

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Community Development  
Department  
For reading February 1, 2011

CLERK'S OFFICE

**APPROVED**

Date: 2-1-11 Anchorage, Alaska  
AR 2011-31

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY  
APPROVING AN ALCOHOLIC AND BEVERAGES CONDITIONAL USE FOR A  
PACKAGE STORE USE AND LICENSE NUMBER 5002 IN THE I-1 (LIGHT  
INDUSTRIAL) DISTRICT, FOR TCCH, INC., DBA WINE HOUSE AT  
HUFFMAN; LOCATED AT 1320 HUFFMAN PARK DRIVE, SUITE 170, ON  
HUFFMAN BUSINESS PARK SUBDIVISION, TRACT 1; GENERALLY  
LOCATED SOUTH AND WEST OF HUFFMAN PARK DRIVE, NORTH OF  
HUFFMAN ROAD AND EAST OF INDUSTRIAL DRIVE.

(Old Seward-Oceanview Community Council) (Case 2011-009)

THE ANCHORAGE ASSEMBLY RESOLVES:

**Section 1.** A conditional use permit for an Alcoholic Beverages Conditional Use for a new Package Store Use and License Number 5002 in the I-1 (Light industrial) District per AMC 21.40.200B.1.j., for TCCH, Inc., dba Wine House at Huffman; located at 1320 Huffman Park Drive, Suite 170, on Huffman Business Park Subdivision, Tract 1; generally located south and west of Huffman Park Drive, north of Huffman Road and East of Industrial Drive, and generally meets the applicable provisions of AMC 21.50.200 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 I-1 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 I-1 District for a Package Store Use per AMC 21.40.200.B.1.j for approximately 3,626 square feet of gross leasable area located in the structure at 1320 Huffman Park Drive, Suite 170, Anchorage, AK, on Huffman Business Park Subdivision, Tract 1.

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.


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

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

PASSED AND APPROVED by the Anchorage Assembly this 1st day of February 2011.

ATTEST:

  
Chair

  
Municipal Clerk

(Case 2011-009)  
(Tax Parcel ID# 016-191-66)



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

No. AM 64-2011

**Meeting Date:** February 1, 2011

**From: MAYOR**

**Subject: ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A PACKAGE STORE USE AND LICENSE NUMBER 5002 IN THE I-1 (LIGHT INDUSTRIAL) DISTRICT, FOR TCCH, INC., DBA WINE HOUSE AT HUFFMAN; LOCATED AT 1320 HUFFMAN PARK DRIVE, SUITE 170, ON HUFFMAN BUSINESS PARK SUBDIVISION, TRACT 1; GENERALLY LOCATED SOUTH AND WEST OF HUFFMAN PARK DRIVE, NORTH OF HUFFMAN ROAD AND EAST OF INDUSTRIAL DRIVE.**

1 TCCH, Inc. has made application for a new conditional use permit for an alcoholic  
2 beverages conditional use in the I-1 (Light Industrial) District for a Package Store  
3 Use and License Number 5002, dba Wine House at Huffman, located at 1320  
4 Huffman Park Drive, Suite 170.

5  
6 The petition site is a 77,707 square foot lot, generally located south and west of  
7 Huffman Park Drive, north of Huffman Road, and East of Industrial Drive. It  
8 contains a restaurant and bicycle shop.

9  
10 The new package store will occupy 3,626 square feet of the 22,291 square foot  
11 commercial retail building. Hours of operation are as allowed by Municipal  
12 ordinance, and will be Monday through Thursday 10:00 A.M. to 1:00 A.M., Friday  
13 through Saturday 10:00 A.M. to 2:00 A.M., and Sunday 12:00 P.M. to 1:00 A.M.  
14 Employees will be trained in security. The site is well lit.

15  
16 Within 1,000 feet of this application, there are three (3) restaurant/eating place  
17 alcoholic beverages type licenses, two (2) package store licenses, and one (1)  
18 beverage dispensary. There are no known schools or churches within 200 feet of  
19 the petition site, according to Municipal records.

20  
21 There was one comment received from the public in opposition to this conditional  
22 use. The Old Seward-Oceanview Community Council did not provide comments  
23 on the conditional use at the time the report was written. The Assembly denied a

1 conditional use for this request in a different location October 12, 2010. The  
2 previous location was across Huffman Road to the southeast at 1330 Huffman  
3 Road.

4  
5 There are no delinquent Personal Property Taxes or Real Property Taxes owing  
6 at this time. No comments were received from the Anchorage Police Department  
7 or Department of Health and Human Services at the time this report was written.

8  
9 **THIS CONDITIONAL USE FOR A NEW PACKAGE STORE ALCOHOL**  
10 **BEVERAGES USE AND LICENSE NUMBER 5002 IN THE I-1 DISTRICT**  
11 **GENERALLY MEETS THE REQUIRED STANDARDS OF AMC TITLE 10 AND**  
12 **TITLE 21, AND ALASKA STATUTE 04.11.150.**

13  
14 Prepared by: Angela C. Chambers, AICP, Current Planning Section  
15 Supervisor, Planning Division

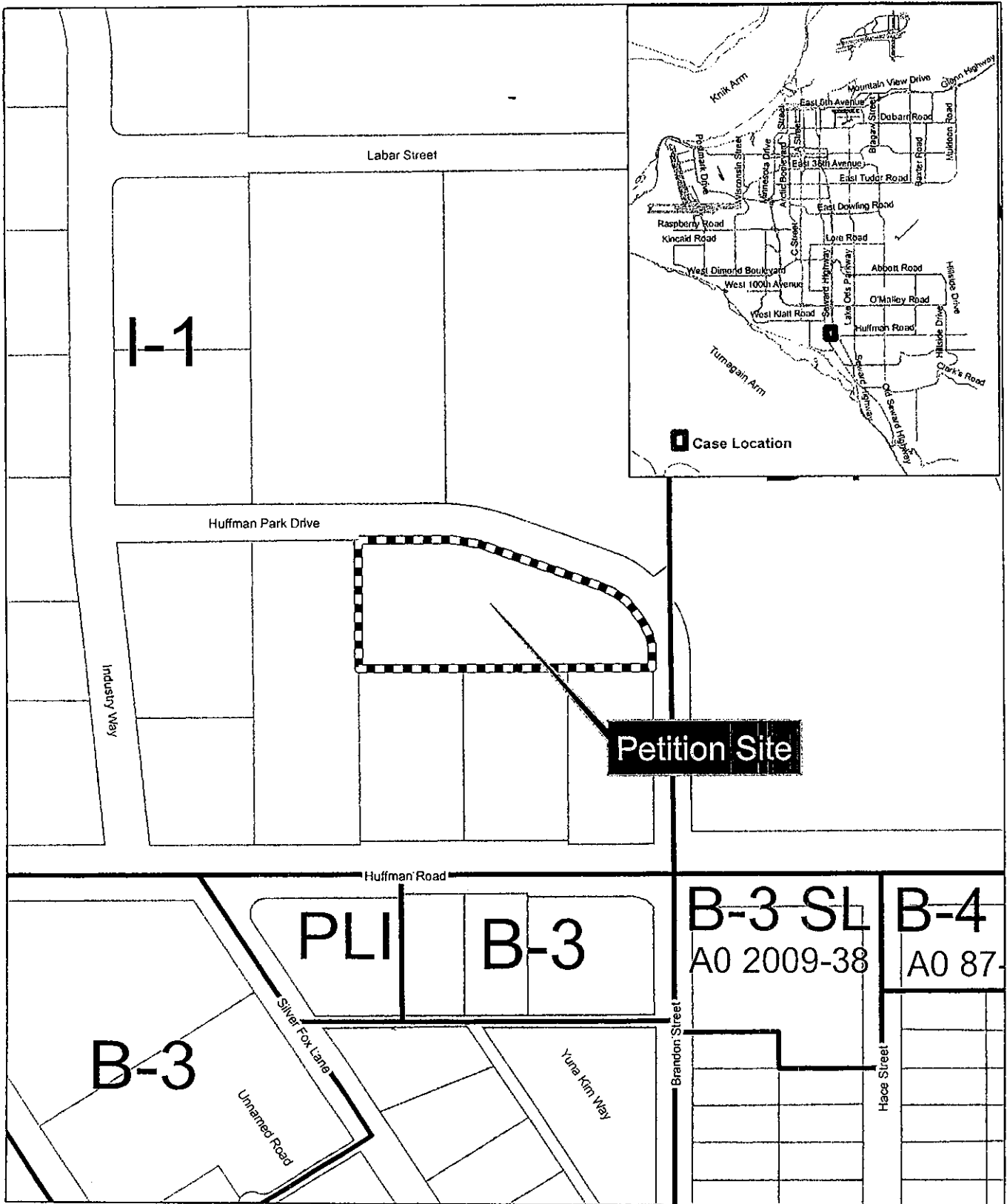
16 Approved by: Jerry T. Weaver Jr, Director  
17 Department of Community Development

18 Concur: Dennis A. Wheeler, Municipal Attorney

19 Concur: George J. Vakalis, Municipal Manager




20 Respectfully submitted: Daniel A. Sullivan, Mayor

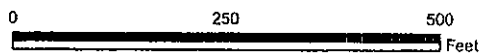
2011-009



Municipality of Anchorage  
Planning Department  
December 15, 2010

**Flood Limits**

	100 Year
	500 Year
	Floodway



**PLANNING DIVISION**

**STAFF ANALYSIS**

**CONDITIONAL USE – ALCOHOLIC BEVERAGE SALES**

**DATE:** February 1, 2011

**CASE NO.:** 2011-009

**APPLICANT:** TCCH, Inc.  
Dba Wine House at Huffman

**REPRESENTATIVE:** Talbot Chang, President  
TCCH, LLC

**REQUEST:** A Conditional Use for Alcoholic Beverages in the I-1 (Light Industrial) District for a Package Store License #5002, per AMC 21.40.200.B.1.j.

