

# Application for Special Land Use Permit for Alcohol

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

## PETITIONER\*

Name (last name first)	MARENCO RORY
Mailing Address	PO BOX 58
	GIRDWOOD, AK 99587
Contact Phone – Day	(907) 830.6982
Evening	
Fax	
E-mail	RORY@GIRDWOODBREWING.COM

## PETITIONER REPRESENTATIVE (if any)

Name (last name first)	
Mailing Address	
Contact Phone – Day	
Evening	
Fax	
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 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 special land use permit for the retail sales of alcoholic beverages on a property under (MY)(OUR) ownership and that as part of the special land use permit process the Assembly may apply conditions which will be (MY)(OUR) responsibility to satisfy.

Signature	Tina Cabana	Date	11-18-19
Print Name	Tina Cabana		

\*Disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

## ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE PROPOSED

<input type="checkbox"/> Beverage Dispensary	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Recreational Site
<input type="checkbox"/> Beverage Dispensary, Duplicate	<input checked="" type="checkbox"/> Brewery	<input type="checkbox"/> Other (please explain):
<input type="checkbox"/> Beverage Dispensary-Tourism	<input type="checkbox"/> Club	
<input type="checkbox"/> Beverage Dispensary-Tourism, Duplicate	<input type="checkbox"/> Package Store	
Is the proposed license: <input type="checkbox"/> New <input type="checkbox"/> Transfer of location from:		
<input checked="" type="checkbox"/> Amendment		
ABC license number: 5518		

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 special land 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 special land use permit. I also understand that assigned hearing dates are tentative and may have to be postponed by the Planning Department, Municipal Clerk, or the Assembly, for administrative reasons.

Signature	<input checked="" type="checkbox"/> Petitioner <input type="checkbox"/> Representative	Date	11.18.19
(Representatives must provide written proof of authorization from petitioner)			

Print Name	RORY MARENCO
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Accepted by:	Poster & Affidavit:	Fee:	Case Number:	Requested Meeting Date:
FM	1 + affidavit	\$1,891.00	2020-0013	3-10-20



**PROPERTY INFORMATION**Property Tax # (000-000-00-000): 075-163-44-000Site Street Address: 2700 ALYESKA HWY

Current legal description: (use additional sheet in necessary)

ALPINE VIEW ESTATES PHASE 3, TRACT B-2CZoning: gC-10Acreage: 1.065Grid #: SE 4815**COMPREHENSIVE PLAN INFORMATION**Anchorage 2020 Urban/Rural Services: ☐ Urban ☐ Rural

Anchorage 2020 Major Elements – site is within or abuts:

☐ Major employment center ☐ Redevelopment/mixed use area ☐ Town center☐ Neighborhood commercial center ☐ Industrial reserve☐ Transit - supportive development corridor ☐ District/area plan area: \_\_\_\_\_

Chugiak-Eagle River Land Use Classification:

☐ Commercial ☐ Industrial ☐ Parks/open space ☐ Public lands/institutions ☐ Town center☐ Transportation/community facility ☐ Alpine/slope affected ☐ Special study area ☐ Development reserve☐ Residential at \_\_\_\_\_ dwelling units per acre ☐ Environmentally sensitive area

Girdwood-Turnagain Arm Land Use Classification

☒ Commercial ☐ Industrial ☐ Parks/open space ☐ Public lands/institutions ☐ Resort☐ Transportation/community facility ☐ Alpine/slope affected ☐ Special study area ☐ Reserve☐ Residential at \_\_\_\_\_ dwelling units per acre ☐ Mixed use ☐ Rural homestead**ENVIRONMENTAL INFORMATION** (All or portion site affected)Wetland Classification: ☐ None ☒ "C" ☐ "B" ☐ "A"Avalanche Zone: ☒ None ☐ Blue Zone ☐ Red ZoneFloodplain: ☒ None ☐ 100 year ☐ 500 yearSeismic 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): 2016-0053☐ Zoning variance - Case Number(s):☐ Land Use Enforcement Action for☒ Building or Land Use Permit for C16-1041☒ Wetland permit: ☒ Army Corp of Engineers ☒ Municipality of Anchorage POA-2016-240; GLACIER CREEK 16B**APPLICATION REQUIREMENTS**1 copy required: ☒ Signed application (original) ☒ Ownership and beneficial interest form (if applicable)  
☐ Completed Alcoholic Beverage Control Board liquor license application form (filed with ABC Board) including all drawings and attachments15 copies required ☒ Signed application (copies)  
☒ 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 N/A NO STREET FRONTAGE OR ADJ. STRUCT.  
☒ Narrative explaining the project; construction schedule and open for business target date; analysis of approval criteria on page 3

