

CLERK'S OFFICE  
**APPROVED**

Date: 6-28-11

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Community Development  
Department  
For reading June 28, 2011

**Anchorage, Alaska  
AR 2011-174**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY  
APPROVING AN ALCOHOL BEVERAGES CONDITIONAL USE FOR A  
BEVERAGE DISPENSARY USE AND LICENSE NUMBER 1625, IN THE B-3  
SL (GENERAL BUSINESS WITH SPECIAL LIMITATIONS) DISTRICT FOR  
FIRETAP TIKAHNTU, LLC, DBA FIRETAP ALEHOUSE AND RESTAURANT;  
LOCATED AT 1148 NORTH MULDOON ROAD, PAD M; GATEWAY  
SUBDIVISION, TRACT A, FRAGMENT LOT 17B; GENERALLY LOCATED  
NORTH OF THE GLENN HIGHWAY AND SOUTH AND WEST OF NORTH  
MULDOON ROAD.**

(Northeast Community Council) (Case 2011-067)

**THE ANCHORAGE ASSEMBLY RESOLVES:**

**Section 1.** A conditional use permit for an Alcoholic Beverages Conditional Use for a Beverage Dispensary Use and License Number 1625, in the B-3 SL (General Business with Special Limitations) district for Firetap Tikahtnu, LLC, dba Firetap Alehouse and Restaurant, located at 1148 North Muldoon Road, Pad M; Gateway Subdivision, Tract A, Fragment Lot 17B, generally located north of the Glenn Highway and south and west of North Muldoon Road, and generally meets the applicable provisions of AMC 21.15.030, AMC 21.40.180D.8, 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 beverage dispensary in the B-3 SL district.

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

3. This alcoholic beverages conditional use approval is for a Beverage Dispensary Use and License number 4847 in the B-3 SL (General Business with Special Limitations) district per AMC 21.15.030, AMC 21.40.180.D.8 and AMC 21.50.160 for approximately 5,580 square feet of gross leasable area located in the 42,435 square foot building at 1148 North Muldoon Road, Pad M,

1 Anchorage, Alaska 99504, on Gateway Subdivision, Tract A, Fragment Lot 17B,  
2 per Plat 2009-105.

3  
4 4. On-premise sale of alcohol beverages will be seven days a week as  
5 permitted per the Alaska Alcoholic Beverage Control Board requirements.

6  
7 5. All employees will be trained in accordance with the Alcoholic Beverage  
8 Control Board's "Liquor Server Awareness Training Program." Upon demand,  
9 the applicant shall demonstrate compliance with a liquor "Server Awareness  
10 Training Program" approved by the State of Alaska Alcoholic Beverage Control  
11 Board, such as or similar to, the program for "Techniques in Alcohol  
12 Management (T.A.M.)."

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

22  
23 7. A copy of the conditions imposed by the Assembly in connection with this  
24 conditional use approval shall be maintained on the premise at a location  
25 visible to the public.

26  
27 **Section 3.** Failure to comply with the conditions of this conditional use permit  
28 shall constitute grounds for its modification or revocation.

29  
30 **Section 4.** This resolution shall become effective immediately upon passage  
31 and approval by the Anchorage Assembly.

32  
33 PASSED AND APPROVED by the Anchorage Assembly this 28<sup>th</sup> day of  
34 June, 2011.

35  
36 ATTEST:

  
Chair

  
Municipal Clerk

(Case 2011-067)  
(Tax Parcel ID# 006-441-29)



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

No. AM 366-2011

**Meeting Date:** June 28, 2011

**From: MAYOR**

**Subject: AN ALCOHOL BEVERAGES CONDITIONAL USE FOR A BEVERAGE DISPENSARY USE AND LICENSE NUMBER 1625, IN THE B-3 SL (GENERAL BUSINESS WITH SPECIAL LIMITATIONS) DISTRICT FOR FIRETAP TIKAHNTU, LLC, DBA FIRETAP ALEHOUSE AND RESTAURANT; LOCATED AT 1148 NORTH MULDOON ROAD, PAD M; GATEWAY SUBDIVISION, TRACT A, FRAGMENT LOT 17B; GENERALLY LOCATED NORTH OF THE GLENN HIGHWAY AND SOUTH AND WEST OF NORTH MULDOON ROAD.**

1 Firetap Tikahtnu, LLC, dba Firetap Alehouse and Restaurant, has made  
2 application for an alcoholic beverages conditional use for a beverage dispensary  
3 use and license number 1625, in the B-3 SL (General Business with Special  
4 Limitations) district, located at 1148 North Muldoon Road, Pad M; Gateway  
5 Subdivision, Tract A, Fragment Lot 17B.

6  
7 The petition site is approximately 42,435 square feet, generally located north of  
8 the Glenn Highway and south and west of North Muldoon Road. The site is  
9 located within the Tikahtnu Mall development which has several businesses.

10  
11 The restaurant has approximately 5,580 square feet of gross leasable floor space.  
12 Hours of operation are as allowed by Municipal ordinance and the Anchorage  
13 Beverage Control Board, and are generally proposed to be from 11:00 AM to 1:30  
14 AM, seven days a week. All employees will be trained in accordance with the  
15 Alcoholic Beverage Control Board's Liquor Server Awareness Training Program.

16  
17 Within 1,000 feet of this application, there is one Beverage Dispensary License,  
18 one Beverage Dispensary Tourism License and one Package Store License.  
19 There are no known schools or churches within 200 feet of this site.

20  
21 There was no comment received from the public in opposition to this conditional  
22 use. The Northeast Community Council did not comment either.

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

5 **THIS ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A BEVERAGE**  
6 **DISPENSARY USE AND LICENSE NUMBER 1625, IN THE B-3 SL DISTRICT**  
7 **GENERALLY MEETS THE REQUIRED STANDARDS OF AMC TITLE 10 AND**  
8 **TITLE 21, AND ALASKA STATUTE 04.11.090.**  
9

10 Prepared by: Angela C. Chambers, AICP, Current Planning Section  
11 Supervisor, Planning Division

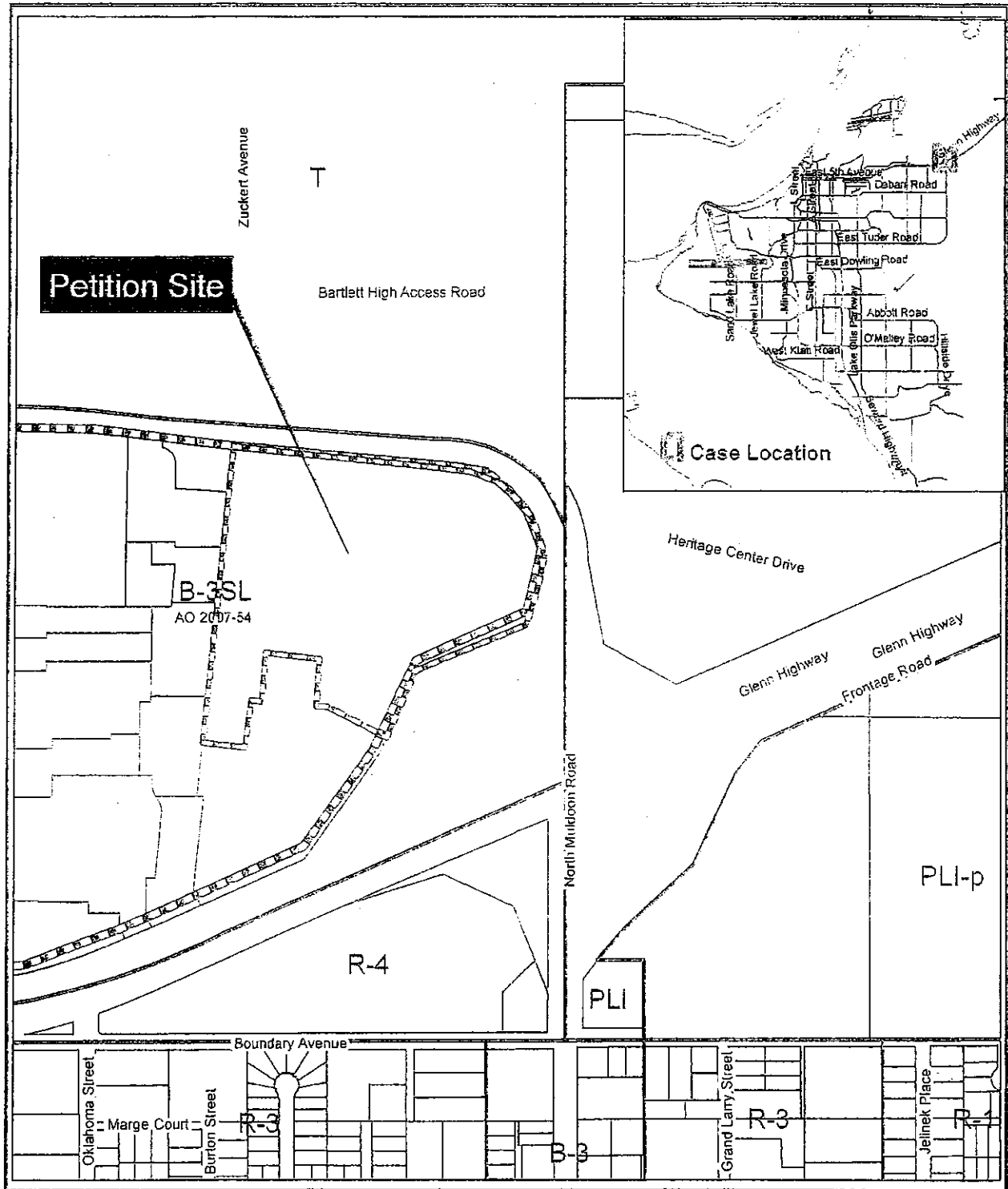
12 Approved by: Jerry T. Weaver Jr, Director  
13 Community Development Department

14 Concur: Dennis A. Wheeler, Municipal Attorney

15 Concur: George J. Vakalis, Municipal Manager

16 Respectfully submitted: Daniel A. Sullivan, Mayor

# 2011-067



Municipality of Anchorage  
Planning Department

Date: May 03, 2011

## Flood Limits

- 100 Year
- 500 Year
- Floodway

0 312.5 625 1,250 Feet



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

**DATE:** June 28, 2011

**CASE NO.:** 2011-067

**APPLICANT:** Firetap Tikahtnu, LLC, dba Firetap Alehouse and Restaurant

**REPRESENTATIVE:** Jack Lewis

**REQUEST:** An alcoholic beverages conditional use for a beverage dispensary use and license #1625, in the B-3 SL (General Business with Special Limitations) district per AMC 21.15.030, AMC 21.40.180.D8, and AMC 21.50.160.

**LOCATION:** Gateway Subdivision, Tract A, Fragment Lot 17B

**STREET ADDRESS:** 1148 North Muldoon Road, Pad M, Anchorage, Alaska 99504

**COMMUNITY COUNCIL:** Northeast

**TAX PARCEL:** 006-441-29 / Grid SW114031

**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 04.11.090.

**SITE:**

Acres: ±42,435 SF lot; ±5,580 SF building

Vegetation: Developed

Zoning: B-3 SL (General Business with Special Limitations per AO 2007-54)

Topography: Flat

Existing Use: Commercial Mall

Soils: Public sewer and water

**COMPREHENSIVE PLAN – Anchorage 2020 Plan**

Classification: Not identified in the *1982 Anchorage Bowl Comprehensive Development Plan's* Generalized Land Use Plan

Density: Not identified in the *Anchorage 2020 Land Use Policy Map*  
N/A

### **SURROUNDING AREA**

	NORTH	EAST	SOUTH	WEST
Zoning:	T	PLI	R-4	T
Land Use:	Department of Veteran's Affairs	Bartlett High School; Alaska Native Heritage Center	Glenn Highway; Residential	Military Base

### **SITE DESCRIPTION AND PROPOSAL:**

The subject property is approximately 42,435 square feet located within the Tikahtnu Mall development. The subject property contains a commercial building with several businesses. The petitioner has applied to the Alcoholic Beverages Control Board for Beverage Dispensary license #1625 for a gross leasable floor area of approximately 5,580 square feet of floor space. The property is zoned B-3 SL per AO 2007-54.