**LOCATION:** Huffman Business Park Subdivision, Tract 1

**STREET ADDRESS:** 1320 Huffman Park Drive, Suite 170

**COMMUNITY COUNCIL:** Old Seward-Oceanview

**TAX PARCEL:** 016-191-66/ Grid SW 2732

**ATTACHMENTS** 1. Departmental Comments  
2. Application  
3. Posting Affidavit and Historical Information

**RECOMMENDATION SUMMARY:**

This conditional use generally meets the required standards of AMC Title 10 and Title 21, and State Statute 04.11.150.

**SITE:**

Acres: 77,707 SF  
Vegetation: Street and parking lot landscaping  
Zoning: I-1 (Light Industrial) 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	B-4	I-1	I-1
Land Use:	Post Office	Carrs Grocery Store; Gas Station	Well Fargo Bank; First Care Medical Center	Speedy Glass

### SITE DESCRIPTION AND PROPOSAL:

Based on the application and floor plan diagram, the lease area for the package store is 3,626 square feet out of 22,291 square feet of the mall. The address is 1320 Huffman Park Drive, Suite 170. This is the former location of Ace Hardware. Within the mall are the following businesses: South Side Bistro, Paramount Bicycles, and Sander's Dental Ceramics. The petitioner has applied to the Alcoholic Beverages Control Board for a Package Store license #5002. The use is a specialty wine store. The petitioner has an existing similar use on Jewel Lake Road operating under the same concept. The property is zoned I-1 (Light Industrial District).

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 a.m.; Sunday 12:00 p.m. to 1:00 a.m. as allowed by the Alaska Alcoholic Beverage Control Board. 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 for a new package store license #5002 (The Wine House at Huffman), and is seeking final alcoholic beverages conditional use approval in the I-1 District for a new alcoholic beverages package store per AMC 21.40.200.B.1.j. Within 1,000 feet of this application, there are three restaurant licenses, two package store licenses, and one beverage dispensary license. There are no schools or churches within 200 feet of this site. The Anchorage Faith and Family Church at 12101 Industrial Way is 1,056 feet away from the petition site.

site. The Anchorage Faith and Family Church at 12101 Industrial Way is 1,056 feet away from the petition site.

#### **PUBLIC COMMENTS:**

Fifty-three public hearing notices were mailed on January 6, 2011. At the time this report was written, one person wrote comments opposing the conditional use. Those comments are attached. No comment was received from the Old Seward-Oceanview 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 standard is met.

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 serve alcohol enhance the hospitality and tourism industry in Anchorage, and provide eating places for local residents and downtown employees. Another of the Plan's stated economic development goals are: "Business Support and Development: a quality of life and a financial climate that encourages businesses to start up, expand, or relocate in Anchorage" (p. 41).

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

The standard is met.



The I-1 District zoning regulations allow alcoholic beverage sales through the conditional use permit process, AMC 21.40.200.B.1.j, "Retail food stores and liquor stores. Uses involving the sale (retail), dispensing or service of alcohol beverages may be permitted by conditional use only."

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

The standard is met.

The I-1 District is intended primarily for urban and suburban light manufacturing, processing, storage, wholesale and distribution operations, but also permits limited commercial uses. Regulations are intended to allow efficient use of land while at the same time making the district attractive and compatible for a variety of uses.

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 three restaurant/eating place licenses, two package store licenses, and one 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. The Anchorage Faith and Family Church at 12101 Industrial Way is 1,056 feet away from the petition site.

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

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

The standard is met.

The I-1 District states 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.

Based on the retail and restaurant uses on the lot a total of 105 parking spaces are required. The site plan shows 106 spaces. 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.**

The 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.**

The 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.**

The 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
Tap Root Cafe	1330 E. Huffman Rd	License #4677	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.

The 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.

The 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.

The 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**

The 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 I-1 District to allow a package store use and license per AMC 21.40.200.B.1.j for 1320 Huffman Park Drive, Suite 170, 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 I-1 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 I-1 District for a Package Store Use per AMC 21.40.200.B.1.j for approximately 3,626 square feet of gross leasable area located in the structure at 1320 Huffman Park Drive, Suite 170, Anchorage, AK, on Huffman Business Park Subdivision, Tract 1.
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.

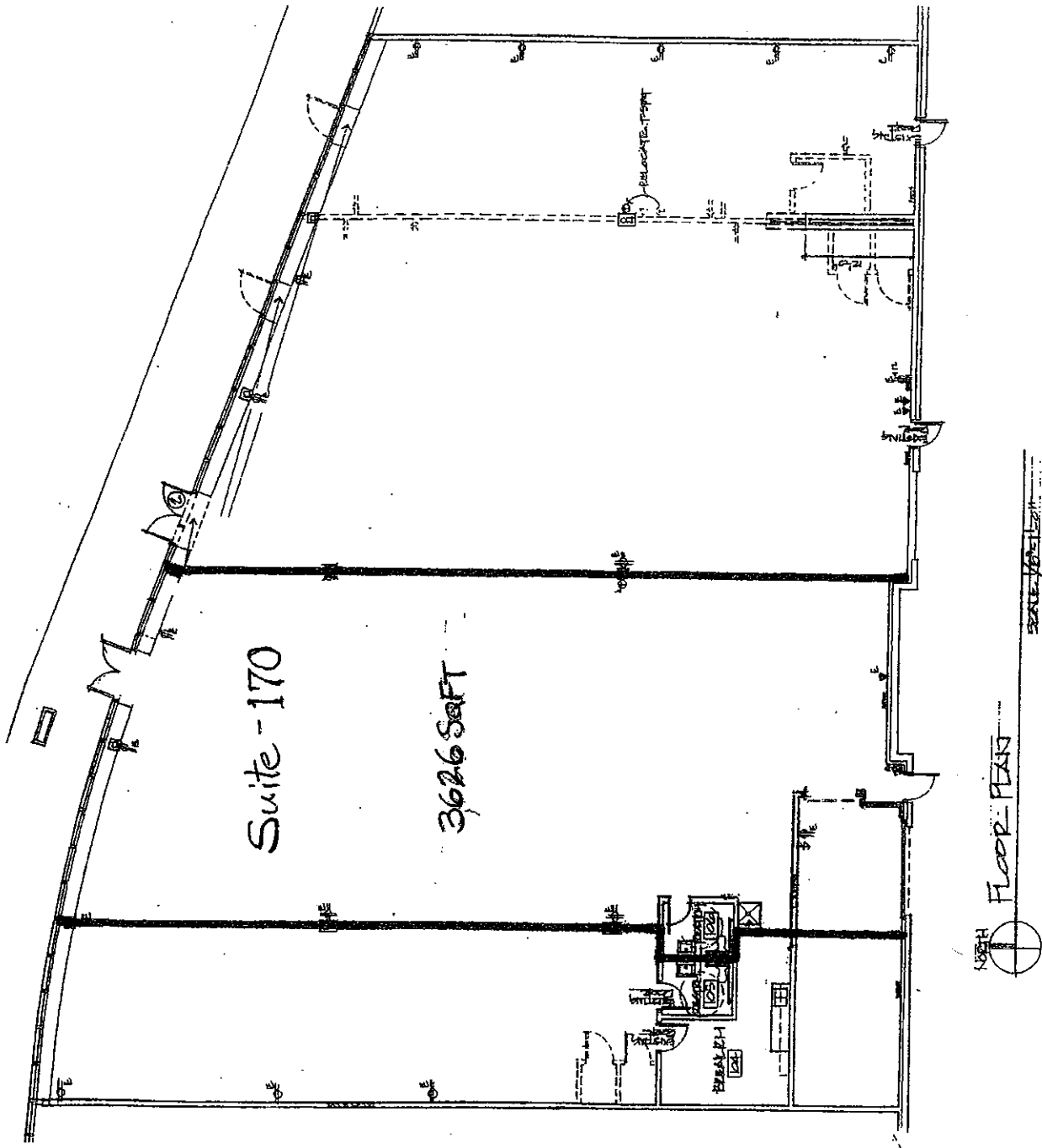
7. A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premise at a location visible to the public.

