this parcel.
3. AWWU has no objection to this conditional use.

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



Planning & Development Services Dept.
Development Services Division

Private Development

RECEIVED

SEP 21 2010

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

DATE: September 21, 2010

TO: Angela Chambers – Manager, Zoning and Platting

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

SUBJECT: Comments for Assembly Public Hearing date: October 12, 2010

Case No. 2010-113 – A request for concept/final approval of a conditional use to permit an alcoholic beverage package store

Advisory Comment: Page one, Item I.B. of the Standards narrative appears to have a typo. The first sentence of the response references "The proposed conditional use for *Urban Sushi...*" Is this supposed to read "The proposed conditional use for *The Wine Store...*"?

Advisory Comment: Peripheral Roads and Parking Lot: In the near term, the Alaska Department of Transportation and Public Facilities will be constructing a roundabout at the intersection of Huffman Road and Brandon Street. Private Development has reviewed the ADOT drawings (Project No. STP-0534(1)/53933) and it appears that the Huffman/Brandon work will impact the parking lot involved with this request, by removing the current access from Huffman. This may actually allow for one or two additional parking spaces.


Private Development has no objection to the conditional use.

Municipality of Anchorage
Treasury Division
Memorandum

RECEIVED

AUG 26 2010

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

Date: August 25, 2010
To: Patty Long,, Planning Dept.
From: Daisy VanNortwick, Revenue Officer 
Subject: Liquor License Conditional Use Comments

Request for Conditional use permit 2010-113, TCHH dba Wine House at Huffman.
located at 1330 Huffman Road Suite # H. We have researched this application, and find no back
taxes owed, thus no reason to protest this license.

Thanks
Daisy VanNortwick
343-6940

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**.

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AUG 26 2010

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

1. Select a Case:

2. View Comments:

Case Num: 2010-113

Assembly conditional use for an alcoholic beverage package store

Site Address: 1330 HUFFMAN RD

Location: An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Thomas W Sperstad Subdivision #1, Block 2, Lot 5A. Located at 1330 Huffman Road, Unit C.

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

Public Comments

8/26/10

Joan Diamond

5700 Rabbit Creek Rd.

Anchorage AK 99516

2010-113 Wine House on Huffman Road The Wine House licensee, Talbot Chang, is seeking a Conditional Use Permit, CUP, in order to open a package liquor store along Huffman Rd, located in the old Baskin Robbins space. Based on Title 21.50.020, General Standards for conditional use, it will have a permanent negative impact on the pedestrian/vehicle traffic circulation and safety and will increase availability of alcohol associated with high risk drinking, driving and criminal activity. Based on these conditions, it is not in the best interests of public health and safety for the Municipality to add a new package store license (liquor store) in the Huffman Road area. Presently there are five other liquor stores within 1.2 mile of this location: Holiday located at Old Seward Hwy and O'Malley Road; Wine Styles on Old Seward Hwy across from Lowes; Value Liquor at Old Seward Hwy and Klatt Road; Oaken Keg, in the Carrs/Safeway mall; and the Tesoro, across Huffman from Carrs. If approved, there would be three liquor stores on the short stretch of Huffman Road. What is most important to the area is that once a location is permitted to sell alcohol, no other business will likely ever move into this space. Liquor license owners know the monetary value of a "location approval" by the city so that if one owner closes, he can sell his license more easily because he has an approved location. Both Service High and South High students drive to this area every lunch. We do not want minors buying alcohol. It has been shown that with a high density of liquor stores in one area, there is a tendency to lower prices to compete. Young people are price sensitive and the potential to drink is obvious. There is the added concern for increased drinking and driving, especially when Huffman Rd is one of the last places to buy alcohol before Girdwood. Studies have shown that violence and crime increase with alcohol availability. As a result, many Community Councils in Anchorage have put a moratorium on additional liquor stores to keep their neighborhoods safe. There are other public safety concerns with this location. The nonconforming strip mall does not have enough parking for the number of retail

22

stores. As young people dart around the parking area, the risk of pedestrian injury is increased. The former Tap Root establishment was forced to move this last spring because of the lack of parking. At the same time, Huffman Road is scheduled to have two more roundabouts built at the Carr's entrance and at the new Seward Hwy. The effect on merchants will be significant, especially one that has to compete with established liquor merchants. The entire Hillside uses the small commercial area at Huffman road. It is a family oriented neighborhood. It is believed that any increase in alcohol sales will be a detriment to the community. During this time of decreasing municipal services, it is in the Municipality's best interest to deny this Conditional Use Permit for the Wine House on Huffman. Joan Diamond Rabbit Creek Road Anchorage, Alaska 99516

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SEP 23 2010

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MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION**Case Num: 2010-113**

Assembly conditional use for an alcoholic beverage package store

Site Address: 1330 HUFFMAN RD

Location: An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Thomas W Sperstad Subdivision #1, Block 2, Lot 5A. Located at 1330 Huffman Road, Unit C.

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

Public Comments

9/28/10

Nancy Stone

12640 Furrow Creek Road
Anchorage AK 99516

As a 25 year resident of this neighborhood, I am adamantly opposed to opening yet another liquor store. How many liquor stores does an area need? Would opening another liquor store do anything to increase the safety and desirability of the neighborhood? You know the answer to both questions is NO. With the Walgreens opening up, imagine what the traffic congestion will be. Kids walk and ride bikes to the stores in these Huffman strips malls. More availability of alcohol has never improved a neighborhood. It's be proven that the more liquor stores in an area, the greater the crime. VOTE NO.

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SEP 23 2010

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MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

Case Num: 2010-113

Assembly conditional use for an alcoholic beverage package store

Site Address: 1330 HUFFMAN RD

Location: An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Thomas W Sperstad Subdivision #1, Block 2, Lot 5A. Located at 1330 Huffman Road, Unit C.

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

Public Comments

9/23/10

Bernadette Bradley
P.O. Box 111369
Anchorage AK 99511

The Old Seward/Community Council opposes a package store conditional use permit for this location. Below is a copy of Resolution 10-01, which explains the local community position. Old Seward Ocean View Community Council Resolution 10-01 A RESOLUTION OPPOSING A PACKAGE STORE LIQUOR LICENSE CONDITIONAL USE PERMIT LOCATED AT 1330 HUFFMAN #C WHEREAS, Talbot Chang has requested a Conditional Use Permit for a new package store on Huffman Road., called the Wine House; and WHEREAS, the location of business buildings on the South side of Huffman are very close to multi-family, high-density housing, and WHEREAS, the Community Council has discouraged past businesses, most recently Walgreen's, from applying for a Package Store Conditional Use Permit on that side of Huffman, and WHEREAS, this location is too close to existing family oriented businesses, such as the Huffman McDonalds next door, attracting children on skateboards, bikes and on foot, and WHEREAS, existing package store licenses are not close to residents in the council area, and WHEREAS, the Community Council feels there are other acceptable commercial properties around Huffman available in the council area for a package store license; THEREFORE, be it resolved that the Old Seward Ocean View Community Council recommends the Package Store Liquor License Conditional Use Permit be denied for, 1330 Huffman Road, Unit #C, due to the sensitive residential and family oriented businesses proximity and previous precedent set for other businesses interested in selling packaged liquor along the south side of Huffman. Bernadette Bradley, Old Seward/Ocean View Community Council, President

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SEP 21 2010

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

2. View Comments:

Case Num: 2010-113

Assembly conditional use for an alcoholic beverage package store

Site Address: 1330 HUFFMAN RD

Location: An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Thomas W Sperstad Subdivision #1, Block 2, Lot 5A. Located at 1330 Huffman Road, Unit C.

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

Public Comments

9/21/10

Geraldine Estabrook
2525 Gambell Street, Suite 307
Anchorage AK 99503

Vote NO to the addition of another liquor store. Currently there are 5 liquor stores in close proximity, less than 1.5 miles; 2 of which are currently on Huffman Road between the Old & New Seward Highways. Adding another is not in the best interest of the many residents that utilize the many retail shops along this small section of Huffman Road. Please vote no to another liquor store in this area.

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SEP 20 2010

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MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

Case Num: 2010-113

Assembly conditional use for an alcoholic beverage package store

Site Address: 1330 HUFFMAN RD

Location: An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Thomas W Sperstad Subdivision #1, Block 2, Lot 5A. Located at 1330 Huffman Road, Unit C.

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

Public Comments

9/19/10

Rita Bowden

9901 Chelatna Circle

Anchorage AK 99515

Oppose utilizing the retail space for a liquor store. I believe it will bring more bad elements into the area.

9/18/10

sherry winters

10900 snowline

Anchorage ak 99507

I can't believe anyone is even considering a liquor store in that location! First of all, the parking lot could never handle the increased traffic. The parking lot has two small entries/exits into it and it was never intended for a "Shop and Go" kind of store; which of course, what a liquor store is. Between the vehicles already parked at the Insurance Company, Taco King, Beauty Parlor, and a few other businesses.. good luck trying to find a vacant spot. And if you are lucky and locate one, be careful trying to pull out! It seems to me that whoever is pondering a liquor store in that particular mall has never spent any time trying to maneuver their way around it! If they had, they would've scratched this location off their list of possibilities right off the bat!

Zoning and Platting Cases On-line

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SEP 18 2010

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

1. Select a Case: 

2. View Comments:

Case Num: 2010-113

Assembly conditional use for an alcoholic beverage package store

Site Address: 1330 HUFFMAN RD

Location: An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Thomas W Sperstad Subdivision #1, Block 2, Lot 5A. Located at 1330 Huffman Road, Unit C.

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

Public Comments

9/17/10

Roselynn Cacy

11930 Johns Road

Anchorage AK 99515

Please do not replace the ice cream shop with an alcohol outlet.

