

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Community Development
Department, Planning
For reading: January 17, 2012

CLERK'S OFFICE

APPROVED

Date: 1-17-12 ANCHORAGE, ALASKA
AR No. 2012-4

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING
2 AN ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A PACKAGE STORE
3 AND LICENSE NUMBER 5111 IN THE B-3 (GENERAL BUSINESS) DISTRICT
4 FOR ISLES, INC., DBA LABODEGA; LOCATED ON TRACT C, HIGH LINE
5 SUBDIVISION #1, AT 530 EAST BENSON BOULEVARD UNITS 104, 105, AND
6 106; GENERALLY LOCATED SOUTH OF BENSON BOULEVARD AND NORTH
7 OF EAST 32ND AVENUE BETWEEN DENALI AND GAMBELL STREETS.

8
9 (Midtown Community Council) (Case 2012-005)

10
11 THE ANCHORAGE ASSEMBLY RESOLVES:

12
13 **Section 1.** A conditional use permit is hereby approved for an Alcoholic
14 Beverages Conditional Use for a Package Store and License Number 5111 in the
15 B-3 (General Business) District for Isles, Inc., dba Labodega; located on Tract C,
16 High Line Subdivision #1, at 530 East Benson Boulevard, Units 104, 105, and 106;
17 generally located south of Benson Boulevard and north of East 32nd Avenue
18 between Denali and Gambell Streets; and generally meets the applicable
19 provisions of AMC 21.50.020, AMC 21.40.180D.8., and AMC 21.50.160.

20
21 **Section 2.** The conditional use permit is approved subject to the following
22 conditions:

- 23
24 1. A notice of Zoning Action shall be filed with the District Recorder's Office
25 within 120 days of the Assembly's approval for this package store and
26 license in the B-3 District.
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28 2. All uses shall conform to the plans and narrative submitted with this
29 conditional use application.
30
31 3. This alcoholic beverages conditional use approval is for a Package Store
32 and License Number 5111 in the B-3 (General Business) District per
33 AMC 21.15.030, AMC 21.40.180D.8., and 21.50.160 for approximately
34 2,950 square feet of gross leasable area located at 530 East Benson
35 Boulevard on Tract C, High Line Subdivision #1.
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37 4. On-premise sale of alcoholic beverages will be seven days a week as
38 permitted per the Alaska Alcoholic Control Board requirements.
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- 5. Employees shall be trained in accordance with the Alcoholic Beverage Controls Board's "Liquor Server Awareness Training Program," as described in AS 4.21.025A. 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 involved at a location visible to the public.


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

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

PASSED AND APPROVED by the Anchorage Assembly this 17th day of February, 2012.


Chair of the Assembly

ATTEST:


Municipal Clerk



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 3-2012

Meeting Date: January 17, 2012

1 **From: MAYOR**

2
3 **Subject: AN ALCOHOLIC BEVERAGES CONDITIONAL USE FOR A PACKAGE**
4 **STORE AND LICENSE NUMBER 5111 IN THE B-3 (GENERAL**
5 **BUSINESS) DISTRICT FOR ISLES, INC., DBA LABODEGA;**
6 **LOCATED ON TRACT C, HIGH LINE SUBDIVISION #1, AT 530 EAST**
7 **BENSON BOULEVARD, UNITS 104, 105 AND 106; GENERALLY**
8 **LOCATED SOUTH OF BENSON BOULEVARD AND NORTH OF EAST**
9 **32ND AVENUE BETWEEN DENALI AND GAMBELL STREETS.**

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12
13 Isles, Inc., dba Labodega, has made application for an alcoholic beverages
14 conditional use for a new package store and License Number 5111 in the B-3
15 (General Business) District, located at 530 East Benson Boulevard, Units 104, 105,
16 and 106, on Tract C, High Line Subdivision #1.

17
18 The package store will locate in Midtown in an existing developed retail/commercial
19 site and area. The proposed conditional use will not change the structure or retail
20 lease size.

21
22 There are currently 13 alcohol licenses and permits within a 1,000-foot radius, with
23 only one licensed package store located in the Sear's Mall. The other licenses
24 include eight (8) restaurant/eating places; three (3) beverage dispensaries, and one
25 (1) beverage dispensary-tourism. There are no known churches or schools within
26 200 feet of the petition site, according to municipal records.

27
28 Treasury reports there are no delinquent Personal Property Taxes or Real Property
29 Taxes owing at this time.

30
31 There have been no returned comments in opposition to the conditional use. No
32 response was received from the Anchorage Police Department, the Department of
33 Health and Human Services, or the Midtown Community Council at the time this
34 report was written.

1 **THIS ALCOHOLIC BEVERAGE CONDITIONAL USE FOR A PACKAGE STORE**
2 **AND LICENSE NUMBER 5111 FOR ON-PREMISE ALCOHOL SALES IN THE B-3**
3 **(GENERAL BUSINESS) DISTRICT GENERALLY MEETS THE REQUIRED**
4 **STANDARDS OF AMC TITLE 10, AMC TITLE 21, AND ALASKA STATUTE**
5 **04.11.150.**
6
7

8 Prepared by: Al Barrett, Acting Current Planning Section Supervisor
9 Planning Division

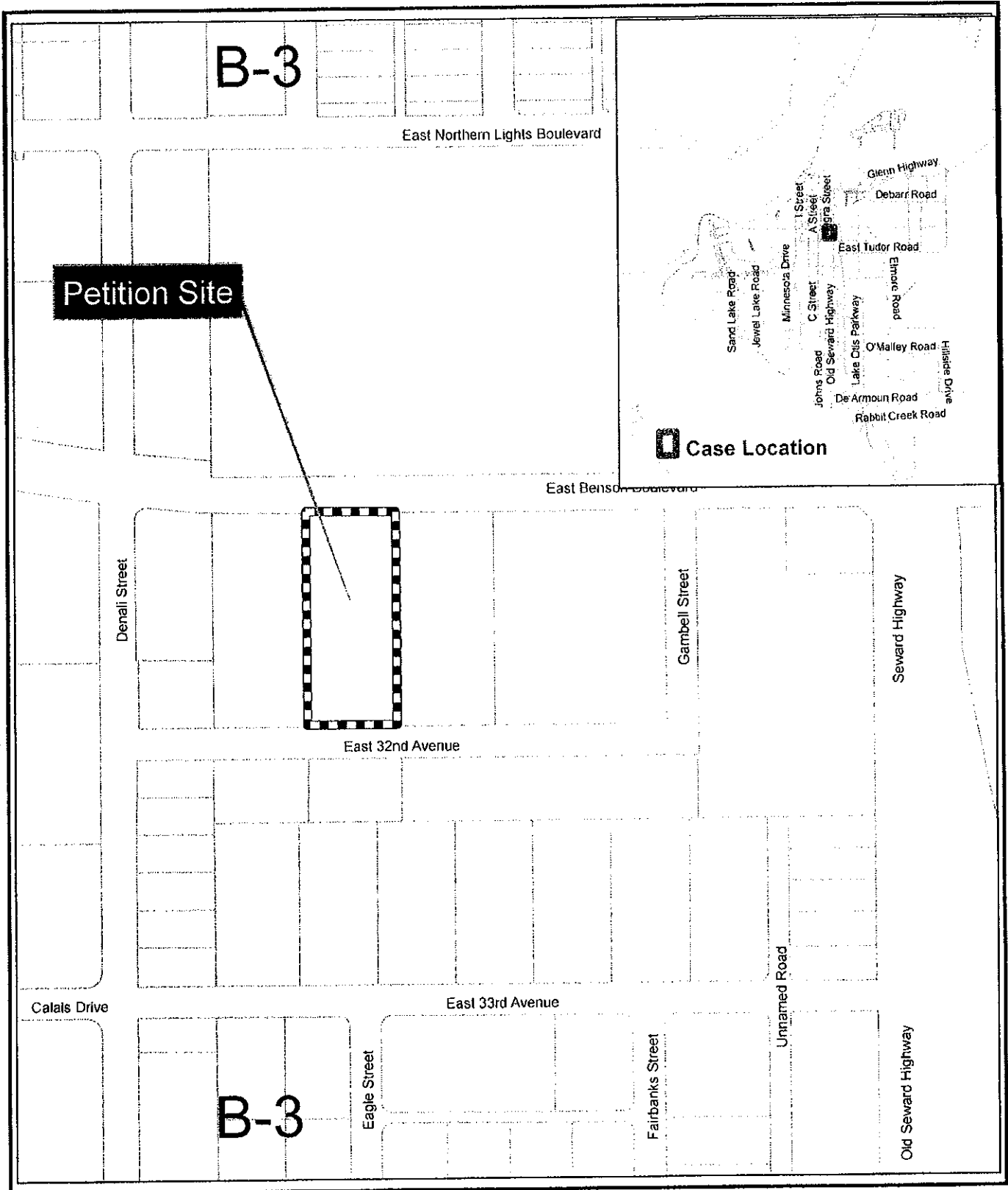
10 Approved by: Jerry T. Weaver, Jr., Director
11 Community Development Department

12 Concur: Dennis A. Wheeler, Municipal Attorney

13 Concur: George J. Vakalis, Municipal Manager

14 Respectfully submitted: Daniel A. Sullivan, Mayor




2012-005



Municipality of Anchorage
Planning Department

Date: November 18, 2011

Flood Limits

-  100 Year
-  500 Year
-  Floodway



**PLANNING DEPARTMENT
STAFF ANALYSIS
CONDITIONAL USE - ALCOHOLIC BEVERAGE SALES**

DATE: January 17, 2012

CASE NO.: 2012-005

APPLICANT: Isles, Inc., dba Labodega

REPRESENTATIVE: Law Offices Ernouf & Coffey PC

REQUEST: Alcoholic Beverages Conditional Use in the B-3 District for a new package store per AMC 21.40.160D.13.

LOCATION: Tract C, High Line Subdivision #1; located on the south side of East Benson Boulevard between the Seward Highway and Denali Street

STREET ADDRESS: 530 East Benson Boulevard

COMMUNITY COUNCIL: Midtown

TAX PARCEL: 009-043-34/ Grid SW1631

ATTACHMENTS

1. Location Map
2. Departmental Comments
3. Application
4. Posting Affidavit
5. Historical Information

RECOMMENDATION SUMMARY:

This conditional use generally meets the required standards of AMC Title 10 and Title 21, and Alaska Statute 04.11.480 and 15 AAC 104.145.

SITE:

Acres: 75,573 SF (±1.75 acres)

Vegetation: None

Zoning: B-3 (General Business District)

Topography: Level

Existing Use: Strip Shopping Center

Soils: Public Water and Sewer available

COMPREHENSIVE PLAN:

Classification: Commercial
Density: N/A

SURROUNDING AREA:

	NORTH	EAST	SOUTH	WEST
Zoning:	B-3	B-3	B-3	B-3
Land Use:	Sears Mall	Commercial	Commercial/ Vacant lots	Commercial

SITE DESCRIPTION AND PROPOSAL:

Isles, Inc. is making application for a conditional use permit for a new package store to allow on-premises alcohol sales at 530 East Benson Boulevard. The store will occupy Units #104, #105 and #106 in a shopping center located on Tract C, High Line Subdivision #1. The shopping mall contains a mix of commercial and retail uses. The petition site is generally located south of Benson Boulevard and north of East 32nd Avenue, between Denali and Gambell Streets.

The petitioner has owned and operated a package store license for Labodega located at 3801 Old Seward Highway, Suite 2. The proposed package store at the Benson Boulevard location is intended for sale of high-end wine selections.

Primary access to the shopping center is from Benson Boulevard that is classified as a Class III Major Arterial (undivided) on the Official Streets and Highways Plan (OS&HP). East 32nd Avenue provides access to parking located on the east side of the building.

In the immediate vicinity, on the south side of Benson Boulevard between Denali and the Seward Highway, there are three licensed restaurants serving beer and wine and one restaurant licensed as a beverage dispensary. There is one package store within 1,000 feet of the petition site located to the north across Benson Boulevard in the Sear's Mall.

PUBLIC COMMENTS:

There were forty-two (42) public hearing notices mailed. As of this writing no comments have been returned in support of or opposed to the request for a conditional use permit; none have been returned unclaimed. Comments from the Midtown Community Council were not received at the time this report was written.