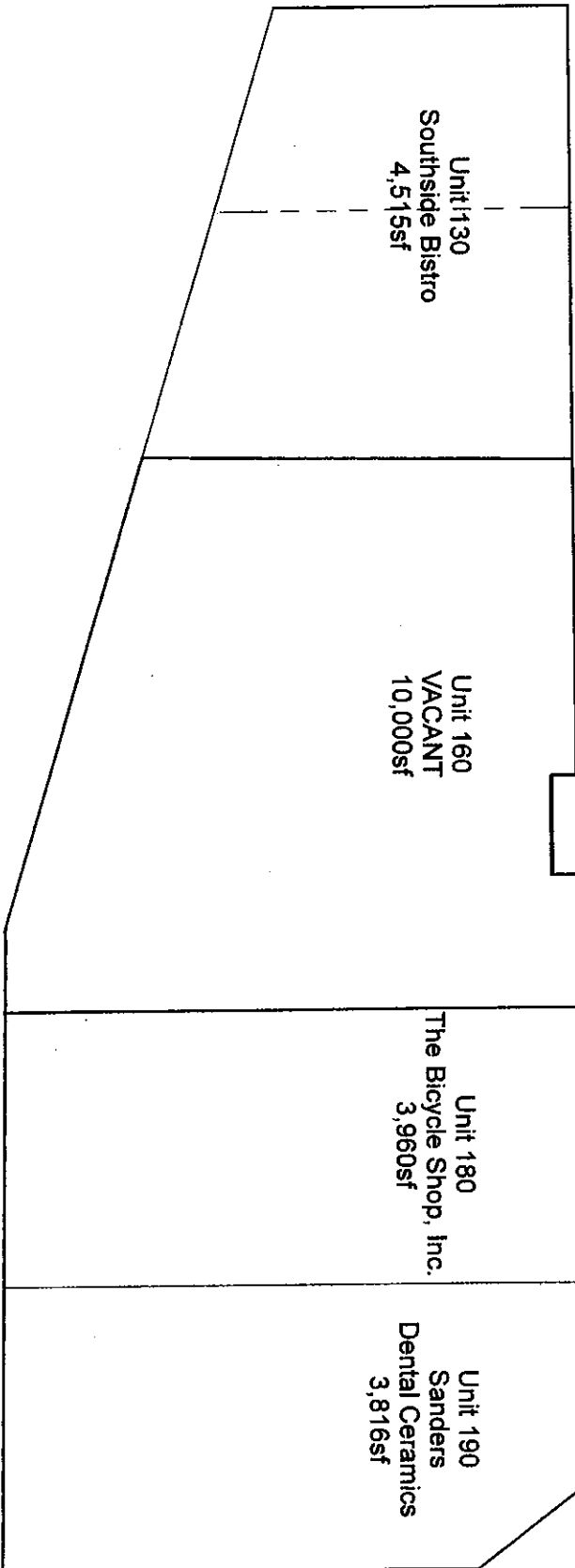






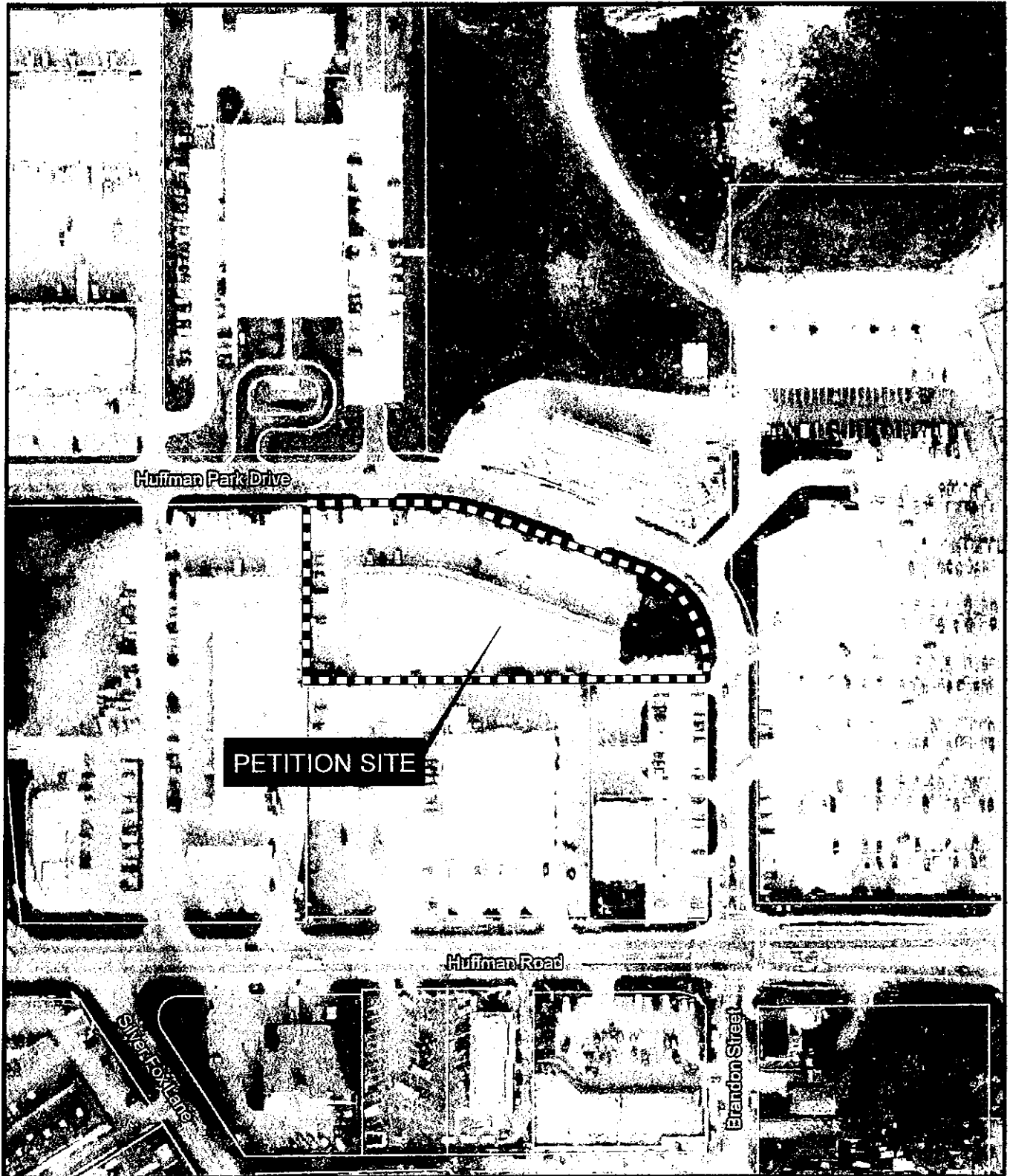
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Huffman Business Park  
Building S

2011-017



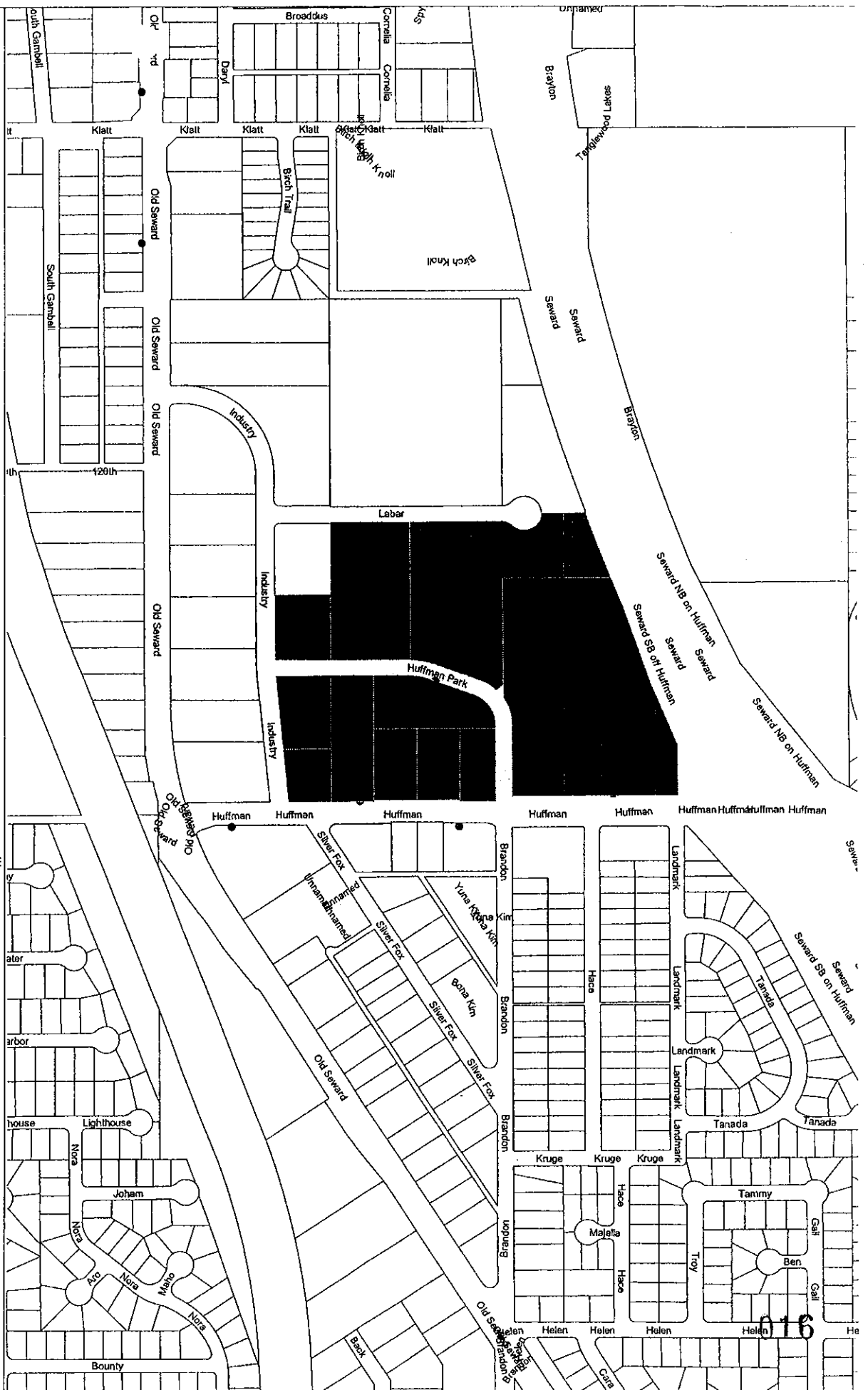
Municipality of Anchorage  
Planning Department  
January 3, 2011

