

CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date: 3-19-02

Submitted by

Chair of the Assembly at the  
Request of the Mayor  
Planning Department  
March 19, 2002

Prepared by:  
For reading

Anchorage, Alaska  
AR 2002-77

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY  
APPROVING A CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES  
CONDITIONAL USE IN THE B-3 DISTRICT FOR A PACKAGE STORE  
LICENSE PER AMC 21.40.180.D.8, FOR FRED MEYER, ~~INC.~~, LOCATED  
ON PROPOSED TRACT 1D, NORTHGATE BUSINESS PARK (CASE S-  
10837); GENERALLY LOCATED ON THE NORTHEAST CORNER OF  
NORTHGATE DRIVE AND OLD GLENN HIGHWAY.

OF  
ALASKA

(Chugiak Community Council) (Case 2002-060)

THE ANCHORAGE ASSEMBLY RESOLVES

Section 1. The conditional use permit for an Alcoholic Beverages Conditional Use in the B-3  
District for a Package Store License per AMC 21.40.180.D.8, for Fred Meyer, ~~Inc.~~, located on  
proposed Tract 1D, Northgate Business Park Subdivision (case S-10837), meets the applicable  
provisions of AMC 21.50.020 and AMC 21.50.160.

of  
Alaska

Section 2. The conditional use permit is for a 2,525 square-foot package store, located behind the  
the southwest entrance of the 169,766 square-foot Fred Meyer grocery/retail store on proposed  
Tract 1D, Northgate Business Park Subdivision (case S-10837).

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

A notice of Zoning Action shall be filed with the District Recorders Office within 120  
days of the Assembly's approval of a final conditional use approval for a package store in  
the B-3 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 Board

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. Site Plan as revised and approved by the Planning Department to reflect conditions of approval from site plan review case 2002-005.

b. Proposed Fixture Plan for Proposed Eagle River Fred Meyer, dated 22 Jan 02.

**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 19<sup>th</sup> day of March, 2002.

ATTEST

  
Chair

  
Municipal Clerk

(2002-060)  
(051-361-45 and 40)

# USE - LIQUOR

## 2002-060

PC  
94-235S-1  
000-143(S-2)  
Development Area

PC  
94-235S-1  
000-143(S-2)

B-3 SL  
AO 94-233(S-1)(AA)

B-3 SL  
AO 94-233(S-1)(AA)

B-3 SL  
AO 83-82

R-3 SL  
AO 85-13

R-3 SL  
AO 85-13

B-3

B-3

R-1A

PETITION AREA

EAGLE RIVER  
VICINITY

\* Case Location

Mac Laren St

Mendenhall

OLD GLENN

PLI

PLI

Avenue

Street

Street

Street

Rachel

Beaujolais

Beaujolais

Beaujolais

Beaujolais

Beaujolais

Beaujolais

Beaujolais

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Municipality of Anchorage  
Planning Department



Date: JANUARY 30, 2002

Flood Limits



100 Year Floodplain

500 Year Floodplain

Floodway



0 500 1000 Feet





**MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM**

**No. AM 241-2002**

**Meeting Date: March 19, 2002**

**From: Mayor**

**Subject: AR 2002- 77**

**Alcoholic Beverages Conditional Use in the  
B-3 District for a Package Store per  
AMC 21.40.180.D.8 for Fred Meyer, Inc.**

1 Fred Meyer, Inc. has made application for a new conditional use permit for an  
2 alcoholic beverages conditional use in the B-3 District for a package store per  
3 AMC 21.40.180.D.8 for its new store on proposed Northgate Business Park  
4 Subdivision, Tract 1D (case S-10837). This store will include grocery, retail,  
5 package liquor store, and fuel retail.

6 The package liquor store comprises less than 1.5% of the total retail area, or  
7 approximately 2,525 square feet, within the total 169,766 square feet of retail  
8 space. The package liquor store includes a retail area, walk in cooler, and liquor  
9 storage, containing approximately 1,800 linear feet of shelving. The package  
10 liquor store has its own controlled entry, and will be located behind the  
11 southwest public entrance.

12  
13 Sale of alcoholic beverages is expected to be 3% of the total sales of the main  
14 store.

15 The application for the transfer of a package store license from the former Eagle  
16 River Alaska Marketplace store will be submitted to the ABC Board.

17 There were seventy-five (75) public hearing notices mailed. Two were returned,  
18 both returned undeliverable. No response to date has been received from the  
19 Chugiak Community Council.