FINDINGS:

A. Furthers the goal and policies of the Comprehensive Development plan and conforms to the Comprehensive in a manner required by Chapter 21.05.

This site is identified on the Anchorage 2020 Land Use Policy Map as being located in an area identified as a major employment center and an area for redevelopment and mixed use.

This conditional use does conform to a number of policies enunciated for commercial development:

Policy 21(a) states: *“New commercial development shall occur primarily within Major Employment Centers, Redevelopment/Mixed-Use Areas, Town Centers, and Neighborhood Commercial Centers.”*

Policy 21(b) states: *“In order to use existing commercial land more efficiently, redevelopment, conversion, and reuse of underused commercial areas shall be encouraged.”*

The petition site is located within the boundaries of the Midtown District. A goal of the *Midtown Development Plan* is to “create an economically viable and mixed use district” by maintaining “the diverse and dynamic mix of services and shopping found in Midtown.” The Plan further states that future development patterns should guide growth in Midtown to: 1) “provide [a] concentrated employment core along the A-C corridor”; 2) “encourage a high concentration of office employment”, and 3) “encourage a range of retail uses such as restaurants, branch banks, and shopping to support office development.”

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

This standard is met.

Except for the alcoholic beverages conditional use standards established in AMC 21.50.160, the Assembly has not adopted specific zoning regulations for alcoholic beverage sales.

The B-3 General Business District provides for alcoholic beverage sales through the conditional use permit process under AMC 21.40.180D.13. that allows: *Liquor stores, restaurants, tearooms, cafes, private clubs or lodges, and other places serving food or beverages involving the retail sale,*

dispensing or service of alcoholic beverages in accordance with section 21.50.160.

The proposed package store will be located in an existing developed retail/commercial site and area. The proposed conditional use will not change the structure or retail lease size.

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

This standard is met.

The business will be located within the Midtown District. The location complements the existing commercial, retail and hotel uses in the surrounding area.

There are no church buildings or school grounds within 200 feet of the proposed Benson Boulevard location, as required by Alaska Statute 04.11.410 the restricts the location of alcoholic beverage uses near churches and schools.

There are 13 licenses and permits located within 1,000 feet of the proposed site. The following table identifies the type and number of these licenses as required by AMC 21.50.160B. A complete list of the licenses and permits is included in this report.

Beverage Dispensary	3
Restaurant/Eating Place	8
Beverage Dispensary Tourism	1
Package Store	1
Total	13

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.

This standard is met.

The adjoining streets - Benson Boulevard, Denali and Gambell Streets and E. 32nd Avenue have been improved to municipal standards with sidewalks. The Denali-Benson intersection is stop light controlled. The area is served by public transportation. People Mover Route #3

runs along Benson Boulevard with a bus stop in close proximity to the petition site. Required parking is provided on site.

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

This standard is met.

The location of a package store license on the petition site will not impact public services. The site is served by all public utilities: water, sewer, electric and natural gas. The site is within the Police and Fire Service Areas and the Anchorage Roads and Drainage Service Area.

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

This standard is met.

As a land use, a package store conditional use and license will not cause or contribute to any environmental pollution. The public parking lots are paved, which control dust pollution.

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

This standard is met.

The zoning, land use and the general area land use will not change as a result of this license. This is an existing developed retail area and commercial area. The intensity of this proposed use appears to be no greater than general traffic generated in the area from the adjacent commercial, retail and related uses.

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:

- 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.**

Within 1,000 feet of this application, there are three (3) beverage dispensary licenses, eight (8) restaurant/eating place licenses and one (1) tourist-related license in hotels and one (1) package store license. A list of all licenses within 1,000 feet of the petition site is included in this report.

The package store license that is the subject of this conditional use will specialize in high-end, specialty wines.

- 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.**

This standard will be met.

The applicant states that all employees will be T.A.M. certified. Employees will be instructed to ask for the identification of all persons appearing to be under 30 years of age. Employees who violate this policy will be terminated and will be instructed of this fact upon employment. Further, managers and all servers will be trained and reminded to assess the condition of drinkers as enumerated in the TAM training to prevent the service of alcohol to drunken pers.

Further, for the protection of patrons, Isles, Inc. employees will patrol the street frontages of the building, as needed, to ensure the minimization of loitering. The owners will work with surrounding tenants, neighbors, neighboring community councils and service patrols to combat any problems that arise in or near the facility.

- 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.**

This 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.

The conditional use is for on-premises sale of alcoholic beverages. There will be no happy hours, gambling or solicitation to consume alcoholic beverages. There is ready access to public transportation. The notice of penalties for driving while intoxicated will be posted.

- 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.**

This standard appears to be met.

This is a new location for Labodega. The applicant has owned and operated a licensed alcoholic beverage sales store at another location in Anchorage and is familiar with the requirements for maintaining a license in compliance with the applicable regulations governing the operation of a package store. As of this writing, the Police Department has not provided any information to indicate that the operation of the proposed package store would be operated in anything other than a safe manner.

- 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

This standard is met.

There are no delinquent Personal Property Taxes or Real Property Taxes owing at this time 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.**

This standard is met.

The Department of Health and Human Services had not provided comments at the time this report was written.

- G. Municipality of Anchorage Alcoholic Beverage Licensee Compliance Form. In order to determine whether applicants seeking issue, renewal or transfer of alcoholic beverage licenses have complied with the provisions of this chapter, applicants shall, at the request of the Assembly, submit to the municipal clerk such information as is required on a municipal form prepared by the municipal clerk known as the Municipality of Anchorage Alcoholic Beverage Licensee Compliance Form. Upon request, operators shall also provide the municipal clerk with certificates from all current employees demonstrating that those employees have successfully completed a "Liquor Service Awareness Training Program" such as the program for techniques in alcohol management (T.A.M.) as approved by the State of Alaska Alcoholic Beverage Control Board.**

This form was not requested of this applicant.

RECOMMENDATION:

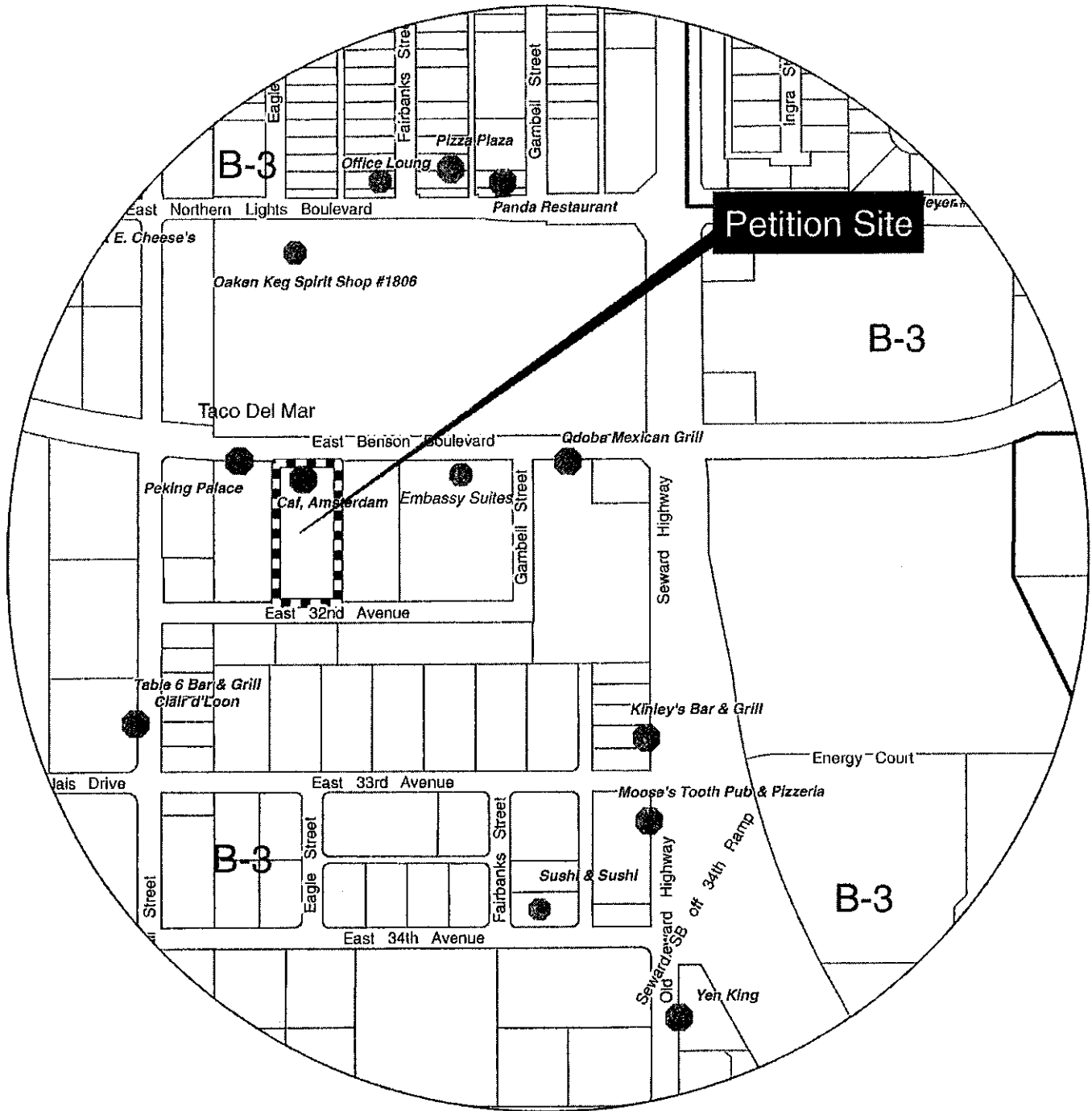
This application for a final conditional use for alcoholic beverages in the B-3 District for transfer of a beverage dispensary license generally meets the required standards of Title 21 and Title 10, and AMC 21.50.160, and the Department recommends approval.

If after a public hearing on the matter the Anchorage Assembly finds that the required standards have been met, staff recommends the following conditions of approval:

1. A notice of Zoning Action shall be filed with the District Recorder's Office within 120 days of the Assembly's approval for this package store use and license in the B-3 District.
2. All uses shall conform to the plans and narrative submitted with this conditional use application.
3. This approval is for an Alcoholic Beverages Conditional Use in the B-3 District for a package store use and license per AMC 21.15.030, AMC 21.40.180D.8. and 21.50.160 located at 530 East Benson Boulevard on Tract C, High Line Subdivision #1.
4. On-premise sale of alcoholic beverages will be seven days a week as permitted per the Alaska Alcoholic Control Board requirements.
5. All employees shall be trained in accordance with the Alcoholic Beverage Controls Board's "Liquor "Server Awareness Training Program." Upon demand, the applicant shall demonstrate compliance with a "Liquor Server Awareness Training Program" approved by the State of Alaska Alcoholic Beverage Control Board, such as or similar to the program for "Techniques in Alcohol Management (T.A.M.)."
6. The use of the property by any person for the permitted purposes shall comply with all current and future federal, state, and local laws and regulations including but not limited to laws and regulations pertaining to the sale, dispensing, service and consumption of alcoholic beverages and the storage, preparation, sale, service and consumption of food. The owner of the property, the licensee under the Alcoholic Beverage Control license and their officers, agents and employees shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the property.
7. A copy of the conditions imposed by the Assembly in connection with this conditional use approval shall be maintained on the premise involved at a location visible to the public.