Municipality of Anchorage
P. O. Box 196650
Anchorage, Alaska 99519-6650
(907) 343-7942



018-024-06-000
LATHAM JOHN HARVEY &
FRANCES CLARE
PO BOX 254
YAKUTAT, AK 99689

RECEIVED

SEP 13 2010

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

ASSEMBLY NOTICE OF PUBLIC HEARING - -

Tuesday, October 12, 2010

Planning Dept Case Number: 2010-113

The Assembly of the Municipality of Anchorage will hold a public hearing on a petition proposing a conditional use at its regular meeting of Tuesday, October 12, 2010. The meeting begins at 6:00 p.m. in the Assembly Chambers of the Z. J. Loussac Library, 3600 Denali Street. The petition is for the following:

CASE: 2010-113
PETITIONER: TCCH, Inc
REQUEST: Assembly conditional use for an alcoholic beverage package store
TOTAL AREA: 0.840 acres
SITE ADDRESS: 1330 HUFFMAN RD
CURRENT ZONE: B-3 General business district
COM COUNCIL(S): 1—Old Seward-Oceanview

LEGAL/DETAILS: An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Thomas W Sperstad Subdivision #1, Block 2, Lot 5A. Located at 1330 Huffman Road, Unit C.

The Zoning Ordinance requires that you be sent notice because your property is within the vicinity of the petition area. This will be the only public hearing and you are invited to attend and present testimony, if you so desire.

If you would like to comment on the petition this form may be used. For more information call: 99519-6650. Mailing Address: Municipality of Anchorage, Department of Planning, P.O. Box 196650, Anchorage, Alaska 99519-6650. For more information call: 343-7942; FAX 343-7927. Case information may be viewed at www.muni.org by selecting Departments/Planning/Zoning and Platting Cases.

Name: Frances C Latham
Address: PO Box 254

Legal Description:

Comments: I am opposed to an alcoholic beverage package store going into this area. It is too close to the residential areas & since there is one next to Carrol Safeway - I feel it unnecessary in this area.

Frances C Latham

3

APPLICATION

Application for Conditional Use Retail Sale Alcoholic Beverages

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

Please fill in the information asked for below.

PETITIONER*		PETITIONER REPRESENTATIVE (IF ANY)	
Name (last name first) TCC, Inc		Name (last name first)	
Mailing Address 3318 Checkmate Dr. Anchorage, AK 99508		Mailing Address	
Contact Phone: Day: 727-8825 Night: 337-6633		Contact Phone: Day: Night:	
FAX: 349-7646		FAX:	
E-mail: checkmate@qci.net		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): 018-023-20-000		
Site Street Address: 1330 Huffman Road, Suite H, Anchorage, AK 99515		
Property Owner (if not the Petitioner): Gallo Limited Partnership		
Current legal description: (use additional sheet in necessary) THOMAS W SPERSTAD #1 BLK 2 LT 5A		
Zoning: B3	Acres: 36,798 sq. ft.	Grid # SW2832

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 checked="" type="checkbox"/> Package Store	<input 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 6-17-2010	Signature (Agents must provide written proof of authorization)
--------------------------	--

Accepted by: J. I.	Poster & Affidavit:	Fee \$ 3175-	Case Number 2010-113
------------------------------	---------------------	------------------------	--------------------------------

COMPREHENSIVE PLAN INFORMATIONAnchorage 2020 Urban/Rural Services: ☒ Urban ☐ RuralAnchorage 2020 West Anchorage Planning Area: ☐ Inside ☐ Outside

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

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

Eagle River-Chugiak-Peters Creek Land Use Classification:

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

Girdwood- Turnagain Arm

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

ENVIRONMENTAL INFORMATION (All or portion site affected)

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

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

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

DOCUMENTATION

- Required:
- ☒ Original signed application
 - ☒ Copy of Building Permit application for new construction or change of use, if applicable
 - ☒ Copy of approved parking and landscape plan from Land Use Review
 - ☒ 12 copies of site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location.
 - ☒ 12 copies of building plans to scale depicting: floor plans indicating the location of sales and service areas; building elevations (photographs are acceptable).
 - ☒ 12 copies of photographs of premises from each street frontage that include and show relationship to adjacent structures and the premises visible street address number.
 - ☒ 12 copies of narrative: explaining the project; construction, operation schedule, and open for business target date.
 - ☒ 12 copies of a zoning map showing the proposed location.
 - ☒ 12 copies 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.

6-17-10 *Abraham Mallo*

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):

Wine House at Huffman

What is the gross leaseable floor space in square feet?

1450 Sq. ft.

What is the facility occupant capacity?

TBD by Fire Plan Review

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

0

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

0

What will be the normal business hours of operation?

Monday - Thursday 10:00a.m. - 1:00p.m. / Friday & Saturday 10:00a.m. - 2:00a.m. /

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

Sunday 12:00p.m. - 1:00a.m.

Same as above.

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

98 % Alcoholic beverage sales

2 % 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 8.50.020 Minors-Disseminating indecent material? ☐ Yes ☒ No

Do you propose conditions in the facility that fall under 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>None.</i>	

PACKAGE STORES

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

10 % less than \$5.00

35 % \$5.00 to \$10.00

35 % \$10.00 to \$25.00

20 % greater than \$25.00

CONDITIONAL USE STANDARDS

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

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

See attached narrative.

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

See attached narrative.

Explain how the proposed conditional use will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district.

See attached narrative.

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

1. Pedestrian and vehicular traffic circulation and safety.

See attached narrative.

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

See attached narrative.

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

See attached narrative.

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

See attached narrative.

STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

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

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

How many active liquor licenses are located on the same property as your proposed license? 1

Within 1,000 feet of your site are how many active liquor licenses? 3

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?

Approximately 10-15

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

See attached narrative.

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 employees in direct contact with alcohol will be trained through TAM certification classes in accordance with the ABC Board.

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:

see attached narrative.

outside facility:

see attached narrative.

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*

STANDARDS FOR CONDITIONAL USE APPROVAL

NEW PACKAGE STORE LIQUOR LICENSE FOR TCCH, INC. dba WINE HOUSE AT HUFFMAN

LOCATION AND DESCRIPTION OF PLANNED USE

TCCH, Inc., dba Wine House at Huffman, is making application for a conditional use permit to allow “on premises” alcohol sales at their southside Anchorage location of 1330 Huffman Road. The proposed licensed premise is located in the Huffman Mall in between New Seward and Old Seward highways. TCCH, Inc. has a location on Jewel Lake operating under the same business concept as a “Wine House” which has been very well received by the community as a specialty wine store. The use of this location for the operation of a package store liquor license is consistent with the Anchorage 2020 Comprehensive Plan as set out in the policies discussed below.

I. Conditional Use Standards.

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

The proposed conditional use to allow TCCH, Inc. to open a specialty wine store at this location is consistent with the goals and policies of the Anchorage 2020 Comprehensive Plan. This location is located in what the 2020 Comprehensive plan describes as a “Town Center”. The plan states “a wide range of retail shopping and services is important to the life of town centers”. A mix of community serving retail uses such as a specialty wine store proposed here, office buildings, grocery stores, and other retail shopping is important in seeking a balance in functioning as a focal point for community activities. The Huffman Plaza fronts Huffman Road and includes several established businesses. Their location has ample parking and provides for a streamlined network connecting residential neighborhoods and transit facilities to their location for pedestrian access.

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

The proposed conditional use for Urban Sushi conforms to the standards of Title 21 as well as the Anchorage 2020 Comprehensive Plan in all respects.

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

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

The proposed conditional use conforms to all Title 21 standards and is consistent with the Comprehensive Plan. My client is available to meet with the Community Council in their area to discuss their new business at any time. The operation of specialty wine store is consistent with the code and the Petitioner expects the conditional use to be supported by the local community.

C. Explain how the proposed conditional use will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district.

The proposed conditional use to allow TCCH, Inc. to operate a package store liquor license at this location is compatible with the existing and planned land uses. This location is zoned B-3. The planned land use for this location, which is a smaller subarea of Anchorage, is intended to include a mix of retail shopping and services, public facilities, and medium to high density residential uses. The Wine House at Huffman is consistent with the intent of its use district in all respects.

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

1. Pedestrian and Vehicular Traffic Circulation and Safety.

The Wine House at Huffman is located at 1303 Huffman Road in the Huffman Mall in a convenient location that is more than sufficient in regard to accommodating vehicular and pedestrian traffic circulation and safety. People Mover bus stops are located on Huffman for the convenience of their bus-riding customers. There is also adequate parking in the parking lot onsite.

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

The following public services currently exist at the Wine House at Huffman:

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

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

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

TCCH, Inc. is committed to the operation of its facility in an environmentally responsible way. There will be no pollution other than the normal storage and removal of trash.

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

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

II. Concentration and Land Use

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

No. Our opinion is that the current quantity of liquor licenses in this particular area of south Anchorage is reflective of the plans set forth in the 20/20 Plan.

III. Public Safety

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

1. Inside Facility:

All cashiers will be TAM certified. TCCH, Inc. employees will be instructed to ask for the identification of all persons appearing to be under 30 years of age. Employees who violate this policy will be terminated and will be instructed of this fact upon employment. Further, managers and all cashiers will be trained and reminded to assess the condition of every customer entering the licensed premises as enumerated in the TAM training to prevent the sale of alcohol to minors or drunken persons.

2. Outside Facility:

Further, for the protection of patrons, Wine House at Huffman employees will patrol the street frontages of the building, as needed, to ensure the minimization of loitering. My clients will work with surrounding tenants, neighbors, neighboring community councils and service patrols to combat any problems that arise in or near the facility.

August 18, 2010

Ms. Jillanne M. Inglis
MOA Planning Department
4700 Elmore Road
Anchorage, Alaska 99519

Re: Conditional Use Application-Alcohol
TCCH, Inc. dba Wine House at Huffman

Dear Ms. Inglis:

Enclosed please find a completed application for a conditional use permit for the sale of alcohol by our client TCCH, Inc. dba Wine House at Huffman in Anchorage.

As you know, we have had preliminary discussions with you and your staff on the feasibility of this application being successful based on questions surrounding how a new liquor license at this location would affect the required number of parking spaces. These discussions began on June 17th, 2010. On June 28th, our client was told that the previous parking plan submitted by the Tap Root Café was acceptable for the property and could be submitted with his application. Another member of your staff, David Whitfield, later rejected this notion and our client was advised that he needed a more detailed site plan, which he later provided to your office.

