

CLERK'S OFFICE
AMENDED AND APPROVED

Date:

4-17-12

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Community Development
Department
For reading April 10, 2012

**Anchorage, Alaska
AR 2012-94**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY
APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A
PACKAGE STORE USE AND LICENSE NUMBER 5120, IN THE I-1 (LIGHT
INDUSTRIAL) DISTRICT FOR KYLE IVANOFF, DBA ALL BUSH; AT 801
EAST 82ND AVENUE, UNIT B14; LOCATED WITHIN BELLA VISTA #2
SUBDIVISION, LOT 12A; GENERALLY LOCATED SOUTH OF EAST 82ND
AVENUE, WEST OF THE OLD SEWARD HIGHWAY, AND NORTH OF EAST
81ST AVENUE.**

(Taku/Campbell Community Council) (Case 2012-034)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. A conditional use permit is hereby approved for an Alcoholic Beverages Conditional Use for a Package Store Use and License Number 5120, in the I-1 (Light Industrial) district for Kyle Ivanoff, dba All Bush, at 801 East 82nd Avenue; located within Bella Vista #2 Subdivision, Lot 12A, generally located south of East 82nd Avenue, west of the Old Seward Highway, and north of East 82nd Avenue, and generally meets the applicable provisions of AMC 21.15.030, AMC 21.40.200B.1.j, and AMC 21.50.160.

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

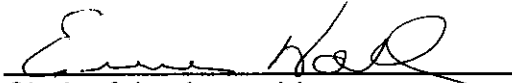
1. A Notice of Zoning Action shall be filed with the State Recorder's Office within 120 days of the Assembly's approval for this package store in the I-1 district.
2. All uses shall conform to the plans and narrative submitted with this conditional use application.
3. This alcoholic beverages conditional use approval is for a Package Store Use and License Number 5120 in the I-1 (Light Industrial) district per AMC 21.15.030, AMC 21.40.200B.1.j and AMC 21.50.160 for approximately 750 square feet of gross leasable area located at 801 East 82nd Avenue, on Bella Vista #2 Subdivision, Lot 12A.
4. On-premise sale of alcoholic beverages will be seven days a week as permitted per Anchorage Municipal Code 10.50.015C and Alaska Alcoholic Beverage Control Board requirements.

- 1
2 5. Employees will be trained in accordance with the Alcoholic Beverage
3 Control Board's "Liquor Server Awareness Training Program," in
4 accordance with Alaska Statute 04.21.025. Upon demand, the applicant
5 shall demonstrate compliance with a liquor "Server Awareness Training
6 Program" approved by the State of Alaska Alcoholic Beverage Control
7 Board, such as or similar to the program for "Techniques in Alcohol
8 Management (T.A.M.)."
9
- 10 6. The use of the property by any person for the permitted purposes shall
11 comply with all current and future Federal, State and local laws and
12 regulations including but not limited to laws and regulations pertaining to
13 the sale, dispensing, service and consumption of alcoholic beverages and
14 the storage, preparation, sale, service and consumption of food. The
15 owner of the property, the licensee under the Alcoholic Beverage Control
16 license and their officers, agents and employees shall not knowingly
17 permit or negligently fail to prevent the occurrence of illegal
18 activity on the property.
19
- 20 7. A copy of the conditions imposed by the Assembly in connection with this
21 conditional use approval shall be maintained on the premise at a location
22 visible to the public.
23
- 24 **8. Failure to comply with the provisions of Alaska Statute 04.11.150 and**
25 **Regular 13 AAC 104.645 of the Alcoholic Beverage Control Board**
26 **with regard to written orders for alcoholic beverages shall mandate a**
27 **review of this conditional use by the Anchorage Assembly for the**
28 **purpose of reviewing, amending or revoking this condition use**
29 **permit.**
30


31 **Section 3.** Failure to comply with the conditions of this conditional use permit
32 shall constitute grounds for its modification or revocation.
33

34 **Section 4.** This resolution shall become effective immediately upon passage
35 and approval by the Anchorage Assembly.
36

37 PASSED AND APPROVED by the Anchorage Assembly this 17th day
38 of April, 2012.
39

40
41 
42 _____
43 Chair of the Assembly

43 ATTEST:

44
45 
46 _____
47 Municipal Clerk
48



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 206-2012

Meeting Date: April 10, 2012

1 **From: MAYOR**

2
3 **Subject: A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
4 **APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE**
5 **FOR A PACKAGE STORE USE AND LICENSE NUMBER 5120, IN**
6 **THE I-1 (LIGHT INDUSTRIAL) DISTRICT FOR KYLE IVANOFF,**
7 **DBA ALL BUSH; AT 801 EAST 82ND AVENUE, UNIT B14;**
8 **LOCATED WITHIN BELLA VISTA #2 SUBDIVISION, LOT 12A;**
9 **GENERALLY LOCATED SOUTH OF EAST 82ND AVENUE, WEST**
10 **OF THE OLD SEWARD HIGHWAY, AND NORTH OF EAST 81ST**
11 **AVENUE.**

12
13
14 Kyle Ivanoff, dba All Bush, has made application for an alcoholic beverages
15 conditional use for a new package store use and License Number 5120, in the I-1
16 (Light Industrial) district, at 801 East 82nd Avenue; located on Bella Vista #2
17 Subdivision, Lot 12A.

18
19 The petition site contains approximately 750 square feet of gross leasable floor
20 space on a 201,321 square foot site. The site's off-street parking requirement is
21 met and the site is well lit.

22
23 Hours of operation are as allowed by municipal ordinance and the Anchorage
24 Beverage Control Board, seven days a week. All employees involved in the
25 dispensing of alcoholic beverages will be trained in accordance with the Alcoholic
26 Beverage Control Board's Liquor Server Awareness Training Program.

27
28 Within 1,000 feet of this application, there is one distillery license, one wholesale,
29 one club license, one recreational site license, four beverage dispensary licenses,
30 one beverage dispensary tourism license, and three restaurant and eating place
31 licenses. There are no known schools or churches within 200 feet of this site.

32

1 No public comments were received in opposition to the granting of the conditional
2 use. The Taku/Campbell Community Council did not comment.

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

7
8 **THIS ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A PACKAGE**
9 **STORE USE AND LICENSE NUMBER 5120, IN THE I-1 DISTRICT**
10 **GENERALLY MEETS THE REQUIRED STANDARDS OF AMC TITLE 10 AND**
11 **TITLE 21, AND ALASKA STATUTE 04.11.150.**

12
13 Prepared by: Francis McLaughlin, Current Planning Section
14 Planning Division

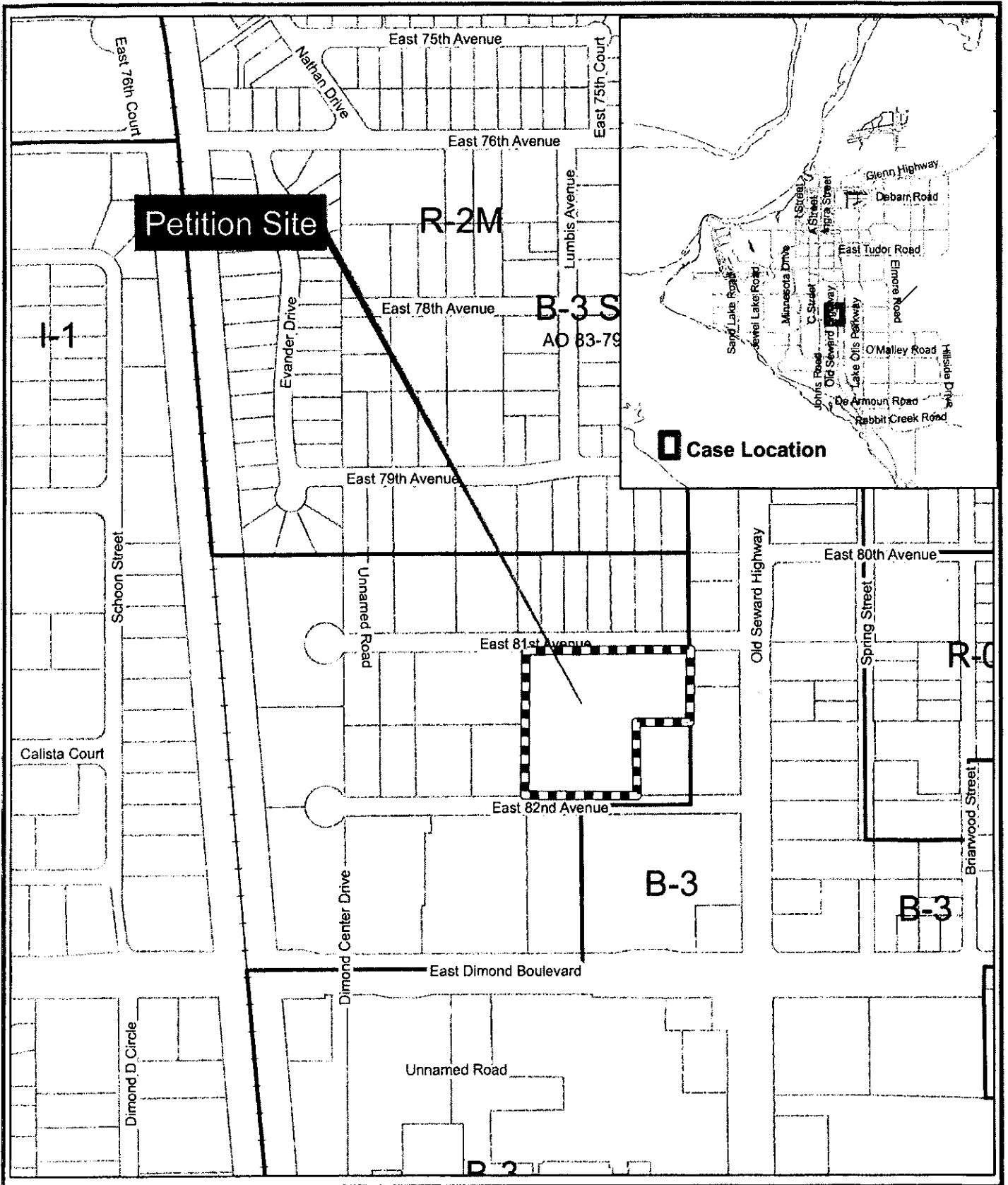
15 Approved by: Jerry T. Weaver, Jr, Director
16 Community Development Department

17 Concur: Dennis A. Wheeler, Municipal Attorney

18 Concur: George J. Vakalis, Municipal Manager

19 Respectfully submitted: Daniel A. Sullivan, Mayor

2012-034



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

DATE: April 10, 2012

CASE NO.: 2012-034

APPLICANT: Kyle Ivanoff, dba All Bush

REQUEST: An alcoholic beverages conditional use for a package store use and license #5120, in the I-1 (Light Industrial) district per AMC 21.15.030, AMC 21.40.200B.1.j, and AMC 21.50.160.