2012-005

EXISTING LIQUOR LICENSES WITHIN 1000'



Municipality of Anchorage
Planning Department

Date: November 23, 2011



Alcohol Existing License List Report

Case Number: 2012-005 Description: 1000'

Parcel Business Name	Parcel Owner Name Applicant Name	Parcel Owner Address Business Address	City Lic. Number	State Lic. Zone	Zip Lic. Type
00901438000 Office Lounge	MARSCH KURT P Abdul-Halim, Nura	8133 OLD SEWARD HWY 545 E Northern Lights Blvd	ANCHORAGE 806	AK B3	99518 Beverage Dispensary
00901501000 Pizza Plaza	MATARAGAS EFSTATHIOS K & PJ's Pizza Plaza, Inc	601 E NORTHERN LTS BLVD 601 E Northern Lights Blvd	ANCHORAGE 891	AK B3	99503 Restaurant/Eating Place
00901549000 Panda Restaurant	CHOI DAE H & JUNG S Jin Song Zhao/Tseng Chaing Lee	2341 HEATHERBROOK CIR 605 E Northern Lights Blvd	ANCHORAGE 3077	AK B3	99504 Restaurant/Eating Place
00904201000 Oaken Keg Spirit Shop #1806	SEARS ROEBUCK & COMPANY Carr Gottstein Food Co.	3333 BEVERLY ROAD/B2-122A 600 E Northern Lights Blvd	HOFFMAN ESTA 795	IL B3	60179 Package Store
00904333000 Peking Palace	TKB LLC John S Lee	6130 OLD SEWARD HWY # B 500 E Benson Blvd	ANCHORAGE 1691	AK B3	99518 Restaurant/Eating Place
00904334000 Café Amsterdam	SHIMEK JOSEPH R W Shauna Pajak	PO BOX 93890 530 E Benson Blvd #3	ANCHORAGE 3961	AK B3	99509 Restaurant/Eating Place
00904336000 Embassy Suites: Anchorage AK	APPLE NINE HOSPITALITY Apple Nine Hospitality Managem	814 EAST MAIN ST 600 East Benson Blvd.	RICHMOND 4774	VA B3	23219 Beverage Dispensary Tour
00904342000 Qdoba Mexican Grill	FURNITURE ENTERPRISES OF Flavors West LLC	940 E 38TH AVE 702 E Benson Blvd	ANCHORAGE 4474	AK B3	99503 Restaurant/Eating Place
00905111000 Clair d' Loon	CALAIS CO INC Karen Lesko, Stephen P. Lesko	2525 BLUEBERRY RD STE 204 3210 Denali St #8	ANCHORAGE 4291	AK B3	99503 Restaurant/Eating Place
00905111000 Table 6 Bar & Grill	CALAIS CO INC Haute Quarter Grill, Inc.	2525 BLUEBERRY RD STE 204 3210 Denali Street ste 7&8	ANCHORAGE 4847	AK B3	99503 Beverage Dispensary
00905222000 Kinley's Restaurant & Bar	YORBA LLC Kinley's Restaurant & Bar, Inc	7146 CANDACE CIRCLE 3220 Seward Hwy	ANCHORAGE 4664	AK B3	99516 Restaurant/Eating Place
00905230000 Sushi & Sushi	LEE AE KYONG LMK Inc.	2861 BELUGA BAY CIRCLE 3337 Fairbanks St	ANCHORAGE 1866	AK B3	99507 Restaurant/Eating Place
00905282000 Moose's Tooth Pub & Pizzeria	MORELAND PROPERTIES LLC Fresh Ale Pubs, LLC	1317 W NORTHERN LIGHTS BLVD 3300 Old Seward Hwy	ANCHORAGE 3971	AK B3	99503 Beverage Dispensary

Alcohol Church and School List Report

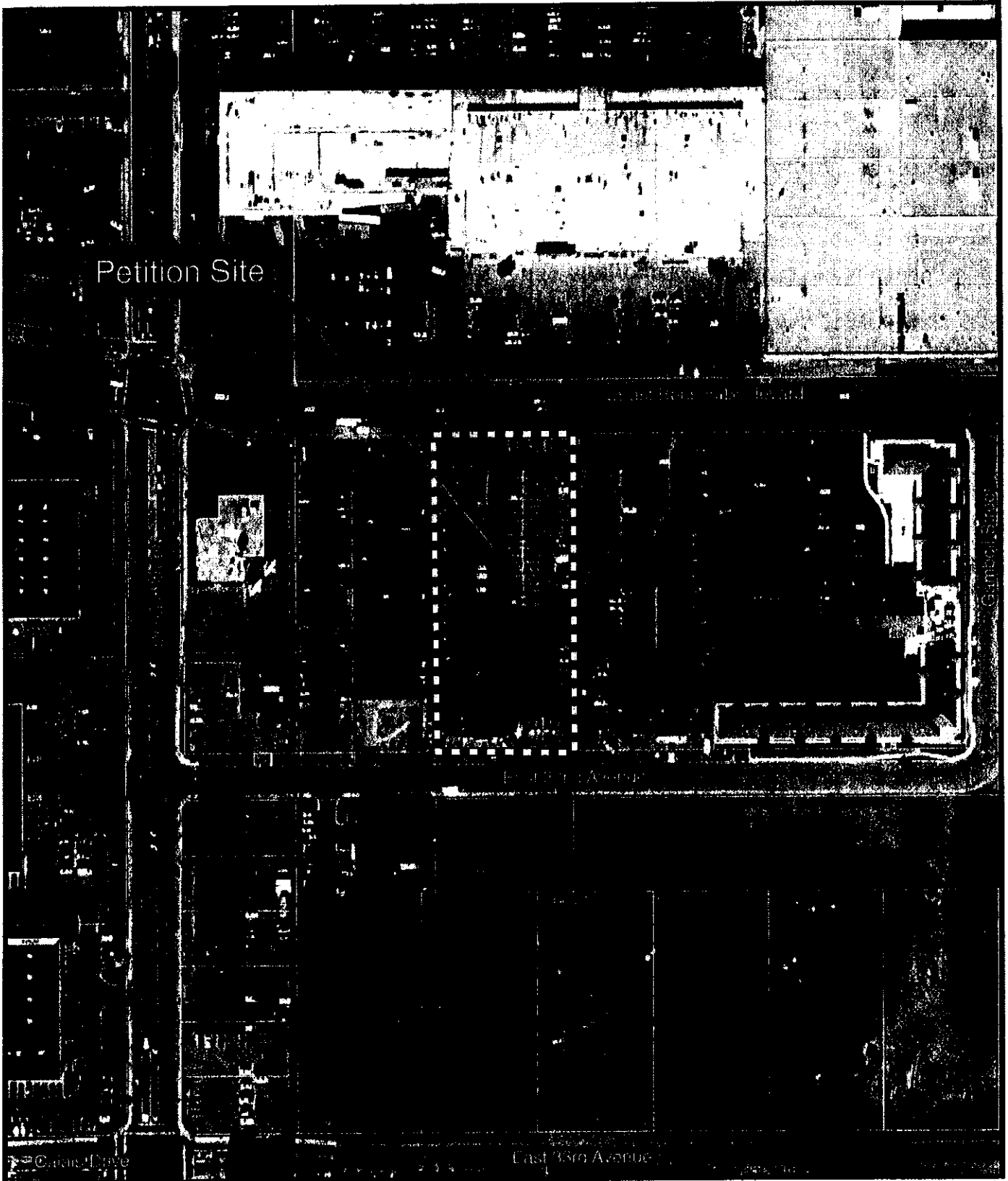
Case Number: 2012-005 Description: 200'

Parcel	Parcel Owner Name	Parcel Site Address	Description
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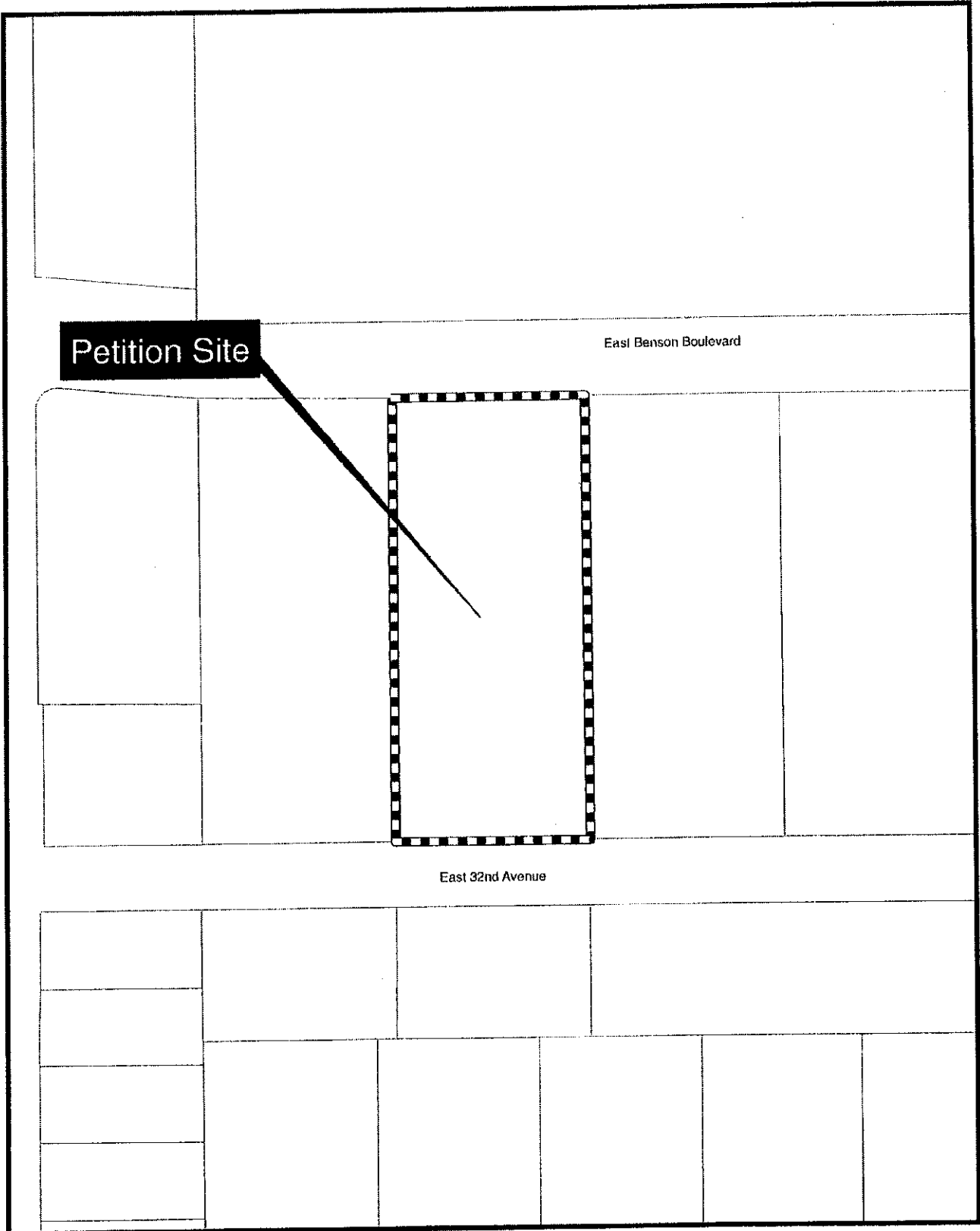
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LOCATION MAPS

2012-005






2012-005



Municipality of Anchorage
Planning Department

Date: November 18, 2011

-  Mobile Home Park
-  Multi-Family
-  Single Family



2

**DEPARTMENT
AND PUBLIC
COMMENTS**

MUNICIPALITY OF ANCHORAGE



Planning & Development Services Dept.
Development Services Division

RECEIVED

Building Safety

DEC 09 2011

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

MEMORANDUM

Comments to Miscellaneous Planning and Zoning Applications

DATE: December 9, 2011

TO: Angela Chambers, Manager, Zoning and Platting

FROM: Ron Wilde, P.E.
Building Safety

SUBJECT: Comments for Case 2012-005

No Comment

MUNICIPALITY OF ANCHORAGE



Community Development Department
Development Services Division

Private Development Section

Mayor Dan Sullivan

RECEIVED

NOV 29 2011

MEMORANDUM

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

Comments to Anchorage Assembly Applications/Petitions

DATE: November 29, 2011
TO: Angela Chambers, Current Planning Section Supervisor
FROM: Matthew Hendrick, Plan Review Engineer
SUBJECT: Comments for Assembly Public Hearing date: January 17, 2012

Case No. 2012-001 – A request for concept/final approval of a conditional use to permit an alcohol beverage dispensary use in the I-1 Light Industrial district.

Private Development has no objection to the conditional use.

Case No. 2012-005 – A request for concept/final approval of a conditional use to permit an alcohol beverage package store in the B-3 General Business district.

Private Development has no objection to the conditional use.