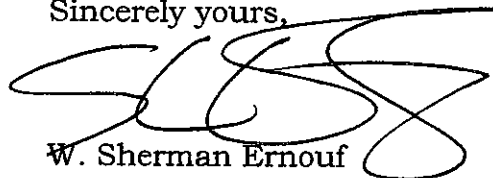
On July 12th we were advised that there were not enough parking spaces on the property to accommodate our client's business and we were requested to gather more information on the other businesses at the strip mall with the intent of determining whether a shared parking agreement would provide a solution to the parking issues. Gathering this information required that our client provide parking counts at the location during peak hours. Our client complied with this request once again and provided the information to you on July 19th. You met with Lee Coop, Traffic Engineer, on August 6th and determined that our client provided numbers, which Mr. Coop described as "driveway counts", and he was concerned of the actual number of cars in the lot during certain peak hours. Our client was again asked to gather more information by counting vehicles parked in spaces during peak hours over the next weekend, which he provided to you on August 16th.

On August 17th, it was determined that a shared parking agreement would work for this location and that it was now okay for our client to file the conditional use application. Please understand that two (2) months of peak summer business was lost during this process and that by not being able to file an application until now, our client has to wait even longer for the public notification process and Assembly approval process to take place.

Based on the circumstances we are requesting that, if at all possible, you consider expediting the processing of this application so that our client is not burdened any further in opening his business, which is 100% dependent on the approval of this CUP permit.

If you have any questions, or if you need any supplemental information relative to the application itself, please contact my office directly so that we can help in any way that we can. Thank you for your time and courtesies in this regard.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'W. Sherman Ernouf', with a large, stylized flourish extending from the end of the signature.

W. Sherman Ernouf

Enclosure: CUP Application

CC: Client

NS
CC

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L
A
S
K
A

2010-046540-0

Recording Dist: 301 - Anchorage
9/16/2010 2:55 PM Pages: 1 of 6



AGREEMENT TO PROVIDE SHARED PARKING FOR MULTIPLE USES
ON A SINGLE PARCEL

The Municipality of Anchorage (hereinafter the "Municipality") and Gallo Limited Partnership (hereinafter the "Owners,") enter into the following AGREEMENT TO PROVIDE SHARED PARKING FOR MULTIPLE USES ON A SINGLE PARCEL (hereinafter "this agreement") which shall become effective on the date the Agreement is fully executed. This Agreement shall run with the land and shall be binding on the Owners and his/her/their heirs, successors, and assigns.

The Owner is a Limited Partnership, and Abraham Gallo executes this Agreement on behalf of the Owners in the capacity of managing partner and warrants he has the authority to execute this Agreement on behalf of the Owners.

The Owners own a parcel of real property (hereinafter "the subject property") described as: Thomas W. Sperstad #1 Subdivision per plat 85-214 located in the Anchorage Recording District, Third Judicial District, State of Alaska, shown on the map attached hereto as Appendix A. The subject property is developed with multiple principal uses as defined and regulated by the Anchorage Municipal Code. The uses on the subject property are:

Use #1: Subway Restaurant

Location: 1330 Huffman Road

Hours of Operation: Monday – Thursday: 7:00 A.M. – 10:00 P.M;

Friday: 7:00 A.M. – 11:00 P.M;

Sunday: 9:00 A.M. – 10:00 P.M.

Basis of parking requirement: One parking space for every 3 seats
(22/3)

Number of required parking spaces (considered separately): 7.3

Use #2: Smoking Joe

Location: 1330 Huffman Road

Hours of Operation: Monday – Saturday: 10:00 A.M. – 10:00 P.M.;

Sunday: 11:00 A.M. – 8:00 P.M.

Basis of parking requirement: One parking space for every 300 square
feet (1325/300).

Number of required parking spaces (considered separately): 4.41

Use #3: Catering Business (no customer seating, not a restaurant)
Location: 1330 Huffman Road
Hours of Operation: Unknown
Basis of parking requirement: One parking space for every 300 square feet (3100/300).
Number of required parking spaces (considered separately): 10.33

Use #4: State Farm Insurance
Location: 1330 Huffman Road
Hours of Operation: Monday – Friday: 9:00 A.M. – 5:30 P.M.
Basis of parking requirement: One parking space for every 300 square feet (1500/300).
Number of required parking spaces (considered separately): 5

Use #5: Dry Cleaner
Location: 1330 Huffman Road
Hours of Operation: Monday – Friday: 7:00 A.M. – 7:00 P.M.
Saturday: 8:00 A.M. – 6:00 P.M.
Basis of parking requirement: One parking space for every 300 square feet (1350/300).
Number of required parking spaces (considered separately): 4.50

Use #6: Taco King
Location: 1330 Huffman Road
Hours of Operation: Monday – Saturday: 10:00 A.M. – 10:00 P.M.
Sunday: Noon – 10:00 P.M.
Basis of parking requirement: One parking space for every three seats (56/3).
Number of required parking spaces (considered separately): 18.66

Use #7: Sonia's Salon (Beauty Salon)
Location: 1330 Huffman Road
Hours of Operation: Tuesday – Saturday: 11:00 A.M. – 5:00 P.M.
Basis of parking requirement: One parking space for every 300 square feet (630/300).
Number of required parking spaces (considered separately): 2.1

Use #8: Wine House
Location: 1330 Huffman Road
Hours of Operation: Monday – Thursday: 10:00 A.M. – 1:00 A.M.;
Friday – Saturday: 10:00 A.M. – 2:00 P.M.;
Sunday: Noon – 1:00 A.M.
Basis of parking requirement: One parking space for every 300 square feet (1450/300).
Number of required parking spaces (considered separately): 4.83



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2010-046540-0

The Municipality and the Owners agree that a total of 58 off-street parking spaces are required by Section 21.45.080 of the Anchorage Municipal Code to serve the uses specified above at their respective hours of operation specified above.

The Owners covenant and agree that they shall provide 43 off-street parking spaces on the subject property, designed and constructed in accordance with Title 21 of the Anchorage Municipal Code, for the use and benefit of the above-described uses. The owners further covenant and agree that neither the above-described uses, nor their respective hours of operation, nor the parking configuration shown on Appendix A shall be altered changed or revised in any manner without the prior written consent of the Municipality and amendment of this Agreement.

The Owners covenant and agree that they shall be responsible for the maintenance of the parking facility on the subject property.

This agreement shall terminate (1) on/in August 17, 2020 (not less than ten (10) years from the date this Agreement is fully executed), or (2) upon cessation of any of the above-described use of the subject property, or (3) upon the recording of a written release issued by the Municipality of Anchorage, whichever occurs first.

The Owners agree that upon termination of this Agreement, they shall either (1) meet the off-street parking requirements of the Anchorage Municipal Code by other means or (2) reduce the scope of the above-described uses of the subject property to the extent necessary to comply with the off-street parking requirements of the Anchorage Municipal Code. The Owners specifically understand and acknowledge that reducing the scope of the above-described uses of the subject property to the extent necessary to comply with the off-street parking requirements of the Anchorage Municipal Code may have severe negative impacts on those uses and may render the uses not economically viable.

The Owners understand and agree that violation of this Agreement constitutes a violation of Title 21 of the Anchorage Municipal Code, and will be subject to all the penalties and remedies provided by law for such a violation. The Owners specifically understand and acknowledge that he/she/they may be liable for any violation of this Agreement by a tenant or lessee.



3 of 6

2010-046540-0

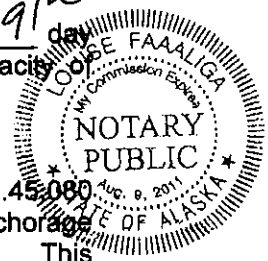
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OWNER:

By: Abraham Gallo
Name: ABRAHAM GALLO
Title: OWNER
Date: 8-19-10

STATE OF ALASKA) ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 19th day
of August, 2010 by Abraham Gallo, in the capacity of
Managing Partner. Loise Faaaliga



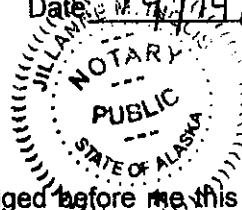
The shared parking study per Anchorage Municipal Code 21.45.080
(X) (3) (b) (ii) or the alternative calculation method per Anchorage
Municipal Code 21.45.080 (X) (3) (c) is hereby accepted. This
Agreement is hereby approved as to form and content.

MUNICIPALITY OF ANCHORAGE

By: Jerry T Weaver Jr.
Name: Jerry T Weaver Jr.
Title: Planning Director
Date: 9/14/10

By: John Crapps
Name: John Crapps
Title: Acting Traffic Engineer
Date: 9/14/10

STATE OF ALASKA) ss
THIRD JUDICIAL DISTRICT)



The foregoing instrument was acknowledged before me this 14th day
of September, 2010 by Jerry T Weaver Jr., the Planning Director of the
Municipality of Anchorage, on behalf of the Municipality of Anchorage.



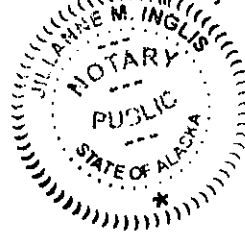
4 of 6

2010-046540-0

1

STATE OF ALASKA) ss
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 14th day
of ~~September~~ 2010 by John Crapps, Acting Traffic Engineer of the
Municipality of Anchorage, on behalf of the Municipality of Anchorage.



