

Submitted by: Chair of the Assembly at
the request of the Mayor
Prepared by: Planning Department
For reading April 15, 2008

Anchorage, Alaska
AR No. 2008-62

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING
2 AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 (GENERAL
3 BUSINESS) DISTRICT FOR A PACKAGE STORE USE AND LICENSE PER AMC
4 21.40.180 D.8, FOR BROWN JUG, INC.; LOCATED AT 2203 WEST DIMOND
5 BOULEVARD, WITHIN BRUCE SUBDIVISION, LOT 11; GENERALLY
6 LOCATED ON THE NORTHEAST CORNER OF WEST DIMOND BOULEVARD
7 AND NORTHWOOD DRIVE.

8
9 (Sand Lake Community Council) (Case 2008-061)

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11
12 THE ANCHORAGE ASSEMBLY RESOLVES:

13
14 **Section 1.** This conditional use approval is for an Alcoholic Beverages Conditional Use
15 in the B-3 District for a Package Store use and license per AMC 21.40.180 D.8, for
16 Brown Jug, Inc.; located within Bruce Subdivision, Lot 11; generally meets the
17 applicable provisions of AMC 21.50.020 and AMC 21.50.160.

18
19 **Section 2.** The conditional use for an Alcoholic Beverages Conditional Use for a
20 Package Store Use is comprised of 6,288 square feet of gross leasable area.

21
22 **Section 3.** The conditional use is approved subject to the following 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 of a final conditional use approval for a
26 Package Store Use in the B-3 District, and compliance with the other conditions set
27 forth herein.

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

31
32 3. This conditional use approval is for an Alcoholic Beverages Conditional Use in
33 the B-3 District for a Package Store Use per AMC 21.40.180.D.8, for approximately
34 6,288 square feet gross leasable area to be located in the structure at Bruce Subdivision,
35 Lot 11.

36
37 4. On-premise sales will be seven days a week as permitted per the Alaska
38 Alcoholic Beverage Control Board requirements.

39

1 5. Upon demand, the applicant shall demonstrate compliance with a “Liquor
2 Server Awareness Training Program,” approved by the State of Alaska Alcoholic
3 Beverage Control Board, such as or similar to, the program for “Techniques in Alcohol
4 Management” (T.A.M.).

5
6 6. The use of the property, by any person for the permitted purposes, shall comply
7 with all current and future Federal, State and local laws and regulations, including but
8 not limited to, laws and regulations pertaining to the sale of alcoholic beverages. The
9 owner of the property, the licensee under the Alcoholic Beverage Control license and
10 their officers, agents and employees, shall not knowingly permit, or negligently fail to
11 prevent the occurrence of illegal activity on the property.

12
13 7. A copy of the conditions imposed by the Assembly in connection with this
14 conditional use approval shall be maintained on the premise.

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16 **Section 4.** Failure to comply with the conditions of this conditional use permit shall
17 constitute grounds for its modification or revocation.

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19 **Section 5.** This resolution shall become effective immediately upon passage and
20 approval by the Anchorage Assembly.

21
22 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
23 _____ 2008.
24

ATTEST:

Chair

Municipal Clerk

(Planning Case Number 2008-061)
(Tax Identification Number 012-342-23)



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM

No. AM 214-2008

Meeting Date: April 15, 2008

From: Mayor

Subject: ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 (GENERAL BUSINESS) DISTRICT FOR A PACKAGE STORE USE AND LICENSE PER AMC 21.40.180 D.8 FOR BROWN JUG, INC.; LOCATED AT 2203 WEST DIMOND BOULEVARD, WITHIN BRUCE SUBDIVISION, LOT 11.

1 Lowell Shinn, representing Brown Jug, Inc., has made application for a
2 Package Store Alcoholic Beverage Conditional Use and license in the B-3
3 District, located at 2203 West Dimond Boulevard, within Bruce
4 Subdivision, lot 11.

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6 This proposal is for a Package Store Alcoholic Beverage Conditional Use
7 for a 6,288 square foot gross leasable area within a new
8 commercial/retail structure. The property is zoned B-3, in which
9 alcoholic beverage sales are permitted through the conditional use
10 process.

11
12 The petitioner has applied to the Alcoholic Beverages Control Board for
13 the transfer of an existing Package Store license owned by the
14 petitioner, from 2534 Spenard Road to the petition site. Before transfer,
15 the business name for the license was Brown Jug – Chilkoots.

16
17 There are no known churches or schools within 200 feet of the petition
18 site, according to Municipal records.

19
20 There are a total of four (4) alcohol conditional uses and licenses within
21 a 1,000-foot radius of the petition site: two (2) package store licenses
22 and two (2) restaurant licenses. Approving this package store

1 conditional use and license will add a third package store license within
2 a 1,000-foot radius of the petition site.

3
4 The package store will operate seven days a week during the hours of
5 10:00 a.m. to 12:00 a.m. Monday through Saturday, and 12:00 p.m. to
6 12:00 a.m. on Sunday. On-premise sale of alcohol beverages will be
7 available as permitted by the Alcohol Beverage Control Board
8 requirements, only during the hours allowed for the specific day of the
9 week applicable. Employees involved in the sale of alcoholic beverages
10 will be trained in accordance with the Alcoholic Beverage Control
11 Board's "Liquor Server Alcohol Awareness Training Program," (TAM) and
12 will hold the necessary certifications.

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14 At the time this report was prepared, the Department of Health and
15 Human Services did not provide comments. The Anchorage Police
16 Department did not note any incidents at the site within the last two
17 years. Treasury reports there are no delinquent Personal Property
18 Taxes or Real Property Taxes owing at this time.

19
20 THIS CONDITIONAL USE FOR A PACKAGE STORE USE AND LICENSE
21 IN THE B-3 DISTRICT GENERALLY MEETS THE APPLICABLE
22 PROVISIONS OF AMC TITLES 10 AND 21, AND ALASKA STATUTE
23 04.11.150.

24
25 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department

26 Concur: Tom Nelson, Director, Planning Department

27 Concur: Mary Jane Michael, Executive Director, Office of Economic &
28 Community Development

29 Concur: Michael K. Abbott, Municipal Manager

30 Respectfully submitted: Mark Begich, Mayor