Municipality of Anchorage
Treasury Division
Memorandum

RECEIVED

NOV 28 2011

MUNICIPALITY OF ANCHORAGE
PLATTING DIVISION

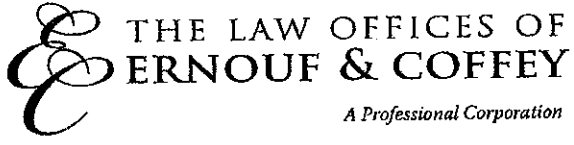
Date: November 23, 2011
To: Angela Chambers
Patty Long
Planning Dept.
From: Diana Flavin, Revenue Officer
Subject: Liquor License Conditional Use Comments

Request for conditional use permit 2012-005 for Labodega located at 530 E Benson Blvd, Units 104, 105 & 106, Anchorage, AK.

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

3

APPLICATION



THE LAW OFFICES OF
ERNOUF & COFFEY
A Professional Corporation

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

November 7, 2011

Ms. Jillanne M. Inglis
MOA Planning Department
4700 Elmore Road
Anchorage, Alaska 99519

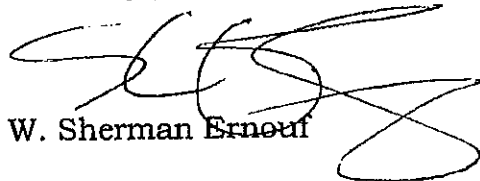
Re: Conditional Use Application-Alcohol
Isles, Inc.

Dear Ms. Inglis:

Enclosed please find a completed application for a conditional use permit for the sale of alcohol by our client Isles, Inc. in Anchorage. Please also find enclosed as well as the filing fee check a check for \$5 for a copy of the zoning map. We appreciate your prompt review of this application.

If you have any questions, or if you need any supplemental information relative to the application itself, please contact my office directly so that we can help in any way that we can. Thank you for your time and courtesies in this regard.

Sincerely yours,



W. Sherman Ernouf

Enclosure: CUP Application

CC: Client

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) Isles, Inc.	Name (last name first) Law Offices Ernow & Coffey PC
Mailing Address 6906 Big Mountain Drive Anchorage AK 99516	Mailing Address 3606 Phone Circle ste 110 Anchorage AK 99508
Contact Phone: Day: 830 9148 Night:	Contact Phone: Day: 274 3385 Night:
FAX:	FAX: 274 4258
E-mail: labodegastore@gmail.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):	009 043 34 000 18	
Site Street Address:	530 E. Benson Blvd Anchorage AK 99503	
Property Owner (if not the Petitioner):	Town and Country II	
Current legal description: (use additional sheet in necessary)	Tract C, Highland subdivision Addn No. 1 High Line CP	
Zoning: B3	Acreage: 73 573	Grid # SW1631

ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE PROPOSED		
<input type="checkbox"/> Beverage Dispensary	<input type="checkbox"/> Private Club	<input type="checkbox"/> Restaurant, exempt
<input type="checkbox"/> Beverage Dispensary-Tourism	<input type="checkbox"/> Public Convenience	<input type="checkbox"/> Theater
<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Recreational	<input type="checkbox"/> Other (Please explain):
<input checked="" type="checkbox"/> Package Store	<input type="checkbox"/> Restaurant	
Is the proposed license: <input checked="" type="checkbox"/> New <input type="checkbox"/> Transfer of location: ABC license number:		
Transfer license location:		
Transfer licensed premises doing business as:		

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

Date 10/11/11	Signature <i>[Signature]</i> (Agents must provide written proof of authorization)
------------------	---

Accepted by: <i>[Signature]</i>	Poster & Affidavit <input checked="" type="checkbox"/>	Fee \$4,000	Case Number 2011-005
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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

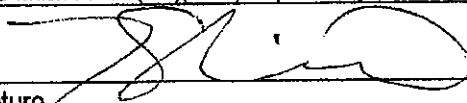
Required:

- Original signed application
- Copy of Building Permit application for new construction or change of use, if applicable
- Copy of approved parking and landscape plan from Land Use Review
- 12 copies of site plan to scale depicting: building footprints; parking areas; vehicle and pedestrian circulation; lighting; landscaping; signage; and licensed premises location.
- 12 copies of building plans to scale depicting: floor plans indicating the location of sales and service areas; building elevations (photographs are acceptable).
- 12 copies of photographs of premises from each street frontage that include and show relationship to adjacent structures and the premises visible street address number.
- 12 copies of narrative: explaining the project; construction, operation schedule, and open for business target date.
- 12 copies of a zoning map showing the proposed location.
- 12 copies of completed Alcoholic Beverage Control Board liquor license application form including all drawings and attachments, if filed with ABC Board.

Optional: Traffic impact analysis Economic impact analysis Noise impact analysis

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

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

Date 10/18/11	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):

Labodlega

What is the gross leaseable floor space in square feet?

2,950 sq ft

What is the facility occupant capacity?

TBD by fire plan review

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

0

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

0

What will be the normal business hours of operation?

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

SAME AS ABOVE

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

100 % Alcoholic beverage sales

0 % 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
N/A	

PACKAGE STORES

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

10 % less than \$5.00

35 % \$5.00 to \$10.00

35 % \$10.00 to \$25.00

20 % greater than \$25.00

CONDITIONAL USE STANDARDS

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

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

See attached narrative

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

See attached narrative

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

See attached narrative

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

1. Pedestrian and vehicular traffic circulation and safety.

See attached narrative

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

See attached narrative

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

See attached narrative

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

See attached narrative

STANDARDS CHAPTER 10.50 ALCOHOLIC BEVERAGES

In the exercise of its powers and under AS 04.11.480 and 15 AAC 104.145 to protest issue, renewal and transfer 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? 0

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 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? see attached narrative

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

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

All employees in direct contact with alcohol will be trained through T.A.M. Certification classes in accordance with the ABC Board

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

- 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:

See attached narrative

outside facility:

See attached narrative

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

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

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

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

STANDARDS FOR CONDITIONAL USE APPROVAL
APPLICATION FOR NEW PACKAGE STORE LIQUOR LICENSE FOR
ISLES, INC.

LOCATION AND DESCRIPTION OF PLANNED USE

Isles, Inc, is making application for a conditional use permit to allow "on premises" alcohol sales at Anchorage location of 530 E. Benson Blvd, Unit 104, 105, & 106. The location of the proposed licensed premise is located in the midtown area of Anchorage.

The President of Isles, Inc. is an experienced licensee in the State of Alaska Alcoholic Beverage Control Board who has successfully owned and operated a package store license at Labodega located at 3801 Old Seward Hwy Ste 2. The use of this location for the operation of a package store liquor license as primarily a retailer of high-end wine selections is consistent with the Anchorage 2020 Comprehensive Plan as set out in the policies discussed below.

I. Conditional Use Standards.

A. Explain how the proposed conditional use furthers the goals and policies of the Anchorage 2020 Comprehensive Plan and conforms to the Comprehensive Development Plan in the manner required by AMC 21.05.

The proposed conditional use to allow Isles, Inc to operate a package store liquor license at this location is consistent with the goals and policies of the Anchorage 2020 Comprehensive Plan. This location is in the heart of what the Plan calls a major employment center. This particular area of Anchorage is well defined with compact employment centers as defined by 2020 including retail businesses, office buildings, and restaurants. A mix of supportive retail uses such as a package store license proposed here, office buildings, other drinking places, and shopping for locals and tourists alike are important to the development of the major employment centers in Anchorage and is encouraged in the 2020 Plan.

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

The proposed conditional use for Isles, Inc. conforms to the standards of Title 21 as well as the Anchorage 2020 Comprehensive Plan in all respects.

The Anchorage 2020 Comprehensive Plan does not specifically address the sale of alcoholic beverages in the community. However, the Municipality does call for the development of location standards and criteria for retail sales/service of alcoholic beverages.

The standards for a conditional use for alcoholic beverage sales and consumption are found in AMC 21.50.160 and in 21.50.020.

The proposed conditional use conforms to all Title 21 standards and is consistent with the Comprehensive Plan. My client is available to meet with the Midtown Community Council to discuss their new business at any time. The operation of a package store liquor license is consistent with the code and the Petitioner expects the conditional use to be supported by the local community.

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

The proposed conditional use to allow Isles, Inc. to operate a package store liquor license at this location is compatible with the existing and planned land uses. The building is zoned B-3. The planned land use for this location includes a mix of supportive retail uses such as restaurants, office buildings, drinking places, and shopping. Medium to high density residential mixed use areas have been designated near the major employment centers to provide opportunities for people to live close to work and be within walking distance to other supportive businesses in the area such as a small scale modern package store license proposed here.

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

1. Pedestrian and Vehicular Traffic Circulation and Safety.

The package store license is located at 530 East Benson Blvd, Unit 104, 105, & 106 in a convenient location that is more than sufficient in regard to accommodating vehicular and pedestrian traffic circulation and safety. People Mover bus stops are located throughout midtown Anchorage for the convenience of their bus-riding customers. There is adequate parking and nearby parking lots that are accessible throughout all of midtown Anchorage.

2. Demand For and Availability of Public Services and Facilities.

The following public services currently exist at Isles, Inc.:

- i. Public utilities (sewer and water, waste collection, electricity, natural gas)
- ii. Police and Fire protection as provided by the Municipality of Anchorage
- iii. Public bus transportation is available to patrons of the bar and grill through People Mover with multiple pick-up locations to choose from in very close proximity.

There are no additional infrastructure requirements for any public services or facilities.

3. Noise, air, water, or other pollution.

Isles, Inc. is committed to the operation of its facility in an environmentally responsible way. There will be no pollution other than the normal storage and removal of trash.

4. Maintenance of compatible and efficient development patterns and land use intensities.

The maintenance of compatible and efficient development patterns and land use intensities does not apply to this conditional use permit. Due to the fact that the general land use and zoning will not change as a result of an approval of this conditional use permit.

II. Concentration and Land Use

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

No. Our opinion is that the current quantity of liquor licenses in the midtown Anchorage community council area is reflective of the plans set forth in the 20/20 Plan which provides for mixed uses that cater to the needs and desires of locals and traveling visitors to Anchorage.

III. Public Safety

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

1. Inside Facility:

All servers will be TAM certified. Isles, Inc. employees will be instructed to ask for the identification of all persons appearing to be under 30 years of age. Employees who violate this policy will be terminated and will be instructed of this fact upon employment. Further, managers and all servers will be trained and reminded to assess the condition of drinkers as enumerated in the TAM training to prevent the service of alcohol to drunken persons.

2. Outside Facility:

Further, for the protection of patrons, isles, Inc. employees will patrol the street frontages of the building, as needed, to ensure the minimization of loitering. My clients will work with surrounding tenants, neighbors, neighboring community councils and service patrols to combat any problems that arise in or near the facility.

September 1, 2011

Planning Department
4700 Elmore Road
Anchorage, AK 99507

Re: Letter of Authorization

To Whom It May Concern:

The Law Offices of Ernouf & Coffey, P.C., is representing Isles, Inc. d.b.a. Labodega with regard to all matters surrounding their application for Conditional Use. I therefore authorize you, the Planning Department, to speak with the Law Offices of Ernouf & Coffey on our behalf at any time.