0 200 400 Feet

ORTHOPHOTO 2007 USGS 1FT



015



**Distance 600'**

Fri Dec 10, 16:13:01, 2010

Map: Parcels--Basic Layers

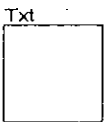


Scale 1:6000

**Legend:**



ALCOHOL

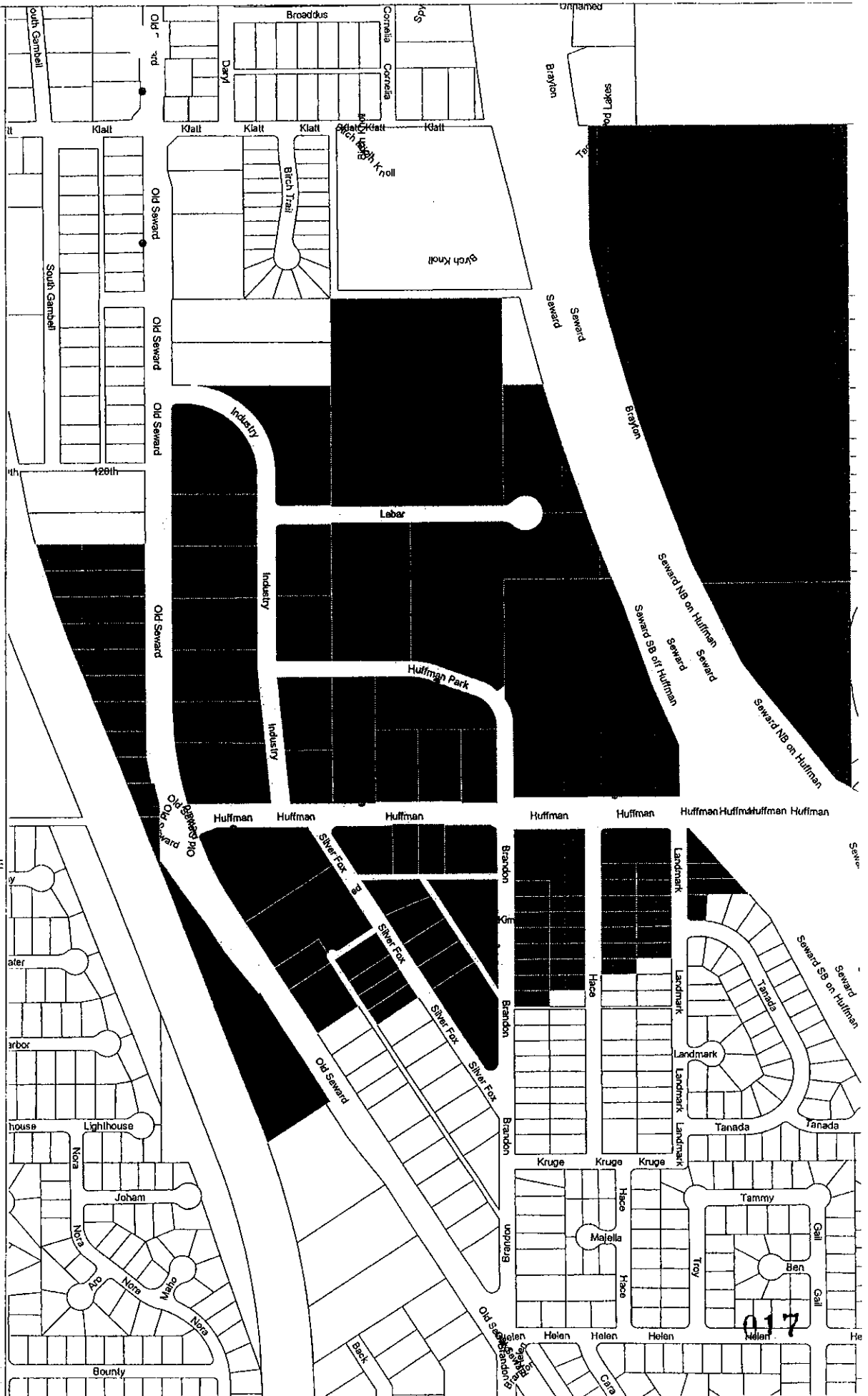


STREET\_NAME

PARCELS

CityView™

Municipal Software Corporation



018

# Alcohol Church and School List Report

Case Number: 2011-009

Description: 200'

Parcel	Parcel Owner Name	Parcel Site Address	Description
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019

Report Date: 12/10/2010

Page 1

# Alcohol Existing License List Report

Case Number: 2011-009 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	GALLO LIMITED PARTNERSHIP Rebecca Mohlman	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

020



# Departmental Comments

# Zoning and Platting Cases On-line

## View Case Comments

[Submit a Comment](#)

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

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

1. Select a Case:

[View Comments](#)

RECEIVED

JAN 05 2011

2. View Comments:

MUNICIPALITY OF ANCHORAGE  
PLATTING DIVISION

**Case Num:** 2011-009

Assembly conditional use for an alcoholic beverage package store

**Site Address:** 1320 HUFFMAN PARK DR

**Location:** An Assembly conditional use for an alcoholic beverage package store. Wine House at Huffman. Huffman Business Park, Tract 01. Located at 1320 Huffman Park Drive, Suite 170.

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

## Public Comments

1/5/11

Joan Diamond

5700 Rabbit Creek Rd.  
Anchorage ak 99516

Dear Assembly, Last November, I addressed the Assembly about a CUP for Talbot Chang to locate a package store license on Huffman Rd. It was denied. He again is applying for a permit to locate in the same neighborhood off Huffman Rd in the old Ace Hardware Store. Though it is just "north" of the last location it is still located in the same overly saturated neighborhood. We still have 5 package stores within a mile of a family centered business district. The same problems apply to any area with a high density of liquor stores. This business will compete against much larger stores, Tesoro and Carrs, Holiday Gas, Value Liquor and Wine Styles. Increased density of liquor stores constitutes lower prices and can contribute to increased consumption and neighborhood crime. Anchorage has a long history with this continuing situation. We have done very little to reduce binge drinking, drinking and driving and alcohol related violence in the last 30 years. Measures such as lower density of liquor stores can have a positive effect on neighborhood tranquility. The owner, Talbot Chang, was able to purchase a new package store license for \$1600 from the Alcohol Beverage Control Board, State of Alaska instead of paying the market price of ~ \$75000. The state had issued additional licenses, according to the ABC Office, because the Anchorage population had increased after the last census. The number of licenses, both full beverage dispensary and package stores are based on population. Though the State regulates the number and kind of liquor licenses, it is the Municipality of Anchorage who authorizes the location of that license. As Community councils have become more aware of the associated problems, they have voted to deny CUPs in their neighborhoods. As a result, owners like Talbot Chang cannot find a place to sell his alcohol. Mr. Talbot has little to loose if his business fails. Once the CUP is approved, Mr. Talbot can sell the license for \$75,000 or more, to another buyer because the location has been approved. This puts the neighborhood in the foreseeable future at risk of crime and increased problems. As the Assembly has cut city services that respond to community violence, this is

022

not a time to add more liquor to the problem. Please deny this permit for this location. Thank you, Joan Diamond Rabbit Creek Road 345-6192

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

**Municipality Of Anchorage  
ANCHORAGE WATER & WASTEWATER UTILITY**

**M E M O R A N D U M**

**RECEIVED**

**JAN 05 2010**

**MUNICIPALITY OF ANCHORAGE  
PLATTING DIVISION**

**DATE:** January 5, 2010

**TO:** Angela Chambers, Supervisor, Planning Section, Planning Division

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

**SUBJECT: Zoning Case Comments**  
Planning & Zoning Commission Hearing February 1, 2011  
Agency Comments due January 4, 2010

AWWU has reviewed the materials and has the following comments.

**11-009 HUFFMAN BUSINESS PARK TR O1, A request concept/final approval of a conditional use to permit: an alcoholic beverage package store, Grid SW2732.**

1. AWWU water and sanitary sewer are available to this parcel.
2. AWWU has no objection for this conditional use permit.

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

# MUNICIPALITY OF ANCHORAGE



Community Development Department  
Development Services Division

Private Development Section

*Mayor Dan Sullivan*

**RECEIVED**

JAN 05 2010

MUNICIPALITY OF ANCHORAGE  
PLATTING DIVISION

## MEMORANDUM

### Comments to Miscellaneous Planning and Zoning Applications

**DATE:** January 5, 2011  
**TO:** Angela Chambers – Manager, Zoning and Platting  
**FROM:** Don Keefer, Private Development Manager  
**SUBJECT:** Comments for Assembly Public Hearing date: February 1, 2011

**Case No. 2011-009 – Huffman Business Park Tract 01**

A request for concept/final approval of a conditional use to permit an alcoholic beverage package store.