Hours of operation are as allowed by Municipal ordinance and the Anchorage Beverage Control Board, with normal business hours from 11:00 AM to 1:30 AM, seven days a week. All employees will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program.

The site plan shows 40 fixed seats and 172 non-fixed seats for a total of 212 seats. The restaurant's parking requirement is met.

The petitioner made application to the Alcoholic Beverage Control Board to transfer a beverage dispensary license (#1625) from 207 East Northern Lights Boulevard #210 to this site, and is seeking final alcoholic beverages conditional use approval in the B-3 SL district per AMC 21.15.030, AMC 21.40.180.D8 and AMC 21.50.160. Within 1,000 feet of this application, there is one Beverage Dispensary License and one Package Store License. There are no known schools or churches within 200 feet of this site.

### **PUBLIC COMMENTS:**

Seventy-four public hearing notices were mailed on June 6, 2011. At the time this report was written, no public comments were received. Also, no comments were received from the Northeast Community Council.

### **FINDINGS**

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

The standard is met.

The subject property is not identified in the 1982 *Anchorage Bowl Comprehensive Development Plan's* Generalized Land Use Plan or in the *Anchorage 2020* Land Use Policy Map.

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 B-3 SL district zoning regulations allow alcoholic beverage sales through the conditional use permit process.

**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.

There are commercial, restaurant, retail, and office uses surrounding the petition site.

AMC 21.50.160.B asks that a list of all alcohol licenses located within a minimum of 1,000 feet of the proposed conditional use be provided. There is one Beverage Dispensary License and one Package Store License within a 1,000-foot radius of the petition site. Approving this beverage dispensary conditional use will add a third 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.**

The standard is met.

The B-3 SL district states that off-street parking shall be provided. Adequate off-street parking is provided at this site. There is an adequate entrance/exit driveway for vehicles to North Muldoon Road.

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

The standard is met.

A new beverage dispensary license 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 and the Building Safety, Police, and Fire service areas.

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

The standard is met.

As a land use, a beverage dispensary conditional use and license will not cause or contribute to any environmental pollution. The on-street parking 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 beverage dispensary 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 license and second beverage dispensary license within 1,000-feet.

Brown Jug	1106 North Muldoon Road	License #4558	Package Store
Red Robin	1106 North Muldoon Road	License #3304	Beverage Dispensary

- 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 is 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:**

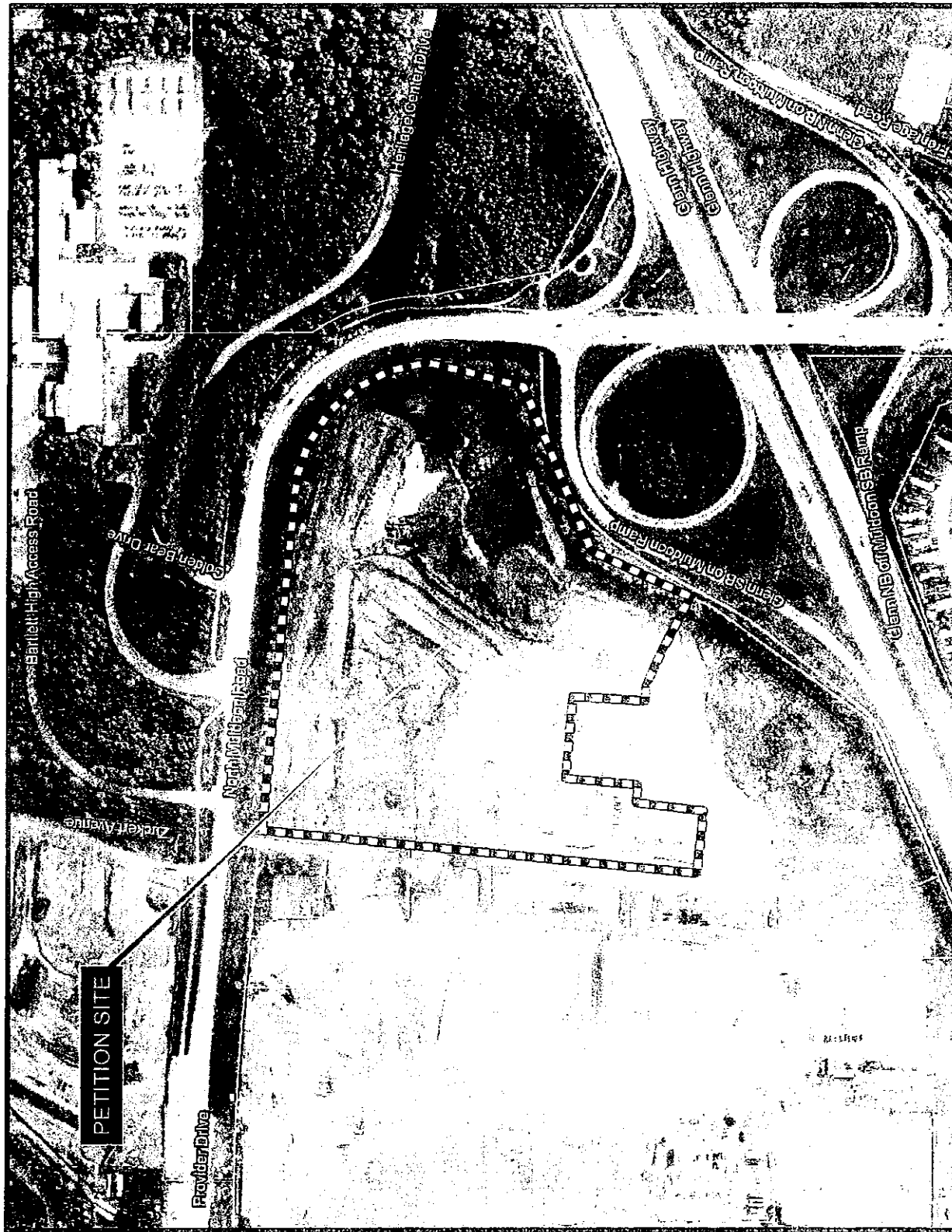
This application for an alcoholic beverages conditional use for a beverage dispensary use and license #1625, in the B-3 SL (General Business with Special Limitations) district per AMC 21.15.030, AMC 21.40.180.D.8, and AMC 21.50.160, generally meets the required standards of AMC Title 10 and Title 21.

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 beverage dispensary in the B-3 SL district.
2. All uses shall conform to the plans and narrative submitted with this conditional use application.
3. This alcoholic beverages conditional use approval is for a Beverage Dispensary Use and License #4847 in the B-3 SL (General Business) district per AMC 21.15.030, AMC 21.40.180.D.8 and AMC 21.50.160 for approximately ±5,580 square feet of gross leasable area located in the ±42,435 square foot building at 1148 North Muldoon Road, Pad M, Anchorage, Alaska 99504, on Gateway Subdivision, Tract A, Fragment Lot 17B, per Plat 2009-105.

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.