LOCATION: Bella Vista #2, Lot 12A

STREET ADDRESS: 801 East 82nd Avenue, Unit B14

COMMUNITY COUNCIL: Taku/Campbell

TAX PARCEL: 013-081-59 / Grid SW2231

ATTACHMENTS:

1. Application
2. Departmental and Public Comments
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: ±201,321 SF lot; ±750 SF gross leasable floor space
Vegetation: Developed
Zoning: I-1 (Light Industrial)
Topography: Flat
Existing Use: Commercial
Soils: Public sewer and water

COMPREHENSIVE PLAN – Anchorage 2020 Plan

Classification: “Commercial” 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:	I-1	B-3	I-1; B-3	I-1
Land Use:	Vacant; Single-Family Residential; Commercial Retail	Commercial Retail; Auto Service Repair	Bank; Commercial Retail	Parking Lot

SITE DESCRIPTION AND PROPOSAL

The petitioner has made application to the Alcoholic Beverage Control Board for a new package store license (#5120). The petitioner is seeking final alcoholic beverages conditional use approval. The I-1 district allows alcoholic beverages per AMC 21.15.030, AMC 21.40.200B.1.j and AMC 21.50.160.

The petition site contains approximately 750 square feet of gross leasable floor space on a 201,321 square foot site. The property is zoned I-1. The site's off-street parking requirement is met.

Hours of operation are as allowed by Municipal ordinance and the Anchorage Beverage Control Board, seven days a week. All employees involved in the dispensing of alcoholic beverages will be trained in accordance with the Alcoholic Beverage Control Board's Liquor Server Awareness Training Program.

Within 1,000 feet of this application, there is one distillery license, one wholesale, one club license, one recreational site license, four beverage dispensary licenses, one beverage dispensary tourism license, and three restaurant and eating place licenses. There are no known schools or churches within 200 feet of this site.

PUBLIC COMMENTS

Eighty-six public hearing notices were mailed on January 10, 2012. At the time this report was written, no public comments were received in opposition to the granting of the conditional use. No comments have been received from the Taku/Campbell 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 identified as "Commercial" in the *1982 Anchorage Bowl Comprehensive Development Plan's* Generalized Land Use Plan. Also, it is not identified 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 I-1 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 a mix of residential, office, and light industrial uses surrounding the petitioner site.

AMC 21.50.160B 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 distillery license, one wholesale, one club license, one recreational site license, four beverage dispensary licenses, one beverage dispensary tourism license, and three restaurant and eating place licenses. Approving this package store conditional use will add a thirteenth 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 I-1 district states that off-street parking shall be provided. Three parking spaces are provided, which meets the parking requirement.

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

The standard is met.

A new package store conditional use 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 package store conditional use will not cause or contribute to any environmental pollution. The off-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 package store conditional use.

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 thirteenth alcohol license within 1,000-feet.

Asian Gardens/Brandy's	7828 Old Seward Hwy	License #83	Beverage Dispensary
Al's Alaskan Inn	7830 Old Seward Hwy	License #10	Beverage Dispensary Tourism
Haru	729 E Dimond Blvd	License #2935	Restaurant/Eating Place
Bare Distillery, LLC	6310 A St	License #4985	Distillery
True North Cellars	801 E 82 nd Ave Unit A14	License #4931	Wholesale/MBW
Dimond Bowl	800 E Dimond Blvd #3- 023	License #4674	Recreational Site
Young O'Brady's Burgers and Brew #1	800 E Dimond Blvd #159	License #1989	Restaurant/Eating Place
Sushi Ya	1111 E Dimond Blvd	License #4360	Restaurant/Eating Place
Viking Hall	8141 Briarwood St	License #1579	Club
La Mex Too	9131 Emerald Dr	License #4694	Beverage Dispensary
Las Margaritas	9131 Emerald Dr	License #4580	Beverage Dispensary
Suite 100	1000 E Dimond Blvd STE 100	License #4662	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.**

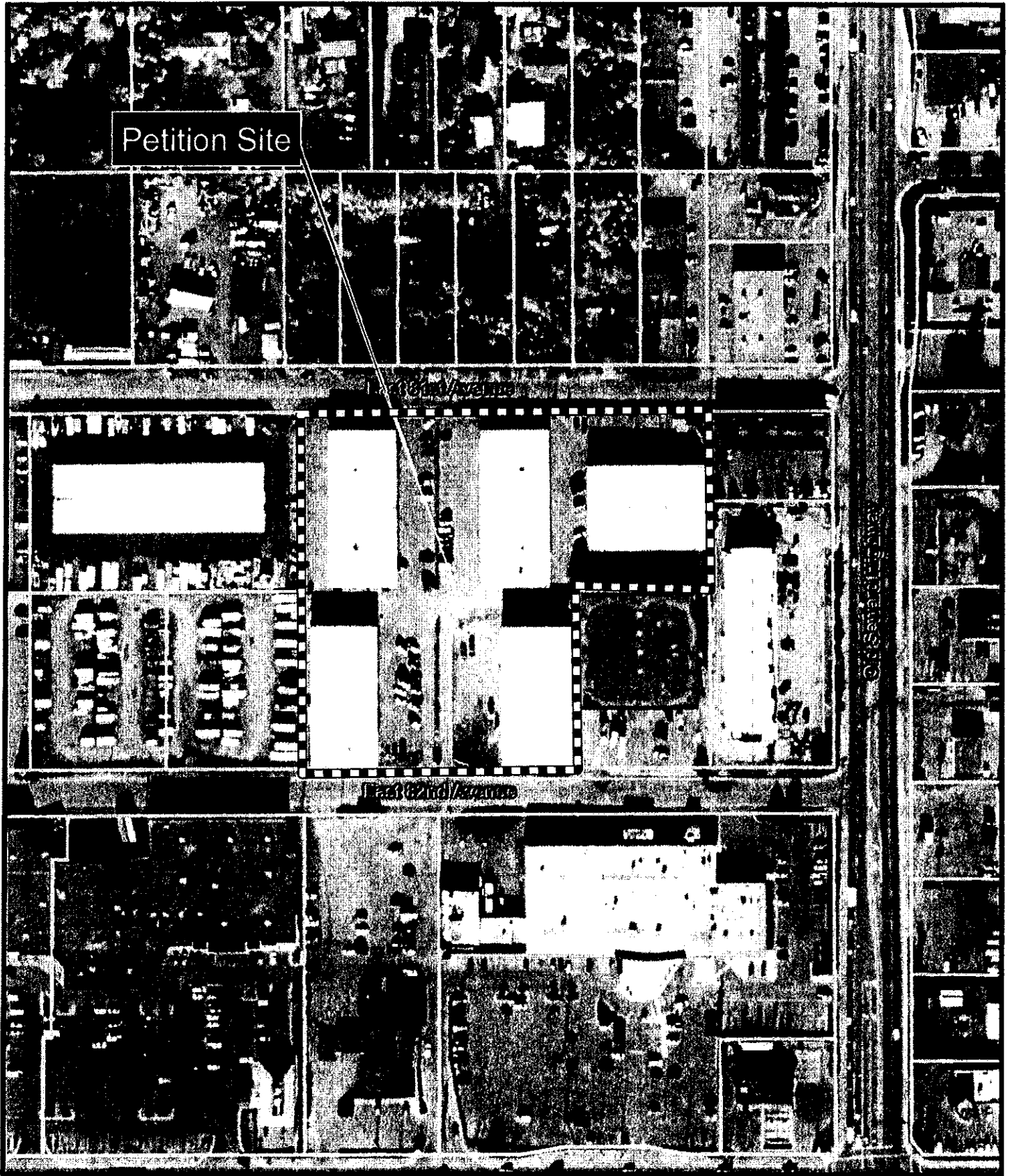
This form was not requested of this applicant.