Private Development has no objection to the conditional use.

025

Municipality of Anchorage  
Treasury Division  
Memorandum

---

**Date:** December 22, 2010  
**To:** Angela Chambers  
Patty Long  
Planning Dept.  
**From:** Diana Flavin, Revenue Officer  
**Subject:** Liquor License Conditional Use Comments

**RECEIVED**

DEC 23 2010

MUNICIPALITY OF ANCHORAGE  
PLATTING DIVISION

Request for conditional use permit 2011-009 for TCCH, Inc. dba Wine House at Huffman located at 1330 Huffman Road, Anchorage, AK.

I find no outstanding taxes on this account and have no reason to protest it.

# Application



THE LAW OFFICES OF  
ERNOUF & COFFEY

*A Professional Corporation*

3606 Rhone Circle  
Suite 110  
Anchorage, AK 99508  
t: 907/274-3385  
f: 907/274-4258

December 8, 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***

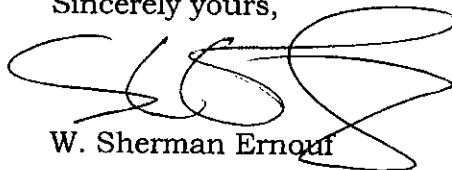
Dear Ms. Inglis:

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. Please also find included in this packet a research request dated 11/30/10 and a receipt for the As built, and landscaping survey to go with this application.

We filed an application for this matter previously in August of this year at a different location at 1330 Huffman Road. This application was denied by a vote of the Assembly due to neighborhood concerns that it backed up to residential homes. My client found a new location across the street at 1320 Huffman Road, Suite 170, which ameliorates these concerns and meets all of the requirements of local law. Clearly, the denial of his first application has cost my client significant time and money. As such, we would respectfully ask that the Department process this application as soon as is possible to afford him an opportunity to get this business running early in 2011.

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,



W. Sherman Ernouf

Enclosure: CUP 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 H, 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@gci.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): 016 191 66 000 18		
Site Street Address: 1320 Hoffman Park Drive Ste-170 Anchorage AK 99515		
Property Owner (if not the Petitioner): Hoffman Bldg 5 LLC		
Current legal description: (use additional sheet in necessary) Hoffman Business Park TR 01		
Zoning: I1	Acreage: 77,707	Grid # SW 2732

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 12-7-10	Signature (Agents must provide written proof of authorization) 
-----------------	--

Accepted by: \_\_\_\_\_ Poster & Affidavit: \_\_\_\_\_ Fee: \_\_\_\_\_ Case Number: \_\_\_\_\_

**COMPREHENSIVE PLAN INFORMATION**Anchorage 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.

12-7-10      *[Signature]*

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?

3,626 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 10:00am - 1:00pm / Friday & Saturday 10am - 2am

What will be the business hours that alcoholic beverages will be sold or dispensed? Sunday 12pm - 1am

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
None	

### 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 or alcoholic beverage licenses within the Municipality of Anchorage, the Assembly shall consider whether the proposed license meets **each and every factor and standard** set forth below.

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

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

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?

Approx 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.

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

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

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

*inside facility:*

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 1320 Huffman Road, Suite 170. The proposed licensed premise is located in between the 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. 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 TCCH, Inc. 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 I-1. 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 1320 Huffman Road Suite 170 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.

STATE OF ALASKA  
ALCOHOL BEVERAGE CONTROL BOARD  
Licensed Premises Diagram

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

**DBA:** Wine House at Huffman

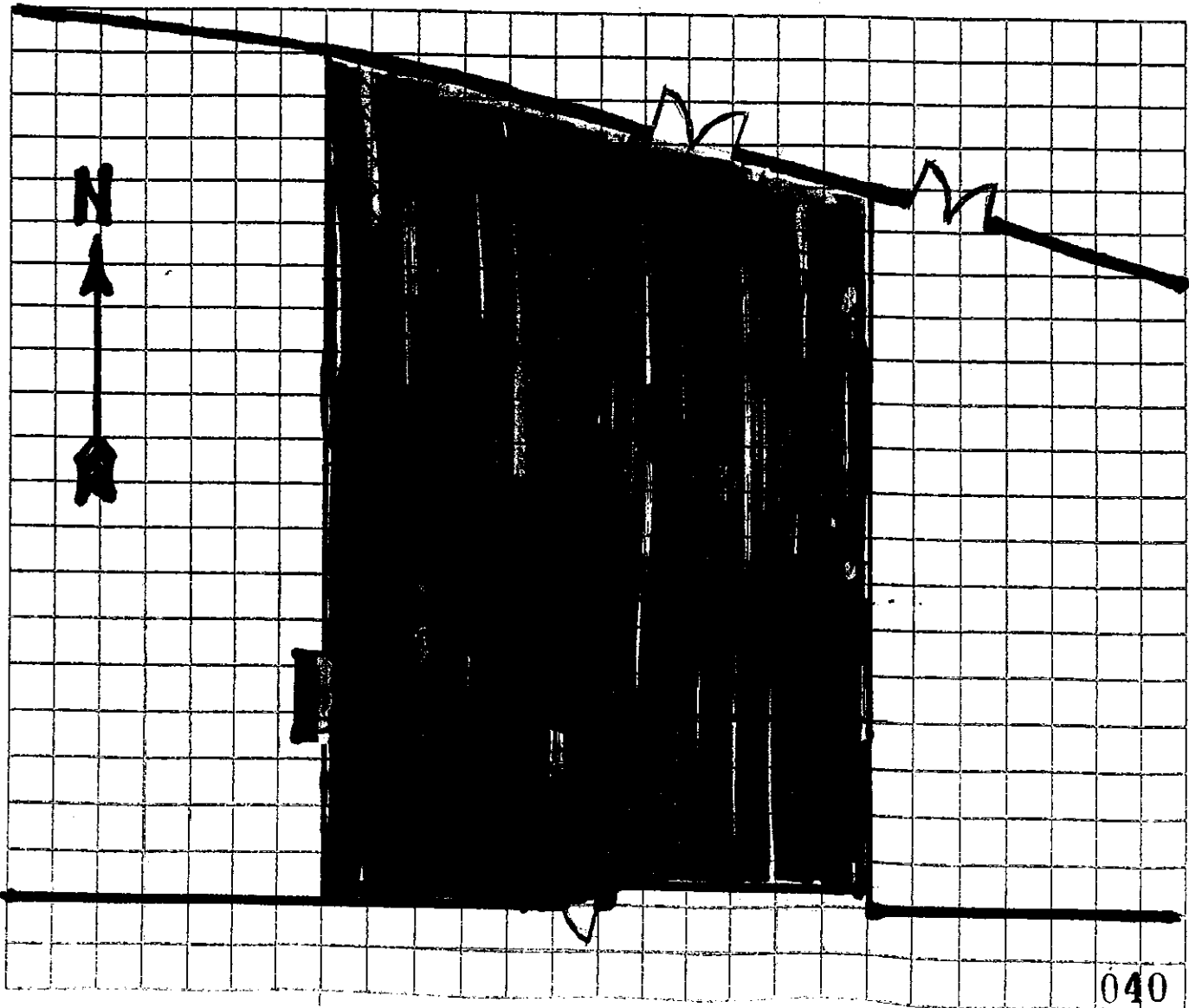
**PREMISES LOCATION:** 1320 Huffman Park Drive Suite-170 Anchorage, AK 99515

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

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

Length and width of premises in feet:

Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.  
**DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.**