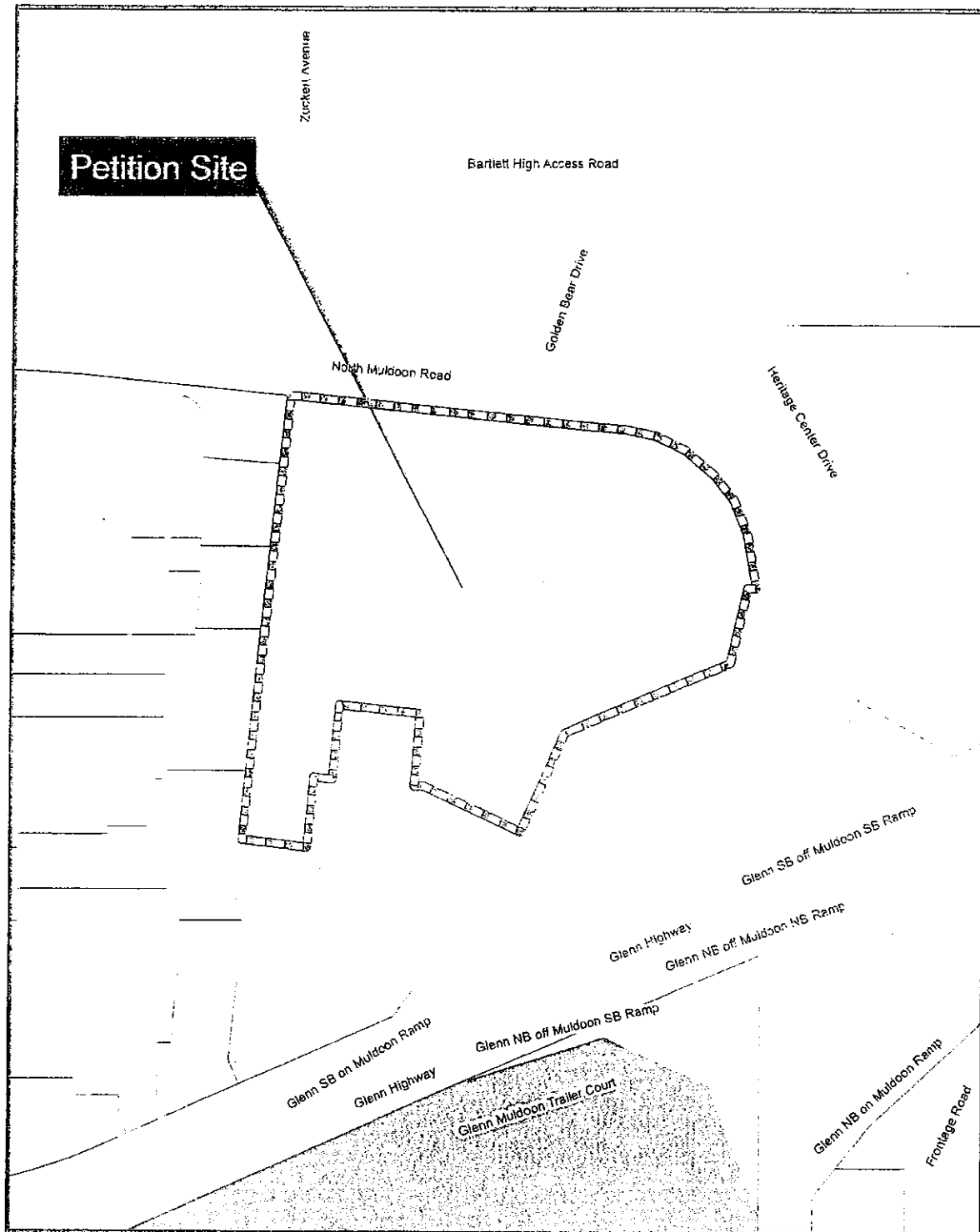
2011-067



Municipality of Anchorage  
Planning Department




Date: May 03, 2011

2011-067



Municipality of Anchorage  
Planning Department

Date: May 03, 2011

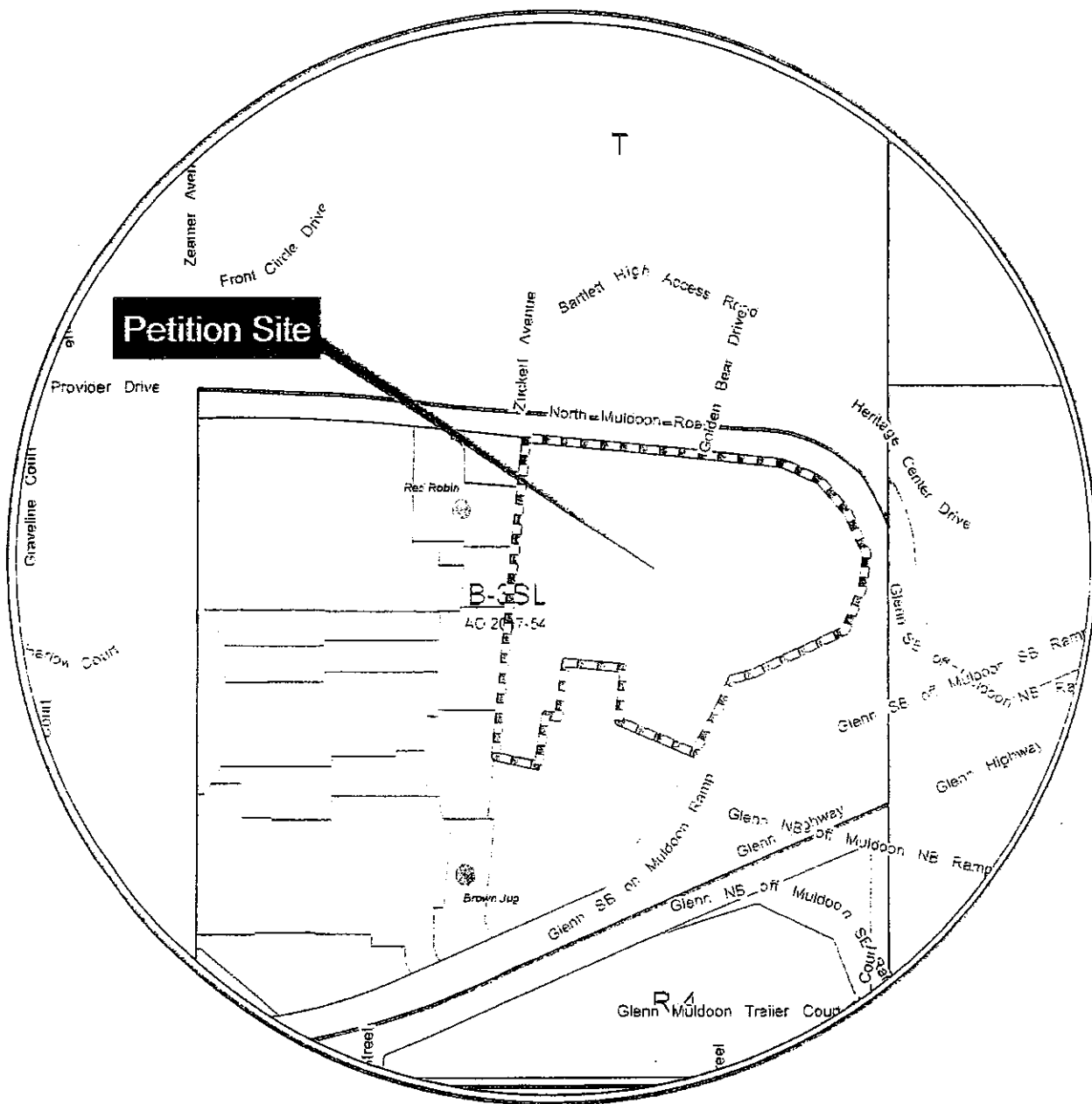
-  Mobile Home Park
-  Multi-Family
-  Single Family

0 130 260 520 Feet



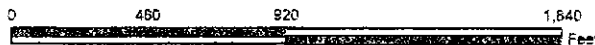
2011-067

EXISTING LIQUOR LICENSES WITHIN 1000'



Municipality of Anchorage  
Planning Department

Date: June 02, 2011





# Alcohol Existing License List Report

Case Number: 2011-067 Description: 1000'

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
0063411000 Brown Jug - Tikahtnu Commons	NORTH ANCHORAGE REAL ESTATE Liquor Stores USA North, Inc	1556 PARKSIDE DR 1106 N. Muldoon Rd #110	WALNUT CREE 4558	CA B3SL	94596 Package Store
00644121000 Red Robin	NORTH ANCHORAGE REAL ESTATE Gourmet Ventures, Inc.	1556 PARKSIDE DR 1190 N. Muldoon Road	WALNUT CREE 3304	CA B3SL	94596 Beverage Dispensary

# *Alcohol Church and School List Report*

Case Number: 2011-067      Description: 200'

Parcel	Parcel Owner Name	Parcel Site Address	Description
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## Departmental Comments

Municipality of Anchorage  
Treasury Division  
Memorandum

RECEIVED

MAY 20 2011

MUNICIPALITY OF ANCHORAGE  
PLATTING DIVISION

**Date:** May 19, 2011  
**To:** Patty Long,, Planning Dept.  
**From:** Daisy VanNortwick, Revenue Officer  
**Subject:** Liquor License Conditional Use Comments

Request for Conditional use permit 2011-067 for Firetap Ale House located at 1148 N Muldoon. We have researched this application, and find no back taxes owed, thus no reason to protest this license.

Thanks  
Daisy VanNortwick  
343-6940

# MUNICIPALITY OF ANCHORAGE



Planning & Development Services Dept.  
Development Services Division

Building Safety

## MEMORANDUM

### Comments to Miscellaneous Planning and Zoning Applications

**DATE:** May 23, 2011

**TO:** Angela Chambers, Manager, Zoning and Platting

**FROM:** Ron Wilde, P.E.  
Building Safety

**SUBJECT:** Comments for Case 2011-067

RECEIVED

MAY 23 2011

MUNICIPALITY OF ANCHORAGE  
PLATTING DIVISION

No Comment.

# MUNICIPALITY OF ANCHORAGE



Community Development Department  
Development Services Division

Private Development Section

RECEIVED

Mayor Dan Sullivan

MAY 26 2011

## MEMORANDUM

MUNICIPALITY OF ANCHORAGE  
PLATTING DIVISION

### Comments to Planning and Zoning for Assembly Public Hearing Applications/Petitions

**DATE:** May 26, 2011  
**TO:** Angela Chambers, Current Planning Section Supervisor  
**FROM:** Pam Ronning, Private Development  
**SUBJECT:** Assembly Public Hearing date: June 28, 2011

Case 2011-067 – A request for Assembly hearing for a conditional use to permit an alcoholic beverage dispensary use at Gateway Subdivision, Tract A, a portion of Fragment Lot 17B (Firetap Alehouse and Restaurant located in the Tikahtnu Commons)

*Private Development has no objection to this request for conditional use.*

*Regarding the site plan, the petitioner is alerted to the requirement to coordinate submission of a drainage analysis and calculations to Private Development under building and/or land use permitting. Final plans with appropriate details will be required prior to approval of the building or land use permit.*

# Application

# Application for Conditional Use Retail Sale Alcoholic Beverages

Municipality of Anchorage  
Planning Department  
PO Box 198850  
Anchorage, AK 99519-6650

Please fill in the information asked for below.

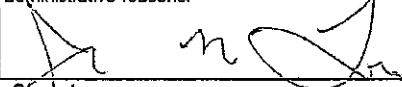
PETITIONER*	PETITIONER REPRESENTATIVE (IF ANY)
Name (last name first) Firetap Tikahtnu, LLC	Name (last name first) Lewis Jack
Mailing Address 6400 Gunnison Drive	Mailing Address 6400 Gunnison Drive
Anchorage, Alaska 99516-3164	Anchorage, Alaska 99516
Contact Phone: Day: 907-561-2337 Night: 907-444-3791	Contact Phone: Day: 561-2337 Night: 561-3791
FAX: 907-561-2336	FAX: 561-2336
E-mail: jackyukonjack@aol.com	E-mail: jackyukonjack@aol.com

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

PROPERTY INFORMATION		
Property Tax # (000-000-00-000): 006-441-29-000		
Site Street Address: 1148 N Muldoon Rd, Pad M Anchorage		
Property Owner (if not the Petitioner): NORTH ANCHORAGE REAL ESTATE		
Current legal description: (use additional sheet in necessary)  GATEWAY TR A FRAGMENT LT 17B G:1140  Parcel 00644129000		
Zoning: B-3 SL	Acreage:	Grid # SW1140

ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE PROPOSED		
<input checked="" type="checkbox"/> Beverage Dispensary	<input type="checkbox"/> Private Club	<input type="checkbox"/> Restaurant, exempt
<input type="checkbox"/> Beverage Dispensary-Tourism	<input type="checkbox"/> Public Convenience	<input type="checkbox"/> Theater
<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Recreational	<input type="checkbox"/> Other (Please explain):
<input type="checkbox"/> Package Store	<input type="checkbox"/> Restaurant	
Is the proposed license: <input type="checkbox"/> New <input checked="" type="checkbox"/> Transfer of location: ABC license number: 1625		
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 4-28-11	Signature (Agents must provide written proof of authorization) 		
Accepted by: FM	Poster & Affidavit: 2 posters	Fee: 11,000	Case Number: 2011-067



**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: S-11550-1☐ Preliminary Plat ☒ Final Plat - Case Number(s): S-11549-1☐ Conditional Use - Case Number(s):☐ Zoning variance - Case Number(s):☐ Land Use Enforcement Action for☒ Building or Land Use Permit for CB11-1109 New Construction☐ Wetland permit: ☐ Army Corp of Engineers ☒ Municipality of Anchorage**DOCUMENTATION**

Required: ☒ Site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location.

☒ Building plans to scale depicting: floor plans indicating the location of sales and service areas; building elevations (photographs are acceptable).

☒ Photographs of premises from each street frontage that include and show relationship to adjacent structures and the premises visible street address number.

☒ Narrative: explaining the project; construction, operation schedule, and open for business target date.

☒ Copy of a zoning map showing the proposed location.

☒ Copy of completed Alcoholic Beverage Control Board liquor license application form including all drawings and attachments, if filed with ABC Board.

Optional: ☐ Traffic impact analysis ☐ Economic impact analysis ☐ Noise impact analysis

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

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

4/28/11 *[Signature]* Jim Stephens, Leasing Manager for North Anchorage Real Estate Investors LLC

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):

Firetap Alehouse and Resturant

What is the gross leaseable floor space in square feet?

5580 sf

What is the facility occupant capacity?

212

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

40

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

172

What will be the normal business hours of operation?

11:00 am to 1:30 am

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

11:30am to 1:30 am

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

30 % Alcoholic beverage sales

70 % Food sales

Type of entertainment proposed: (Mark all that apply)

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

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

**DISTANCE FROM CHURCHES, DAY CARE, AND SCHOOLS**

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

Name	Address
None	

### PACKAGE STORES

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

	%	less than \$5.00
100	%	\$5.00 to \$10.00
	%	\$10.00 to \$25.00
	%	greater than \$25.00

### CONDITIONAL USE STANDARDS

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

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

Please see the attached narrative

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

Please see the 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.

Please see the 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.

Heated walkways in front of the main entrance and continuing on the north, east and south elevations. Private parking lot

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

Site is on new construction. Will have no impact on demand and availability of public services and facilities

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

New construction is complying with all current codes regarding environmental pollution

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

This new construction adds positive growth occurring in this area of anchorage

#### 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?* 2

*Within 1,000 feet of your site are how many active liquor licenses?* Brown Jug & Red Robin

*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?*  
NE Community Council president Kevin Smestad is not sure 907-250-9717

*In your opinion, is this quantity of licenses a negative impact on the local community?* No Impact

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

*How many employees in direct contact with alcohol will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program?*

100% of the employees and managers in direct contact with alcohol will be trained with the alcoholic beverage control board liquor server awareness training program.

**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:*

During business hours we will be employing trained management on staff.  
Security cameras will be installed in the interior of the finished space.

*outside facility:*

Lighting and security cameras will be installed

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

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

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

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

Additional space if needed.

Additional Co-Owners

Lewis, Samuel

7808 Mindello St.

Coral Gables, FL 33143-6258

305-667-1283

305-460-6520

Gator Brothers, LLC

6400 Gunnison Dr.

Anchorage, Alaska 99516

907-444-3791

907-561-2337

907-561-2336 Fax

jackyukonjack@aol.com

Hobbs II, Richard

15930 Terracewood Lane

Anchorage, Alaska 99516-4825

907-222-9509

dhobbs@afognak.com

Hobbs II, Andrea

15930 Terracewood Lane

Anchorage, Alaska 99516-4825

andyhobbs5@hotmail.com

Kizer, Raymond

1941 Driftwood Circle

Palmer, Alaska 99645

907-357-4000

907-602-2126

907-357-4007 Fax

rayk@lakeviewgeneral.com

Kizer, Anati

1941 Driftwood Circle

Palmer, Alaska 99645

907-357-4000

907-230-6517

907-357-4007 Fax

annk@lakeviewgeneral.com

Firetap Tikahtnu, LLC  
1148 N Muldoon Road, Pad M  
Anchorage, Alaska 99504

## Company Summary

Firetap Alehouse & Restaurant, Tikahtnu is owned by Firetap Tikahtnu, LLC. The LLC is organized under the State of Alaska Entity #130827. The members of the LLC consist of:  
Gator Brothers LLC: Jack Lewis & Samuel Lewis; Richard M. Hobbs, 2<sup>nd</sup>, Andrea S. Hobbs, Raymond L. Kizer and Anati S. Kizer.

