

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 9-25-01

Submitted by:

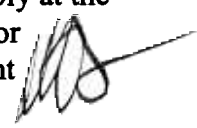
Chair of the Assembly at the
Request of the Mayor

Prepared by:

Planning Department

For reading

August 28, 2001



Anchorage, Alaska

AR 2001- 244

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A
CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN
THE B-3 DISTRICT FOR A RESTAURANT PER AMC 21.40.180D.8. LOCATED ON
MULDOON HEIGHTS SUBDIVISION, TRACT A; GENERALLY LOCATED ON
THE EAST SIDE OF MULDOON ROAD AND NORTH OF DEBARR ROAD.

(Ding How Chinese Restaurant) (Case 2001-138)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The conditional use permit for an Alcoholic Beverages Conditional Use in the
B-3 District for a Restaurant/Eating Place per AMC 21.40.180D.8, located on Muldoon
Heights Subdivision, Tract A, meets the applicable standards of AMC 21.50.020 and
AMC 21.50.160.

Section 2. The conditional use permit for an Alcoholic Beverages Conditional Use in the
B-3 District for a Restaurant/Eating Place per AMC 21.40.180D.8., located on Muldoon
Heights Subdivision, Tract A; generally located on the east side of Muldoon Road and
north of DeBarr Road, is approved subject to the following conditions:

* See new conditions 1 and 2 below.

~~1.~~ 3. A notice of Zoning Action shall be filed with the District Records Office within
120 days of the Assembly's approval of a final conditional use approval for a
restaurant/eating place serving wine and beer in the B-3 District.

~~2.~~ 4. All uses shall conform to the plans and narrative submitted.

~~3.~~ 5. 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.

1. Liquor sales shall constitute no more than 25% of total gross receipts
2. No alcohol advertisement viewable externally.

1 ~~4-6.~~ Prior to this conditional use becoming effective, the applicant shall demonstrate
2 compliance with a Liquor Server Awareness Training Program approved by the
3 State of Alaska Alcoholic Beverage Control Board, such as or similar to the
4 program for techniques in alcohol management (T.A.M.).

5 ~~5.~~ 7. A copy of the conditions imposed by the Assembly in connection with this
6 conditional use approval shall be maintained on the premises involved at a
7 location visible to the public.
8

9 Section 3. Failure to comply with the conditions of this conditional use permit shall
10 constitute grounds for its modification or revocation.
11

12 Section 4. Approval of this resolution supercedes the temporary conditional use permit
13 for a restaurant/eating place liquor license at 1241 Muldoon Road for the Ding How
14 Mongolian Bar-B-Que approved in AR 2001-208.
15

16 Section 5. This resolution shall become effective immediately upon passage and
17 approval by the Anchorage Assembly.
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19 PASSED AND APPROVED by the Anchorage Assembly this 25th
20 day of September, 2001.
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22
23
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ATTEST:


Chair


Municipal Clerk

(2001-138)
(006-122-77)