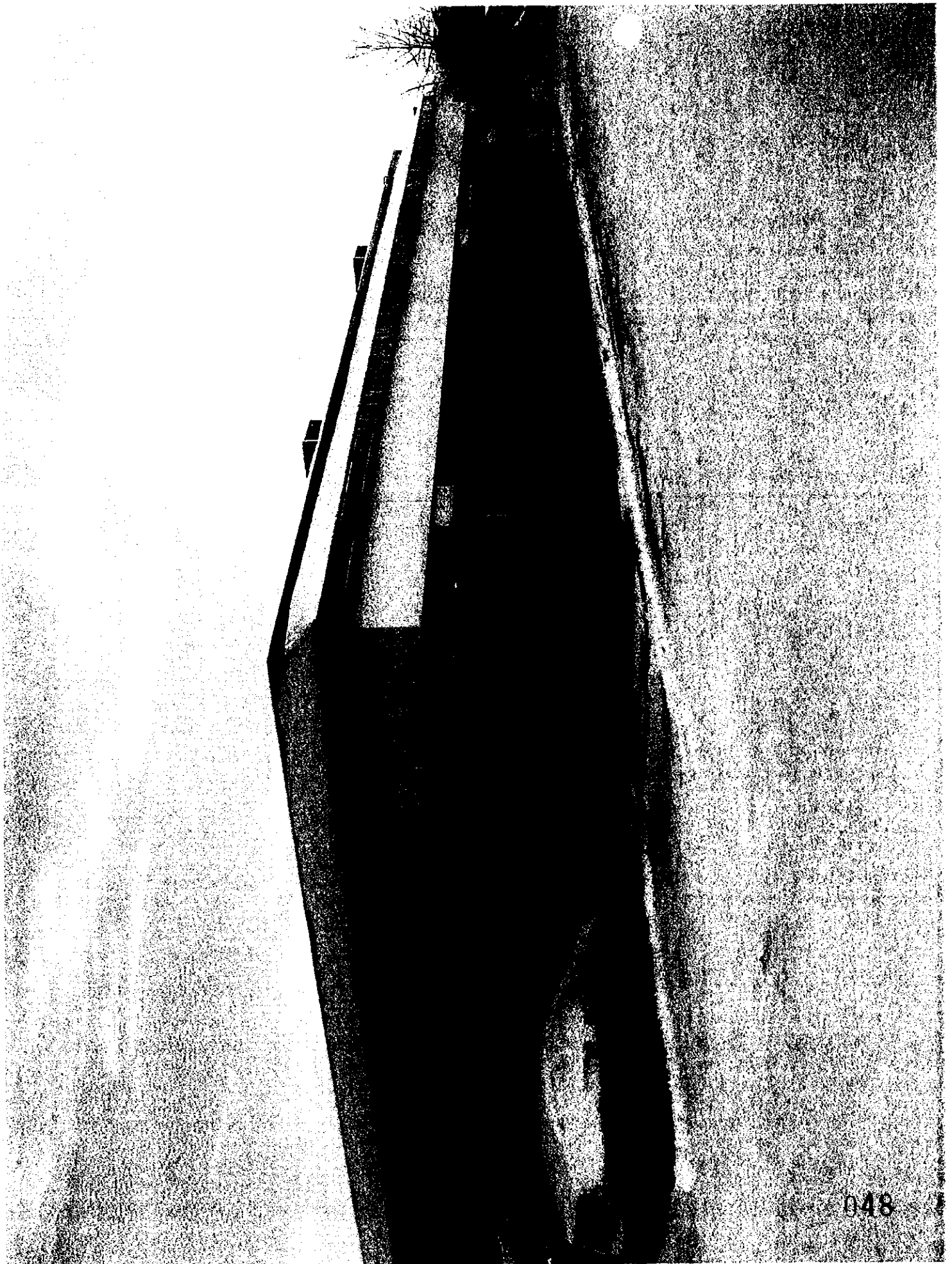
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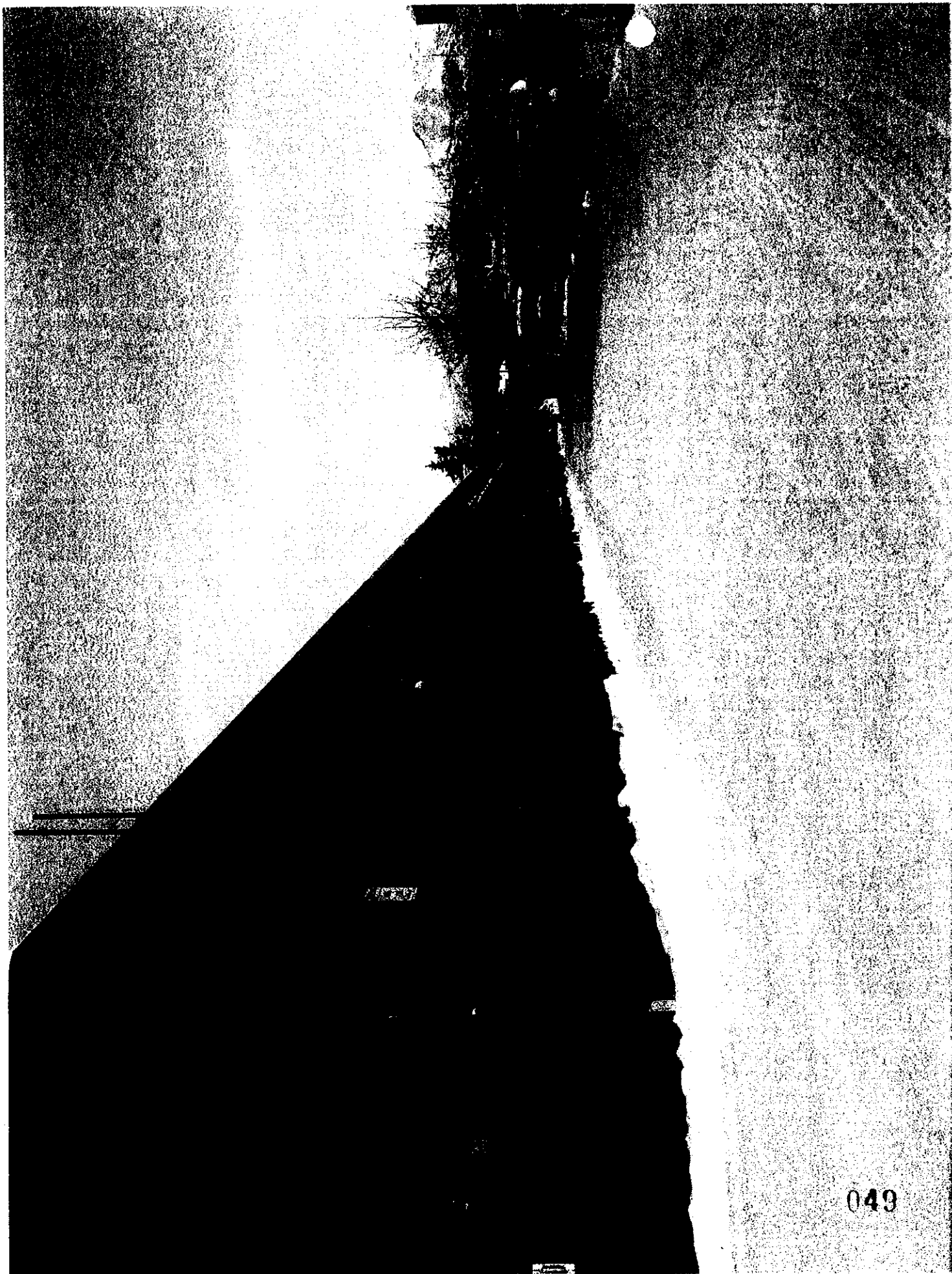
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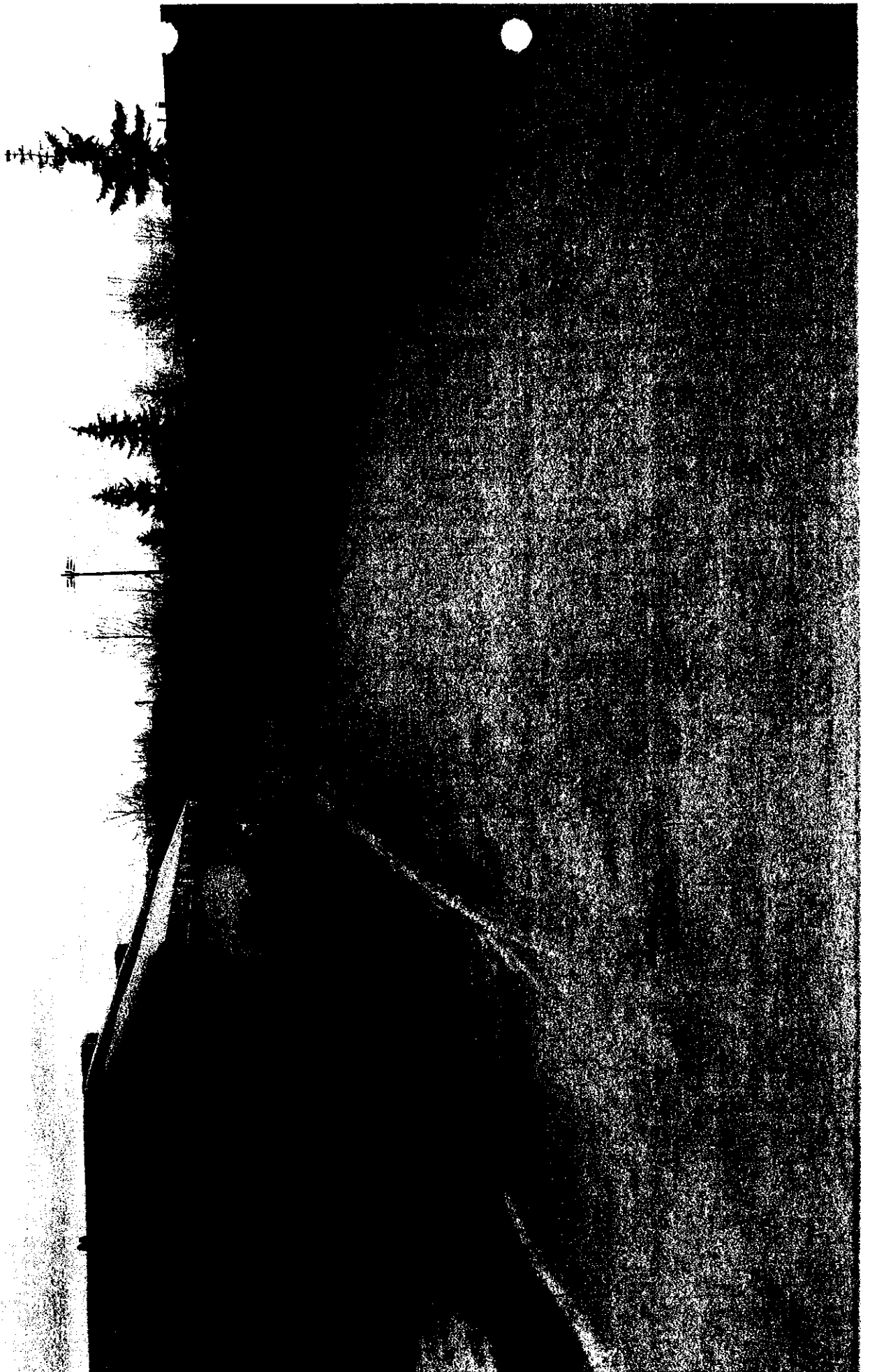
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Rope House