Jack Lewis of Gator Brothers LLC brings over 30 years experience to the project. Jack is a principal partner in The Sourdough Mining Company, Peanut Farm, McGinley's Irish Pub and Firetap Alehouse.

Jack will be the general manager of Firetap Alehouse Tikahtnu.

Richard & Andrea Hobbs are principal partners in McGinley's Irish Pub. Richard & Andrea will provide expertise in all financial aspects of the business.

Ray & Ann Kizer are principal partners in McGinley's Irish Pub. Ray & Ann will provide construction related experience as sole owners of Lake View General Contracting since 2001.

The goal of Firetap Alehouse is to provide Northwest Anchorage Bowl with a fun and affordable full service restaurant giving the community an alternative to downtown and midtown. A variety of food will be prepared in nine foot by five foot gas fired stone oven. The menu will consist of handmade fire roasted pizza, calzone, hot & cold flatbread sandwiches; an array of appetizers, fresh chopped salads, soups and homemade desserts. Firetap will offer full bar service and will feature 20 Alaskan beers on draft. A small arcade/game area will be provided for the younger crowd to enjoy assorted games while adults relax with their meal or beverage.



Firetap Tikahtnu, LLC  
1148 N Muldoon Road, Pad M  
Anchorage, Alaska 99504

### **Conditional Use Standards as required by AMC 21.05:**

Firetap Alehouse & Restaurant, Tikahtnu is under construction in the Tikahtnu Commons Shopping Center, at the intersection of Muldoon Road and the Glenn Highway. Completion is scheduled for mid July 2011. The new restaurant will occupy 5580 square feet of a stand alone building located on Pad M.

The building is directly north of the Regal Cinema and south of Red Robin. This is a growing area of Anchorage with few restaurant choices. Within the immediate are Red Robin, IHOP and one small Korean lunch restaurants.

This new restaurant supports the Anchorage 20/20 plan by giving Anchorage citizens another dining and entertainment option in an area that has been steadily growing over the past few years. Please see pictures and architectural drawing.

The business will create approximately fifty new jobs and will offer customers living in the area, Muldoon Road & military areas provide an alternative to driving downtown or driving to midtown for lunch and dinner. We hope to attract those from Eagle River for business & industrial workers from around the area, as well as convention attendees and tourists.

Firetap management and owners are long time Anchorage residents and business entrepreneurs, are civic minded and have participated on boards and associations for many years. Jack Lewis, partner and general manager currently sits in the Anchorage Visitors & Convention Bureau Board.

The goal of the Firetap Alehouse & Restaurant is to provide NW Anchorage with a fun and affordable full service restaurant giving the community an alternative to downtown. A variety of food will be prepared in a nine foot by five foot gas fired stone oven. The menu will consist of handmade fire roasted pizza, calzone, hot & cold flatbread sandwiches; an array of appetizers, fresh chopped salads, soups and homemade desserts. Future plans include an outside deck with a fire pit and radiant heaters.

We are in the process of transferring a beverage dispensary liquor license. We anticipate about 70% of our sales will be lunch and dinner selections, and alcohol sales about 30%. Our emphasis will be on high quality and varied menu at competitive prices with outstanding service.

Alcoholic Beverage Control Board 5848 E Tudor Rd Anchorage, AK 99507	<b>Transfer Liquor License</b>	<b>PAGE 1 OF 2</b> (907) 269-0350 Fax: (907) 272-9412 www.dps.state.ak.us/abc
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**This application is for:**

- ☐ Seasonal - Two 6-month periods in each year of the biennial period beginning \_\_\_\_\_ and ending \_\_\_\_\_  
 Mo/Day Mo/Day
- ☐ Full 2-year period

SECTION A - LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: 2011-2012	License Type: Beverage Dispensary	Statute Reference Sec. 04.11.090	License Fee: \$  Filing Fee: \$100.00  Fingerprint: (\$54.25 per person)  Total Submitted: \$
License #: <u>1125</u>	Local Governing Body: (City, Borough or Unorganized) Anchorage, Alaska		Community Council Name(s) & Mailing Address: Northeast Community Council 1057 West Firwood Lane Anchorage, Alaska 99503
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Firetap Tikahnu, LLC			
Doing Business As (Business Name): Firetap Alchouse & Restaurant Tikahnu Commons		Business Telephone Number: 444-3791 (temporary)  Fax Number: 561-2336	
Mailing Address: 10950 O'Malley Centre Drive		Street Address or Location of Premise: 1148 N. Muldoon Road, Pad M Anchorage, Alaska	
City, State, Zip: Anchorage, Alaska 99515		Email Address: jackyukonjuck@aol.com	

**SECTION B - TRANSFER INFORMATION.**

<input checked="" type="checkbox"/> Regular Transfer  <input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application (15 AAC 104.107). Real or personal property conveyed with this transfer must be described. Provide security interest documents.  <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.	Name and Mailing Address of <b>CURRENT</b> licensee: Prime Inc. 207 E. Northern Lights Blvd. #210 Anchorage, Alaska  Business Name (dba) <b>BEFORE</b> transfer: The O  Street Address or Location <b>BEFORE</b> transfer: 4801 Old Seward Highway Anchorage, Alaska 99503
---	--

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

Closest school grounds: 1.9 miles	Distance measured under: X 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: 1.8 miles	Distance measured under: X AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input checked="" type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached
Premises to be licensed is: <input type="checkbox"/> Proposed building <input type="checkbox"/> Existing facility <input checked="" type="checkbox"/> New building		

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

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

Name	Name of Business	Type of License	Business Street Address	State
Jack M. Lewis	Firetap Alchouse & Restaurant	Beverage Dispensary	10950 O'Malley Centre Drive Anchorage, Alaska 99515	Alaska
Jack M. Lewis	Peanut Farm Sourdough Mining Company	Beverage Dispensary	5450 Old Seward Highway 5200 Juneau Street, Anchorage	Alaska
Richard M. Hobbs	McGinley's Irish Pub	Beverage Dispensary	643 G Street Anchorage, Alaska	Alaska
Raymond Kizer	McGinley's Irish Pub	Beverage Dispensary	643 G Street Anchorage, Alaska	

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 X No If Yes, attach written explanation.

Office use only

Date Approved	Director's Signature
---------------	----------------------

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

## Transfer Liquor License

PAGE 1 OF 2

(907) 269-0350  
Fax: (907) 272-9412  
www.dps.state.ak.us/abc

This application is for:

- ☐ Seasonal - Two 6-month periods in each year of the biennial period beginning \_\_\_\_\_ and ending \_\_\_\_\_  
Mo/Dy Mo/Dy
- ☐ Full 2-year period

**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): Hicorap Tikahinu, LLC		Telephone Number: 444-3791	Fax Number: 561-2336
Corporate Mailing Address: 10950 O'Malley Centre Drive	City: Anchorage	State: Alaska	Zip Code: 99515
Name, Mailing Address and Telephone Number of Registered Agent: Jack M. Lewis 10950 O'Malley Centre Drive Anchorage, Alaska 99515 444-3791		Date of Incorporation OR Certification with DCED: September 27, 2010	State of Incorporation: Alaska
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.			

**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
Richard M. Hobbs	member	25	15920 Terracewood Lane, Anch, Ak. 99516	222-9500	
Andrea S. Hobbs	member	25	15920 Terracewood Lane, Anch, Ak. 99515	529-6698	
Gator Brothers	member	25	6400 Gunnison Anch, Ak. 99516	444-3791	
Raymond Kizer	Member	25	2775 N. Liahona Drive Palmer, Ak. 99645	565-4000	

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

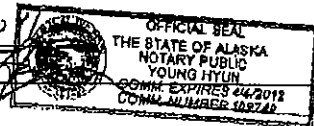
**Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)**

Name: Jano Lewis Address: 6400 Gunnison Anch., Ak. 99516	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>	Name: Jack M. Lewis Address: 6400 Gunnison Anch., Ak. 99516	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: 346-6010 Work Phone: 444-3792	Date of Birth: [REDACTED]	Home Phone: 345-6010 Work Phone: 444-3791	Date of Birth: [REDACTED]
Name: Anata Kizer Address: 2775 N. Liahona Drive Palmer, Ak. 99645	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>	Name: Raymond Kizer Address: 2775 N. Liahona Drive Palmer, Ak.	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>
Home Phone: 565-4000 Work Phone:	Date of Birth: [REDACTED]	Home Phone: 564-4000 Work Phone:	Date of Birth: [REDACTED]

**Declaration**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contractual 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.

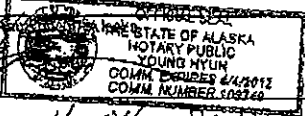
Signature of Current Licensee(s) Signature	Signature of Transferee(s) Signature
Signature	Signature
Name & Title (Please Print) JACK M. LEWIS	Name & Title (Please Print) RAYMOND KIZER
Subscribed and sworn to before me this ____ day of _____	Subscribed and sworn to before me this 11 day of APRIL 2011
Date Approved	Director's Signature



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

## Liquor License

PAGE 2 of 2  
Licensee Information  
[www.dps.state.ak.us/abc](http://www.dps.state.ak.us/abc)

Notary Public in and for the State of Alaska	Notary Public in and for the State of Alaska  YOUNG HYUN COMM. EXPIRES 4/4/2012 COMM. NUMBER 503720
My commission expires:	My commission expires: 4-04-2012

Transfer App 3/09

GATEWAY SUBDIVISION, TRACT A PORTION OF FRAGMENT LOT 17B





CATKEY SUBMISSION, TRACT APPOINTMENT OF FRAGMENT LOT 178

[illegible]





DESIGNS:	CU
GRAMM:	BO
CHIPS:	
ASSETS:	
SCALE:	AS NOTED

**SAFETY**  
ENGINEERING, INC.

DRAWING TITLE  
LANDSCAPE PLAN

DWG NO.	DATE
L10	1/8/11

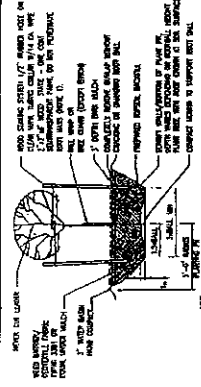
## PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	CAUTION, IIT AND COMMENTS	UTI
	PIZZA PLANT	HEAT PLANT	32 1/2" H. 18" DIA. 32 1/2" H. 18" DIA.	1
	NEEDLEWOOD	NEEDLEWOOD	1 1/2" H. 1" DIA.	1
	PIZZA PLANT	HEAT PLANT	32 1/2" H. 18" DIA.	1
	NEEDLEWOOD	NEEDLEWOOD	1 1/2" H. 1" DIA.	1
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	NEEDLEWOOD	NEEDLEWOOD	1 1/2" H. 1" DIA.	1
	PIZZA PLANT	HEAT PLANT	32 1/2" H. 18" DIA.	1
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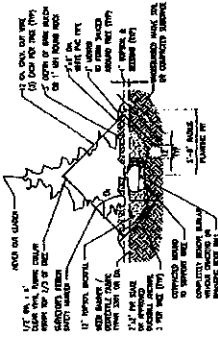
SEIJOI CHRYSOBRY