### FACILITY OPERATIONAL INFORMATION

What is the proposed or existing business name? (Provide both if name is changing)	GIRDWOOD BREWING COMPANY
What is the gross leaseable floor space in square feet?	6468 sqft
What will be the normal business hours of operation?	noon - 8 PM
What will be the business hours that alcoholic beverages will be sold or dispensed?	noon - 8 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) <input type="checkbox"/> Recorded music <input type="checkbox"/> Live music <input type="checkbox"/> Floor shows <input type="checkbox"/> Patron dancing <input type="checkbox"/> Sporting events <input type="checkbox"/> Other <input checked="" type="checkbox"/> None	
Do you propose entertainment or environmental conditions in the facility that will meet the definition of "indecent material" as set forth in AMC 8.50.020 or "adult entertainment" as set forth in AMC 10.40.050? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Do you propose conditions in the facility that fall under AMC 10.40.050 Adult oriented establishment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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
GIRDWOOD CHAPEL	102 HEAVENLY VALLEY DRIVE

### 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

### SPECIAL LAND USE PERMIT FOR ALCOHOL APPROVAL CRITERIA

<p>The Assembly may only approve the special land use permit for alcohol if it finds that <b>all</b> of the following approval criteria 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.</p> <ol style="list-style-type: none"> <li>1. The proposed use is consistent with the comprehensive plan and all applicable provisions of this title and applicable state and federal regulations.</li> <li>2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located, including any district-</li> </ol>
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specific standards set forth in chapter 21.04.

3. The proposed use is consistent with any applicable use-specific standards set forth in chapter 21.05.
4. The site size, dimensions, shape, location, and topography are adequate for the needs of the proposed use and any mitigation needed to address potential impacts.
5. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district.
6. The proposed use is compatible with uses allowed on adjacent properties, in terms of its scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).
7. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent feasible.
8. The proposed use is appropriately located with respect to the transportation system, including but not limited to existing and/or planned street designations and improvements, street capacity, access to collectors or arterials, connectivity, off-site parking impacts, transit availability, impacts on pedestrian, bicycle, and transit circulation, and safety for all modes.
9. The proposed use is appropriately located with respect to existing and/or planned water supply, fire and police protection, wastewater disposal, storm water disposal, and similar facilities and services.

## 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.

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

0

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

0

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

4

*How many active liquor licenses are within the boundaries of the local community council?*

15

## TRAINING

If application is made for issue, renewal, or transfer of a license, the applicant must be able to 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.).

## 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 municipal 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:* 36 oz SERVING LIMIT WILL BE POSTED AS WELL AS <sup>STATEMENT</sup> REFUSING SERVICE TO MINORS AND INTOXICATED INDIVIDUALS

*Outside facility:* BEER GARDEN : 36oz SERVING LIMIT WILL BE POSTED AS WELL AS STATEMENT REFUSING SERVICE TO MINORS AND INTOXICATED INDIVIDUALS

## 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
RORY MARENCO		PO BOX 145 GIRDWOOD, AK 99587
BRETT MARENCO		PO BOX 58 GIRDWOOD, AK 99587
JOSH HEGNA		PO BOX 1664 GIRDWOOD, AK 99587
AMY SHIMEK		570 E. BENSON BLVD STE 16 ANCHORAGE, AK 99503
KARL M. LAUGHLIN		5813 YUKON CHARLIE LOOP ANCHORAGE, AK 99502

**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
TIM CABANA	OWNER	PO BOX 201 GIRDWOOD, AK 99587

**Attach this sheet to your application form**

Accepted by:

Date

Application for

Case Number