RECOMMENDATION:

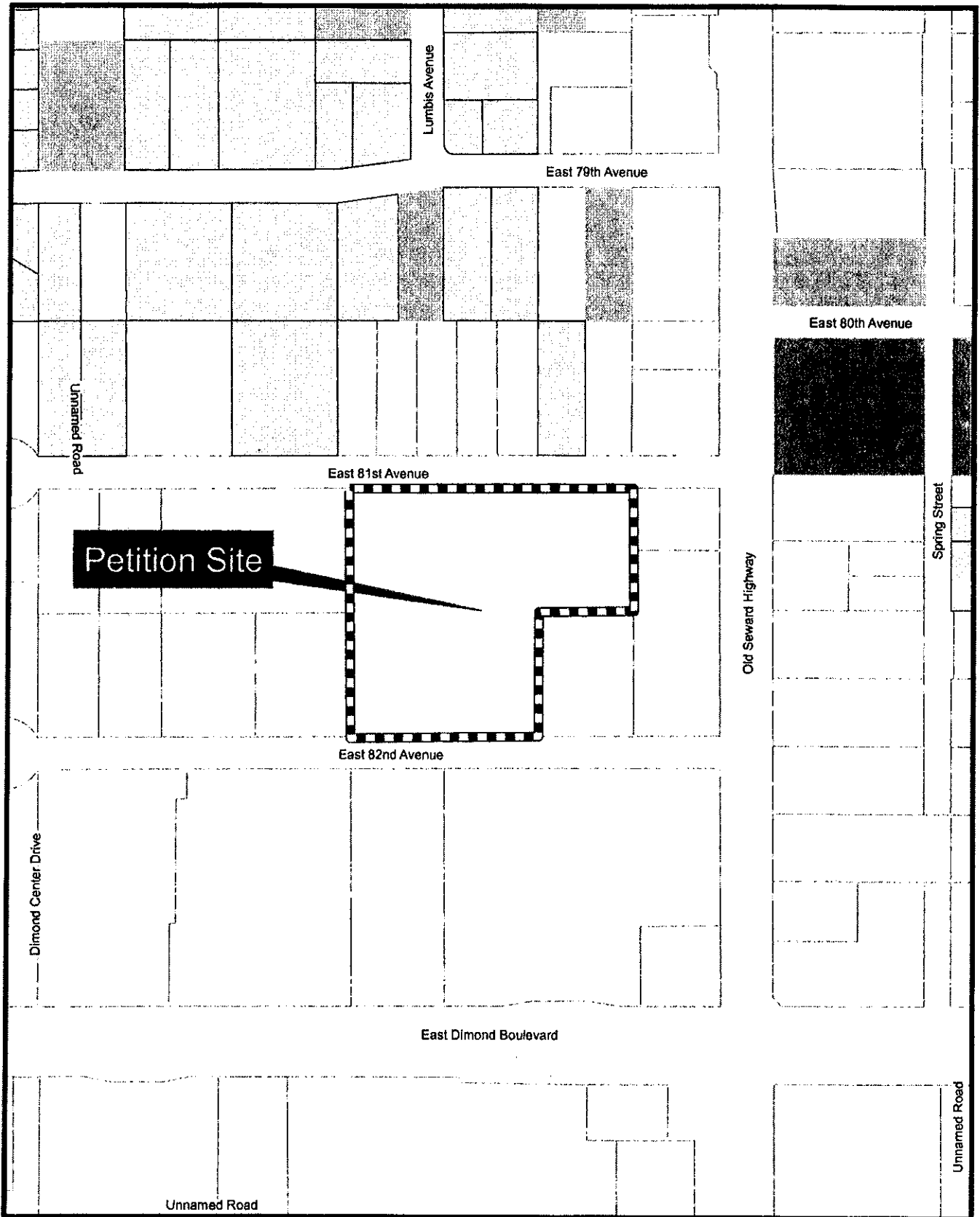
This application for an alcoholic beverages conditional use for a package store use and license #5120, in the I-1 (Light Industrial) district per AMC 21.15.030, AMC 21.40.200B.1.j, and AMC 21.50.160, generally meets the required standards of AMC Title 10 and Title 21.

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 State Recorder's Office within 120 days of the Assembly's approval for this package store in the I-1 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 Package Store Use and License #5120 in the I-1 (Light Industrial) district per AMC 21.15.030, AMC 21.40.200B.1.j and AMC 21.50.160 for approximately 750 square feet of gross leasable area located at 801 East 82nd Avenue, Unit B14, within Bella Vista #2, Lot 12A.
4. On-premise sale of alcoholic beverages will be seven days a week as permitted per Anchorage Municipal Code 10.50.015C and Alaska Alcoholic Beverage Control Board requirements.
5. Employees will be trained in accordance with the Alcoholic Beverage Control Board's "Liquor Server Awareness Training Program," in accordance with Alaska Statute 04.21.025. 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.






2012-034



Municipality of Anchorage
Planning Department

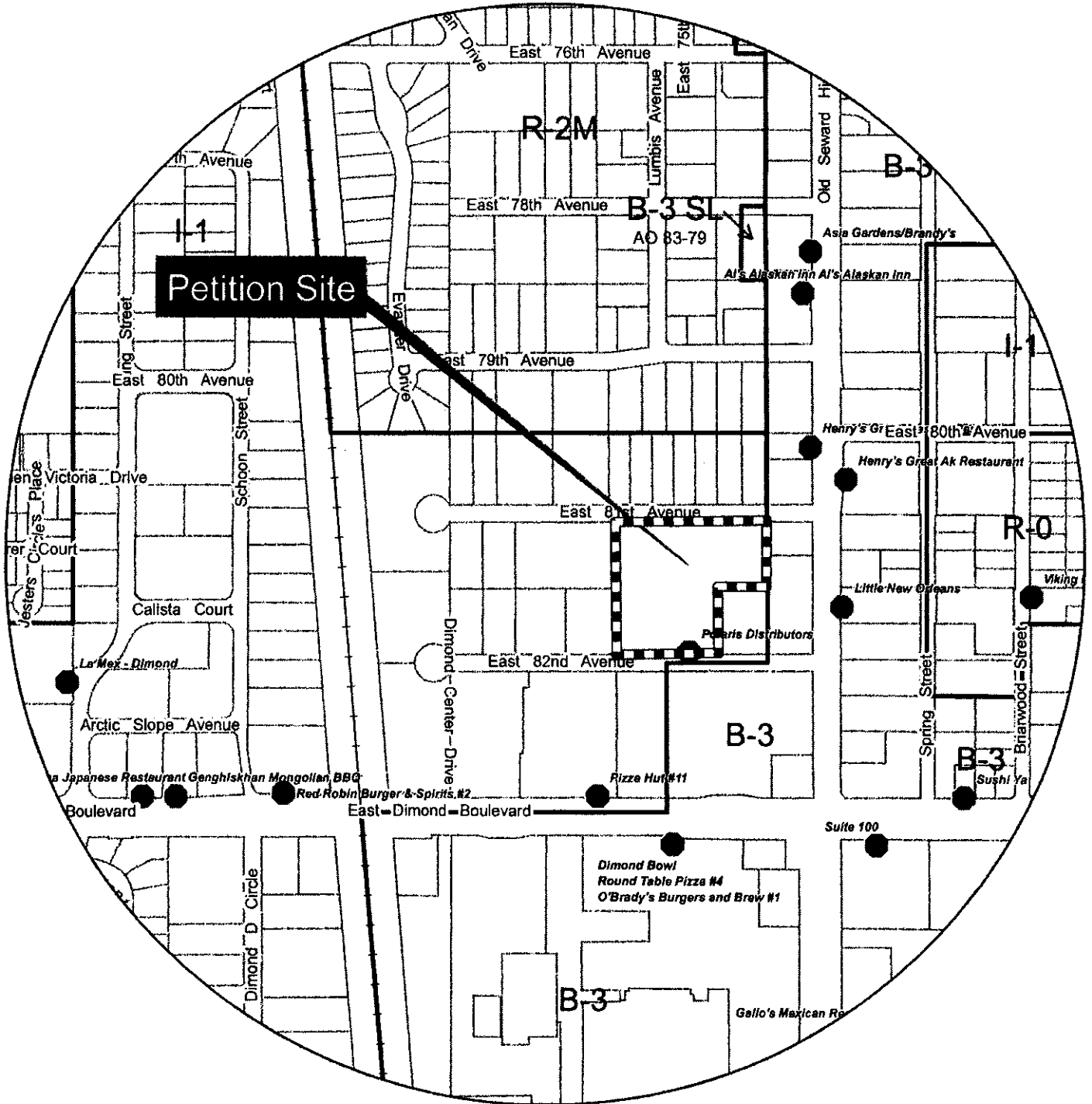
Date: February 17, 2012

-  Mobile Home Park
-  Multi-Family
-  Single Family



2012-034

EXISTING LIQUOR LICENSES WITHIN 1000'



Alcohol Existing License List Report

Case Number: 2012-034

Description: 1000'

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
01305127000 Asia Gardens/Brandys	HARDING ROBERT IRREVOCABLE Robert D. Harding	7828 OLD SEWARD HIGHWAY 7828 Old Seward Hwy	ANCHORAGE 83	AK B3	99518 Beverage Dispensary
01305165000 Al's Alaskan Inn	BAIK INSOOK Allen Henry Choy, LLC	2231 BELMONT DRIVE 7830 Old Seward Hwy	ANCHORAGE 10	AK B3	99517 Beverage Dispensary Tour
01308154000 Haru	NATIONAL BANK OF ALASKA Hi Chun Kang	PO BOX 2609 729 E Dimond Blvd	CARLSBAD 2935	CA I1	92018 Restaurant/Eating Place
01308159000 Bare Distillery, LLC	PETTIT-EDWARDS ALASKA Bare Distillery	3960 LOCARNO DR 6310 A Street	ANCHORAGE 4985	AK I1	99508 Distillery
01308159000 True North Cellars	PETTIT-EDWARDS ALASKA True North Cellars, LLC	3960 LOCARNO DR 801 East 82nd Ave Unit A14	ANCHORAGE 4931	AK I1	99508 Wholesale/MBW
01309224000 Dimond Bowl	DIMOND CENTER HOLDINGS LLC Dimond Center, LLC	800 E DIMOND BLVD #3-500 800 E Dimond Blvd #3-023	ANCHORAGE 4674	AK B3	99515 Recreational Site
01309224000 Young O'Brady's Burgers & Brew#1	DIMOND CENTER HOLDINGS LLC Forever Young Enterprise, LLC	800 E DIMOND BLVD #3-500 800 E Dimond Blvd #159	ANCHORAGE 1989	AK B3	99515 Restaurant/Eating Place
01420228000 Sushi Ya	DYNAMIC VENTURES #3 Kyong S. Kim & Uong Mun Kim	3128 PRINCETON WAY 1111 E Dimond Blvd	ANCHORAGE 4360	AK B3	99508 Restaurant/Eating Place
01420306000 Viking Hall	VIKING HALL INC Viking Hall, Inc.	8141 BRIARWOOD STREET 8141 Briarwood St	ANCHORAGE 1579	AK RO	99518 Club
01420307000 LA Mex Too	A & G LLC La Mexicana Inc.	9131 EMERALD DR PO Box 92480	ANCHORAGE 4694	AK B3	99502 Beverage Dispensary
01420307000 Las Margaritas	A & G LLC Las Marg LLC	9131 EMERALD DR 8001 Old Seward Hwy	ANCHORAGE 4580	AK B3	99502 Beverage Dispensary
01427110000 Suite 100	GRAND NORTHERN LLC Suite 100 Inc.	PO BOX 140108 1000 E Dimond Blvd Suite 100	ANCHORAGE 4662	AK B3	99514 Beverage Dispensary

Alcohol Church and School List Report

Case Number: 2012-034

Description: 200'

Parcel	Parcel Owner Name	Parcel Site Address	Description
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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) Ivanoff Kyle O.	Name (last name first)	
Mailing Address 534 E 15 th Terrace #3	Mailing Address	
Contact Phone: Day: 907 830 7695 Night:	Contact Phone: Day:	Night:
FAX:	FAX:	
E-mail: K.Ivanoff@allkash.ak.com	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):	013-081-59	
Site Street Address:	801 E. 82 nd Avenue unit B14	
Property Owner (if not the Petitioner):	Pcttit - Edwards Alaska community Property	
Current legal description: (use additional sheet in necessary) Bella Vista #2 LT 12A		
Zoning: I 1	Acreage: 201,321 SQ FT	Grid# SW 2231

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.