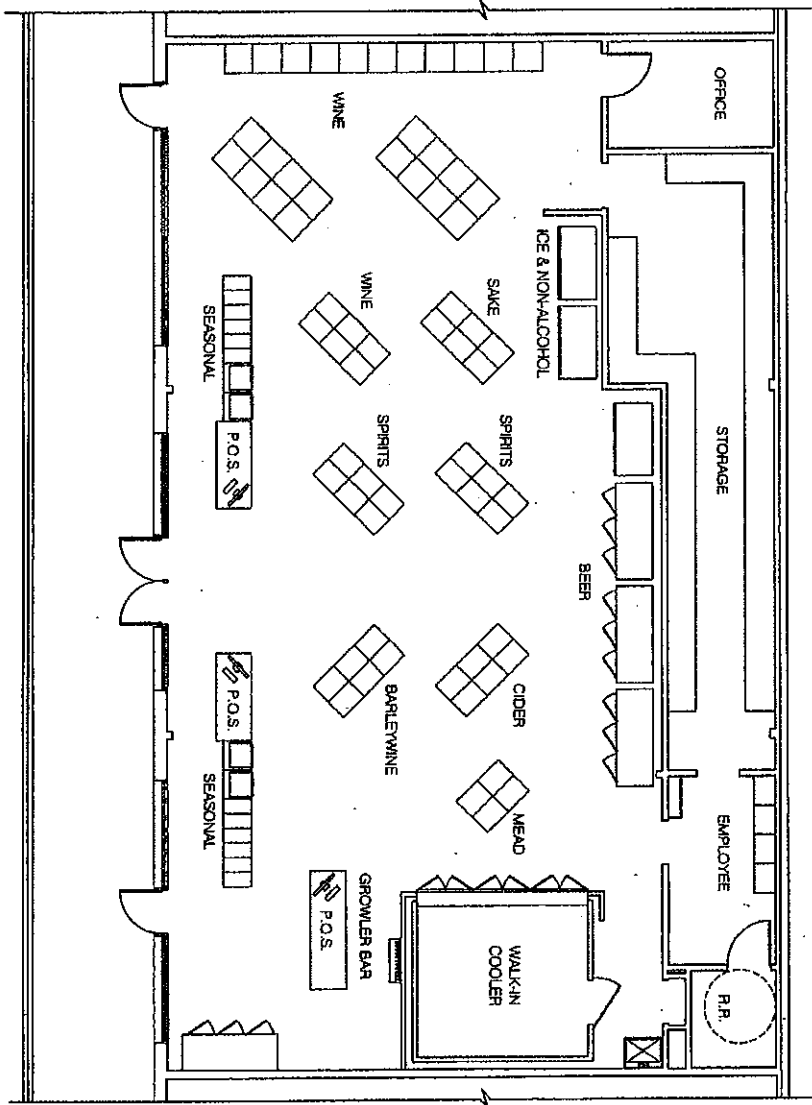
Thank you for your time and courtesy in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'P. Hatzis', written in black ink.

Pamela Hatzis
President, Isles, Inc.

NOT FOR CONSTRUCTION



CONCEPT #3 FLOOR PLAN

SCALE: 1/8" = 1'-0"
SCALE: 1/8" = 1'-0"



WELLS DESIGN ALASKA LLC
 1042 East 10th Avenue
 Anchorage, AK 99501
 (907) 863-0182
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Isles Incorporated
 Metro Mall - Unit 5 - Client Concept Review
 530 East Benson Blvd - Anchorage - Alaska - 99503

October 08, 2011

Client Concept Review

Floor Plan

A1.3

Sheet 3 of 3

MEMO TO ABC BOARD

LAW OFFICES OF ERNOUF & COFFEY, PC

Facsimile: (907) 274-4258

Phone: (907) 274-3385

E-mails:

sernouf@eclawfirm.net

dcoffey@eclawfirm.net

TO: ABC BOARD STAFF
FROM: AMANDA SHAWCROSS/SHERMAN ERNOUF
CC: ISLES, INC
RE: NEW PACKAGE STORE LICENSE
DATE: 11/8/11

The purpose of this memo is to transmit to you a completed application for a New Package Store liquor license for Isles, Inc.

Enclosed with this Memo is a check (#4399) for \$1,600.00 for filing fees.

The following documents are enclosed:

1. The first and second page of the license application
2. Statement of Financial Interest
3. Premises Diagram
4. Certificate of Incorporation for Isles, Inc.
5. Posting Affidavit
6. Affidavit of Publication
7. Copy of Lease

If you have any questions in regards to this Memo or need any additional information, please call me directly at (907) 274-3385 or email ashawcross@eclawfirm.net. Thank you for your time and attention to this matter.

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: 2011/2012	License Type: Package Store License	Statute Reference Sec. 04.11.150	License Fee: \$1,500.00
<i>(Office Use Only)</i> License #:			Filing Fee: \$100.00
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage	Community Council Name(s) & Mailing Address: Midtown Community Council Don Pohland 3800 W. 43rd Ave. Anchorage AK		Fingerprint: (\$54.25 per person)
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Isles, Inc.	Doing Business As (Business Name): Labodega	Business Telephone Number: 907-569-3800	Total Submitted: \$1,600.00
Mailing Address: PO Box 242522	Street Address or Location of Premise: 530 East Benson Blvd, Unit 104, 105, & 106, Anchorage, AK 99503	Email Address: labodegastore@gmail.com	
City, State, Zip: Anchorage, AK 99524			

SECTION B. PREMISES TO BE LICENSED. Must be completed.		
Closest school grounds: Family Partnership Charter K-12: 401 E. Fireweed Lane, Anchorage, AK 99503	Distance measured under: X AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. _____	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable
Closest church: First Christian Church: 3031 Latouche St, Anchorage, AK 99508	Distance measured under: X 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, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

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

Name	Name of Business	Type of License	Business Street Address	State
Pamela Hatzis	Labodega	Package Store License	3801 Old Seward Hwy. Suite 2	Alaska

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

Yes No If Yes, attach written explanation.

Office use only	Director's Signature
Date Approved	

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) Isles, Inc.		Telephone Number 907-830-9148	Fax Number
Corporate Mailing Address: PO Box 242522	City Anchorage	State AK	Zip Code 99524
Name, Mailing Address and Telephone Number of Registered Agent Pamela Hatzis 3801 Old Seward Hwy Ste 2, Anchorage AK 99503		Date of Incorporation OR Certification with DCED 9/9/11	State of Incorporation Alaska

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
Pamela Hatzis	President/ Director	100	6906 Big Mountain Drive, Anchorage, AK 99516 907-830-9148	907-569-3800	7/1/81

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:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Home Phone:	Date of Birth:	Home Phone:	Date of Birth:
Work Phone:		Work Phone:	
Name:	Applicant <input type="checkbox"/>	Name:	Applicant <input type="checkbox"/>
Address:	Affiliate <input type="checkbox"/>	Address:	Affiliate <input type="checkbox"/>
Home Phone:	Date of Birth:	Home Phone:	Date of Birth:
Work Phone:		Work Phone:	

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
Name & Title (Please Print) Pamela Hatzis, President Isles Inc	Name & Title (Please Print)
Subscribed and sworn to before me this 5th day of October, 2011	Subscribed and sworn to before me this day of
Notary Public in and for the State of Alaska 	Notary Public in and for the State of Alaska
My commission expires: 2/1/15	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 Isles, Inc.

located at 530 East Benson Blvd, Unit 104, 105, & 106, Anchorage, AK 99503
(address and/or location)

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

27 October 2011 to 6 November 2011

- *** 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 530 East Benson Blvd, Unit 104, 105, & 106, Anchorage, AK 99503

b. Other conspicuous location in the area US Post Office - 3721 B Street, Anchorage, AK 99503

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).

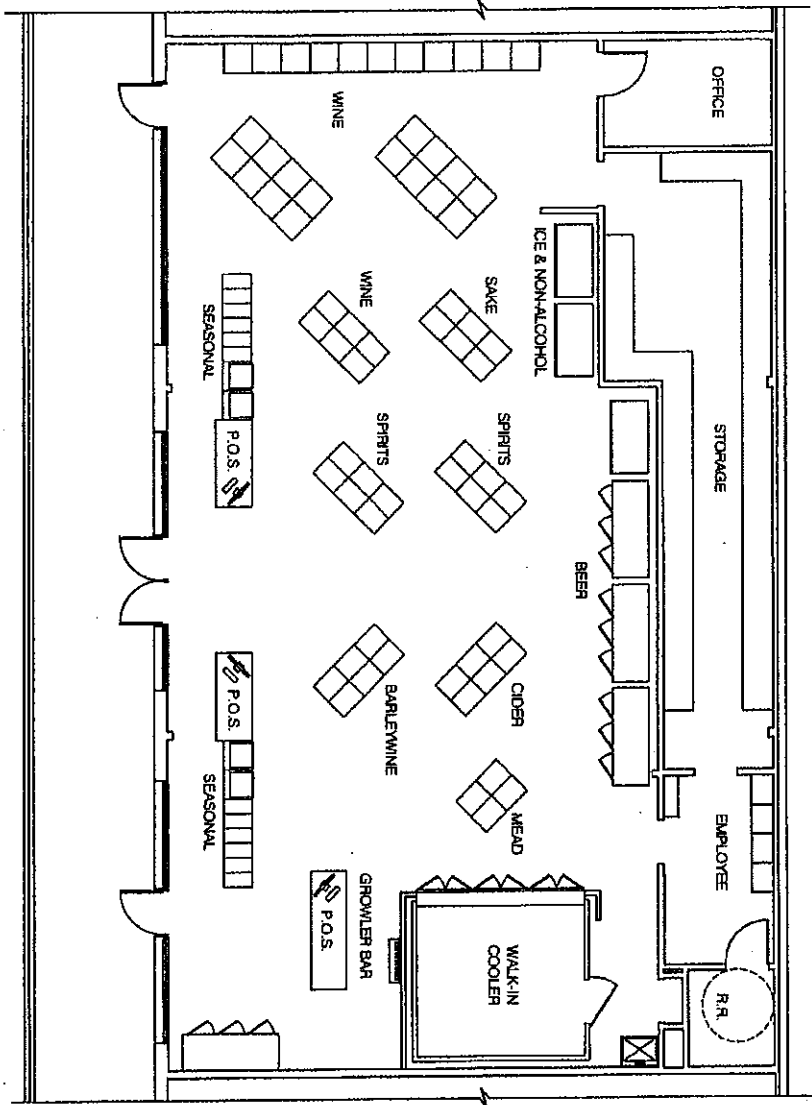
d. established village.

Shaw
(signature)

SUBSCRIBED and SWORN to me this 7 day of November, 2011.

A B Shaw
Notary Public in and for Alaska
My commission expires: 2/1/15

NOT FOR CONSTRUCTION



CONCEPT #3 FLOOR PLAN

SCALE: AS SHOWN - SEE PLAN FOR DETAILS



WELLS DESIGN ALASKA LLC
 1005 East 17th Avenue
 Anchorage, Alaska 99501
 907.563.0133
 www.wellsdesign.com

Isles Incorporated
 Metro Mall - Unit 5 - Client Concept Review
 530 East Benson Blvd - Anchorage - Alaska - 99503

October 06, 2011

Client Concept Review

Floor Plan

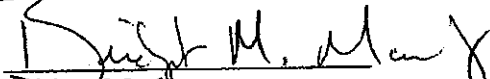
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Sheet 3 of 3

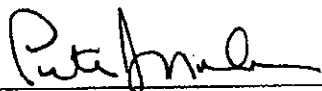
ANCHORAGE PUBLISHING, CO.
540 E. Fifth Avenue
Anchorage, Alaska 99501
Phone: 561-7737 Fax: 561-7777



I, Bridget Mackey, advertising representative for Anchorage Publishing, Co., verify that the liquor license notice for Isles, Inc. appeared in the October 6, October 13, and October 20, 2011 issues of the Anchorage Press Newspaper.


Bridget Mackey

Subscribed and sworn to me in the Municipality of Anchorage, in the state Alaska, on this 20th day of OCTOBER, 2011


Notary Public Signature
9/15/2014
Commission Expires

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

Lease

This lease is entered into between Town and County II, a partnership ("Lessor") and Isles, Incorporated, an Alaska corporation ("Lessee"), and Pamela Hatzis, who guarantees the obligations of Lessee herein.

1) Premises: The Lessor leases to Lessee the following improved real estate, located at 530 East Benson Blvd, Anchorage Alaska:

Units 104, 105 and 106, being approximately 2950 square feet, all of which are a part of Tract C, Highline Subd, Addn. No. 1 in the Anchorage Recording District.

2) Term: The term of this lease shall be from December 1, 2011 through November 30, 2016.

3) Usage: The Lessee shall be entitled to use the premises only for the following purposes and functions, and no others, without the written consent of the Lessor:

Operation of a retail wine, beer and spirits establishment,
Together with accessories, sidelines, foodstuffs,
Non-alcoholic beverages, and deli items, and offices and
Storage areas to service such an establishment.

4) Conditions of Use: Lessee shall keep the premises in safe and clean condition, and shall not abandon the premises or leave them vacant. Lessee shall not allow the premises to be used in a way that will create a nuisance to other tenants or neighboring properties and businesses. Lessee shall abide by all rules established by Lessor now in existence or hereafter announced, with respect to common areas, improvements, signage and sidewalks.