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

22 Alaska Statue 04.11.410 *Restriction Of Location Near Churches And Schools*  
23 provides that a package store license may not be located in a building with a  
24 public entrance within 200 feet of a school ground or church building, measured  
25 by the shortest pedestrian route from the outer boundaries of the school ground  
26 or the public entrance of the church building. Fire Lake Elementary School is  
27 located on the tract abutting the east of the petition site, and is over 200 feet  
28 from the proposed store. The petitioner measured the distance to the school  
29 from the petition site, and reports that the front door of the proposed Fred Meyer  
30 store is approximately 2,300 feet from the Fire Lake Elementary School property.  
31 The petitioner also reports that the pedestrian route from the front door of the  
32 proposed Fred Meyer liquor store to the front door of the Fire Lake Recreational  
33 Center/McDonald Hockey Rink near the school is approximately 4,900 feet.

34 The nearest childcare center is located within Fire Lake Elementary School.  
35 Department of Health and Human Services (DHHS) Child and Adult Care

Licensing Division noted that for at least the last two to three summers, Eagle River Parks and Beautification has operated its licensed summer day camp at this school. It is a summer program only and is for school aged children. DHHS Child and Adult Care licensing noted that the impact of the proposed package liquor store would appear to be minimal on these children. There are no locational regulations in the Municipal Code.

There are no delinquent Real Property or Personal Property taxes owing for this location.

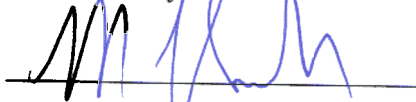
The Anchorage Police Department investigation of licensed liquor establishments for Fred Meyer, Inc. reported no significant criminal history in local police files, and reported no incidents occurring within one year prior to date of the application.

Within 1,000 feet of this application, there are no alcohol licenses. Within 3,000 feet of this application, there are two restaurant/eating place licenses and one beverage dispensary license.

The license for this location is from a former liquor store that was operating in Eagle River. There are eight alcohol licenses in these two Council areas, with four package store licenses, two club licenses, one restaurant/eating place license and one beverage dispensary license, all located well north of the petition site along North Birchwood Loop, and the Old Glenn Highway both around and north of North Birchwood Loop. This equals one package store license per 1,118 residents. Approving this package store conditional use and the transfer of ownership package store license would add a fifth package store license within these Council areas, but there are no alcohol licenses within a 1,000-foot radius of the petition site.

This conditional use for alcoholic beverages in the B-3 District for a package store generally meets the required standards of Title 21.

Reviewed by:



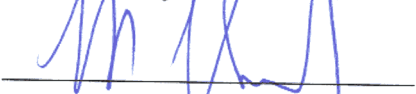
Harry J. Kiedling Jr.  
Municipal Manager

Reviewed by:



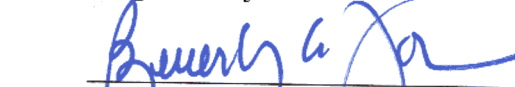
Craig E. Campbell, Executive  
Director Planning, Development and  
Public Works

Respectfully submitted,



George P. Wuersch  
Mayor

Prepared by:



Susan R. Fison, Director  
Department of Planning

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

**DATE:** March 19, 2002

**CASE NO.:** 2002-060

**APPLICANT:** Fred Meyer of Alaska, Inc.

**REPRESENTATIVE:** Dorsey & Whitney, LLP

**REQUEST:** Conditional Use for an Alcoholic Beverages Conditional Use in the B-3 District for a Liquor Package Store per AMC 21.40.180.D.8

**LOCATION:** Northgate Business Park Subdivision, Tracts 1-B and 4 (proposed Northgate Business Park Tract 1D, approximately 18.844 acres per case S-10837), generally located on the northeast corner of Northgate Drive and Old Glenn Highway.

**STREET ADDRESS:** N/A

**COMMUNITY COUNCIL:** Chugiak

**TAX PARCEL:** 051-361-45 and 40

**ATTACHMENTS**

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

**RECOMMENDATION SUMMARY:**

Approval

**SITE:**

**Acres:** 18.844 acres per proposed plat, case S-10837 (20.4 acres via existing plat)

**Vegetation:** Approved landscape plan for Large Retail Establishment per case 2002-005

**Zoning:** B-3



# CONDITIONAL USE - LIQUOR

## 2002-060

PC  
94-235S-1  
000-143(S-2)  
Development Area I

PC  
94-235S-1  
000-143(S-2)

B-3 SL  
AO 94-233(S-1)(AA)

B-3 SL  
94-233(S-1)(AA)