1. HOWARD HAS SAID HE WILL NOT SIGNIFY THE FIVE YEAR AGREEMENT

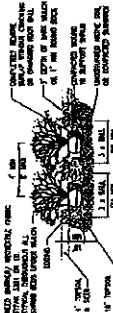
FOR THE BARGAINED OCCASION, USE OF OUR WEEK  
DECIDUOUS TREE PLANTING



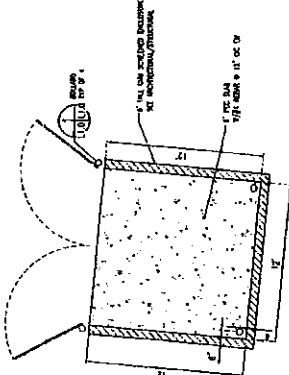
**CONIFEROUS TREE PLANTING**



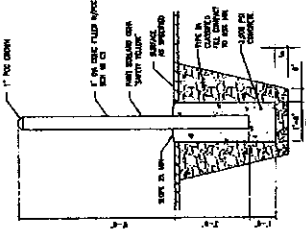
**SHRUB PLANTING**



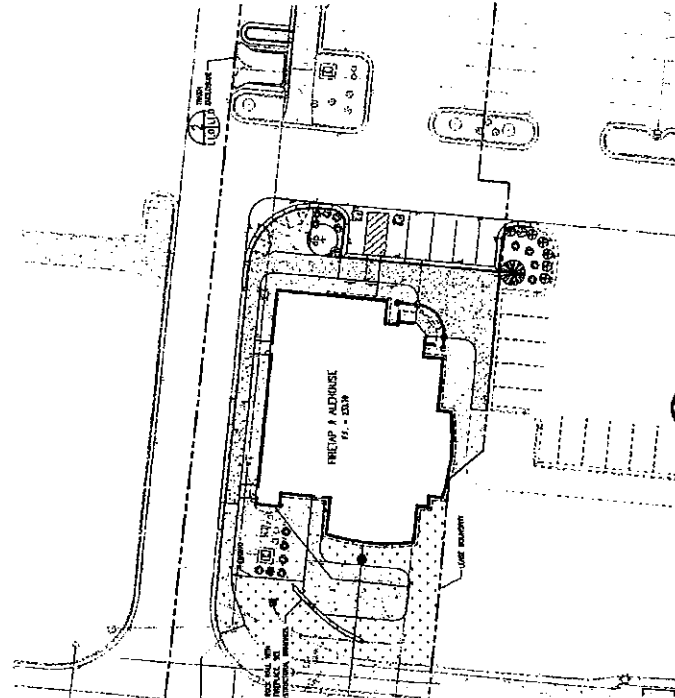
**TRASH ENCLOSURE**



**BOLLARD DETAIL**



LANDSCAPE PLAN





NOTES: The bidder is to provide a copy of the bid to the project manager. The bidder is to provide a copy of the bid to the project manager. The bidder is to provide a copy of the bid to the project manager.



FIRE TAP RESTAURANT AND BAR  
ANCHORAGE, ALASKA  
JOB NO. 101016

41 HOURS/101016  
101016 OPENED 10/11/16  
ANCHORAGE, ALASKA  
A0.0

APPROVED BY  
DATE 10/11/16  
VERIFIED BY

APPROVED BY  
DATE 10/11/16  
VERIFIED BY

OFFERED SUBMITTAL ITEMS  
This bidder is to provide a copy of the bid to the project manager. The bidder is to provide a copy of the bid to the project manager. The bidder is to provide a copy of the bid to the project manager.

Approved for Cost Estimate  
DATE 10/11/16  
VERIFIED BY

NOTE: The bidder is to provide a copy of the bid to the project manager. The bidder is to provide a copy of the bid to the project manager. The bidder is to provide a copy of the bid to the project manager.

# FIRETAP RESTAURANT AND BAR

AT TIKHATNU COMMONS - ANCHORAGE, ALASKA

CONTRACTOR: FIRE TAP RESTAURANT AND BAR  
PROJECT: FIRE TAP RESTAURANT AND BAR  
LOCATION: TIKHATNU COMMONS - ANCHORAGE, ALASKA  
JOB NO. 101016

APPROVED BY  
DATE 10/11/16  
VERIFIED BY

APPROVED BY  
DATE 10/11/16  
VERIFIED BY



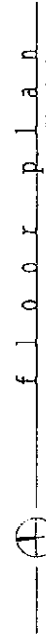
FINE LIP RESTAURANT AND BAR  
TITANIC COUNTRY  
ANCHORAGE, ALASKA  
JOB NO. 22166

11 NORTHAVENUE  
213165 12  
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SCHAFFNER

2011-01-01  
A1.1



11 NORTHAMPTON ST  
140 SPENCER ST SW  
ANCHORAGE, ALASKA 99501

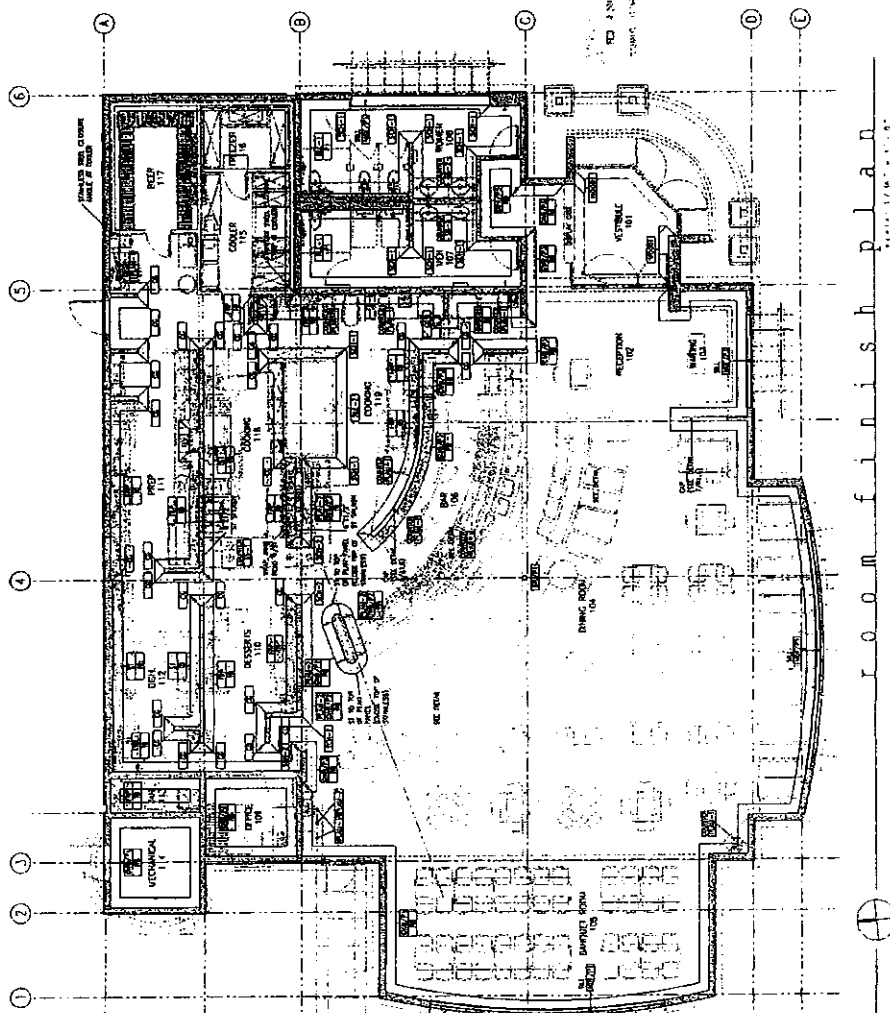




FIRE BAR RESTAURANT AND BAR  
FIREBAR COTTAGES  
IN(MONTPELIER, ALASKA)  
JOB NO. 9806

[illegible]

A1.7

[illegible]

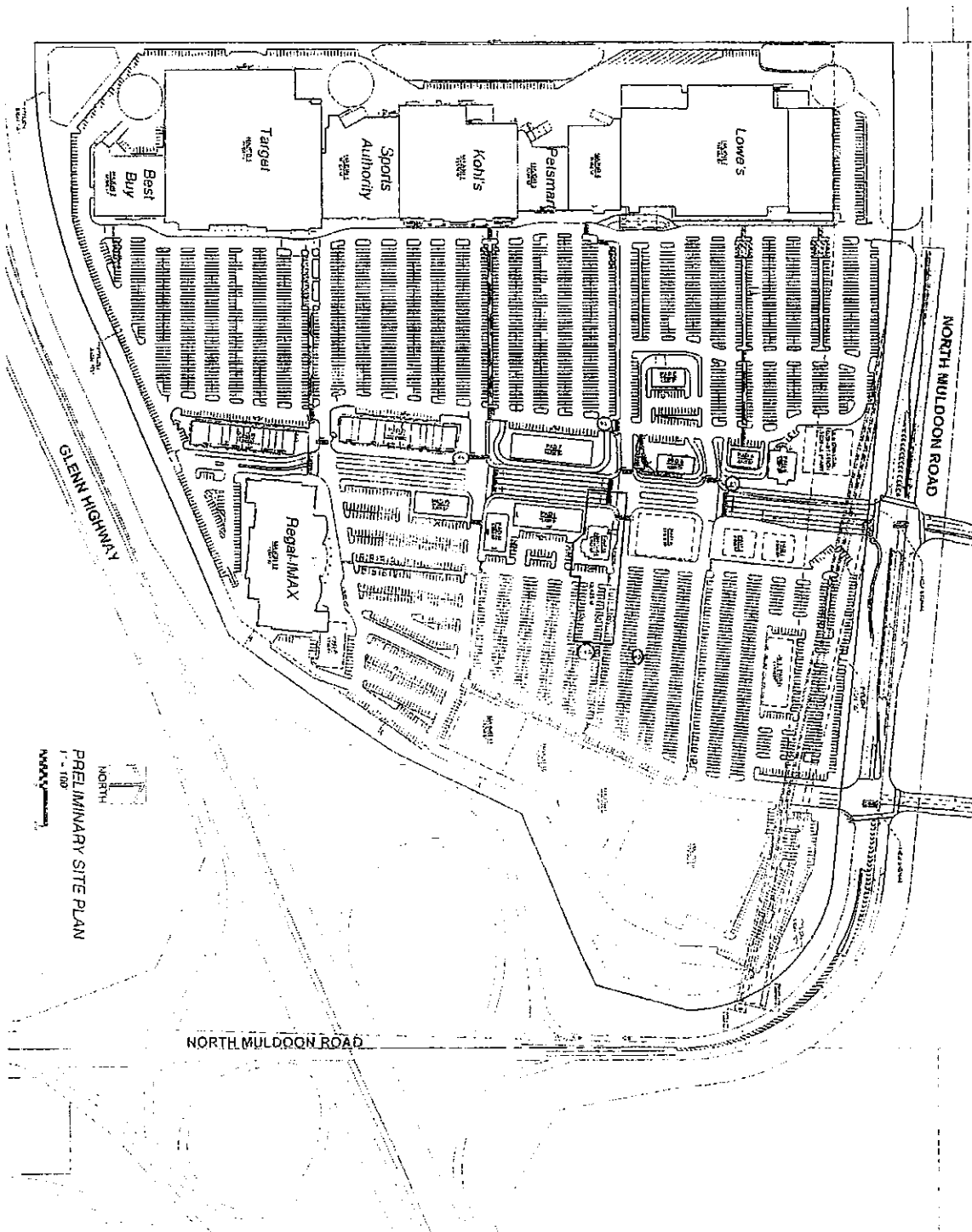
THE FBI HAS REQUESTED TO READ A LETTER, A "SPECIAL" REPORT, DATED 1968, CONCERNING THE "BLACK PANTHER PARTY" (BPP) AND ITS ACTIVITIES IN THE UNITED STATES. THE BPP IS A RACIAL ORGANIZATION WHICH IS ACTIVE IN THE UNITED STATES AND IS CURRENTLY IN THE PROCESS OF REORGANIZING ITSELF AS THE "BLACK PANTHER PARTY FOR SELF-DEFENSE" (BPPSD). THE BPPSD IS CURRENTLY IN THE PROCESS OF REORGANIZING ITSELF AS THE "BLACK PANTHER PARTY FOR SELF-DEFENSE" (BPPSD). THE BPPSD IS CURRENTLY IN THE PROCESS OF REORGANIZING ITSELF AS THE "BLACK PANTHER PARTY FOR SELF-DEFENSE" (BPPSD).