2-1-12	 (Kyle Ivanoff)
Date	Signature (Agents must provide written proof of authorization)

Accepted by: FM	Poster & Affidavit: + affidavit #2, 125.00	Case Number: 2012-034
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COMPREHENSIVE PLAN INFORMATION

Anchorage 2020 Urban/Rural Services: Urban Rural

Anchorage 2020 West Anchorage Planning Area: Inside Outside

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

Major Employment Center Redevelopment/Mixed Use Area Town Center

Neighborhood Commercial Center Industrial Center

Transit - Supportive Development Corridor

Eagle River-Chugiak-Peters Creek Land Use Classification:

Commercial Industrial Parks/opens space Public Land Institutions

Marginal land Alpine/Slope Affected Special Study

Residential at _____ dwelling units per acre

Girdwood- Turnagain Arm

Commercial Industrial Parks/opens space Public Land Institutions

Marginal land Alpine/Slope Affected Special Study

Residential at _____ dwelling units per acre

ENVIRONMENTAL INFORMATION (All or portion site affected)

Wetland Classification: None "C" "B" "A"

Avalanche Zone: None Blue Zone Red Zone

Floodplain: None 100 year 500 year

Seismic Zone (Harding/Lawson): "1" "2" "3" "4" "5"

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

Rezoning - Case Number:

Preliminary Plat Final Plat - Case Number(s):

Conditional Use - Case Number(s):

Zoning variance - Case Number(s):

Land Use Enforcement Action for

Building or Land Use Permit for

Wetland permit: Army Corp of Engineers Municipality of Anchorage

DOCUMENTATION


Required:

- Original signed application, plus 12 sets of:
- Building Permit application for new construction or change of use, if applicable
- Approved parking and landscape plan from Land Use Review
- 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.
- Completed application and narrative: explaining the project; construction, operation schedule, and open for business target date.
- Zoning map showing the proposed location.
- 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.

1/31/2012 

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):

ALL Bush

What is the gross leaseable floor space in square feet?

750 square feet

What is the facility occupant capacity?

N/A

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

none

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

3

What will be the normal business hours of operation?

10 Am - 10 pm

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

10 Am - 10 pm

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

100 % Alcoholic beverage sales

% 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 within 200 Ft	

PACKAGE STORES

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

0 % less than \$5.00

20 % \$5.00 to \$10.00

65 % \$10.00 to \$25.00

15 % 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.

This is an industrial area and this and this package store license furthers the goals and policies of the comprehensive plan. the comprehensive plan supports businesses.

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

This I.1 district allows package store licenses with a conditional use permit.

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

This is an industrial district and this conditional use will be compatible with the surrounding land uses.

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

1. Pedestrian and vehicular traffic circulation and safety.

Parking lot is paved and well lit. we would not be your typical liquor store in that all of our business would be mail order to wet and damp villages.

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

all utilities are already installed and in place.

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

none

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

* This business is completely compatible with this business park.

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?

none

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

one. Haru sushi.

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?

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

No, in my personal opinion the quantity of active liquor licenses does not have a negative impact on the community. dispersing the licenses throughout the city means no one part of the city has more problems with alcohol than another. People will always find a way to get alcohol if they want it. It has a positive effect in that there are more successful small businesses to drive the economy.

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? **TAM**

My self and my partner are currently ~~two~~ certified and will be the only employees. After growth and expansion or if the need for more employees arises they will become TAM certified before Hire.

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

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

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

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

inside facility: All signage and warnings posted in a visible area. Telephone in place to alert proper authorities, and security cameras. We are not the typical package store, most of our business will be mail order.

outside facility: locks on all entrances and security cameras.

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*

Supplemental Form: OWNERSHIP AND BENEFICIAL INTEREST DISCLOSURE

PETITIONER: CORPORATE OFFICERS OR PARTNERS

Applicants for an entitlement that will be in possession and the responsibility of more than one individual, such as a co-owner, joint venture, partnerships, corporations, company, or other similar form of ownership, are required to disclose a full and complete list of the name and address of each principal. (use additional paper if necessary)

Name	Title or Office(if any)	Address	Phone
John Edwards	Trustee	3960 Locarno Dr. Anchorage AK, 99508	907-240-9946
Nancy Petit	Trustee	3960 Locarno Dr. Anchorage AK. 99508	907-240-9946

PROPERTY OWNER: CORPORATE OFFICERS OR PARTNERS

The petitioner of a property owned by more than one individual that will benefit from an entitlement is required to disclose a full and complete list of the name and address of each partner, officer, or co-owner. The other owner interest to be reported is co-owner, joint venture, partnership, corporation, company, or other similar form of ownership. (use additional paper if necessary)

Name	Title or Office(if any)	Address	Phone

Attach this sheet to your application form

Accepted by:	Date:	Application for:	Case Number:
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THE CONSEQUENCES OF THIS TRUST MAY BE VERY EXTENSIVE, INCLUDING, BUT NOT LIMITED TO, YOUR RIGHTS WITH RESPECT TO CREDITORS AND OTHER THIRD PARTIES, AND YOUR RIGHTS WITH YOUR SPOUSE BOTH DURING THE COURSE OF YOUR MARRIAGE AND AT THE TIME OF A DIVORCE. ACCORDINGLY, THIS AGREEMENT SHOULD ONLY BE SIGNED AFTER CAREFUL CONSIDERATION. IF YOU HAVE ANY QUESTIONS ABOUT THIS AGREEMENT, YOU SHOULD SEEK COMPETENT ADVICE.

THE PETTIT-EDWARDS COMMUNITY PROPERTY TRUST

THIS DECLARATION OF TRUST made the 2 day of October 2007, by JOHN E. EDWARDS and NANCY L. PETTIT, a married couple residing in Anchorage, Alaska (hereinafter respectively referred to as the "Husband" and the "Wife" and each referred to as a "Trustor", and collectively referred to as the "Trustors"), and the Husband and the Wife as "Trustees."

W I T N E S S E T H:

WHEREAS, the Trustors desire to create a trust of the property hereinafter specified for the purposes hereinafter set forth;

WHEREAS, the Trustors desire the trust to be an Alaska Community Property Trust within the meaning of Alaska Statute 34.77.100;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, the Trustors do hereby assign, convey, transfer and deliver, jointly and/or severally,

DAVIS, RANDALL & MATHIS, P.C.
405 W. 36th AVENUE, SUITE 200
ANCHORAGE, ALASKA 99503-5872
(907) 561-4420

DAVIS, RANDALL & MATHIS, P.C.
405 W. 36th AVENUE, SUITE 200
ANCHORAGE, ALASKA 99503-5872
(907) 561-4420

to the Trustees the property, described in Schedule A, Paragraph A, hereto annexed, which the Trustors hereby declare to be community property under Chapter 77 of Title 34 of the Laws of the State of Alaska; and

TO HAVE AND TO HOLD the same and any other property which the Trustees may hereafter at any time hold or acquire hereunder (the "trust estate"), IN TRUST, for the following uses and purposes and subject to the terms and conditions hereinafter set forth:

ARTICLE I

Name of the Trust. This trust shall be known and may be referred to as the "PETTIT-EDWARDS ALASKA COMMUNITY PROPERTY TRUST."

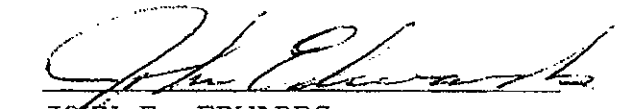
ARTICLE II

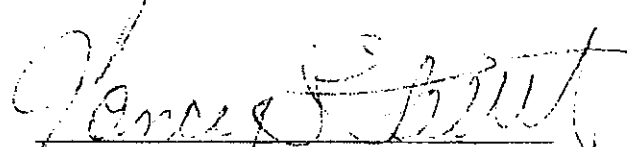
Trust Estate. The following property shall constitute the trust estate:

A. Original Trust Property. All right, title and interest of either Trustor or of both Trustors in and to the property described on Schedule "A" annexed hereto and made a part hereof.

DAVIS, RANDALL & MATHIS, P.C.
405 W. 36th AVENUE, SUITE 200
ANCHORAGE, ALASKA 99503-5872
(907) 561-4420

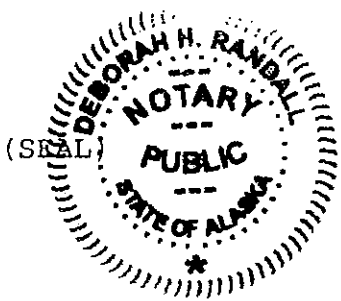
Testimonium Clause. IN WITNESS WHEREOF, the Trustor and
the Trustee have executed this Trust Agreement.