Return TO:
Municipality of Anchorage
Planning Department
ATTN: Jillianne Inglis
PO Box 196650
Anchorage, AK 99516

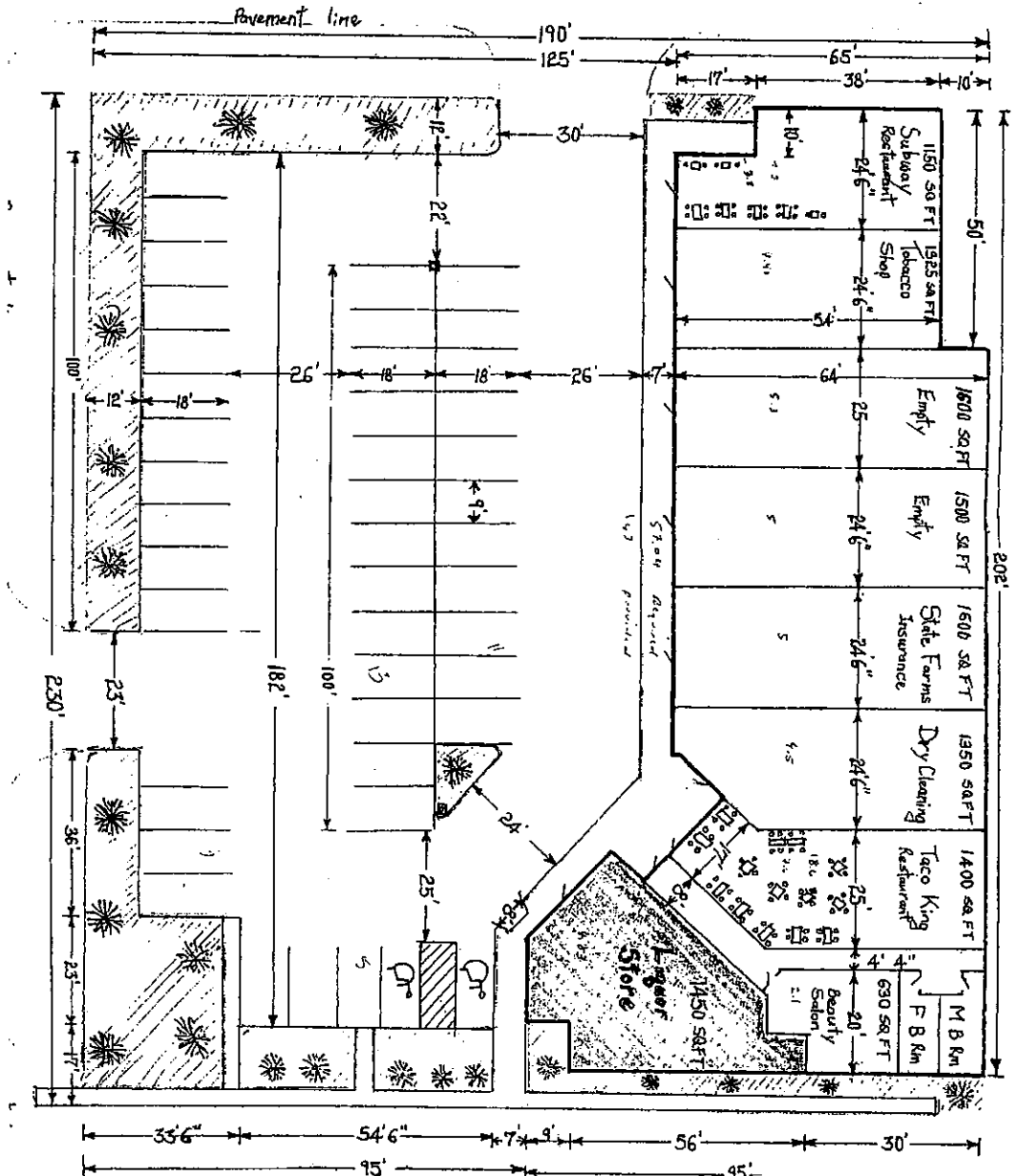


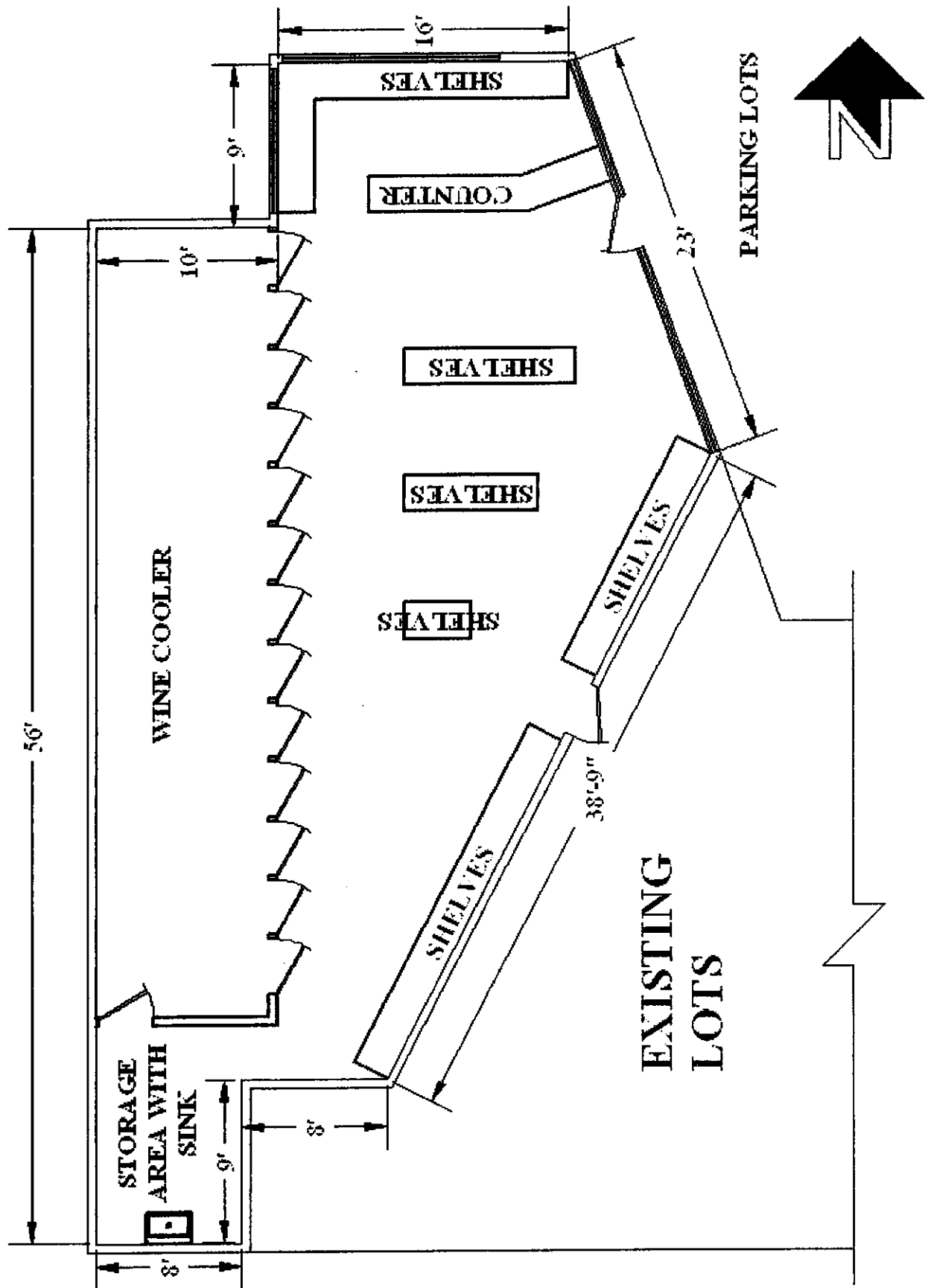
5 of 6

2010-046540-0



Wine House at Huffman 1330 Huffman Rd
 Talbot Chang 727-8825
 center line of BRANDON STREET





9)

PK NAIL SET 50'

THOMAS W. SPICERD SUB No 1
LOT 5A BLK 2 E

77-199
PROB

50.00
P-248
B HELD

230.06 (PROP) 230.00 P-248
N 89°59'00" E 200.08

400'
30.00

2

N 00°04'08" W 189.91

LIGHT

PARKING

5A

CURVED

GALEO LIMITED PARTNERSHIP

UNIT C
TAP ROOT

S 00°03'24" E 189.84
21982 (PROP) 220.00 (P-248)

STREET

20'
90°
B HELD
OFFSET

NOT SET

9 (MEAS. MON TO CORNER)

20 (COMP'D) TO BEARING DIST. INTERSECT)

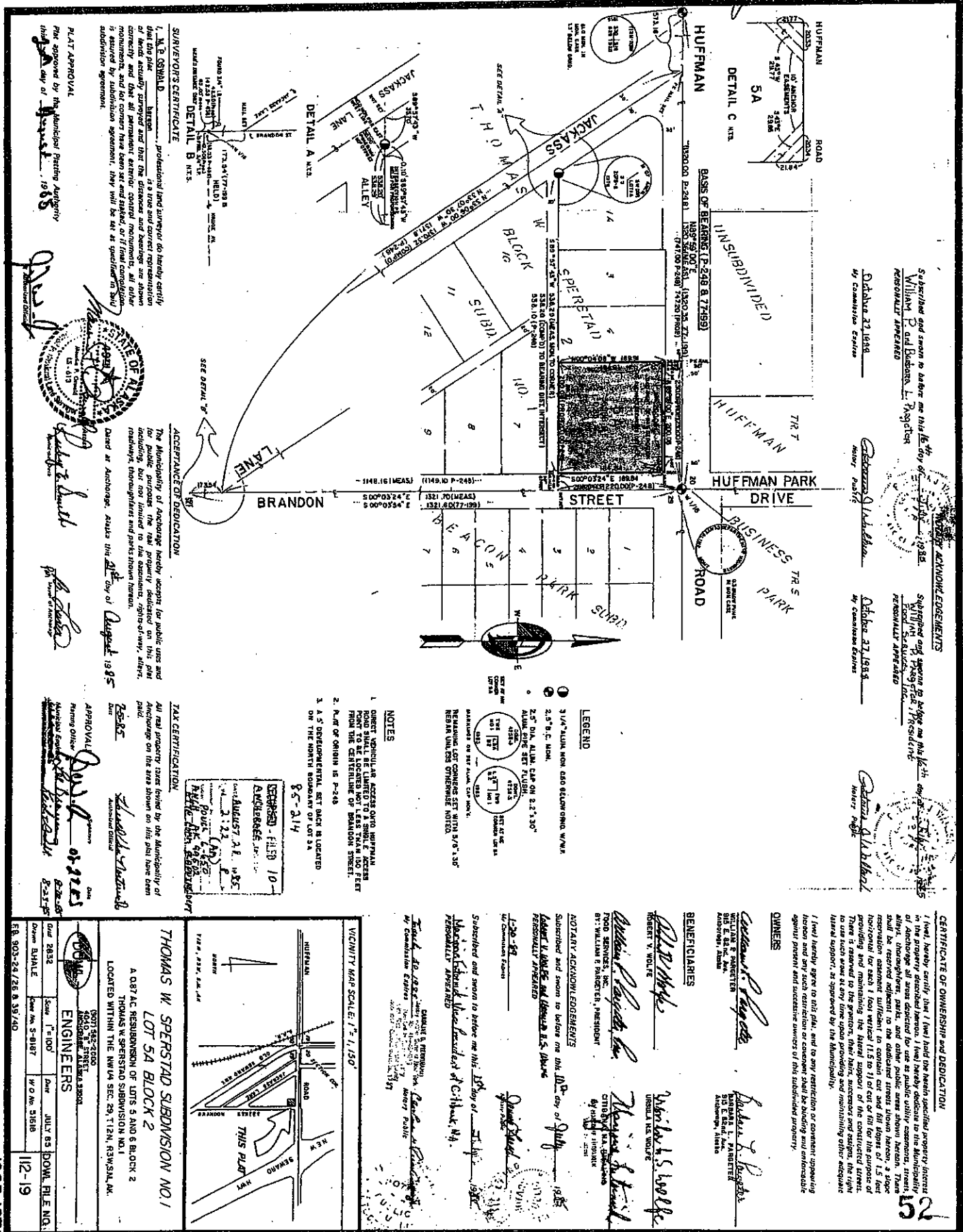
10 (P-248)