FORM T-100 (4-78)





# EXHIBIT B



Project: **Tiramisu Commons**

PMT, South, Klamath Road and Glenn Highway  
Architect: AIA/CA

Owner:

**Cook Inlet Region Inc. and  
Brown Development Co., Inc.**

1358 Parkside Drive, Walnut Creek, CA 94596  
925-835-2200

**Jerald L. Dougal, Architect | Architecture and Planning**  
107 River Way | Riverside, California 92501 | jldougal@jldougal.com

October 26, 2010

Preliminary Site Plan

**E-02**





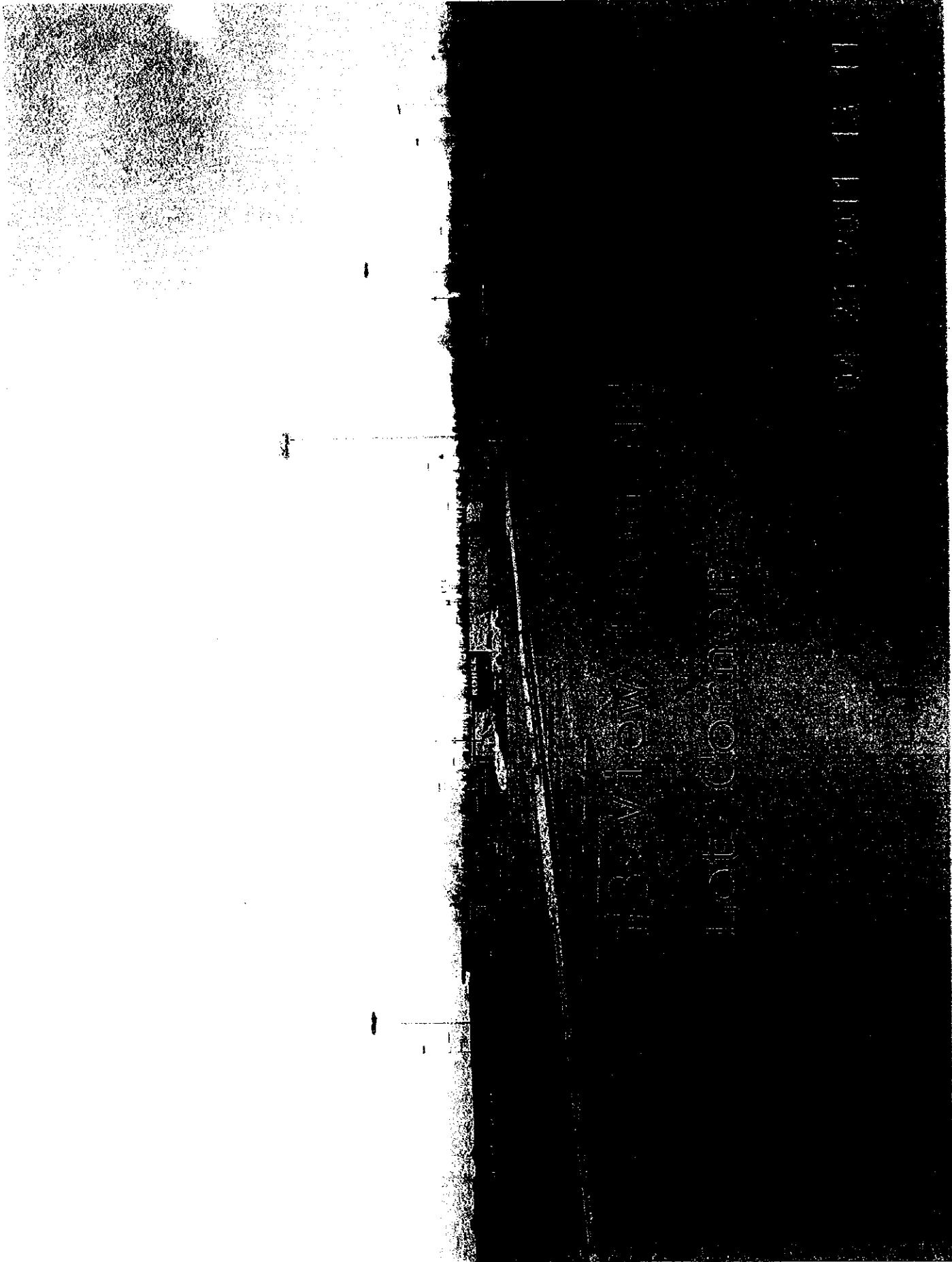
MT. VERNON ELLIOM LINW

COMMON HEART REAL ROBIN

04 26 2011 13:08

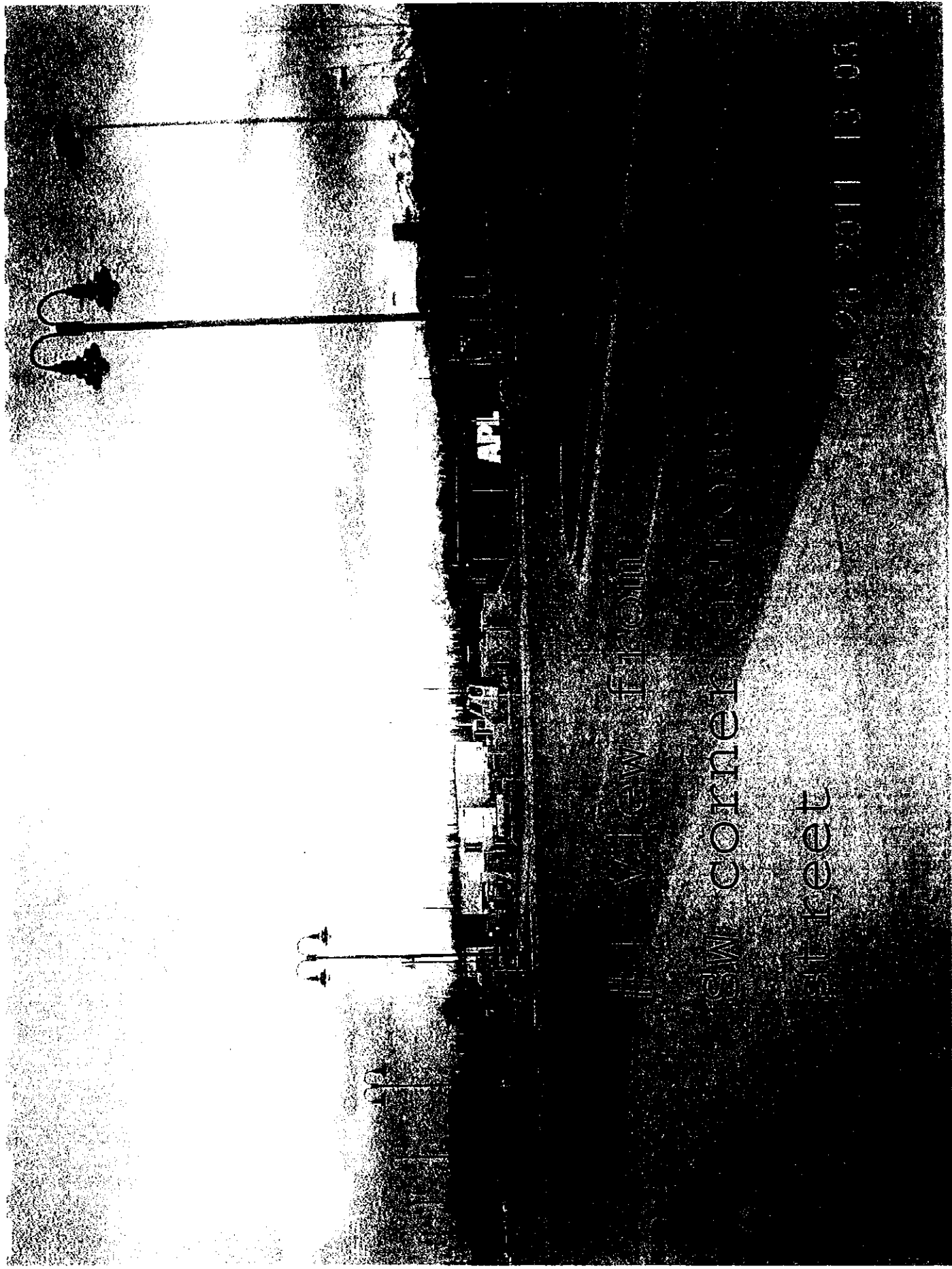
# Point-View from E

# Hot Corner



103 View from the  
Lot, corner of

104 21 2011 11 11



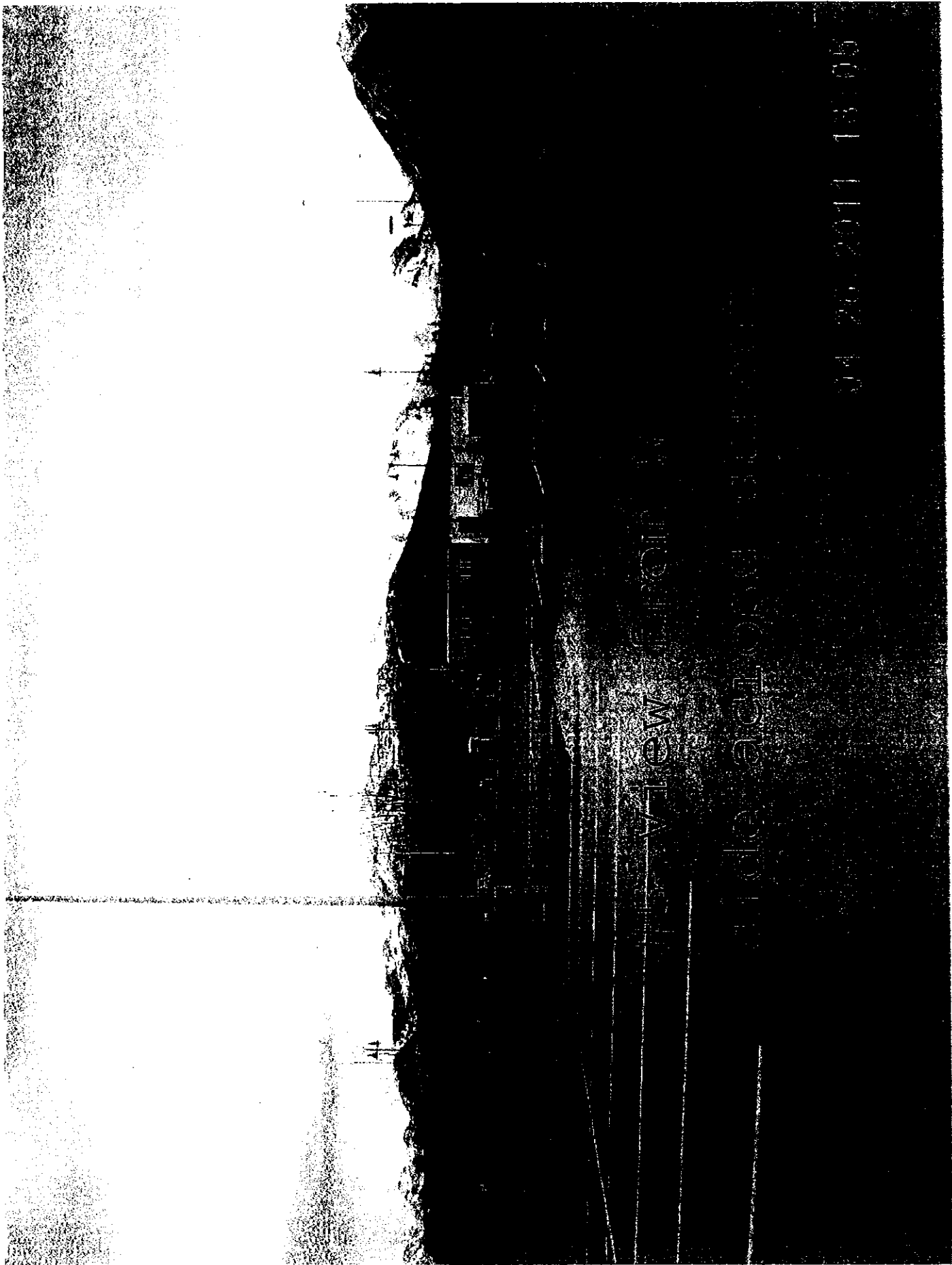
APL

VIEW FROM

SW CORNER

street

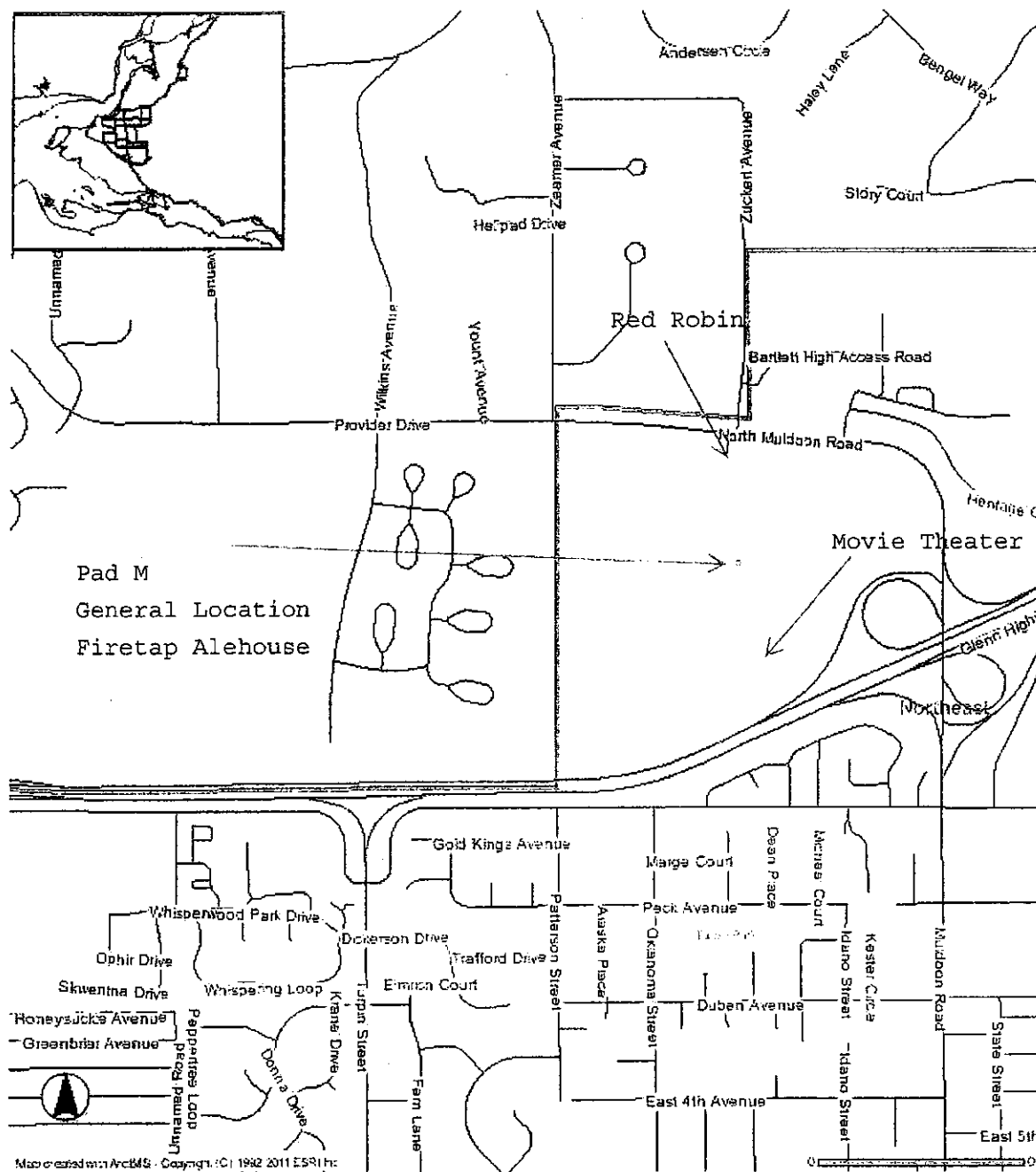
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View from the

