

CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 12-11-01

Submitted by

Chair of the Assembly at the  
Request of the Mayor

Prepared by  
For reading

Planning Department  
DECEMBER 11, 2001

Anchorage, Alaska  
AR 2001- 344

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A  
CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE  
I-2 DISTRICT FOR A PACKAGE STORE LICENSE PER AMC 21.40.210.B, FOR  
SAFEWAY, INC., DBA OAKEN KEG, LOCATED ON TRACT B-4, EAST DIMOND  
CENTER SUBDIVISION; GENERALLY LOCATED ON THE NORTHEAST CORNER OF  
ABBOTT ROAD AND EAST 88<sup>TH</sup> AVENUE.

<sup>Loop</sup>  
(Abbott Loop Community Council) (Case 2001-202)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The conditional use permit for an Alcoholic Beverages Conditional Use in the I-2  
District for a Package Store License per AMC 21.40.210.B, for Safeway, Inc., dba Oaken Keg,  
located on Tract B-4, East Dimond Center Subdivision, meets the applicable provisions of AMC  
21.50.020 and AMC 21.50.160.

Section 2. The conditional use permit is for a 2,000 to 2,400 square-foot package store, located  
in the northwest corner of the 65,000 to 70,000 square-foot Safeway/Carrs grocery/retail store on  
Tract B-4, East Dimond Center Subdivision.

Section 3. The conditional use permit is approved subject to the following conditions:

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 package store in  
the I-2 District.

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

3. 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.).

4. 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.

5. 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.

6. The approved conditional use is reflected on the following plans:

a. Proposed Site Plan for Proposed Carrs, Abbott and 88<sup>th</sup> Street, Anchorage, Alaska; Sheet No. C.01; dated August 27, 2001; prepared by The Dykeman Architects.

b. Proposed Fixture Plan for Proposed Carrs, Abbott and 88<sup>th</sup> Street, Anchorage, Alaska; dated July 10, 2001; prepared by The Dykeman Architects.


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

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

PASSED AND APPROVED by the Anchorage Assembly this 11<sup>th</sup> day of December, 2001.

ATTEST:

  
Chair

  
Municipal Clerk

(2001-202)  
(014-261-43)

Added:

7. No advertisement for liquor or alcohol visible from outside the building.



**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

**No.** AM 944-2001

**Meeting Date:** DECEMBER 11, 2001

**From:** Mayor

**Subject:** AR 2001- 344      Alcoholic Beverages Conditional Use in the  
I-2 District for a Package Store per AMC  
21.40.210.B for Safeway, Inc.

1 Safeway, Inc. has made application for a new conditional use permit for an  
2 alcoholic beverages conditional use in the I-2 District for a package store  
3 per AMC 21.40.210.B for its new store on Tract B-4, East Dimond Center  
4 Subdivision. This store will include grocery, retail, package liquor store,  
5 and fuel retail.

6 The package liquor store comprises 2,000 to 2,400 square feet (SF) of the  
7 65,000 to 70,000 SF Safeway/Carrs store. The package liquor store has  
8 its own controlled exterior and interior entries, and will be located on the  
9 northwest corner of the building. Sale of alcoholic beverages is expected  
10 to be 4% of the total sales of the main store.

11 The application for the transfer of a package store license from the Carrs  
12 store at 901 E. Dimond Boulevard has been submitted to the ABC Board.

13 There were one hundred and seven (107) public hearing mailed. One  
14 returned notice from the public was received, which was against granting  
15 the conditional use. No response, to date, has been received from the  
16 Abbott Loop Community Council.

17 After review of this proposal, the Department of Health and Human  
18 Services finds no negative comments or impacts.

19 Alaska Statue 04.11.410 *Restriction Of Location Near Churches And*  
20 *Schools* provides that a package store license may not be located in a  
21 building with a public entrance within 200 feet of a school ground or  
22 church building, measured by the shortest pedestrian route from the  
23 outer boundaries of the school ground or the public entrance of the  
24 church building. To our knowledge there is no church or school within a  
25 radius of 200-feet of the proposed store location. The nearest child care  
26 center is the Little Red Schoolhouse which is more than 1000-feet from  
27 the proposed site. The nearest school, Heritage Christian School, located  
28 behind Abbott Loop Christian Church, is approximately 0.5 miles from the  
29 petition site. There are no locational regulations in the Municipal Code.

30 There are no delinquent Real Property or Personal Property taxes owing for  
31 Safeway/Carrs at this location.

32

1 The Anchorage Police Department investigation of licensed liquor  
2 establishments for Safeway, Inc. reported no significant criminal history in  
3 local police files, and reported no incidents occurring within one year prior  
4 to date of the application.

5  
6 Within 1,000 feet of this application, there are 3 package store license, 2  
7 restaurant/eating place licenses, 1 beverage dispensary license and 1  
8 recreational site license.

9  
10 The 1996 population estimate for the Abbott Loop Community Council  
11 area is 18,372. There are 5 package store licenses in this Council area.  
12 This equals one package store license per 3,674 residents in the Abbott  
13 Loop Community Council area. Approving this package store conditional  
14 use and the transfer of ownership package store license would add a  
15 fourth package store license within a 1,000-foot radius of the petition site.

16  
17 This conditional use for alcoholic beverages in the I-2 District for a  
18 package store generally meets the required standards of Title 21.  
19

Reviewed by:



Harry J. Kieling Jr.  
Municipal Manager

Reviewed by:



Craig E. Campbell, Executive  
Director Planning, Development and  
Public Works

Respectfully submitted,



George P. Wuerch  
Mayor

Prepared by:



Susan R. Fison, Director  
Department of Planning