

# 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)		Name (last name first)	
Mailing Address		Mailing Address	
Contact Phone: Day:	Night:	Contact Phone: Day:	Night:
FAX:		FAX:	
E-mail:		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):		
Site Street Address:		
Property Owner (if not the Petitioner):		
Current legal description: (use additional sheet in necessary)		
Zoning:	Acreage:	Grid #

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 type="checkbox"/> Package Store	<input type="checkbox"/> Restaurant	
Is the proposed license: <input type="checkbox"/> New <input type="checkbox"/> Transfer of location: ABC license number:		
Transfer license location:		
Transfer licensed premises doing business as:		

I hereby certify that (I am)(I have been authorized to act for) owner of the property described above and that I petition for a retail sale of alcoholic beverages conditional use permit in conformance with Title 21 of the Anchorage Municipal, Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department, Municipal Clerk, or the Assembly for administrative reasons.

Date	Signature (Agents must provide written proof of authorization)
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Accepted by:	Poster & Affidavit:	Fee	Case Number
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**COMPREHENSIVE PLAN INFORMATION**Anchorage 2020 Urban/Rural Services: ☐ Urban ☐ RuralAnchorage 2020 West Anchorage Planning Area: ☐ Inside ☐ Outside

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

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

Eagle River-Chugiak-Peters Creek Land Use Classification:

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

Girdwood- Turnagain Arm

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

**ENVIRONMENTAL INFORMATION** (All or portion site affected)

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

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

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

**DOCUMENTATION**

- Required:
- ☐ 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.

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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):

What is the gross leaseable floor space in square feet?

What is the facility occupant capacity?

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

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

What will be the normal business hours of operation?

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

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

% 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 8.05.420 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

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### PACKAGE STORES

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

% less than \$5.00

% \$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.

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

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.

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.

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

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

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

#### STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

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

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

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

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

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

*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?*

**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?*

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

*outside facility:*

**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.