JOHN E. EDWARDS
TRUSTOR/TRUSTEE


NANCY L. PETTIT
TRUSTOR/TRUSTEE

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

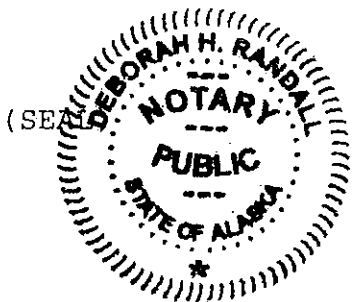
The foregoing instrument was acknowledged before me this
2 day of October, 2007, by JOHN E. EDWARDS,
Trustor/Trustee of the PETTIT-EDWARDS Community Property Trust.



Deborah H. Randall
NOTARY PUBLIC in and for Alaska
My Commission Expires: 6-28-08

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this
2 day of October, 2007, by NANCY L. PETTIT,
Trustor/Trustee of the PETTIT-EDWARDS Community Property Trust.



Deborah H. Randall
NOTARY PUBLIC in and for Alaska
My Commission Expires: 6-28-08

DAVIS, RANDALL & MATHIS, P.C.
405 W. 36th AVENUE, SUITE 200
ANCHORAGE, ALASKA 99503-5872
(907) 561-4420

PETTIT PROPERTIES

801 East 82nd

PARKING CODE STUDY

Building A	unit	office space	warehouse space	total unit space
	1	120 sq.ft.	1130 sq.ft.	1250 sq.ft.
	2	172	1078	1250
	3-4	400*	3600	4000
	5	172	1828	2000
	6	98	1152	1250
	7	172	1178	1250
	8	172	1178	1250
	9		750	750
	10		750	750
	14		750	750
	15	50	700	750
	16	70	680	750
	Total	1426	14574	16000

Building B	unit	office space	warehouse space	total unit space
	1-2	450	3550	4000
	3	128	1872	2000
	4		1250	1250
	5		1250	1250
	6		1250	1250
	7		1250	1250
	8	132	1118	1250
	12		750	750
	13		750	750
	14		750	750
	15	84	666	750
	16	132	618	750
	Total	926	15074	16000

Building C	unit	office space	warehouse space	total unit space
	1-7	98	2402	2500
	2		1250	1250
	3-4	400	2100	2500
	5		1250	1250
	6	154	1096	1250
	8		1250	1250

SUBMITTAL
 NOV 29 2010
 Jinny Rose Day
 095041
 CO#8

Unit #	Office Space	Warehouse Space	Total Unit Space
Building C			
9-10	168	2332	2500
11-12		2500	2500
	-----	-----	-----
Total	820	14180	15000

Building D			
1-2	1000	5000	6000
3-4		4000	4000
5		1250	1250
6		1250	1250
7	60	1440	1500
	-----	-----	-----
Total	1060	12940	14000

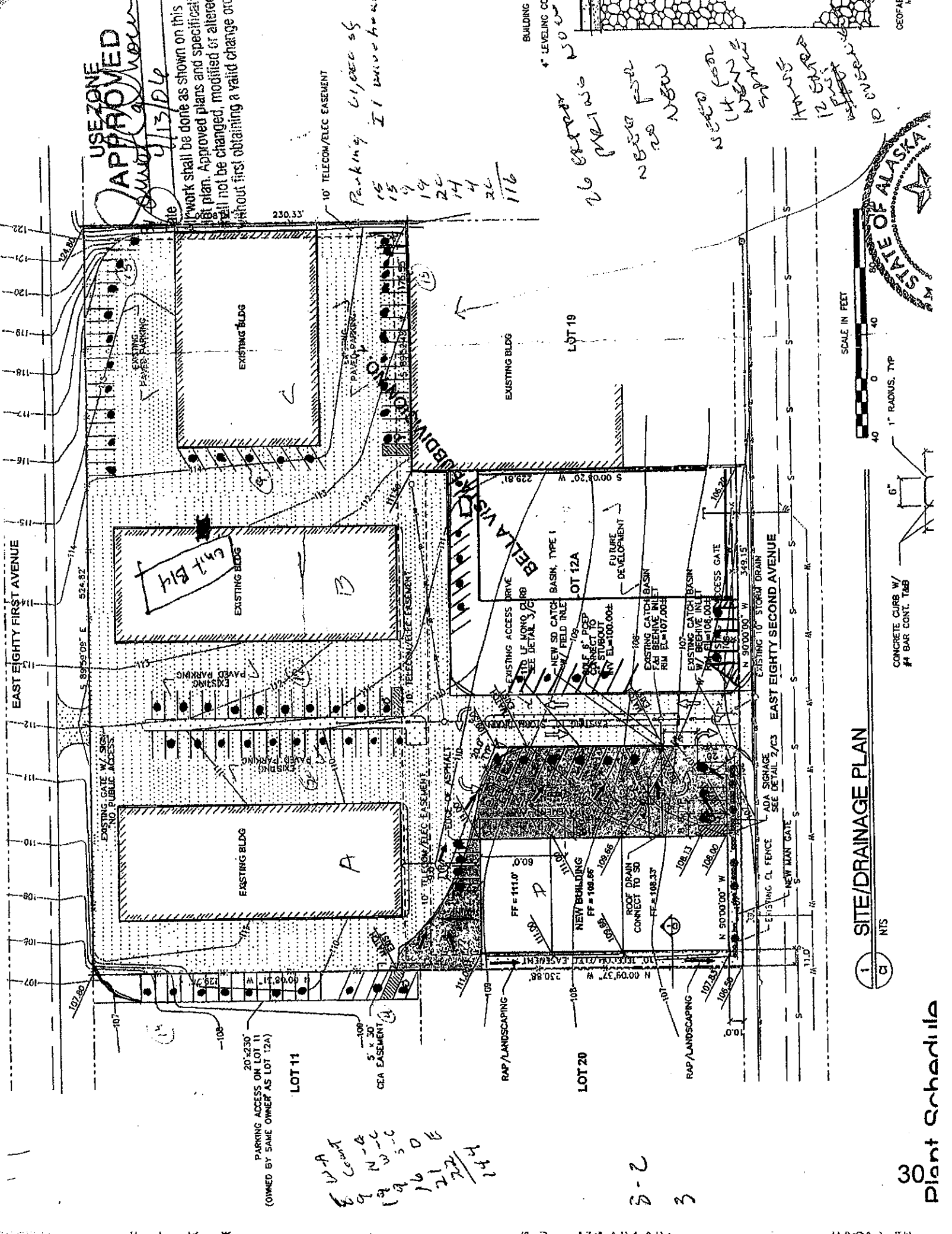
Building E			
1+		4050	4050
2-3-4		6750	6750
5	120	2700	2700
6		2200	2200
7		50	50
	-----	-----	-----
Total		15750	15750

	Office Space	Warehouse Space	Total Unit Space
Grand Total	4232	72518	76750

Required 25 73 = 98

All unit spaces are in square feet
 * office not in use

*Let 12A on site parking spaces 144
 required 98
 additional 46*



USE ZONE APPROVED
 8/13/16

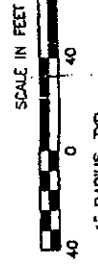
Work shall be done as shown on this plan. Approved plans and specifications shall not be changed, modified or altered without first obtaining a valid change order.

10' TELECOM/ELEC EASEMENT

Parking 6,100 sq ft
 I 1 minor h/w

BUILDING
 LEVELING CO

16 EXISTING
 15 EXISTING
 14 EXISTING
 13 EXISTING
 12 EXISTING
 11 EXISTING
 10 EXISTING



SITE/DRAINAGE PLAN

N.T.S.

CONCRETE CURB W/
 #4 BAR CONT. 1888

30 Plant Schedule

20'-230'
 PARKING ACCESS ON LOT 11
 (OWNED BY SAME OWNER AS LOT 12A)

LOT 11

CEA EASEMENT

1-1
 2-2
 3-3
 4-4
 5-5
 6-6
 7-7
 8-8
 9-9
 10-10
 11-11
 12-12
 13-13
 14-14
 15-15
 16-16
 17-17
 18-18
 19-19
 20-20