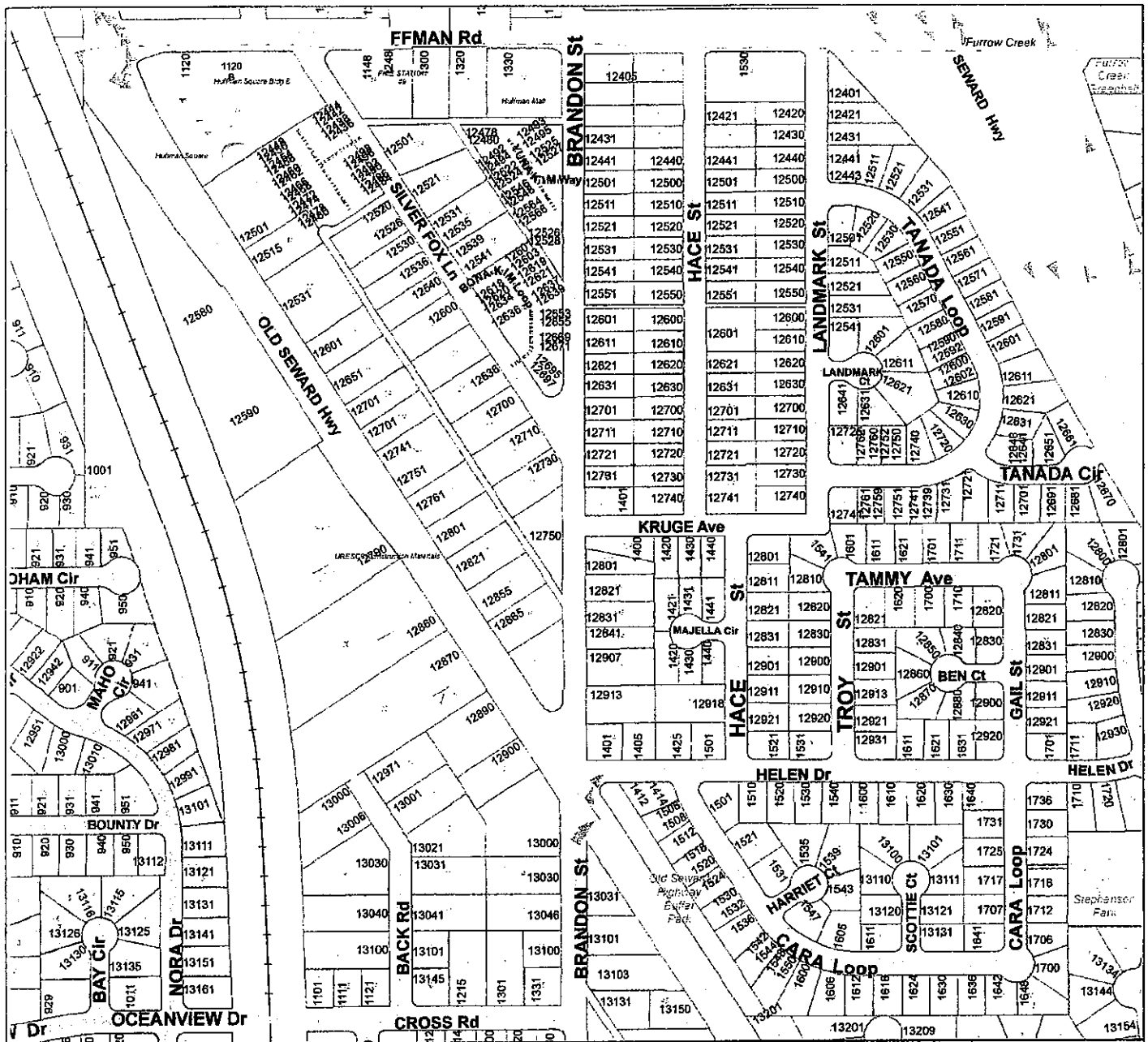
20'

110

7

1337 Huffman Rd.
Anchorage AK 99515





- 4819 Active Address
- Public Road
- One Way Road
- Platted/Not-Built Public Road
- Private Road
- Private Road, 4WD Access
- Driveway
- Buildings
- Parks
- Military Boundary
- Gate Preventing Through Access
- Railroad Tracks

1 inch = 380 feet

Municipality of Anchorage
 Office of Community Planning & Development
 Planning Department, Addressing
 4700 Elmwood Road
 P.O. Box 196650
 Anchorage, AK 99519-6650



This map is derived from Geographic Information Systems data developed and maintained by the Municipality of Anchorage (MOA). This map is not the official representation of any of the information included and is made available to the public solely for informational purposes. This map may be outdated, inaccurate and may omit important information. Do not rely on this information. The Municipality of Anchorage will not be liable for losses arising from errors, inaccuracies or omissions in the map.

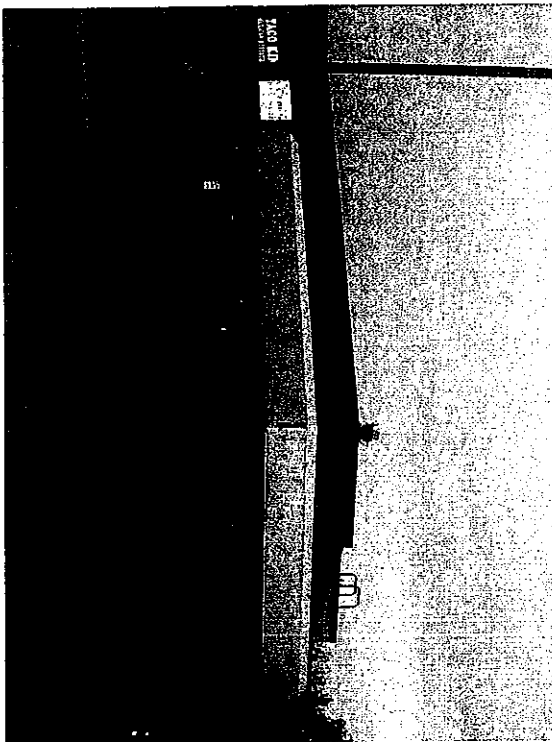
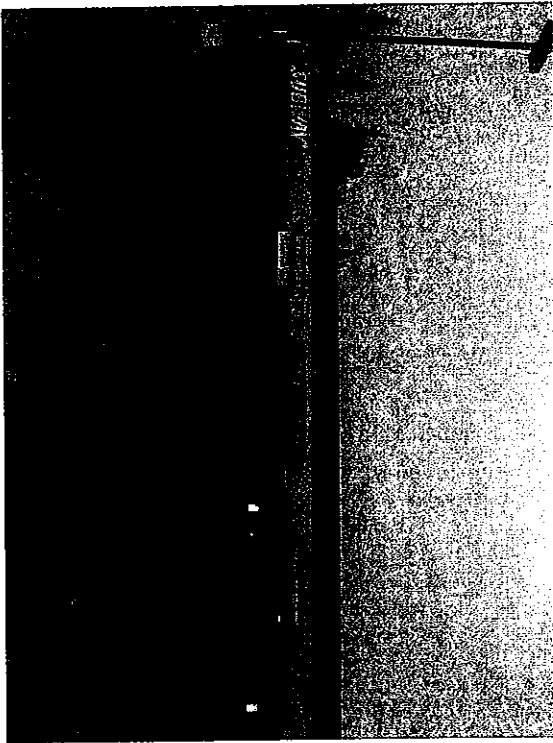
Anchorage Bowl