B-3 SL  
AO 83-82

R-3 SL  
AO 85-13

B-3

R-1A

PETITION AREA

EAGLE RIVER  
VICINITY

\* Case Location

Mac Laren St

Menderhall

OLD GLENN

PLI

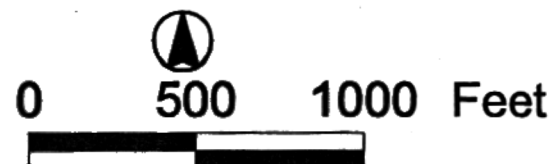
Municipality of Anchorage  
Planning Department



Date: JANUARY 30, 2002

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway





FEB 14 2002

# AFFIDAVIT OF POSTING

CASE NUMBER: 2002-060

I, Sherri Caddell 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 permit/ package store. The notice was posted on Feb. 10, 2002, 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 11th day of February, 2002

Sherri Caddell  
Signature

## LEGAL DESCRIPTION

Tract ~~XXXX~~ 1-B and Tract 4

Block       

Subdivision Northgate Business Park

\\w G:\CPD\Public\FORMS\Other\Doc\AOP.DOC

Sworn to before me.

Janet L. Moss  
Notary Public in and for Alaska  
My commission expires: 2-27-05



6

**HISTORICAL  
INFORMATION**

# Alcohol Extract from List Report

Case Number: 2002-060

Description: 1000'

<u>Parcel</u> _ _ _	<u>Parcel Owner Name</u> _	<u>Parcel Owner Address</u>	<u>City</u> _ _	<u>State</u> _	<u>Zip</u> _ _
Business Name	Applicant Name	Business Address	Lic. Number	Lic. Zone	Lic. Type

NONE !

## Map: Parcels



Scale 1:10000

Legend:

Txt streetsano: Text

 alcohol

 parcels

# Alcohol Extract from List Report

Case Number: 2002-060

Description: 3000'

<u>Parcel</u> <u>Business Name</u>	<u>Parcel Owner Name</u> <u>Applicant Name</u>	<u>Parcel Owner Address</u> <u>Business Address</u>	<u>City</u> <u>Lic. Number</u>	<u>State</u> <u>Lic. Zone</u>	<u>Zip</u> <u>Lic. Type</u>
05009302000 Tips Bar	ESTEP BILLY W & CAROLE J Estep, Billy W.	12349 OLD GLENN HIGHWAY 12349 Old Glenn Hwy	EAGLE RIVER 1142	AK B3	99577 Beverage Dispensary
05006116000 Mario Restaurant	CENTRAL CORE Sardi, Nick	110 MULDOON ROAD 12400 Old Glenn Hwy. #4	ANCHORAGE 3500	AK B3	99504 Restaurant/Eating Place
05003140000 River Place Restaurant	WJW CONSTRUCTION INC	PO BOX 770998 12801 Old Glenn Hwy	EAGLE RIVER 3929	AK B3SL	99577 Restaurant/Eating Place