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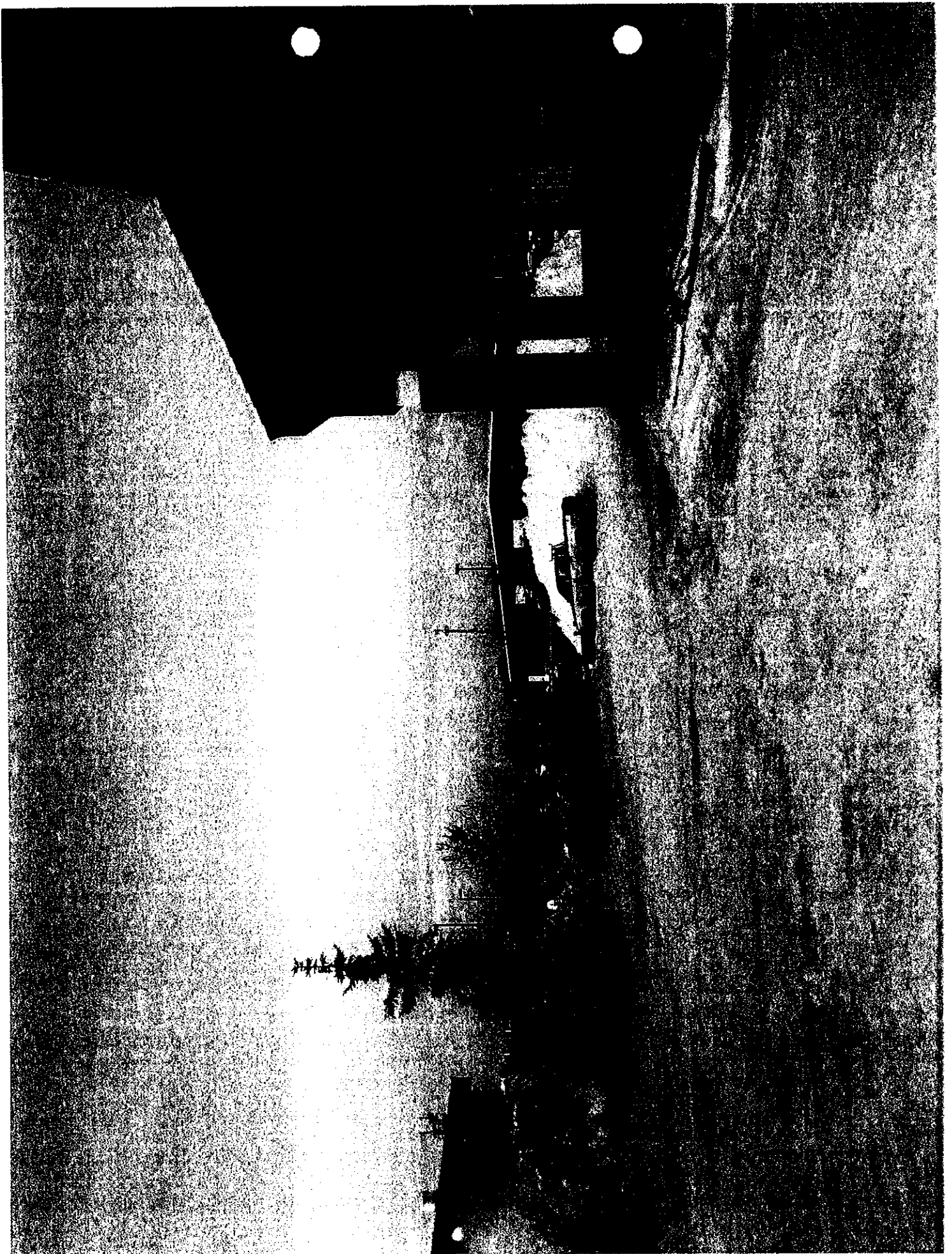








051





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 \_\_\_\_\_  
☒ Full 2-year period Mo/Day Mo/Day

SECTION A. LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: 2011-2012	License Type: Package Store	Statute Reference	License Fee: \$
(Office Use Only) License #: 5002		Sec. 04.11. 150	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 99501		Fingerprint: (\$54.25 per person)
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership):  TCCH Inc.	Doing Business As (Business Name): <b>Wine House at Huffman</b>	Business Telephone Number: (907)349-7646  Fax Number: (907)349-7046	Total Submitted: \$1600.00
Mailing Address: 3318 Checkmate Dr. City, State, Zip: Anchorage, AK 99508	Street Address or Location of Premise: <b>1320 Huffman Park Drive Suite-170 Anchorage, AK 99515</b>	Email Address: checkmate@gci.net	

SECTION B. PREMISES TO BE LICENSED. Must be completed.	
Closest school grounds OceanView Elementary 11911 Johns Rd. Anchorage	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____
Closest church: Sunset Hill Baptist Church 12230 Old Seward Hwy. Anchorage, AK 99515	<i>Distance measured under:</i> <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"/> 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  <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 Blvd.	AK
TCCH Inc.	Wine House at Jewel Lake	Package Store	8841 Jewel Lake Rd.	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

053

# Liquor License

<b>Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.</b>			
Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership) TCCH Inc.		Telephone Number 349-7646	Fax Number 349-7046
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)349-7646 / 3318 Checkmate Dr. Anchorage, AK 99508		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 <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

<b>Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)</b>					
Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Talbot Chang	Pres.	50	3318 Checkmate Dr. Anchorage, AK 99508	349-7646	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.**

<b>Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)</b>			
Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address:	Date of Birth:	Address:	Date of Birth:
Home Phone:		Home Phone:	
Work Phone:		Work Phone:	
Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
Address:	Date of Birth:	Address:	Date of Birth:
Home Phone:		Home Phone:	
Work Phone:		Work Phone:	

<b>Declaration</b>
<ul style="list-style-type: none"><li>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.</li><li>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.</li><li>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.</li><li>I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.</li></ul>

<b>Signature of Licensee(s)</b>	
Signature	Signature
Name & Title (Please Print) Talbot H Chang President	Name & Title (Please Print)
Subscribed and sworn to before me this 19th day of OCTOBER, 2010.	Subscribed and sworn to before me this
Notary Public in and for the State of Alaska Alexis Moseley	Notary Public in and for the State of Alaska
My commission expires: 7/21/2012	My commission expires:

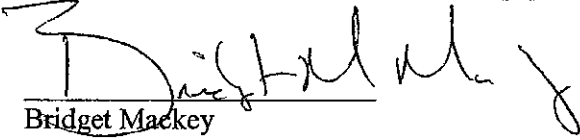
New License App 3/09

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

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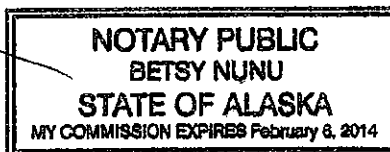
I, Bridget Mackey, advertising representative for Anchorage Publishing, Co., verify that the liquor license correction notice for TCCH Inc. appeared in the November 11, 2010 issue of the Anchorage Press Newspaper.

  
Bridget Mackey

Subscribed and sworn to me in the Municipality of Anchorage, in the state Alaska, on this 30th day of November, 2010

  
Notary Public Signature

16th February 2014  
Commission Expires



**ANCHORAGE PUBLISHING, CO.**

540 E. Fifth Avenue

Anchorage, Alaska 99501

Phone: 561-7737 Fax: 561-7777

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**Liquor License  
Notice New  
Package Store**

TCCH Inc. is making application for a new package store AS 04.11.150 liquor license, d/b/a Wine House at Huffman Park located at 1330 Huffman Park Dr, 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.

I, Bridget Mackey, advertising representative for Anchorage Publishing, Co., verify that the liquor license notice for TCCH Inc. appeared in the October 21, and October 28, and November 4, 2010 issues of the Anchorage Press Newspaper.

  
Bridget Mackey

Subscribed and sworn to me in the Municipality of Anchorage, in the state Alaska, on this 30th day of November, 2010

  
Notary Public Signature

10th February 2014  
Commission Expires

**NOTARY PUBLIC**

**BETSY NUNU**

**STATE OF ALASKA**

MY COMMISSION EXPIRES February 8, 2014

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

**CERTIFICATE**  
**OF**  
**INCORPORATION**  
**Business Corporation**

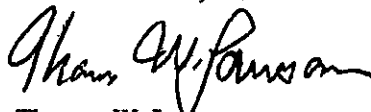
The undersigned, as Commissioner of Community and Economic Development of the State of Alaska, hereby certifies that Articles of Incorporation of

**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:

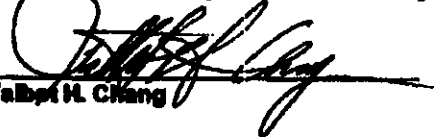
Talbot H. Chang  
3318 Checkmate Drive  
Anchorage, Alaska 99508

The physical and mailing address is the same.