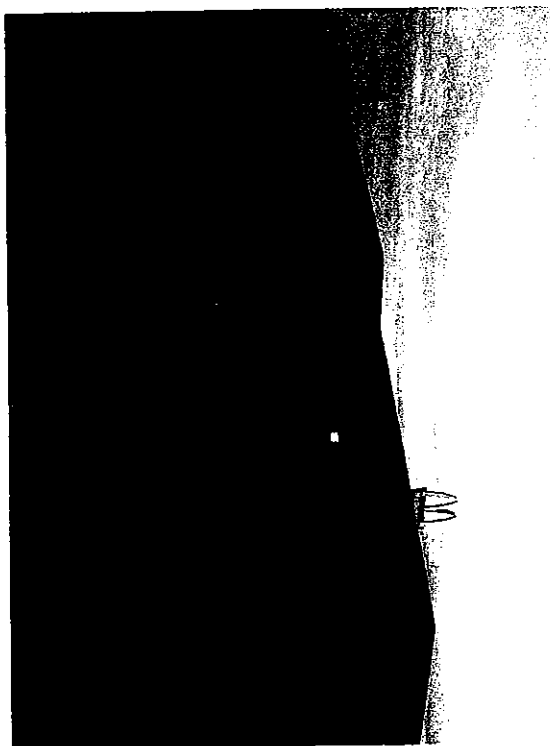
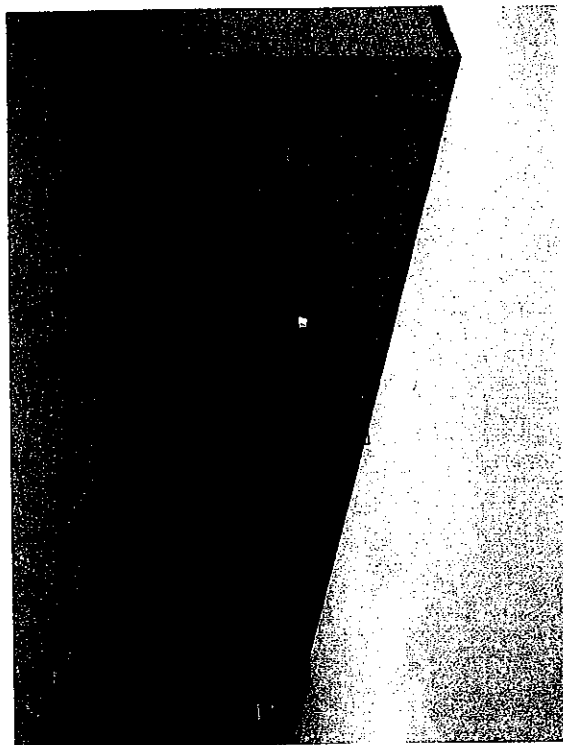
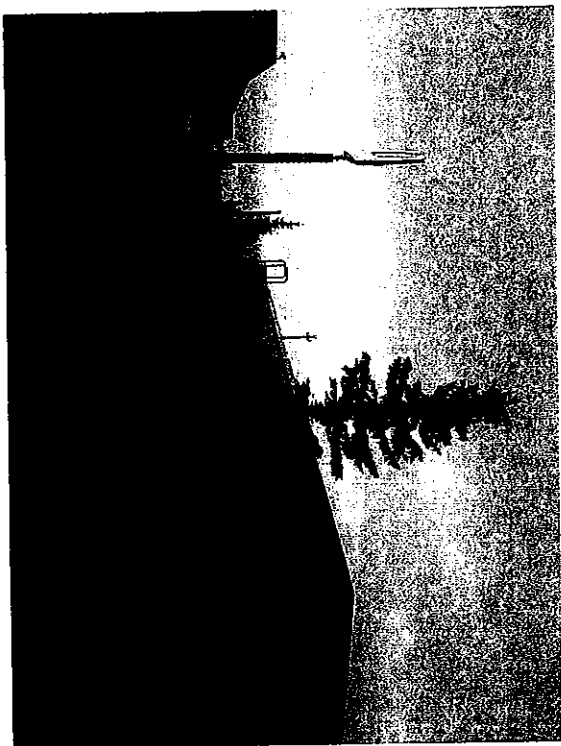
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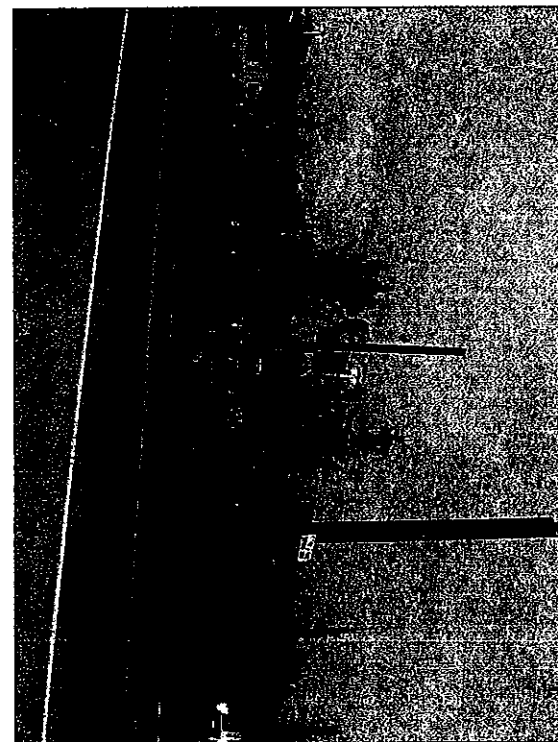
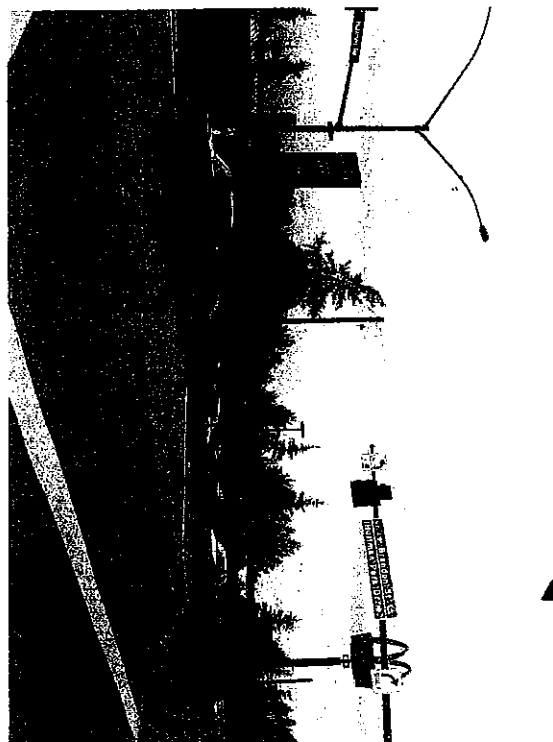
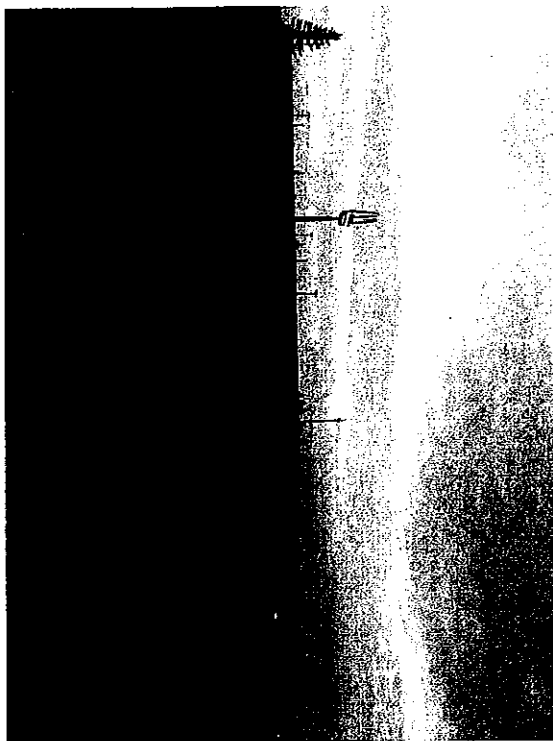
Mar 11, 2010

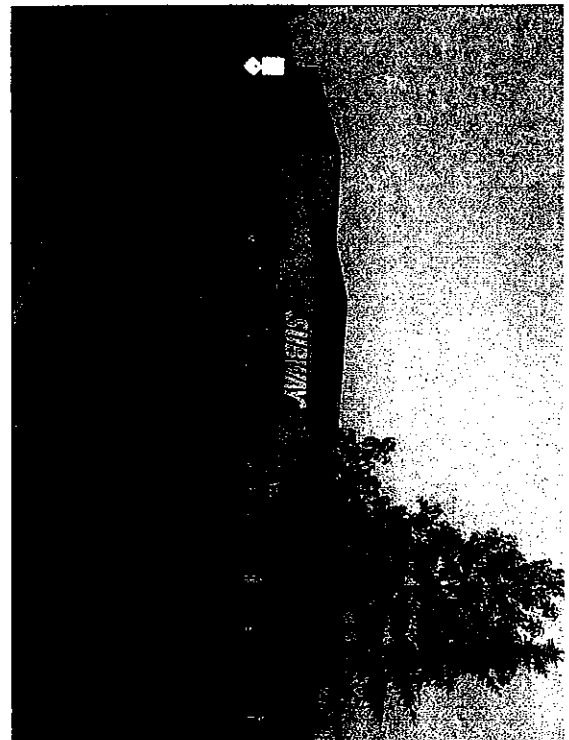
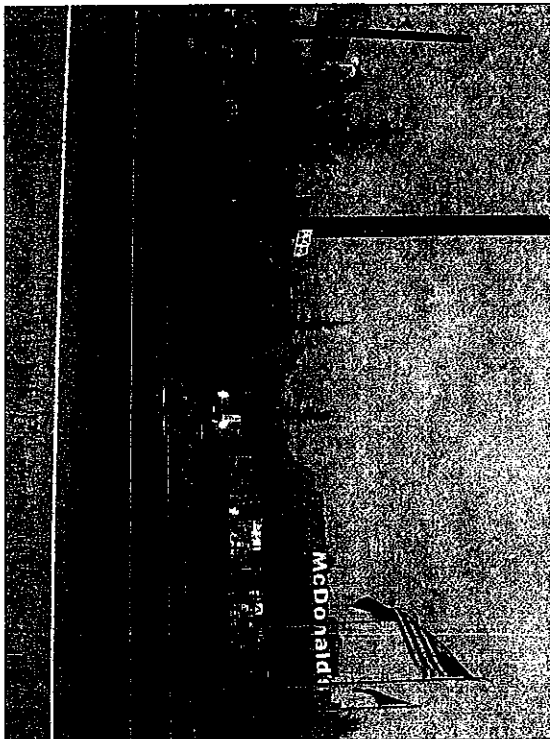
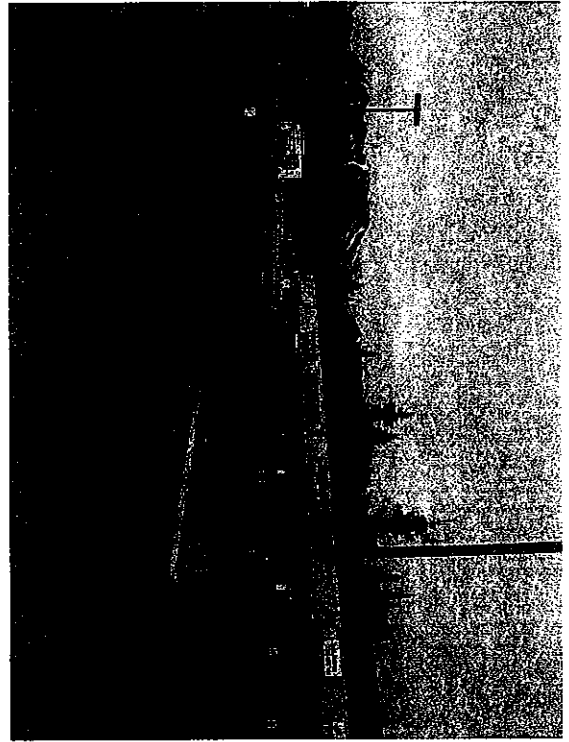
SW2731	SW2732	SW2733
SW2831	SW2832	SW2833
SW2931	SW2932	SW2933