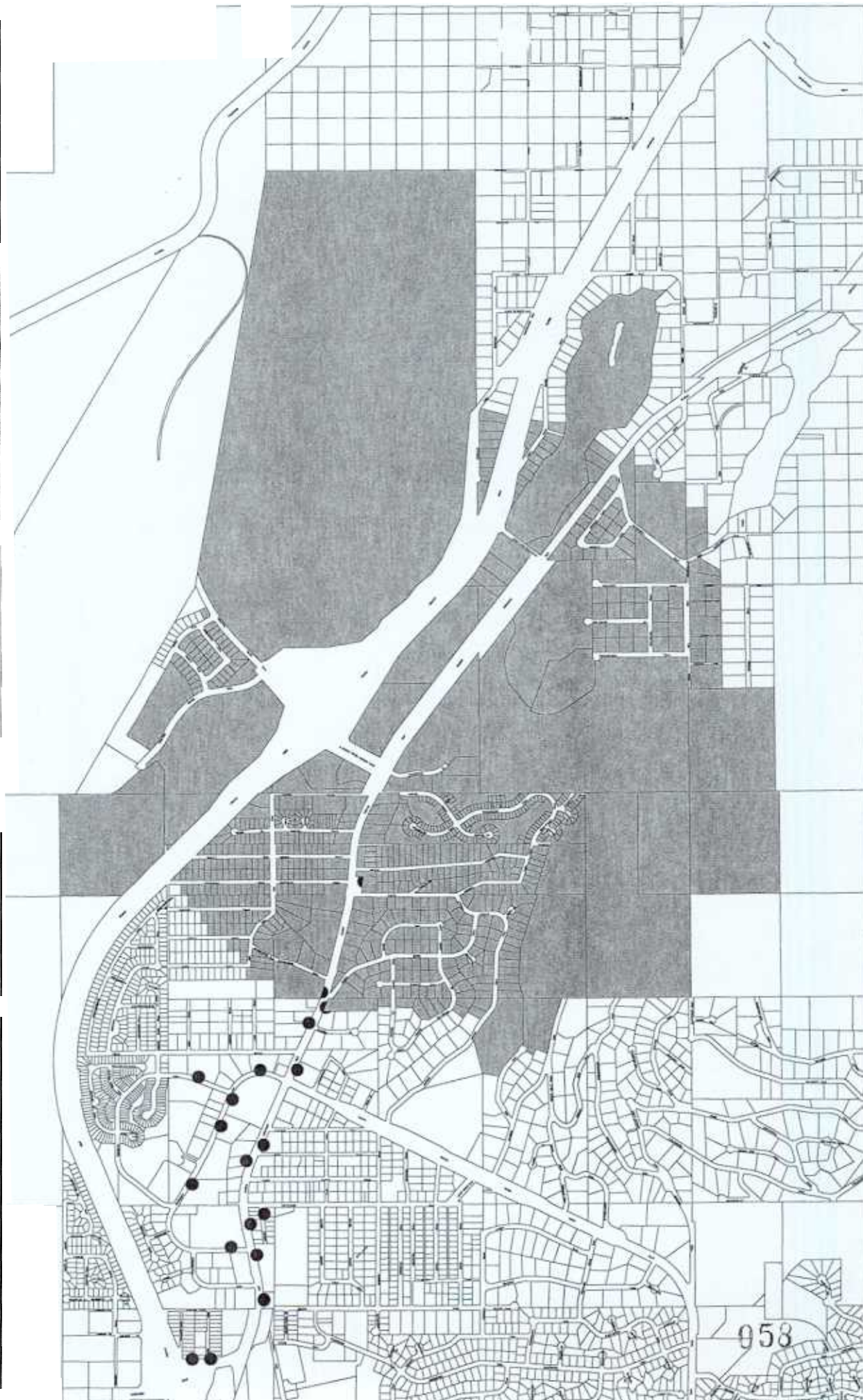
057



Legend.

☒ Alcohol

☐ Paronychia



Municipality of Anchorage  
MUNICIPAL CLERKS OFFICE  
Agenda Document Control Sheet

AK 2002-97

<b>1</b>	SUBJECT OF AGENDA DOCUMENT  Fred Meyer, Inc. Conditional Use for an Alcoholic Beverage Conditional Use in the B-3 District for a Package Store per AMC 21.40.180.D.8; generally located on the northeast corner of Northgate Drive and Old Glenn Highway.  (Chugiak Community Council) (Case 2002-060)	DATE PREPARED 02/28/02  INDICATE DOCUMENTS ATTACHED <input type="checkbox"/> AO <input checked="" type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM
<b>2</b>	DEPARTMENT NAME Planning Department	DIRECTOR'S NAME Susan R. Fison, Director
<b>3</b>	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Angela C. Chambers	HIS/HER PHONE NUMBER 343-4215
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>
<b>5</b>	<b>Mayor</b>	<b>DATE</b>
	Heritage Land Bank	
	Merrill Field Airport	
	Municipal Light & Power	
	Port of Anchorage	
	Solid Waste Services	
	Water & Wastewater Utility	
<b>4</b>	<b>Municipal Manager</b>	<b>INITIALS</b>
	Cultural & Recreational Services	
	Employee Relations	
	Finance, Chief Fiscal Officer	
	Fire	
	Health & Human Services	
	Office of Management and Budget	
	Management Information Services	
	Police	
<b>2</b>	<b>Office of Planning, Development, &amp; Public Works</b>	<b>INITIALS</b>
	Development Services	
	Facility Management	
<b>1</b>	<b>Planning</b>	<b>DATE</b>
	Project Management & Engineering	
	Street Maintenance	
	Traffic	
	Public Transportation Department	
	Purchasing	
<b>3</b>	<b>Municipal Attorney</b>	<b>INITIALS</b>
	<b>Municipal Clerk</b>	<b>DATE</b>
<b>5</b>	SPECIAL INSTRUCTIONS/COMMENT  Pre-advertised for 03/04/02 Assembly Meeting  <div style="border: 1px solid black; padding: 5px; display: inline-block;">           14 New Public Hearings         </div>	
<b>6</b>	ASSEMBLY MEETING DATE REQUESTED	PUBLIC HEARING DATE REQUESTED March 04, 2002

2002 MAR -7 PM 3:40  
 M.N.A.  
 CLERK'S OFFICE

March 19, 2002