LOT 20

3-2
 3

EAST EIGHTY SECOND AVENUE

EAST EIGHTY FIRST AVENUE

EXISTING GATE W/ SIGN AND PUBLIC ACCESS

Chit Bldg

EXISTING BLDG

EXISTING BLDG

EXISTING BLDG

LOT 19

LOT 12A

NEW BUILDING

BELLA VISTA BELLEVILLE

ROOF DRAIN CONNECT TO SD

FE # 108.33

108.13

108.00

108.00

108.00

108.00

108.00

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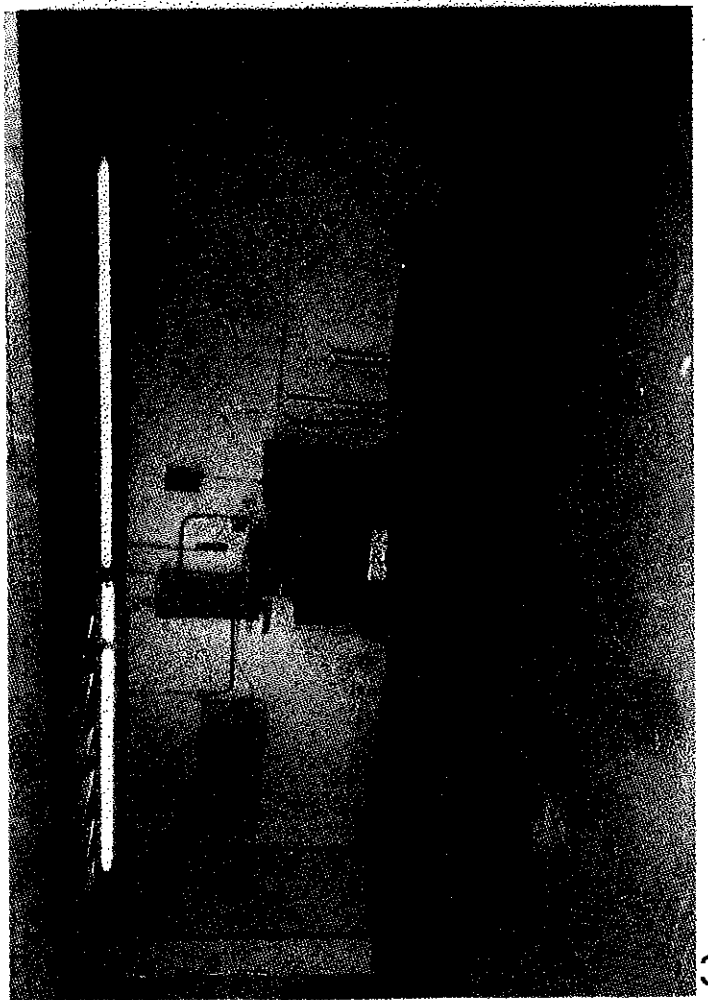
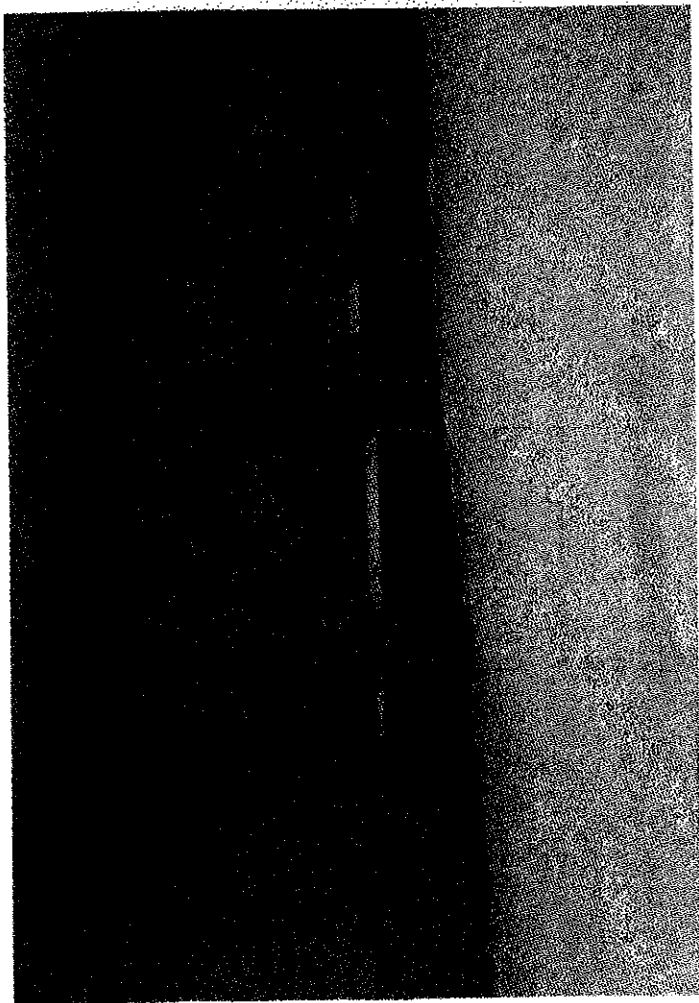
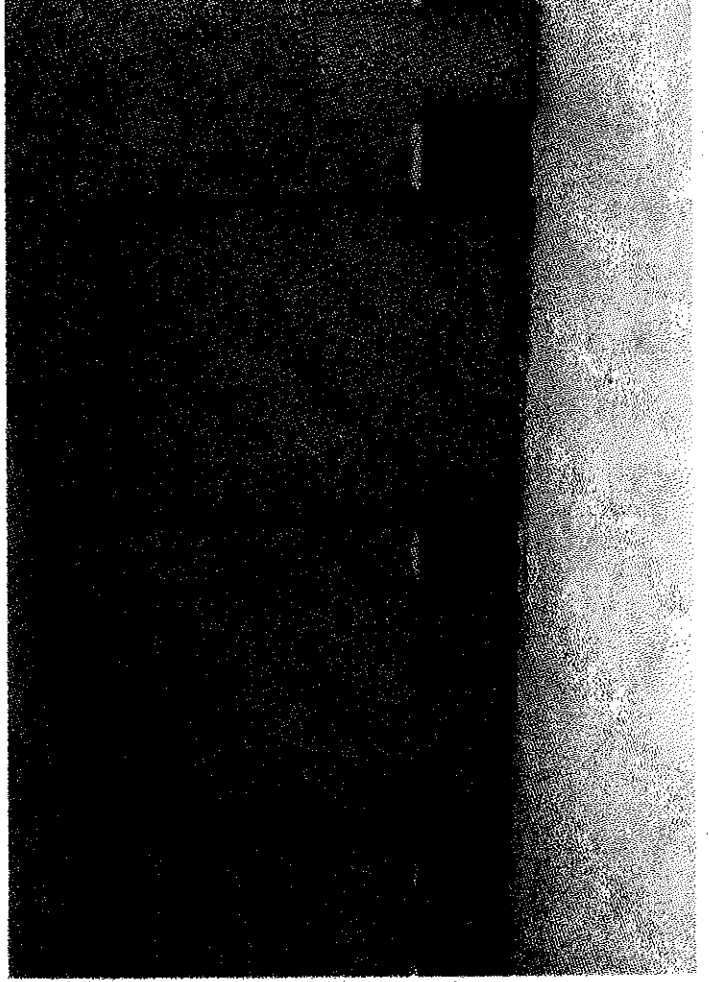
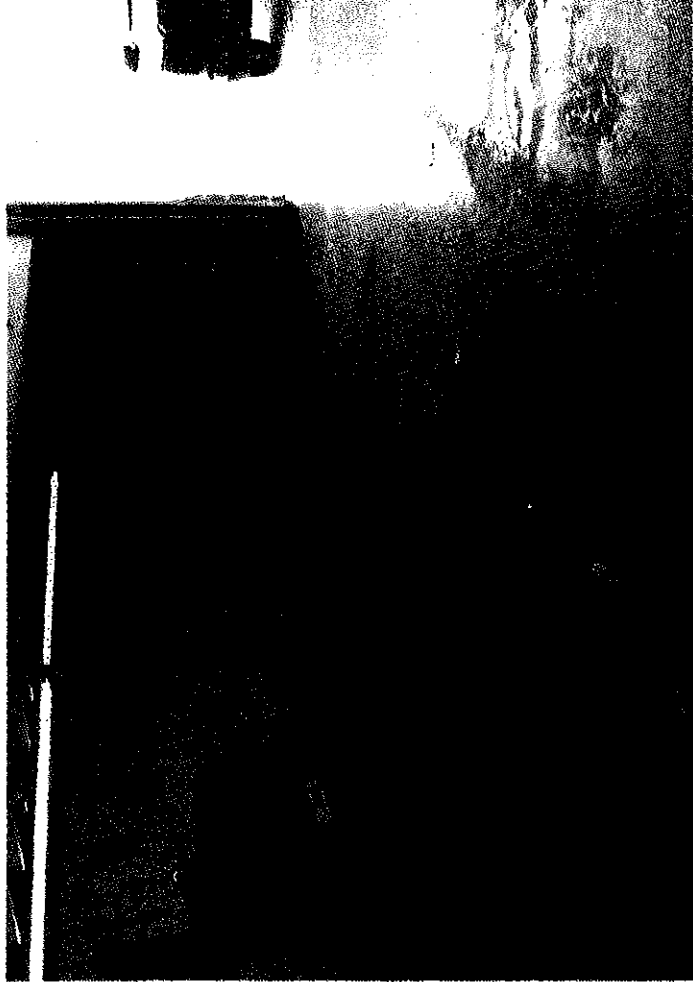
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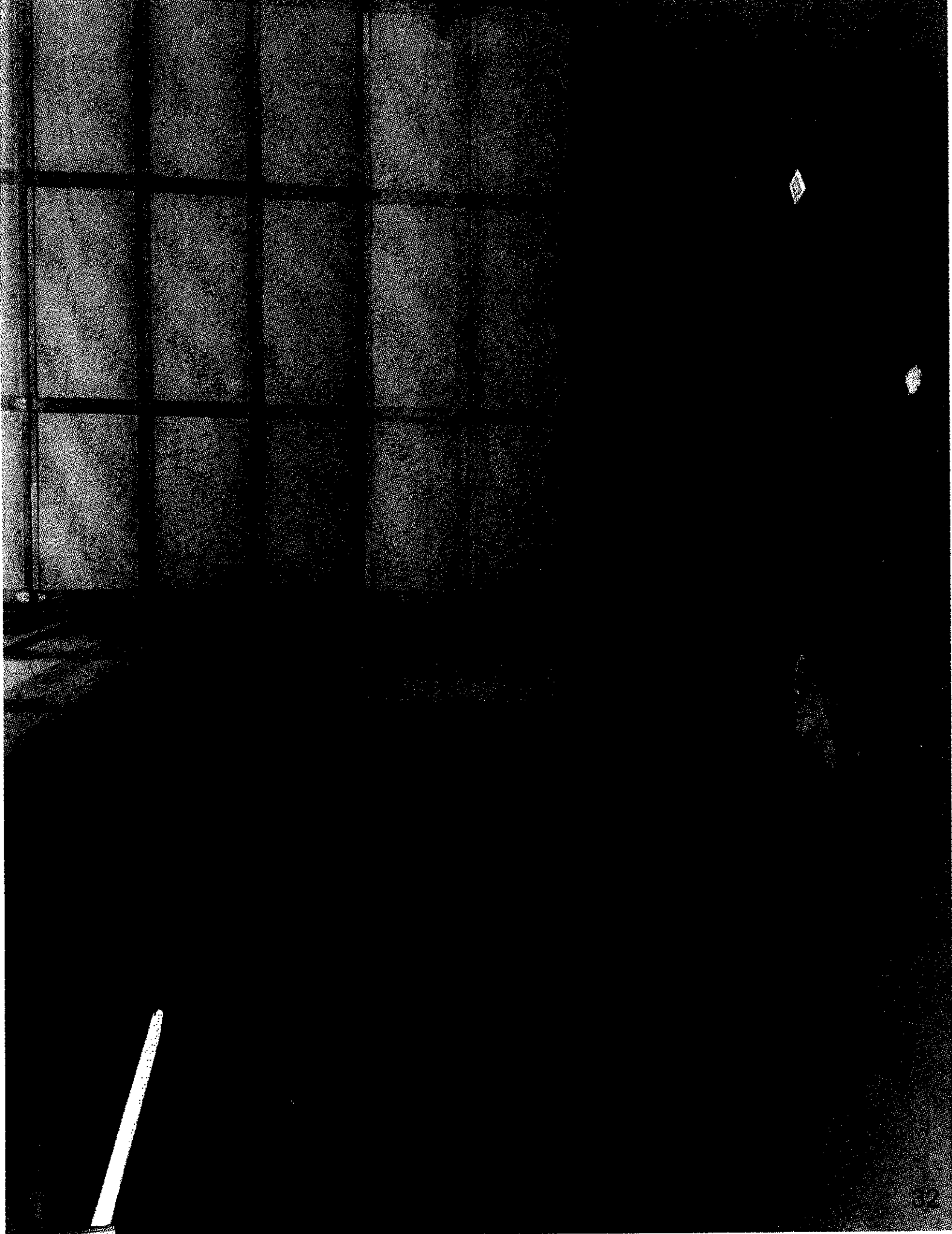
108.00