Vicinity Map









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

6459

SECTION A. LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: 2010-2011	License Type: Package Store	Statute Reference Sec. 04.11. 150	License Fee: \$
(Office Use Only) License #: 5002			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage	Community Council Name(s) & Mailing Address: Old Seward/Oceanview Community Council P.O. Box 1110003 Anchorage AK 995011		Fingerprint: (\$54.25 per person)
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): TCCH Inc.	Doing Business As (Business Name): Wine House at Huffman	Business Telephone Number: Fax Number: 349-7046	
Mailing Address: 3318 Checkmate Dr. City, State, Zip: Anchorage, AK, 99508	Street Address or Location of Premise: 1330 Huffman Road unit-H Anchorage AK, 99515	Email Address: checkmate@gci.net	
SECTION B. PREMISES TO BE LICENSED. Must be completed.			
Closest school grounds OceanView Elementary 11911 Johns Rd. Anchorage	Distance measured under: <input checked="" 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. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable	
Closest church: Sunset Hill Baptist Church 12130 Old Seward Hwy God's Greater Holy Temple 12601 Old Seward Hwy	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____		
Premises to be licensed is: <input checked="" type="checkbox"/> Proposed building <input type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" 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
TCCH Inc.	Dimond Liquor	Package Store	1901 W. Dimond	AK
TCCH Inc.	Wine House at Jewel Lake	Package Store	8841 Jewel Lake	AK

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

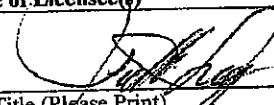
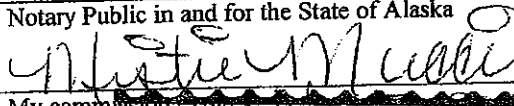
Liquor License

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) TCCH Inc		Telephone Number 243-8885	Fax Number 349-7646
Corporate Mailing Address: 3318 Checkmate Dr.	City Anchorage	State AK	Zip Code 99508
Name, Mailing Address and Telephone Number of Registered Agent Talbot Chang (907)243-8885 same address as above		Date of Incorporation OR Certification with DCED 11-30-2002	State of Incorporation AK
Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. 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
Talbot Chang	Pres.	50	3318 checkmate Dr. Anchorage AK 99508	243-8885	2-22-62
Yoon J. Chang	Secr.	50	Same as above	349-7646	9-21-65
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: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

Declaration <ul style="list-style-type: none"> I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations. I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued. I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.
--

Signature of Licensee(s) Signature 	Signature
Name & Title (Please Print) Talbot Chang President	Name & Title (Please Print)
Subscribed and sworn to before me this 8 th day of June, 2010.	Subscribed and sworn to before me this day of , 2010.
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska
My commission expires: Nov 1, 2013	My commission expires:

MISTIE MUCCI
State of Alaska

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD

STATEMENT OF FINANCIAL INTEREST

CONFIDENTIAL

TO BE COMPLETED BY EACH APPLICANT, EITHER INDIVIDUAL OR CORPORATE

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


Applicant: <u>TCCH Inc.</u>	DBA: <u>Wine House at Huffman</u>
EIN or SSN: <u>37-1450005</u>	Location: <u>1330 Huffman Rd. Anchorage Alaska</u>
List each owner, shareholder, member in the boxes below:	
<u>Talbot Chan.</u>	
<u>Yoon J. Chang</u>	

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

NAME	ADDRESS	AMOUNT	PURPOSE
Seung & Rak Chang	8131 Dagan St. Anchorage AK 99502	\$200,000	Start up capital

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

Signature of Applicant/Transferee


6 July 2010
Date

Subscribed and sworn to before me this

6th Day of July 20 10
A B Shawcross
Notary Public in and for the State of Alaska
My commission expires 2/1/2011

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD

AFFIDAVIT IN CONNECTION WITH POSTING LIQUOR LICENSE APPLICATION
Title 4, Alaska Statutes: 04.11.260, 04.11.310, & 13 AAC 104.125

POSTING AFFIDAVIT

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

1. a. Posting of application for a new Package Store liquor license
for TCCH Inc. d/b/a Wine House at Huffman
located at 1330 Huffman Rd Anchorage AK 99515
(address and/or location)

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:

8th June 2010 to 1st July 2010

*** 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 1330 Huffman Unit-H
b. Other conspicuous location in the area 1221 Huffman Park Dr.

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.

SUBSCRIBED and SWORN to me this 6th day of July, 2010

A B Shawcross
Notary Public in and for Alaska
My commission expires: 2/1/2011

State of Alaska
Department of Community and Economic Development
Division of Banking, Securities and Corporations

CERTIFICATE
OF
INCORPORATION
Business Corporation

The undersigned, as Commissioner of Community and Economic Development of the State of Alaska, hereby certifies that Articles of Incorporation of

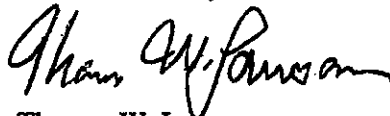
TCCH, INCORPORATED

have been received in this office and have been found to conform to law.

ACCORDINGLY, the undersigned, as Acting Commissioner of Community and Economic Development, and by virtue of the authority vested in me by law, hereby issues this Certificate of Incorporation and attaches hereto the original copy of the Articles of Incorporation.

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

DECEMBER 2, 2002



Thomas W. Lawson
Acting Commissioner of Community
and Economic Development

DEC 02 2002

Department of Community
And Economic Development

**ARTICLES OF INCORPORATION
(Domestic Business Corporation)**

The undersigned natural person(s) of the age of 18 years or more, acting as
incorporator(s) of a corporation under the Alaska Corporations Code (AS 10.06) adopt
the following Articles of Incorporation:

ARTICLE I

The name of the corporation is TCCH, Incorporated

ARTICLE II

The corporation is organized for the purpose of operating a package liquor store
or any other lawful business enterprise.

ARTICLE III

The aggregate number of shares which the corporation shall have authority to
issue is 10,000 shares at no par value.

ARTICLE IV

The name and address of the registered agent is as follows:

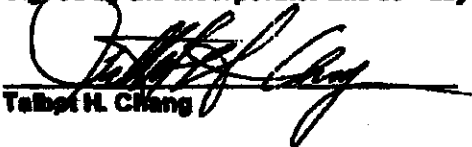
Talbot H. Chang
3318 Checkmate Drive
Anchorage, Alaska 99508

The physical and mailing address is the same.

ARTICLE V

No alien affiliate exists.

Signed by the incorporator this 30th day of November, 2002.


Talbot H. Chang

30 Nov 2002
Date

TCCH Incorporated

STATEMENT OF STANDARD INDUSTRIAL CODE (SIC)

The SIC which most clearly describe the initial activities of the corporation are:

Primary: 5300
Secondary: 5900
Other: 5400

Anchorage Publishing, Co.

540 E 5th Avenue

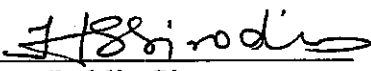
Anchorage, AK 99501

Phone: 561-7737 Fax: 561-7777

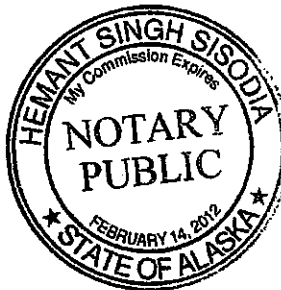
I, Christine Cuzzocreo, advertising representative for Anchorage Publishing, Co. verify that the liquor license notice for the Package Store appeared in the June 10, June 17 and June 24, 2010 Issues of the Anchorage Press Newspaper.


Christine Cuzzocreo

Subscribed and sworn to me in the Municipality of Anchorage, In the state of Alaska, on this 29th day of June 2010


Notary Public Signature

02-14-2012
Commission Expires



Liquor License New Application

Applicant TCCH Inc. is making application for a new Package Store 04.11.150 liquor license, d/b/a Wine House at Huffman, located at 1330 Huffman Rd., H, Anchorage, AK 99515. 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

COUNTER INTENT TO LEASE

This proposal supercedes and replaces all previous understandings, is made in good faith and is meant to facilitate the execution of a lease agreement. As such, it is not binding on the parties and in the event the parties are unable to agree on a Lease, then neither party shall have an obligation to the other party.

Landlord: Gallo Limited Partnership.

Tenant: TCCH, Inc.

Use of Premises: Package Liquor Store

Property: Huffman Center located at 1330 Huffman Rd., Anchorage, Alaska End Cap

Space: Suite H containing approximately 1,457 square feet

Final measurements to be determined by an independent third party prior to commencement of this lease paid for by Landlord. The square footage of the Suite shall be determined by measuring from the inside wall surface from all four perimeter walls.

Term: Five (5) Years

Conditional Use Permit: This intent letter is subject to Tenant applying with the Alcoholic Beverage Control Board State of Alaska for a transfer of a package store liquor license to this location. A conditional use permit must also be obtained from the Municipality of Anchorage. Both the transfer of location application and conditional use permit applications will be processed immediately upon the execution of this intent letter. This process of approval may take ninety (90) days or more.

Occupancy: Upon full execution of the Lease Agreement and delivery by Tenant to the Landlord of the Security Deposit, First Month's Rent and Insurance Certificate required, along with confirmation that Tenant has placed all utilities that are Tenant's responsibility into Tenant's name.