5) Increased Casualty Insurance: Lessee shall reimburse Lessor for any increase in Lessor's casualty, fire and hazard insurance for the mall arising out of or caused by Lessee's activities, lawful or otherwise.

6) Damage to Premises: Lessee shall repair any damage to the leased premises or to adjoining premises which arise out of or are specific to Lessee's activities or occupancy, including damages caused by third persons such as vandals or burglars entering or damaging the premises, against which risks the Lessee shall maintain adequate insurance. Maintenance and repair of the doors, door hardware and windows are the responsibility of the Lessee.

7) Sidewalks: Lessee shall keep the sidewalk fronting the Lessee's premises and the nearest 3 feet of the parking lot adjacent thereto reasonably clear of snow, ice, trash, and other obstructions to pedestrians.

8) **Parking Lot Usage:** When requested by Lessor, Lessee shall cause its employees and agents to park only in designated spaces or areas of the mall parking lot. Such designations will be utilized to accommodate lot maintenance and/or to expedite and optimize customer traffic and parking. Autos which are parked in violation of the designation will be subject to towing and impoundment at the expense of Lessee. Lessor will use its right of designation to maximize the convenience of parking for mall customers.

9) **Rent:** Lessee shall pay as rent the following sums, monthly: \$6000.00 from Dec. 1, 2011 through November 30, 2012. The monthly lease rate for each succeeding 12 month period thereafter will be 6000.00, increased or decreased by the cumulative change in the Consumer Price Index (U) (All Urban Consumers) for the Anchorage area (CPI-U) since January 1, 2011, as shown by the most recently published report of the U.S. Bureau of Labor Statistics, or its successor agency.

Special Provisions for Lease Adjustment:

(A) Lessee will be entitled to pay only \$3000.00 on Dec. 1, 2011 if the Lessee has not opened for business on that day, reflecting an adjusted lease rate of \$100.00/day during the month of December. Provided further, however, that the daily lease rate will increase to \$200.00/day on the day that the premises are open for business and remain at \$200.00/day until Dec. 31, 2011. The additional monies due under this provision will be paid within 3 business days of opening of business.

(B) If the premises have not been opened for business on Jan. 1, 2012, the provisions of Para. 9 (A) will be utilized in similar manner to establish a daily lease rate for each day during the month of January, 2012, commencing with payment of \$3000.00, and adjusted thereafter to reflect the opening for business.

(C) On Feb. 1, 2012, and each month thereafter, the full lease payment of \$6000.00 per month will be due, regardless of whether the premises have been opened for business.

(D) On or before Feb. 1, 2012, if Lessee determines, in good faith, and after exercising due diligence, that it is not possible to secure governmental/regulatory approval of the opening of the Lessee's business in the leased premises, Lessee shall have the right to terminate this lease without further rent obligation. Lessee shall give written notice to Lessor of such a determination. Provided, that should the lease be terminated under this clause,

Lessor shall be compensated for its future loss of rents by Lessee's agreement that the Lessee's security deposit shall be forfeited to Lessor, and shall be released from all other claims for rent (except those already due for December, 2011 and January, 2012, to the extent the sums due for those months have not been paid).

The rent will be paid on or before the third day of each month, hand-delivered to Joe Shimek, or mailed to Joe Shimek, Box 93890, Anchorage, AK 99509, at least three days prior to the due date. Lessee agrees that rent checks which are returned "Not Sufficient Funds" after deposit will be subject to a \$35.00 redeposit and handling charge. Rent payments which are late by more than three business days shall include a late payment charge of \$100.00, and rent payments which are late by more than seven business days shall include a late payment charge of \$200.00. (Business days are Monday through Friday, excluding bank holidays)

10) Security Deposit: Lessee shall pay Lessor the sum of \$6000.00 upon execution of this lease. Such sum may be applied by Lessor to unpaid rents or other breach of this lease, or under Para. 9 (D). The deposit shall be repaid at the end of the lease, without interest, if Lessee is not then in default of its obligations.

11) Common Areas: Lessor is the owner of and responsible for all common areas of the mall, except as otherwise provided (see, for example, Para. 7 relating to sidewalks).

12) Utilities: Lessee is responsible to its own utilities and phone services, except for space heat, water, wastewater, and garbage collection. Lessee is responsible for maintaining that portion of the water, wastewater and electric systems which are physically located within the leased premises, or which it alters or constructs in or out of the leased premises.

13) Alterations: Lessee will secure the written permission of the Lessor before undertaking any alterations or improvements of the premises. Lessee will obtain any work permits legally required for such work and shall cause such work to be done in workmanlike manner and in conformity with applicable building, zoning, and construction codes.

14) As Is Condition: Lessee accepts the premises "as is" and will be responsible for renovations, alterations, and reconstruction necessary to make them suitable to Lessee's purposes. Provided, however, that Lessor will replace the existing ceiling tiles and light fixtures with new tiles and light fixtures of similar quality and character prior to Nov. 15, 2011, or, at the option of Lessee, the Lessee shall have the right to reduce Lessee's payments otherwise due starting

Dec. 1, 2011, by an amount not to exceed \$4000.00, to the extent Lessee expends monies replacing, renovating or otherwise installing a new ceiling and/or lighting fixtures in the premises. Lessee shall notify Lessor of Lessee's decision under this Paragraph by Oct. 15, 2011.

15) Surrender at End of Lease: Lessee shall surrender the premises at the end of this lease, or any extended term of this lease, in as good shape and condition as when leased, normal wear and tear excepted. Lessee may remove trade fixtures which Lessee has installed on the premises only if such fixtures can be removed without damage or injury to the structural elements of the building or the utility structure supporting the premises, and only if the premises are then restored by Lessee to their condition at the time of commencement of the lease.

16) Hold Harmless: Lessee shall hold the Lessor harmless for injuries or damages, real or false, claimed to have arisen out of the Lessee's occupancy or activities. Lessee shall maintain in force one or more policies of liability insurance against such claims, and cause the Lessor to be named as an "additional insured" on such policies. Such policies shall provide for not less than \$500,000 in liability coverage for personal injuries, and not less than \$100,000 in liability coverage for property damages. Certificates evidencing such policies shall be provided to Lessor each year on the anniversary date of this lease.

17) Fire and Casualty: Lessee shall keep its inventory, windows, doors, signs, fixtures and improvements insured against damage or loss due to fire or other hazard or casualty, in an amount sufficient to fully compensate Lessee for such losses, and from interruption of business arising therefrom. Failure of Lessee to fully insure against such risks is hereby deemed a full and total waiver of, and release of claims, of any alleged right of Lessee to secure damages or compensation from the Lessor, or any other tenant of the mall, regardless of the cause of such damage. Lessee waives and releases any claims it might have against Lessor, or any other tenant of the mall, to the extent that such losses are compensated by Lessee's required insurance coverage.

18) Liens: Lessee shall not allow any mechanics or materialman's liens to be asserted against the premises as the result of work or services provided to Lessee. Should such liens be asserted Lessee shall secure a bond or deposit monies with appropriate persons, including Lessor, as are reasonably necessary to prevent any threat of foreclosure or seizure of assets of Lessee or Lessor.

19) Condemnation: In the event the mall becomes subject to condemnation or taking for public purposes by any governmental entity, This lease shall terminate on the date the taking occurs. Lessee shall make no claim against Lessor arising out of such condemnation or taking, or any claim which

would reduce the damages or compensation otherwise due Lessor by reason of such taking. Lessor will give notice of possible condemnation to Lessee promptly upon being notified formally by a condemning authority of its intent to condemn.

20) Notices: Notices to Lessee and Lessor shall be delivered certified mail to the other party at the following addresses, or hand-delivered personally to the notice recipient:

Town and Country II
Attn: Joe Shimek or David Shimek
Box 93890
Anchorage, AK 99509

Attn: *Isles, Inc.*
Pamela Hatzis
530 East Benson Blvd, Suite 5
Anchorage, AK 99503

21) Default by Lessee: If Lessee should fail to perform its obligations herein, or should become subject to any bankruptcy or receivership, Lessor may, if it chooses, terminate this lease upon a) 10 days notice of default as to any payment due hereunder or b) 30 days notice of default as to any non-payment obligation of Lessee due hereunder. Lessor's election to terminate lease shall be effective on the 10th or 30th day, respectively, unless cure is effected, or in the event that a non-payment cure cannot reasonably be effected within such 30 day period, Lessee is proceeding reasonably and diligently to effect such cure. Lessee may avoid termination by curing default within 10 days or 30 days, respectively, of Lessor's notice, consistent with the terms of this Paragraph.

Lessor shall be entitled to possession of the premises immediately at end of the 10 day opportunity to cure period if cure is not effected by then. To effect taking possession, Lessor may change door locks and otherwise secure the premises against entry by Lessee. Lessee waives and releases any claims arising out of such action by Lessor, unless termination was unlawful. If termination under this Paragraph, Lessor has the right to pursue all its legal rights under this lease and common or statutory law as if the lease had not been terminated, including collecting future rents not then accrued and any damages flowing from the default or early termination of lease. Should Lessor incur legal fees or costs of collection to enforce these rights and remedies, Lessee shall be fully liable to Lessor for such fees or costs.

22) Inspection: Lessor shall have the right during business hours to inspect the premises in their entirety during the term of this lease or any extension thereof.

23) Assignment: This lease is not assignable by Lessee without the written consent of Lessor, nor may Lessee sublet the premises or any portion thereof without the written consent of Lessor. Any assignment or subletting to which the Lessor consents will not relieve Lessee of the obligations herein, and Lessor shall remain entitled to enforce the terms of this lease against Lessee without seeking recourse either primarily or secondarily against the assignee or sub-tenant.

24) Increase in Costs: Lessee will pay annually, on Feb. 15, during the term of the lease or any extension thereof, 10 % of the amount by which municipal property taxes, mall casualty insurance, and mall utilities (common electric, water, sewer, and heat), taken in the aggregate, for the preceding period from Jan. 1 through Dec. 31, exceed the amounts paid by Lessor for such expenses, in the aggregate, for the period Jan. 1, 2011 through Dec. 31, 2011. Provided, that no payment will be due on Feb. 15 of 2012.

Lessor will provide an itemized billing for this charge within 30 days following Jan. 1 of each year in which the charge is applicable. Lessor will provide a similar itemized billing for the final 12 months of the lease, or any extension thereof, within 30 days of end of lease, which shall be paid within 15 days of presentment of the itemized billing.

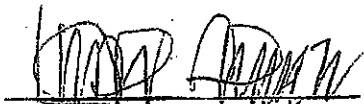
25) Option to Extend: Provided that tenant has not defaulted on this lease and is not then in default, tenant shall have an option to extend its lease occupancy for an additional 5 years, under the same terms and conditions as set forth in this lease. The monthly lease rate will be established as described in Para. 9 (base rate of \$6000.00 decreased or increased by the cumulative change in the Anchorage area CPI (U) since Jan. 1, 2011.

To exercise an option, Lessee must give written notice of its decision to exercise an option to extend to Lessor between April. 1 and May 31, 2016. Such notice, if timely and valid, is binding on both parties and cannot be revoked thereafter.

26) Signage: Lessee shall not place or allow to be placed on the exterior walls, doors, windows, or upon the roof, soffits, or other exterior surfaces of the premises, any sign, awning, canopy,

billboard or other signage or advertisement, without prior written consent of Lessor. Lessor will agree to signage which it reasonably determines to be consistent with the architecture, design, and general décor of the mall, and of good workmanship and design.

Dated:

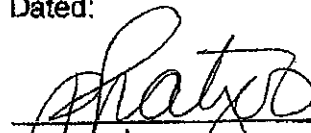


Lessor

Joseph RW Shimek, for TC II

9/22/11

Dated:



Lessee

Pamela Hatzis, for herself
As guarantor, and for the
Corporation "Isles, Inc."

9/22/11

State of Alaska
Department of Commerce, Community and Economic
Development
Corporations, Business and Professional Licensing

Certificate of Incorporation

The undersigned, as Commissioner of Commerce, Community and Economic Development of the State of Alaska, hereby certifies that a duly signed and verified filing pursuant to the provisions of Alaska Statutes has been received in this office and has been found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce, Community and Economic Development, and by virtue of the authority vested in me by law, hereby issues this certificate to

Isles, Inc.