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New Liquor License

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

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

This application is for:

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

SECTION A. LICENSE INFORMATION. Must be completed for all types of applications.			FEES
License Year: <u>2012</u>	License Type: <u>Package store license</u>	Statute Reference: <u>Sec. 04.11.150</u>	License Fee: \$ <u>1500</u> Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) <u>MOA</u>		Community Council Name(s) & Mailing Address:	
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <u>Kyle Ivanoff</u>		Fingerprint: <u>(354.25 per person) 2425</u> Total Submitted: \$ <u>1654.25</u>	
Mailing Address: <u>801 E</u>		Doing Business As (Business Name): <u>All Bush</u>	
City, State, Zip: <u>Anchorage, AK, 99518</u>		Business Telephone Number: <u>907 830 7695</u> Fax Number:	
Street Address or Location of Premise: <u>801 E 82nd unit B14</u>		Email Address: <u>AllBushAK@gmail.com</u>	

SECTION B. PREMISES TO BE LICENSED. Must be completed.

Closest school grounds <u>2,112 Ft</u> Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable
Closest church: <u>1,056 Ft</u> Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached

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

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

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

Name	Name of Business	Type of License	Business Street Address	State

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

Yes No If Yes, attach written explanation.

Office use only Date Approved	Director's Signature
----------------------------------	----------------------

Liquor License

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

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership) <i>N/A</i>	Telephone Number <i>907 830 7695</i>	Fax Number
Corporate Mailing Address: <i>801 E 82nd Ave. Unit B14</i>	City <i>Anchorage</i>	State <i>ALASKA</i>
Name, Mailing Address and Telephone Number of Registered Agent	Date of Incorporation OR Certification with DCED	Zip Code <i>99518</i>

Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? Yes No If no, attach written explanation.
 Your entity **must** be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth

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

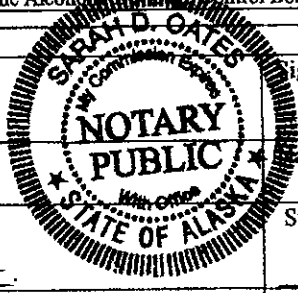
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: <i>Kyle Evanoff</i> Address: <i>534 E 15th terrace</i> <i>Anchorage AK 99501</i> Home Phone: <i>907 830 7695</i> Work Phone: <i>907 562 2532</i>	Applicant <input checked="" type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth: Home Phone: Work Phone:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> Date of Birth:

Declaration

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

Signature of Licensee(s) Signature <i>[Handwritten Signature]</i>	Signature
Name & Title (Please Print) <i>Kyle Evanoff</i>	Name & Title (Please Print)
Subscribed and sworn to before me this <i>18th</i> day of <i>January, 2012.</i>	Subscribed and sworn to before me this day of
Notary Public in and for the State of Alaska <i>[Handwritten Signature]</i>	Notary Public in and for the State of Alaska
My commission expires: <i>w/office</i>	My commission expires:



STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD

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

POSTING AFFIDAVIT

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

1. a. Posting of application for a new package store liquor license
for All Bush
located at 801 E 82nd avenue unit B14
(address and/or location)

OR

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

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

1-4-12 to 1-15-12

*** Prior to the filing of said application, a true copy of the application was posted at the following described locations: (name and address of location)

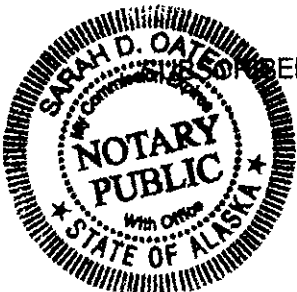
- a. Location of premises to be licensed 801 E 82nd avenue unit B14
b. Other conspicuous location in the area sand lake post office

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

- a. a radius of five (5) miles of the proposed location.
b. an incorporated city, organized borough or unified municipality.
c. does not apply (application filed under AS 04.11.400(d)(e)(g) or transfer of license holder or location within an incorporated city or unified municipality or organized borough).
d. established village.

[Signature]
(signature)

DEPOSED and SWORN to me this 18th day of January, 2012.



[Signature]
Notary Public in and for Alaska
My commission expires: n/office

**Liquor License
Notice New
Application**

Kyle Ivanoff, d/b/a All Bush located at 801 E. 82nd Ave Unit B-14, Anchorage, Ak 99518 is applying for a new package store AS 04:11.150 liquor license to All Bush.

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

I, Emerald Kroeker, office manager for Anchorage Publishing, Co., verify that the liquor license notice of new application for Kyle Ivanoff d/b/a All Bush appeared in the January 5th, January 12th, and January 19th issues of the Anchorage Press Newspaper.

Emerald Kroeker

Emerald Kroeker

Subscribed and sworn to me in the Municipality of Anchorage, in the state Alaska, on this 19th day of JANUARY, 2012

Peter J. Nolan

Notary Public Signature

9/15/2014

Commission Expires

State of Alaska
NOTARY PUBLIC
Peter J. Nolan
My Commission Expires 9/15/2014

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: All Bush

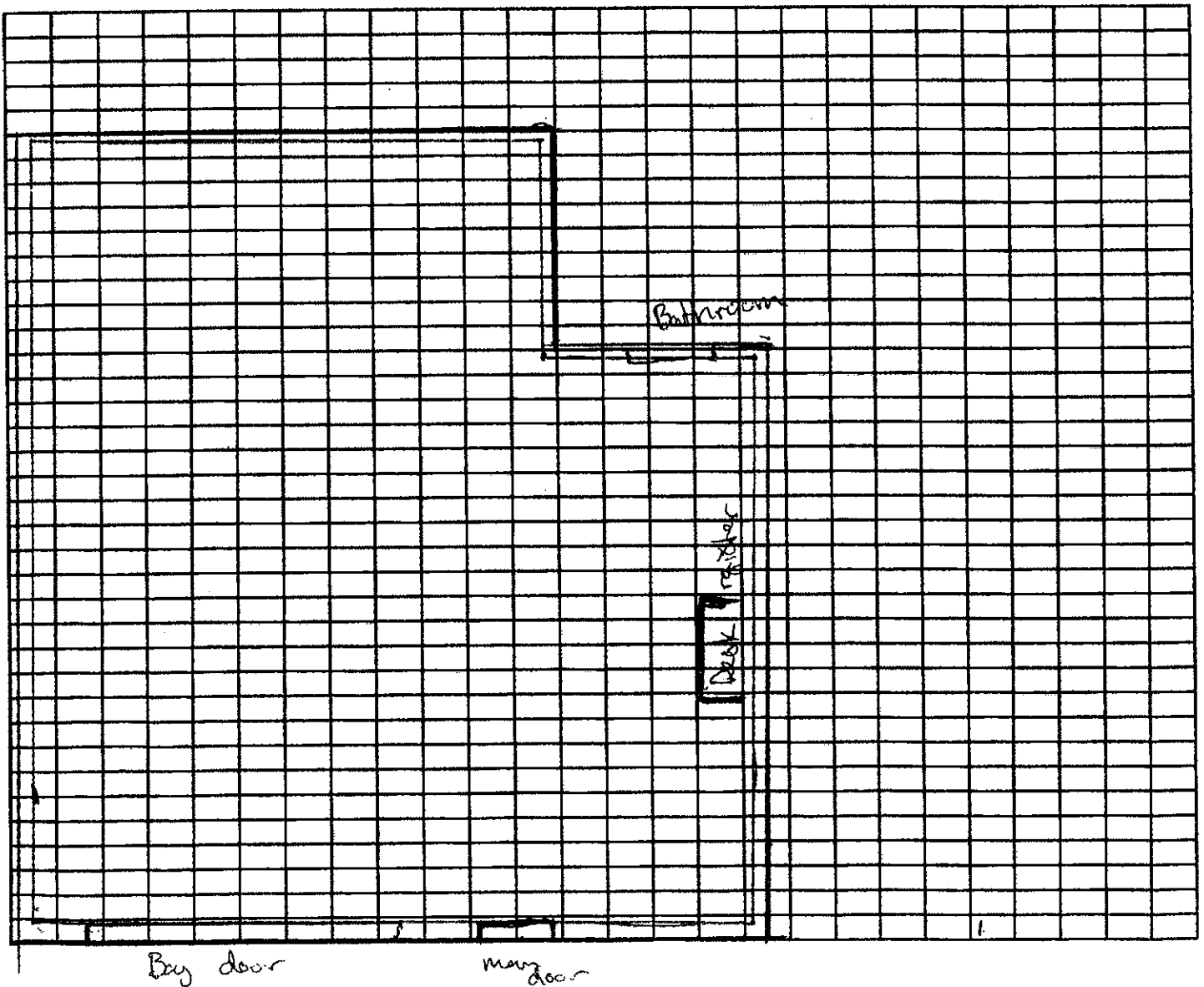
PREMISES LOCATION: 801 E 82nd ave. unit B14

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

SCALE A: X 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.



STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD

STATEMENT OF FINANCIAL INTEREST

CONFIDENTIAL

TO BE COMPLETED BY EACH APPLICANT, EITHER INDIVIDUAL OR CORPORATE

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

Applicant: <i>Kyle Ivanoff</i>	DBA: <i>All Bush</i>
EIN or SSN: [REDACTED]	Location: <i>801 E 82nd avenue unit 14 B</i>
List each owner, shareholder, member in the boxes below:	

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

NAME	ADDRESS	AMOUNT	PURPOSE
<i>None</i>			

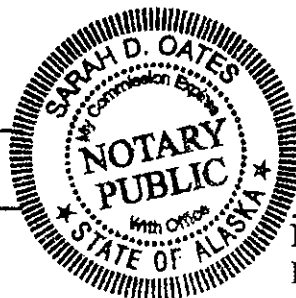
Under the penalties of perjury, I declare that I have examined this application, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete.

Signature of Applicant/Transferee

[Handwritten Signature]

1-19-2012

Date



Subscribed and sworn to before me this

19th Day of *January* 20 *12*

Notary Public in and for the State of Alaska
My commission expires *w/office*

Departmental and Public Comments

Stewart, Gloria I.

From: Gray, James D.
Sent: Wednesday, February 22, 2012 11:31 AM
To: Stewart, Gloria I.; Kimmel, Corliss A.
Subject: FW: Plat reviews

RECEIVED

FEB 21 2012

Follow Up Flag: Follow up
Flag Status: Red

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

James D. Gray, P.E.; EFO
Acting Fire Marshal
Anchorage Fire Department, Fire Prevention Division
267-4970
www.muni.org/prevention; grayjd@muni.org

From: Gray, James D.
Sent: Tuesday, February 21, 2012 2:44 PM
To: Whitfield, David R.
Subject: Plat reviews

Case 2011-144	Zoning	3401 Rabbit Creek Rd	2/21/2012	JG	Provide a fire access r buildings exterior along route would not include parking spaces as she previously made - no f
Case 2011-104	Zoning	Title 21 comp plan revisions	2/21/2012	JG	No objection
Case 2012-030	Zoning	Rose Street rezone	2/21/2012	JG	No objection
Case 2012-033	Zoning	Tudor Center subdivision rezone	2/21/2012	JG	No objection
Case 2012-035	Zoning	Girdwood township rezone	2/21/2012	JG	No objection
Case 2012-036	Zoning	Lumen Park rezone	2/21/2012	JG	No objection
Case 2012-032	LL	1207 E 36th	2/21/2012	JG	No objection
Case S11099-6	Zoning	ER High School extension	2/21/2012	JG	No objection
Case S11823-2	Zoning	Village at 4302 Extension	2/21/2012	JG	No objection
Case S11905-1	Zoning	Gyr Sub	2/21/2012	JG	No objection
Case S11906-1	Zoning	Dawn Ridge Sub	2/21/2012	JG	No objection
Case S11907-1	Zoning	Sunset Hills West	2/21/2012	JG	No objection
Case S11908-1	Zoning	OH Fast's Sub	2/21/2012	JG	No objection
Case S11909-1	Zoning	Sea Shack Sub	2/21/2012	JG	No objection
Case S11910-1	Zoning	Roseberry Ridge Estates	2/21/2012	JG	No objection
Case 2012-034	LL	Bella Vista - All Bush Liquor	2/21/2012	JG	No objection
Case S11911-1	Zoning	Scenic heights Sub	2/21/2012	JG	No objection
Case S11912-1	Zoning	Alpine Village	2/21/2012	JG	No objection
Case S11913-1	Zoning	Dimond D sub	2/21/2012	JG	No objection

James D. Gray, P.E.; EFO
Acting Fire Marshal

Posting Affidavit and Historical Information

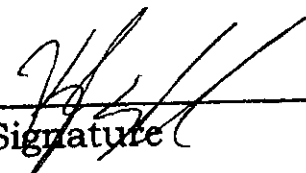


AFFIDAVIT OF POSTING

Case Number: 2012-034

I, Kyle Ivanoff, 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 2-8-2012 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 23rd day of February, 2012.


Signature

LEGAL DESCRIPTION

Tract or Lot (C) 12A
Block _____
Subdivision Bella Vista #2



Dan Sullivan,
Mayor

ANCHORAGE POLICE DEPARTMENT

4501 Elmore Road • Anchorage, Alaska 99507-1599
Telephone (907) 786-8500



Service since 1921

April 13, 2012

Assembly Chair Ms Debbie Ossiander
Vice-Chair Mr Ernie Hall
Public Safety Committee Chair Mr Paul Honeman

RE: ABC Board Beverage Dispensary License #4350 (Three Amigos Mexican Restaurant)
Modification of a Conditional Use Permit application.

The establishment known as Three Amigos Mexican Restaurant located at 360 Boniface Parkway A30-31, has filed a modification of the Conditional Use Permit to extend their operating hours. The permitted hours are currently 11:00 AM to 10:00 PM Monday through Friday; and 11:00 AM to 1:00 AM on weekends. The applicant seeks to expand hours to stay open to 2:30 AM Monday through Thursday, and to 3:00 AM on Friday and Saturday.

The Anchorage Police Department opposes the request to modify the Conditional Use Permit because of recent violations and reported criminal activity at the establishment. These violations and criminal activity pose serious public safety issues for the community.

APD Officers and ABC Board Investigators have observed and documented criminal activity conducted by employees and patrons of the Three Amigos Mexican Restaurant; activity which is in violation of the establishment's current permit. The establishment has operated in violation of its Conditional Use Permit by operating outside the hours currently permitted by the Anchorage Assembly as granted in their Conditional Use Permit (AR 2009-276).

On November 17, 2009, the Anchorage Assembly approved an Alcoholic Beverage Conditional Use for Beverage Dispensary Use and License in the B-3 District for Victor Hurlado (correct spelling is Hurtado) and Jose Diaz DBA Three Amigos Mexican Restaurant, located at 360 Boniface Parkway, Suite number 30-31. Section 2, condition 5 of the permit states:

On-premise sale of alcoholic beverages are from 11:00 AM to 10:00 PM on Monday through Friday, and 11:00 AM to 1:00 AM on weekends, 365 days a year. Liquor sales represent 20 percent compared to 80 percent food sales.

The Anchorage Police Department has responded to the restaurant's location at least 25 times in the last 6 months and opposes the modification of the current permit for a number of reasons; significant among them are the following:

- Several of the calls for police service involve disturbances; some where weapons have been fired.
- Officers have documented the over service and after hours sales of alcohol to patrons.
- The establishment has operated as an illegal after hours night club.
- Reported gang activity at the establishment.

An example of a disturbance where weapons were fired occurred on 2/11/2012 at approximately 4:00 AM. (APD Case # 12-006737). APD received a 911 shots fired call at the Three Amigo's Mexican Restaurant. The initial disturbance started inside the establishment and spilled out into the parking lot; where at least two groups of individuals shot multiple weapons at several vehicles. This type of criminal activity poses serious public safety issues for the community.

The following week, on 2/18/2012, APD Officers went undercover into an after-hours late night party held at the Three Amigo's Mexican Restaurant. At 03:14 AM, Officers purchased shots of alcohol from a male bartender (later identified as a friend of the owner, Mr. Victor Hurtado). The bartender who sold the shots to the undercover officers was not certified or trained in Alcohol Education courses as required by the State of Alaska. Three Amigo's Mexican Restaurant was not only violating their Conditional Use Permit restrictions, they also sold alcohol after all other local bars within the Municipality were prohibited from doing so. (APD case #12-007977)

Less than two hours after the undercover officers were in the Three Amigo's Mexican Restaurant on 2/18/2012, APD Patrol Officers responded to the establishment at 5:03 AM for a fight between at least six patrons in the parking lot. Officers arrested several highly intoxicated people. (APD Case #12-007986)

On 3/3/2012, APD undercover officers went back into the Three Amigos Mexican Restaurant and purchased alcoholic beverages at 3:18 AM and 3:40 AM; in violation of the Municipal Code restricting times the sale of alcohol is permitted.

On 3/17/2012 at approximately 2:00 AM, ABC investigators purchased alcoholic beverages at the Three Amigos Mexican Restaurant; in violation of the establishment's current Conditional Use Permit.

During the APD & ABC Board's investigation of the Three Amigos Mexican Restaurant, the following violations were noted:

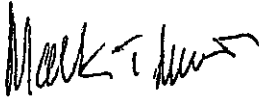
- After-hour sales of Alcohol in violation of the Conditional Use Permit - (8 Violations)
- Servers/employees without Server Education Courses
- Over service of alcohol to their patrons
- Operation of nightclub without permit

During the investigation, additional violations and criminal behavior were documented involving the patrons of the Three Amigos Mexican Restaurant, included were:

- Drug Use
- Carrying concealed firearms (in bar)
- Assault
- Misconduct with weapons
- Vandalism

A search warrant was executed on 3/17/2012 at the Three Amigos Mexican Restaurant and evidence has been seized supporting criminal charges. For these reasons, as Chief of Police for the Anchorage Police Department, I am opposed to the Three Amigos Mexican Restaurant's request to modify their current Conditional Use Permit.

Respectfully,



Chief Mark Mew
Chief of Police

cc: Jerry Weaver, Director, Community Development
Francis McLaughlin, Senior Planner
Amanda Moser, Licensing Clerk
Julia Tucker, Assembly Counsel
Clerk's Office – for distribution to Assembly members, Russian Jack Community Council, ABC Board, CHARR, and Three Amigos Mexican Restaurant