side of the road

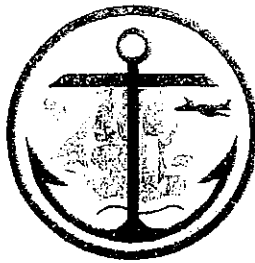
04 26 2011 13:05



ZONING MAP NORTHWEST ANCHORAGE BOWL WHOING PROPOSED LOCATION

## Posting Affidavit and Historical Information



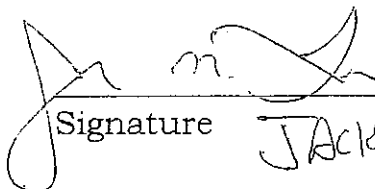


# AFFIDAVIT OF POSTING

Case Number: 2011-067

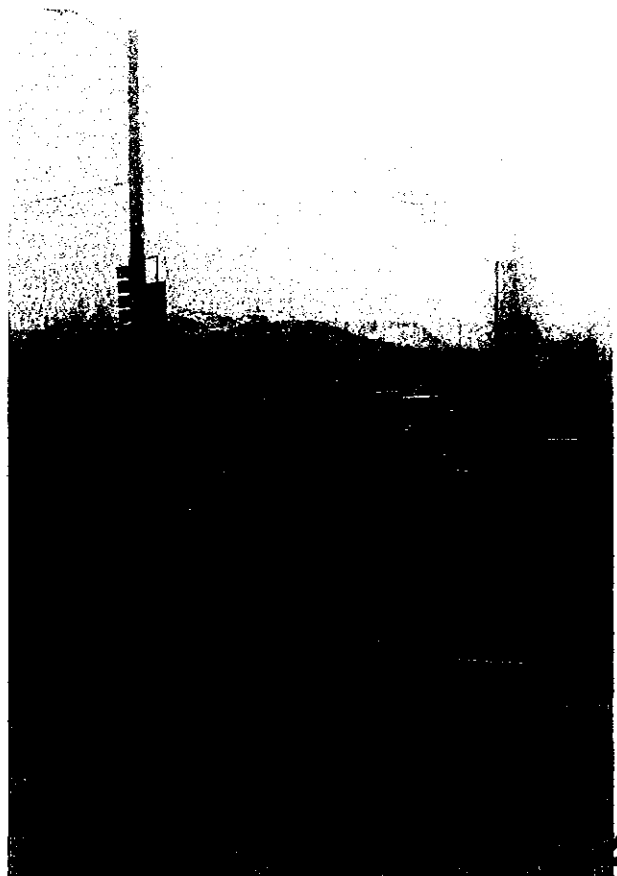
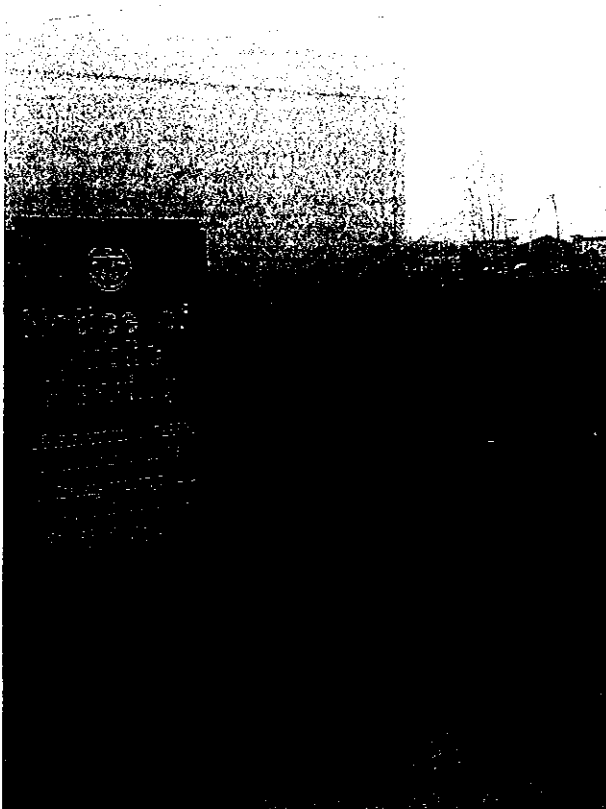
I, JACK M. LEWIS, hereby certify that I have posted a **Notice of Public Hearing** as prescribed by Anchorage Municipal Code 21.15.005 on the property that I have petitioned for Conditional Use. The notice was posted on 5-3-11 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

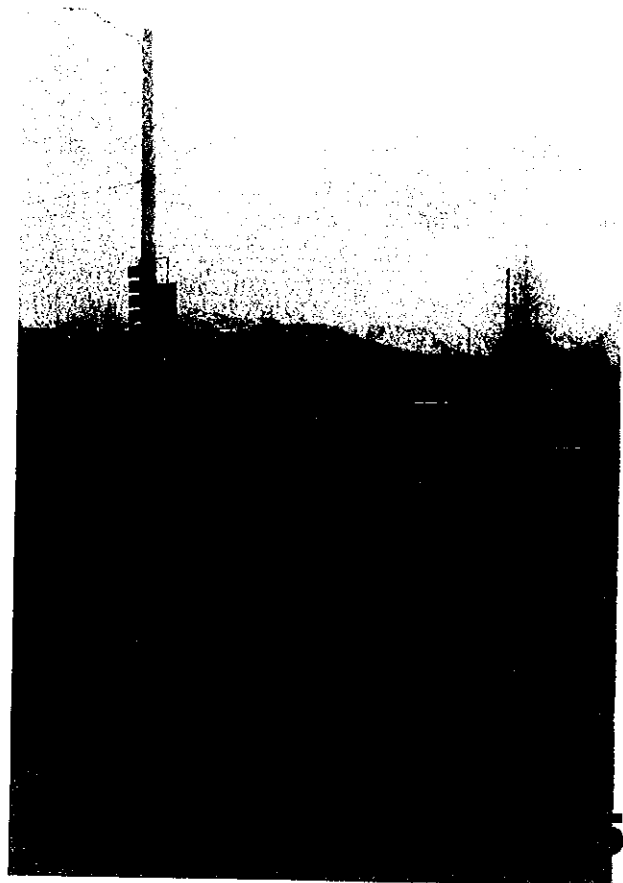
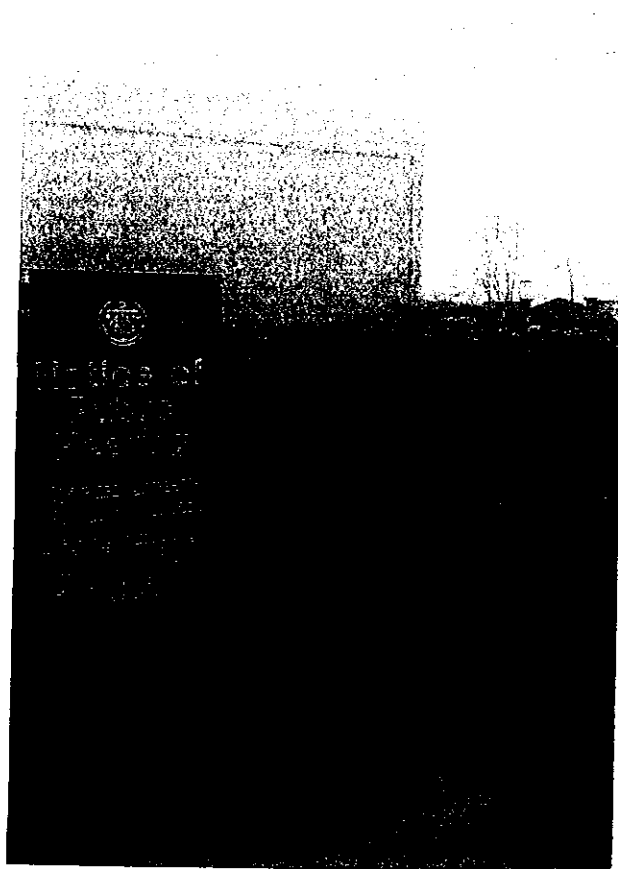
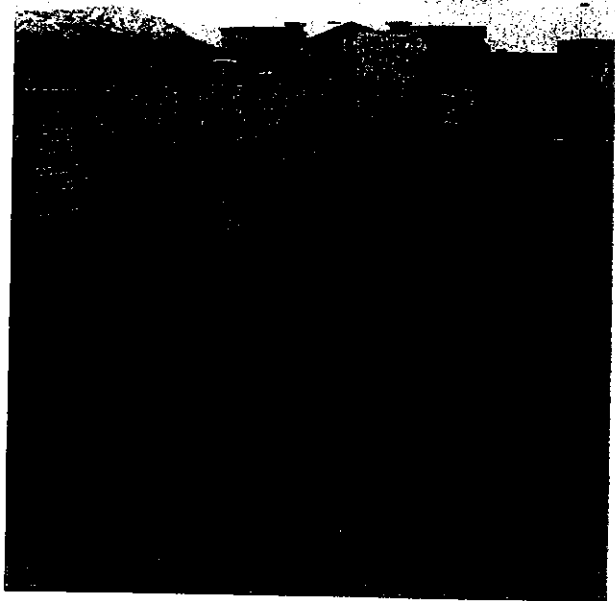
Affirmed and signed this 3rd day of May, 2011.