IN TESTIMONY WHEREOF, I execute the certificate and affix the Great Seal of the State of Alaska effective September 09, 2011.

A handwritten signature in cursive script that reads "Susan K. Bell".

Susan K. Bell
Commissioner

84-1782

MUNICIPALITY OF ANCHORAGE
AGREEMENT TO PROVIDE ACCESS

The Municipality of Anchorage, hereinafter the
"Municipality", and BJB ENTERPRISES, a partnership,

[individual, partnership, or corporate name]
hereinafter the "Owner", and BW & WAS INVESTMENTS, a
partnership,

[Individual, partnership or corporate name]
hereinafter the "Neighbor", enter into the following agreement
which shall become effective on the date the agreement is fully
executed.

Section 1. The Owner is a partnership
[individual, partnership, corporation, etc.]

and Bennett Williams executes this agreement on
[name of person signing]
behalf of the Owner in the capacity of Managing Partner

[individual, partner, president (if corporation)]

Bennett Williams warrants that he/she has authority
[name of person signing]
to execute this agreement on behalf of the Owner.

The Neighbor is a partnership
[individual, partnership, corporation, etc.]

and Bennett Williams executes this agreement on
[name of person signing]
behalf of the Neighbor in the capacity of partner

[individual, partner, president (if corporation)]

Bennett Williams warrants that he/she has the authority
[name of person signing]
to execute this agreement on behalf of the Neighbor.

MUNICIPALITY OF ANCHORAGE
DEPARTMENT OF PUBLIC WORKS

JUN 8 1984

TRAFFIC ENGINEERING
RECEIVED

Section 2. The Owner owns a parcel of real property described as: Tract "B" Highline Subdivision, Addition #1

shown on the map attached hereto as Appendix A, and referred to hereinafter as the "dominant parcel." In order to utilize the dominant parcel for parking on Tract "C" Highline Subdivision

{specify project} Addition #1
the Owner must provide ninety-eight (98) off-street parking spaces

{specify what the Owner must provide}

in order to meet the requirements of Title 21 of the Anchorage Municipal Code.

The Neighbor owns an adjacent parcel of real property described as Tract "C" Highline Subdivision, Addition #1

shown on the map attached hereto as Appendix A, and referred to hereinafter as the "servient parcel." The servient parcel

may provide one hundred one (101) off-street parking spaces

{specify what the servient parcel may provide}

and Neighbor hereby agrees to provide ninety-nine (99) off-street parking spaces

{specify burden Neighbor agrees to put on the servient parcel}

Section 3. The Owner and Neighbor covenant and agree that they and their heirs, successors and assigns, shall use the servient parcel to provide parking - one hundred ninety-nine (199) off-street parking spaces

{specify the burden on the servient parcel} for the use and benefit of the dominant parcel, and that the above-described use

of the servient parcel shall not be altered or restricted in any manner without the consent of the Municipality.

Section 4. It is understood that violation of this agreement shall constitute a violation of Title 21 of the Anchorage Municipal Code, and will be subject to all the penalties and remedies provided by law for such a violation.

MUNICIPALITY OF ANCHORAGE

OWNER BJB Enterprises

By [Signature]
Title Mayor
Date 27 Jul, 84

By Bennett Williams
Title Managing Partner
Date June 4, 1984

APPROVED AS TO FORM:

NEIGHBOR BW & WAS Investments

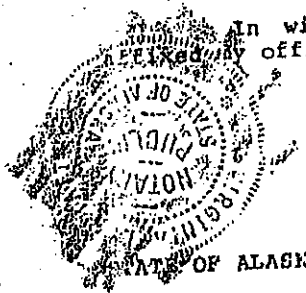
By _____
Assistant Municipal Attorney
Date _____

By Bennett Williams
Title Managing Partner
Date June 4, 1984

STATE OF ALASKA)
THIRD JUDICIAL DISTRICT) ss:

This is to certify that on the 27 day of July, 1984, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn as such, there personally appeared John Bishop, to me known and known to me to be the Mayor of the MUNICIPALITY OF ANCHORAGE, a Municipal Corporation, and he/she acknowledged to me that he/she executed the foregoing instrument as a free and voluntary act and deed of said Municipal corporation for the uses and purposes therein stated, and on oath stated that he/she was authorized to execute said instrument.

In witness whereof, I have hereunto set my hand and official seal the day and year hereinabove written.

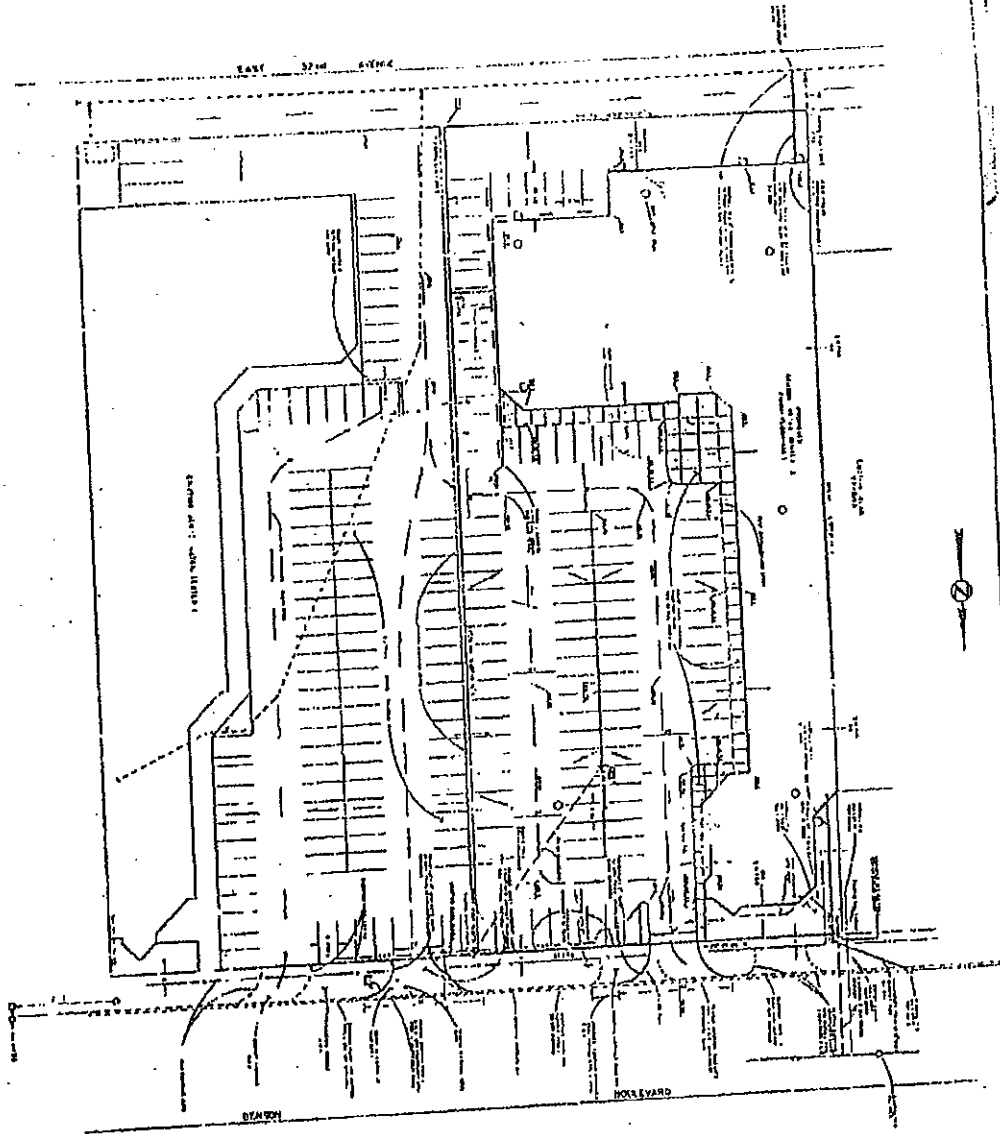


William J. Pate
Notary Public in and for Alaska
My commission expires May 29, 1985

STATE OF ALASKA)
THIRD JUDICIAL DISTRICT) ss:

This is to certify that on the 4th day of June, 1984, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn as such, there personally appeared Bennett Williams, to me known and known to me to be the Managing Partner of the partnership BJB Enterprises, and he/she acknowledged to me that he/she executed the foregoing instrument as a free and voluntary act and deed of said partnership for the uses and purposes therein stated, and on oath stated that he/she was authorized to execute said instrument.

LEGAL DESCRIPTION:
HIGHLINE SUBDIVISION TRACT O



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Appendix A

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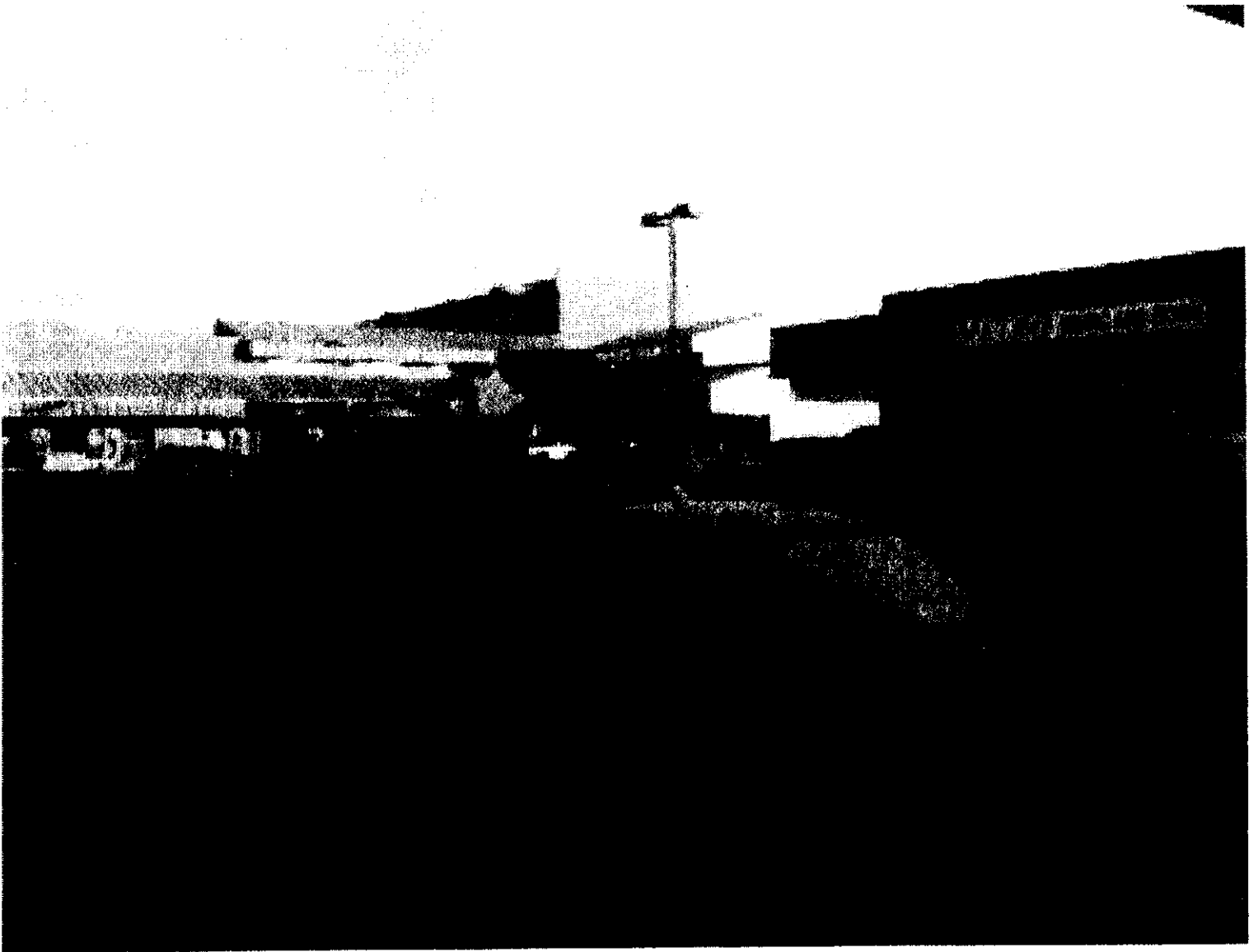
RECORDED-FILED
ANCHORAGE REC.
DISTRICT