**ARTICLE V**

No alien affiliate exists.

Signed by the incorporator this 30<sup>th</sup> 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

# Posting Affidavit and Historical Information





# AFFIDAVIT OF POSTING

Case Number: 2011-009

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 4 Jan 2011 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 18<sup>th</sup> day of January, 2011.

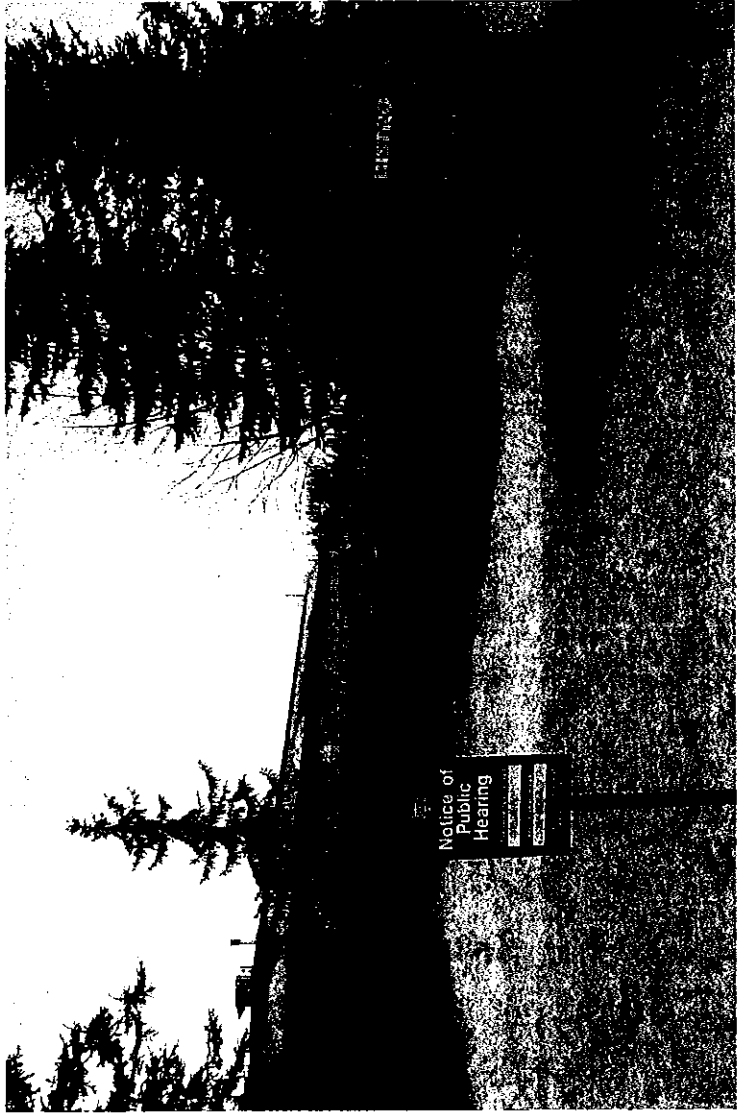
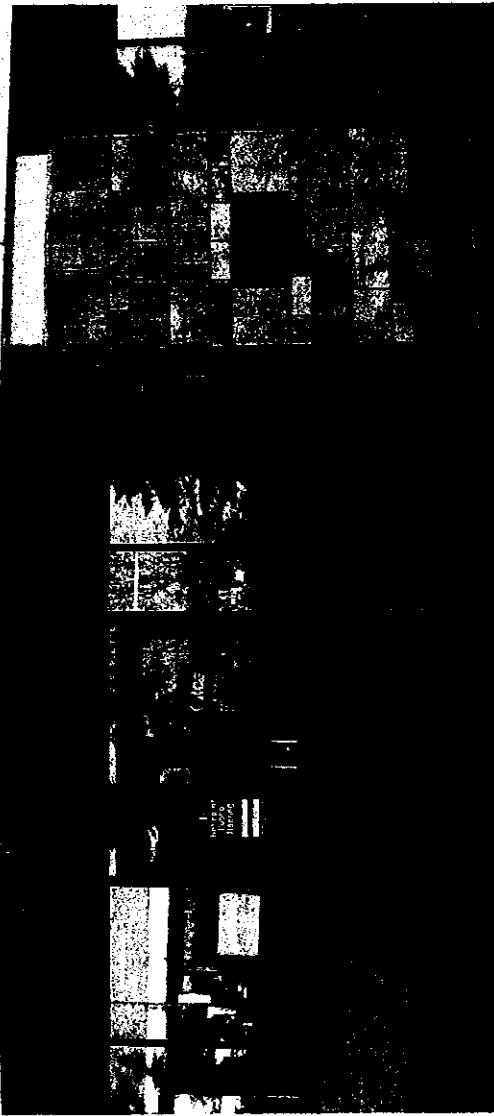
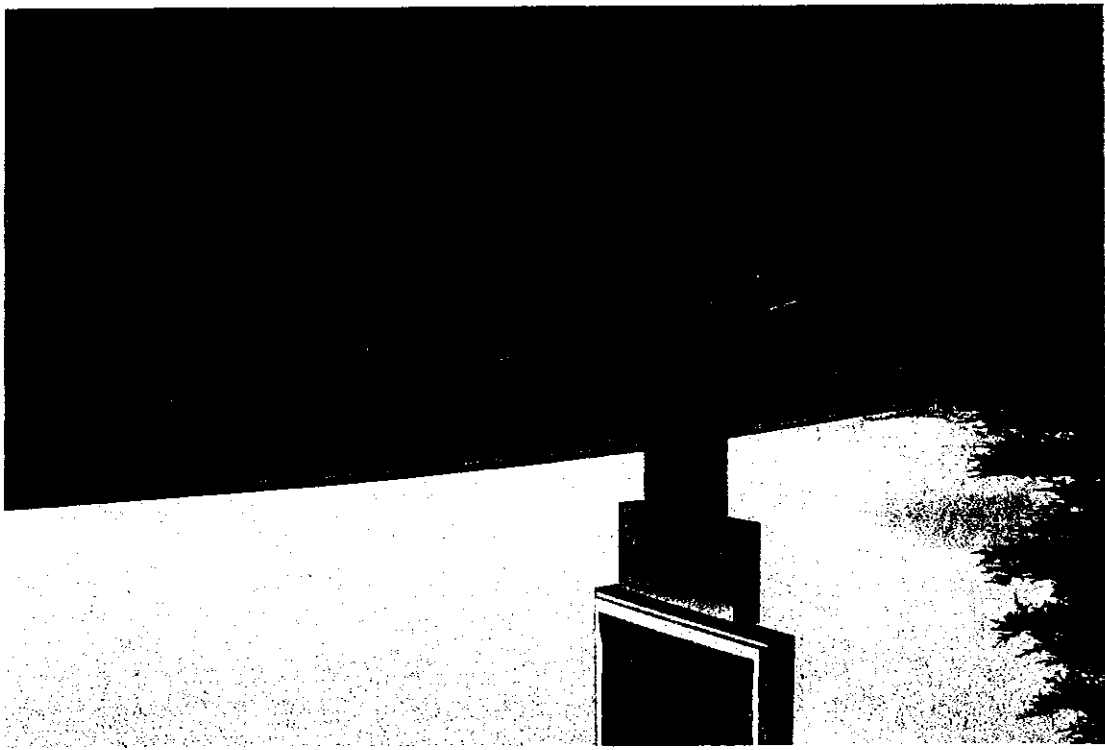
Signature 

## LEGAL DESCRIPTION

Tract or Lot Tract 1

Block

Subdivision Huffman Business Park Subdivision



**Content ID:** 009814**Type:** AR\_AllOther - All Other Resolutions

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC AND BEVERAGES CONDITIONAL USE FOR A PACKAGE STORE USE AND LICENSE NUMBER 5002 IN THE I-1 (LIGHT INDUSTRIAL) DISTRICT, FOR TCCH, INC., DBA WINE HOUSE AT HUFFMAN; LOCATED AT

**Title:** 1320 HUFFMAN PARK DRIVE, SUITE 170, ON HUFFMAN BUSINESS PARK SUBDIVISION, TRACT 1; GENERALLY LOCATED SOUTH AND WEST OF HUFFMAN PARK DRIVE, NORTH OF HUFFMAN ROAD AND EAST OF INDUSTRIAL DRIVE (Old Seward-Oceanview Community Council) (Case 2011-009)

**Author:** chambersac

**Initiating Dept:** Planning

**Date Prepared:** 1/20/11 4:41 PM

**Director Name:** Jerry T. Weaver, Jr.

**Assembly Meeting Date:** 2/1/11

**Public Hearing Date:** 2/1/11

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	1/21/11 1:46 PM	Exit	Joy Maglaqui	Public	009814
MuniManager_SubWorkflow	1/21/11 1:46 PM	Approve	Joy Maglaqui	Public	009814
CFO_SubWorkflow	1/21/11 11:17 AM	Approve	Lucinda Mahoney	Public	009814
Commun_Dev_SubWorkflow	1/21/11 10:22 AM	Approve	Jerry Weaver Jr.	Public	009814
Planning_SubWorkflow	1/21/11 10:21 AM	Approve	Jerry Weaver Jr.	Public	009814
AllOtherARWorkflow	1/20/11 4:47 PM	Checkin	Angela Chambers	Public	009814

NEW PUBLIC HEARINGS