Rent Commencement: Sixty days (60) after the package liquor license transfers to location approved by MOA and State of Alaska.

Tenant Initials

THC

Landlords Initials

contingencies of Tenant have been satisfied or waived. In the event Landlord receives an offer to lease the subject space that is acceptable to Landlord then Tenant shall be notified in writing and shall have two (2) days to waive all contingencies in writing and if no such waiver is timely received, then the Lease will terminate effective on the date the waiver period expired and Landlord shall be free to proceed with a binding lease with a third party.


Notice to Landlord and Tenant:

Realty Executives / Chad Graham and Dynamic Properties, Inc. / Matthew Fink are not authorized to give legal or tax advice. No tax or legal representations have been made by Realty Executives / Chad Graham and Dynamic Properties, Inc. / Matthew Fink.

This Offer shall expire unless the party making this Offer is notified of its acceptance in writing no later than March 30, 2010 at 4:00 PM.

Accepted and agreed to this 31 day of March, 2010.

Tenant: TCCH, Inc.

By: 
Talbot Chang
Title: Its: President

Accepted and agreed to this 31 day of March, 2010.

Landlord: Gallo Limited Partnership

By: 
Abraham Gallo
Title: General Partner

Tenant Initials THC

Landlords Initials AG

POSTING

AFFIDAVIT



AFFIDAVIT OF POSTING

Case Number: 2010-113

I, Talbot Chang of TCCH 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 new Package Store. The notice was posted on 20th Aug. 2010 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 Tues day of September 7th, 2010.

Signature

LEGAL DESCRIPTION

Tract or Lot 5A
Block 2
Subdivision Thomas W. Sperstad #1

HISTORICAL INFORMATION

PARCEL INFORMATION

APPRAISAL INFORMATION

Legal THOMAS W SPERSTAD #1
BLK 2 LT 5A

Parcel 018-023-20-000
Owner GALLO LIMITED PARTNERSHIP

01

Descr STRIP SHOPPING CTR
Site Addr 1330 HUFFMAN RD

PO BOX 111846
ANCHORAGE

AK 99511 1846

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

2007-030
2010-113

Case Number 2010-113 # of Parcels 1 Hearing Date 08/20/2010
 Case Type Assembly conditional use for an alcoholic beverage package store
 Legal An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Thomas W Sperstad Subdivision #1, Block 2, Lot 5A. Located at 1330 Huffman Road, Unit C.

PLAT

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

PERMITS

01 5882
07 5188
97 6103

Permit Number 01 5882
 Project TACO KING
 Work Desc Tenant Improvement to change space to Taco King Restaurant. rd
 Use RESTAURANT

BZAP

002951
003382
004367

Action No. S8187
 Action Date 08/28/1985
 Resolution
 Status APR Ruling Approved
 Type PN Plat Notes

ALCOHOL LICENSE

4677

Business Tap Root Safe Applicants Name Rebecca M Hoffman
 Address 1330 Huffman Rd Unit C Conditions AR 2007-45
 Anchorage, AK 99515
 License Type Restaurant/Eating Place
 Status Valid/Active

AR 2007-45

moved

PARCEL INFORMATION

OWNER

GALLO LIMITED PARTNERSHIP

PO BOX 111846

ANCHORAGE

AK 99511 1846

Deed 3423 0000817

CHANGES: Deed Date Feb 16, 1999

Name Date Feb 24, 1999

Address Date Feb 24, 1999

PARCEL

Parcel ID 018-023-20-000

Status

Renumber ID 000-000-00-00000

Site Addr 1330 HUFFMAN RD

Comm Concl OLD SEWARD-OCEANVIEW

Comments REF 018-023-05/06

WD 2009-075651-0 12/1/2009

01

TAX INFO

2010 Tax 17,680.14 Balance 0.00

District 003

LEGAL

THOMAS W SPERSTAD #1

BLK 2 LT 5A

Unit SQFT 36,798

Plat 850214

Zone B3

Grid SW2832

HISTORY

	Year	Building	Land	Total
Assmt Final	2008	576,900	576,700	1,153,600
Assmt Final	2009	584,200	577,600	1,161,800
Assmt Final	2010	589,700	575,000	1,164,700
Exemptions				0
State Credit				0
Tax Final				1,164,700

PROPERTY INFO

#	Type	Land Use
01	COMMERCIAL	STRIP SHOPPING CTR

SALES DATA

Mon	Year	Price	Source	Type
09	1999	610,000	DEED/T	LAND & BLDG
09	1984	684,000	OTHER	LAND SALE

LAND & COMMON PARCEL INFORMATION

APPRAISAL INFORMATION

Legal THOMAS W SPERSTAD #1
BLK 2 LT 5A

Parcel 018-023-20-000

01 of 01

Owner GALLO LIMITED PARTNERSHIP

Site Addr 1330 HUFFMAN RD

PO BOX 111846
ANCHORAGE

AK 99511

LAND INFORMATION

Land Use STRIP SHOPPING CTR
Class COMMERCIAL
Living Units 000
Community Council 020 OLD SEWARD-OCEANVIEW
Entry: Year/Quality 12 1985 EXTERIOR
00 2010 INTERIOR
Access Quality GOOD
Access Type
Leasehold (Y=Leasehold)
Drainage GOOD
Front Traffic MEDIUM
Street PAVED
Topography EVEN LEVEL
Utilities PUBLIC WATER PUBLIC SEWER
Wellsite N
Wet Land

CONDOMINIUM INFORMATION

Common Area 0
Undivided Interest 0.00

COMMERCIAL INVENTORY

APPRAISAL INFORMATION

Legal THOMAS W SPERSTAD #1
BLK 2 LT 5A

Parcel 018-023-20-000 # 01 of 01

Owner GALLO LIMITED PARTNERSHIP

01

Site Addr 1330 HUFFMAN RD
Prop Info # STRIP SHOPPING CTR

PO BOX 111846
ANCHORAGE AK 99511

BUILDING INFORMATION

Structure Type STRIP SHOPPING CTR

Building SQFT 12,180

Year Built 1985

Grade C+

Effective Year Built 1985

Property Information # 01

Building Number 01

Identical Units 01

Number of Units 000

INTERIOR DATA

Floor	Level	Partitions	Heat System	Air Conditioner	Plumbing	Physical Condition	Functional
01	01	NORMAL	HOT AIR	NONE	ADEQUATE	NORMAL	NORMAL

EXTERIOR DATA

Floor	Level	Size	Perim	Use Type	Hgt	Wall Type	Const Type
01	01	12,180	1,605	MULTI-USE SALES	14	FRAME T-111	WOOD JOIST(WD & STL)

BUILDING OTHER FEATURES - ATTACHED IMPROVEMENTS

Type	Qty	Size1	Size2
COOLER-CHILLER	01	116	1
COOLER-FREEZER	01	156	1
CANOPY- SVC STA	01	161	1
CANOPY- SVC STATION	01	1,546	1

OTHER BUILDINGS AND YARD IMPROVEMENTS

Type	Size/Amt	Units	Yr/Built	Condition	Funct/Utility
PAVING ASPHALT PK	17,000	01	1985	NORMAL	NORMAL
PAVING CONCRETE-AV	2,385	01	1985	NORMAL	NORMAL
MERCURY LIGHT POLE	1	02	1985	NORMAL	NORMAL

OWNER HISTORY

APPRAISAL INFORMATION

Legal THOMAS W SPERSTAD #1
BLK 2 LT 5A

Parcel 018-023-20-000

01 of 01

01

Property Info # Descr STRIP SHOPPING CTR

Site Address 1330 HUFFMAN RD

Current 02/16/99
GALLO LIMITED PARTNERSHIP

PO BOX 111846
ANCHORAGE AK 99511 1846

3rd
2215 0000 11/25/91
NCB PROPERTIES INC

101 W BENSON BLVD
ANCHORAGE AK 99503

Prev
2812 0000 07/24/95
GALLO ABRAHAM

PO BOX 111846
ANCHORAGE AK 99511

4th
1944 0000 09/11/89
KEY BANK OF ALASKA
OREO DEPT

PO BOX 100420
ANCHORAGE AK 99510

2nd
2215 0000 11/25/91
GALLO ABRAHAM & DONNA JO

PO BOX 111846
ANCHORAGE AK 99511

5th
1944 0000 09/11/89
KEY BANK OF ALASKA

P O BOX 100420
ANCHORAGE AK 99510

Content ID: 009435**Type:** AR_AllOther - All Other Resolutions

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING
AN ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A PACKAGE STORE
USE AND LICENSE NUMBER 5002 IN THE B-3 (GENERAL BUSINESS)

Title: DISTRICT, FOR TCCH, INC. DBA WINE HOUSE AT HUFFMAN; LOCATED AT
1330 HUFFMAN ROAD, SUITE H, ON THOMAS W. SPERSTAD #1
SUBDIVISION, BLOCK 2 LOT 5A; GENERALLY LOCATED ON THE SOUTH
SIDE OF HUFFMAN ROAD BETWEEN THE OLD AND NEW SEWARD
HIGHWAYS (Old Seward-Oceanview Community Council) (Case 2010-113).

Author: chambersac**Initiating Dept:** Planning**Date Prepared:** 9/28/10 11:38 AM**Director Name:** Jerry T. Weaver, Jr.**Assembly Meeting Date:** 10/12/10**Public Hearing Date:** 10/12/10

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	10/1/10 10:01 AM	Exit	Joy Maglaqui	Public	009435
MuniManager_SubWorkflow	10/1/10 10:01 AM	Approve	Joy Maglaqui	Public	009435
CFO_SubWorkflow	9/30/10 9:20 PM	Approve	Lucinda Mahoney	Public	009435
Planning_SubWorkflow	9/28/10 12:45 PM	Approve	Jerry Weaver Jr.	Public	009435
AllOtherARWorkflow	9/28/10 12:33 PM	Checkin	Angela Chambers	Public	009435
Planning_SubWorkflow	9/28/10 12:11 PM	Reject	Jerry Weaver Jr.	Public	009435
AllOtherARWorkflow	9/28/10 11:47 AM	Checkin	Angela Chambers	Public	009435