  
Signature JACK M. LEWIS

## LEGAL DESCRIPTION

Tract or Lot A Lot 17B  
Block \_\_\_\_\_  
Subdivision Gateway





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

CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 4-17-07 Anchorage, Alaska  
AO 2007-54

AN ORDINANCE AMENDING THE ZONING MAP AND PROVIDING FOR THE  
REZONING OF APPROXIMATELY 95.2 ACRES, FROM T (TRANSITION)  
DISTRICT TO B-3 SL (GENERAL BUSINESS DISTRICT WITH SPECIAL  
LIMITATIONS) FOR ELMENDORF "95" SUBDIVISION, TRACTS A AND B;  
GENERALLY LOCATED AT THE NORTHWEST CORNER OF NORTH  
MULDOON ROAD AND THE GLENN HIGHWAY.

(Northeast Community Council) (Planning and Zoning Commission Case 2006-154)

THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1.** The zoning map shall be amended by designating the following described  
property as B-3 SL (General Business District with Special Limitations) zone:

Elmendorf "95" Subdivision, Tract A and Tract B, containing approximately 95.2 acres as  
shown on Exhibit "A."

**Section 2.** This zoning map amendment is subject to the following special limitations:

~~1. Development of the petition site is limited to the site plan (Planning Case 2006-155) approved by the Planning and Zoning Commission, or as subsequently amended.~~

**1[2].** Maximum height of any structure shall be no more than 200 75 feet unless otherwise approved as a conditional use. Under no circumstances shall a structure exceed 200 feet in height.

**2[3].** No building structures shall be constructed within 60 feet of the west property line.

**3[4].** The uses anticipated within the Accident Potential Zone (APZ) shall fully comply with the allowed uses outlined in Patent No. 50-92-0050. These facilities include: Utility Structures (including, but not limited to, vaults, conduits, transformers, switches, power poles, conductors, subsurface gas lines, communication facilities, storm drain lines, storm drain retention/detention facilities, sewer and water facilities); parking lot; loading areas and facilities; mercantile and/or retail building structures, and the storage/stocking areas within proposed mercantile and/or retail building structures. All of the building structures are considered low-density mercantile and/or retail establishments, and are all in conformance with our understanding of the specific use guidelines of the APZ contained in the patent for this tract. The uses located within the APZ shall conform to the limitations and

restrictions currently outlined in the patent, unless formerly released by the military and the Bureau of Land Management.

**Section 3.** The special limitations set forth in this ordinance prevail over any inconsistent provisions of Title 21 of the Anchorage Municipal Code, unless specifically provided otherwise. All provisions of Title 21 of the Anchorage Municipal Code not specifically affected by a special limitation set forth in this ordinance, shall apply in the same manner as if the district classification applied by the ordinance was not subject to special limitations.

**Section 4.** This ordinance shall become effective within 10 days after the Director of the Planning Department has received the written consent of the owners of the property within the area described in Section 1 above to the special limitations contained herein. The rezone approval contained herein shall automatically expire, and be null and void if the written consent is not received within 120 days after the date on which this ordinance is passed and approved. The Director of the Planning Department shall change the zoning map accordingly.

**Section 5. The improvements required in the final approved Traffic Impact Analysis (TIA) for Planning and Zoning Case 2006-155 shall be installed prior to issuance of any Conditional or Final Certificate of Occupancy for any development on this site. The improvements shall include:**

- a. Reconstruct Oilwell Road to a five lane facility from the Glenn Highway to the Elmendorf Gate, including all turn lanes as shown in the TIA.**
- b. Construct the new intersection of Oilwell Road/Bartlett High/ANHC/East Mall access intersection to include signalization and connection to the signal interconnection system.**
- c. Relocate the interior road to connect Bartlett High/ANHC to the new Oilwell Road/Bartlett High/ANHC signal location as shown in Figure 4-1 of the TIA.**

**When the site development reaches 810,000 square feet of retail structure development, the TIA shall be addressed to determine the need to enter into an agreement with the State of Alaska Department of Transportation and Public Facilities for further improvements.**

PASSED AND APPROVED by the Anchorage Assembly this 17<sup>th</sup>  
day of April 2007.

ATTEST:

Chair

Bruce S. Jenson  
Municipal Clerk



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

No. AM 222-2007

Meeting Date: March 27, 2007

**From:** Mayor

**Subject:** Planning and Zoning Commission, Case 2006-154 recommendation for approval of a rezoning from T (Transition District) to B-3SL (General Business District, with Special Limitations) for Elmendorf "95" Subdivision, Tract A and Tract B, generally located at the northwest corner of North Muldoon Road and the Glenn Highway.

1  
2 This is a request by Cook Inlet Region, Inc. (CIRI) to rezone a 95.2 acre parcel  
3 containing two tracts from T to B-3SL. CIRI proposes to develop the site with  
4 900,000 to one million square feet of retail and related uses. The proposal is for a  
5 "lifestyle center" which contains many separate buildings joined by pedestrian  
6 pathways, landscaping, a boulevard-style entrance, and integrated building design.  
7

8 In order to achieve this, CIRI has joined with Browman Development to replat the  
9 two tracts into one, create a commercial fragment lot site plan; and undergo a large  
10 retail establishment site plan review, all of which were approved by the Planning and  
11 Zoning Commission on February 12, 2007. Building design and orientation, as well  
12 as parking areas, will at a minimum follow the design guidelines from the large retail  
13 establishment site plan review requirements.  
14

15 The site fronts onto the Glenn Highway to the south, North Muldoon Road to the  
16 east, and North Muldoon Road (Oilwell Road) to the north. The petition site abuts  
17 Elmendorf Air Force Base (EAFB) to the west. EAFB property is also located  
18 across Oilwell Road to the north, and Bartlett High school and the Native Heritage  
19 Center are located across North Muldoon Road to the east. The petition site is  
20 mostly undeveloped, with an RV park in the northwest corner. Access to the site is  
21 currently from Oilwell Road, leading into the existing RV park. Traffic flows from  
22 there to the interchange and Muldoon Road and the Glenn Highway.  
23

24 Until 1991, the subject parcel was owned by the Department of the Army. The site  
25 was conveyed at that time to Cook Inlet Region, Inc. (CIRI) as a part of the Alaska  
26 Native Claims Settlement Act. The Army retained an Accident Potential Zone along  
27 the western border which limited allowed uses.

1 When the property was originally zoned during the Areawide rezonings, it was zoned  
2 T (Transition) due to the fact that it was owned by the Army. The Transition District  
3 is a holding zone, to be rezoned when a use is determined for the property.  
4

5 Special limitations have been proposed by the Planning Department, and by the  
6 petitioner to ensure the development conforms with the site plan for the development  
7 as approved by the Commission, preservation of military rights for their runway  
8 access through height and easement requirements, and separation from the  
9 residentially developed military property to the west.  
10

11 The Planning and Zoning Commission recommends rezoning the property to B-3SL  
12 with the Special Limitations in the Commission Resolution, 2007-017. The vote was  
13 7 ayes and 0 nays.  
14

15 THE ADMINISTRATION CONCURS WITH THE PLANNING AND ZONING  
16 COMMISSION RECOMMENDATION FOR THE REZONING.  
17

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

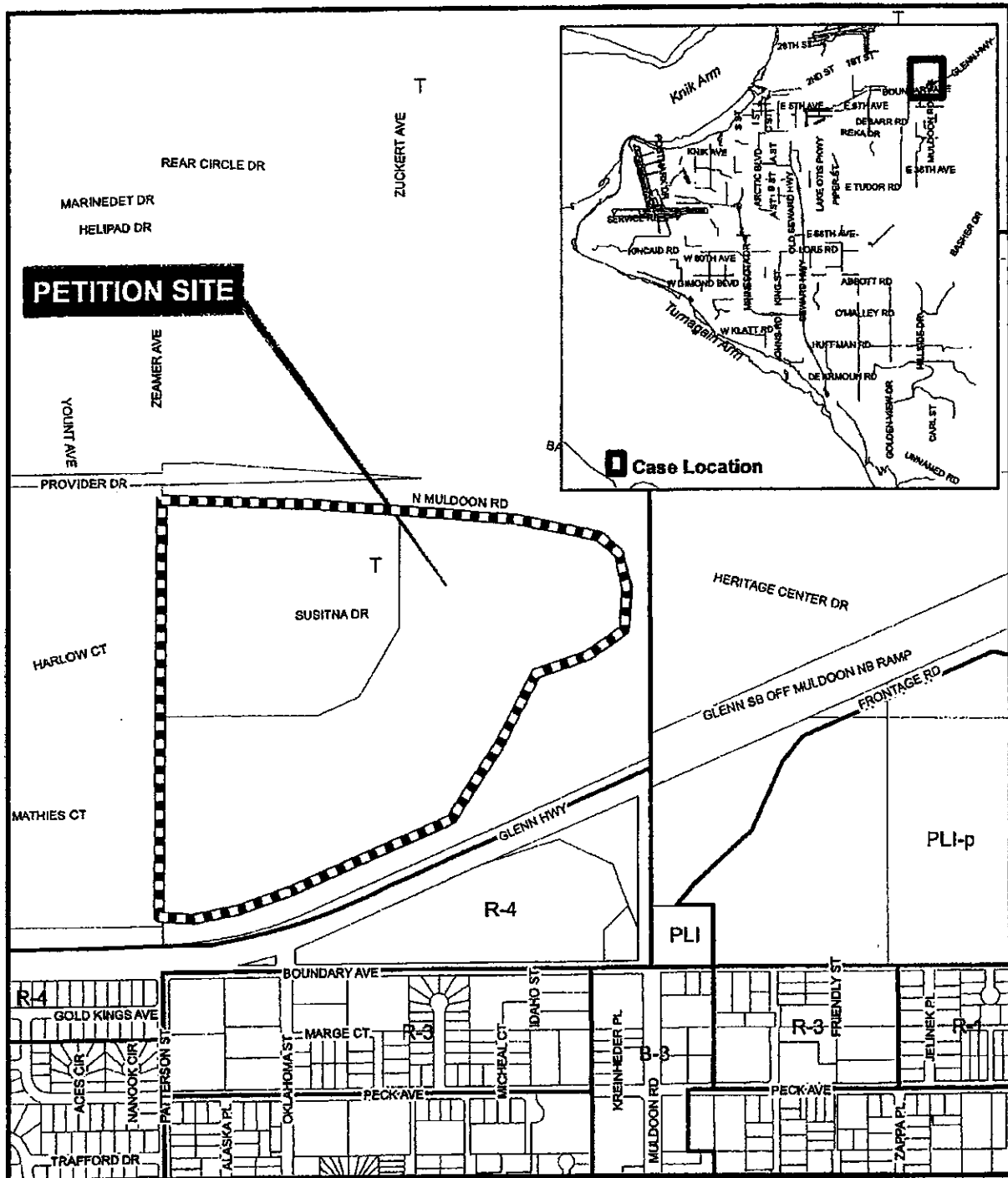
19 Concur: Tom Nelson, Director, Planning Department

20 Concur: Mary Jane Michael, Executive Director, Office of Economic and  
21 Community Development

22 Concur: Denis C. LeBlanc, Municipal Manager

23 Respectfully submitted, Mark Begich, Mayor  
24

# EXHIBIT "A"



Municipality of Anchorage  
Planning Department

Date: March 16, 2007

**Flood Limits**  
 100 Year  
 500 Year  
 Floodway