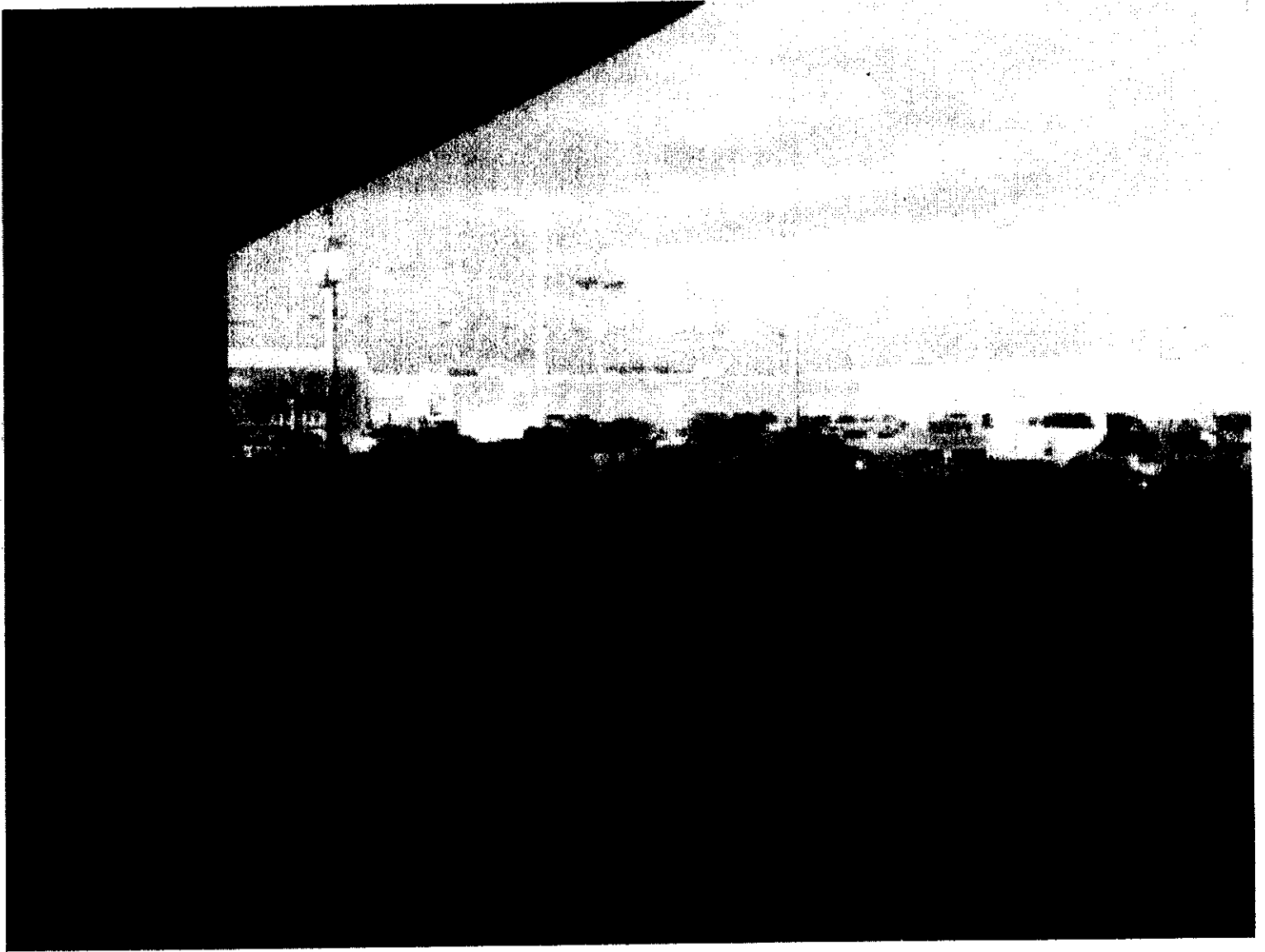
OCT 22 8 28 AM '84

REQUESTED BY MUNICIPALITY OF ANCHORAGE
-right-of-Way & Property Mgmt. Office
POUCH 6-650

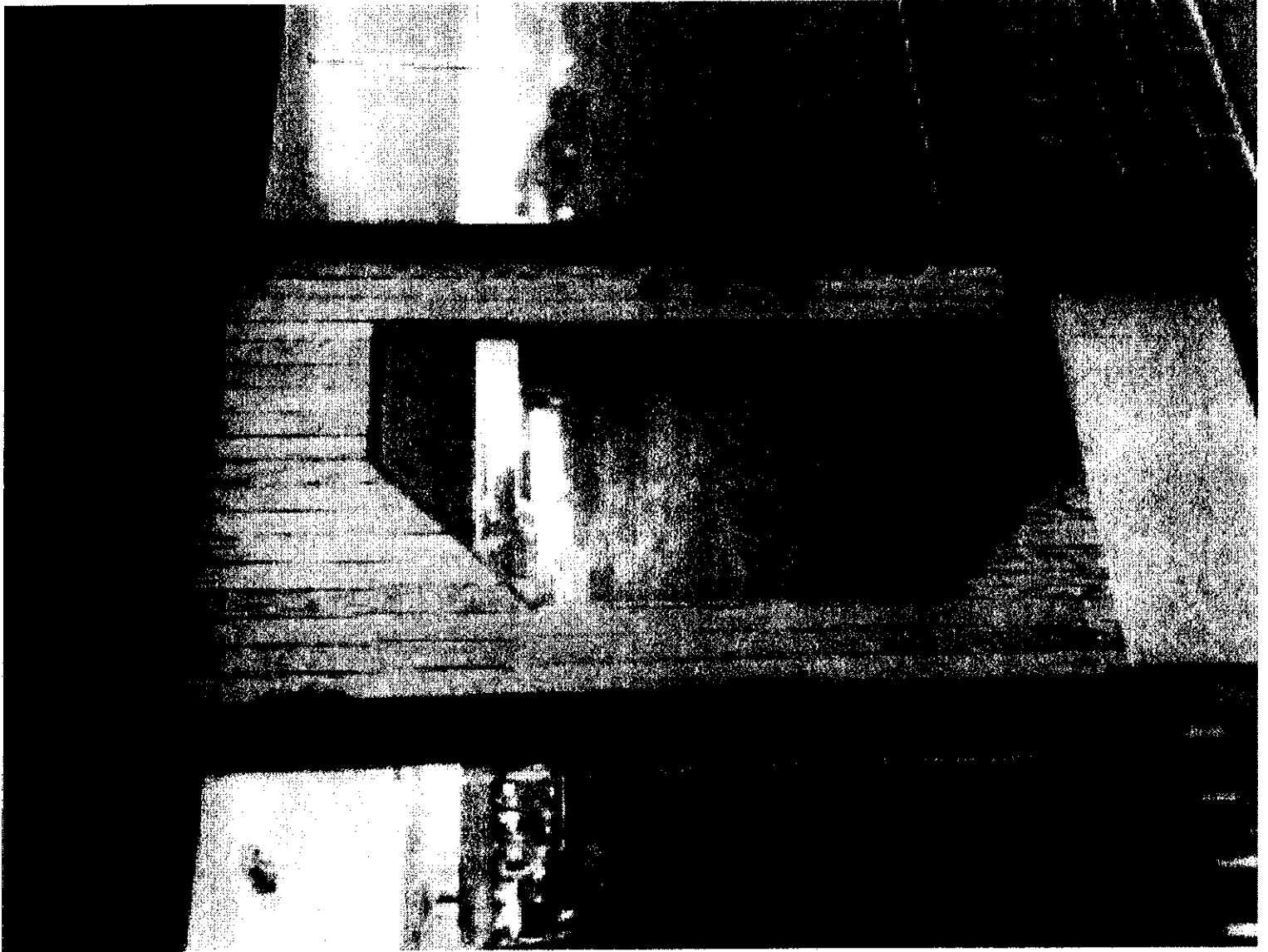
POOR FILMING QUALITY

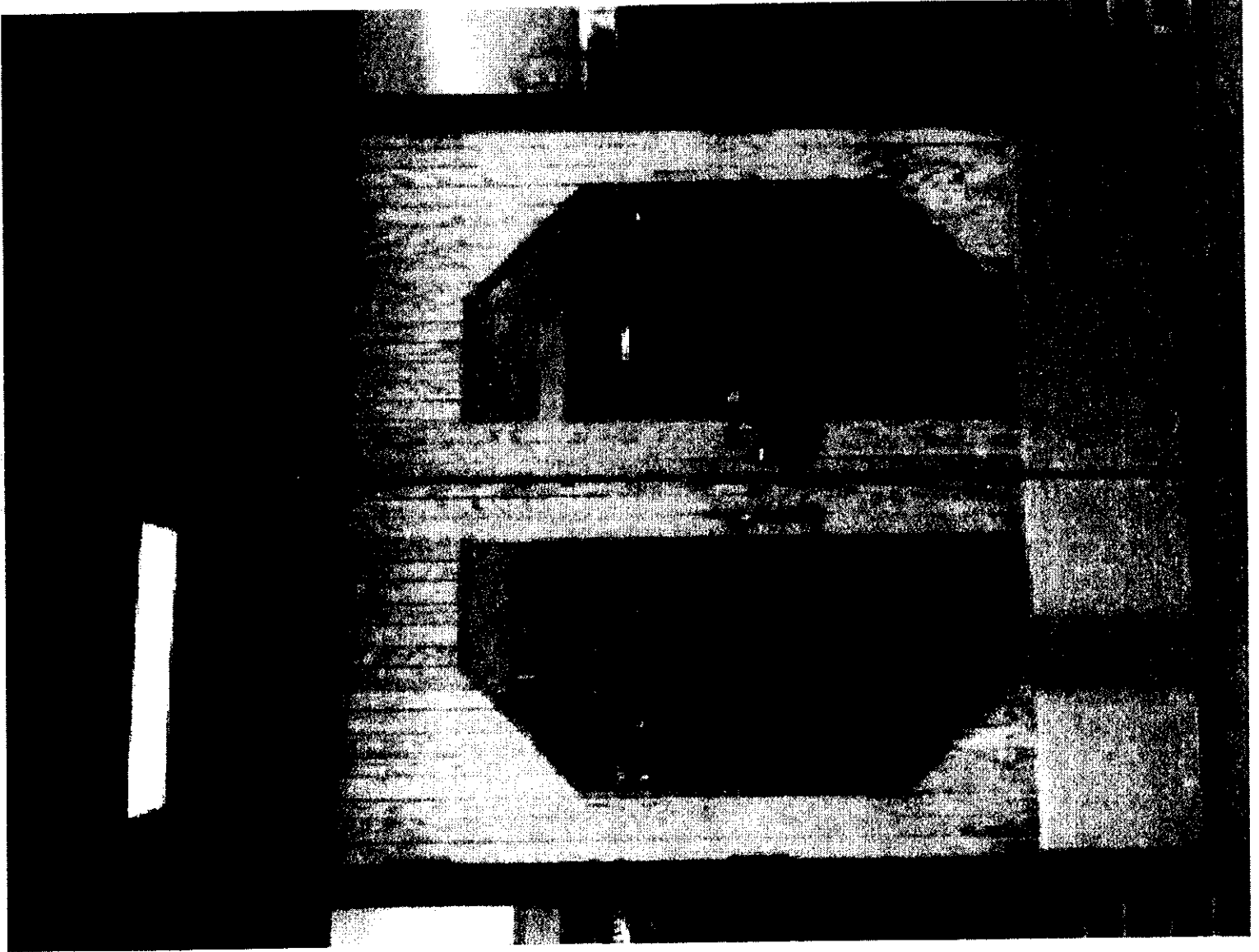












4

**AFFIDAVIT
OF POSTING**



AFFIDAVIT OF POSTING

Case Number: 2012-005

I, Pamela Hatzis, 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 11/18/11 which is at least 21 days prior to the public hearing on this petition. I acknowledge this Notice(s) must be posted in plain sight and displayed until all public hearings have been completed.

Affirmed and signed this 18 day of NOV, 2011.

P. Hatzis
Signature

LEGAL DESCRIPTION

Tract or Lot C
Block _____
Subdivision Highland Addn No. 1