

CLERK'S OFFICE
APPROVED
Date: 2-17-04

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: February 17, 2004

Anchorage, Alaska
AR 2004-10 (S)

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING A
2 CONDITIONAL USE FOR AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN
3 THE B-2C DISTRICT FOR A DUPLICATE BEVERAGE DISPENSARY LICENSE
4 PER AMC 21.40.170 D.14, FOR THE WOODSHED LOUNGE, LOCATED ON THE
5 LOWER LEVEL FLOOR, ANCHORAGE ORIGINAL TOWNSITE, BLOCK 17, LOT
6 7A; GENERALLY LOCATED ON THE NORTHEAST CORNER OF WEST 3RD
7 AVENUE AND F STREET.

8
9 (Downtown Community Council) (Case 2004-010)

10 THE ANCHORAGE ASSEMBLY RESOLVES:

11
12 **Section 1.** The conditional use permit for an Alcoholic Beverages Conditional Use in the
13 B-2C District for a Duplicate Beverage Dispensary License per AMC 21.40.170 D.14, for
14 the Woodshed Lounge, located on Anchorage Original Townsite, Block 17, Lot 7A,
15 meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160.

16
17 **Section 2.** The conditional use permit for an Alcoholic Beverages Conditional Use for a
18 Duplicate Beverage Dispensary License is for a 630 square-foot deck
19 for the property identified in Section 1.

20
21 **Section 3.** The conditional use permit is approved subject to the following conditions:

- 22
23 1. A Notice of Zoning Action shall be filed with the District Recorder's Office
24 within 120 days of the Assembly's approval of a final conditional use approval
25 for a beverage dispensary use in the B-2C District.
26
27 2. All uses shall conform to the plans and narrative submitted with this conditional
28 use application.
29
30 3. This conditional use approval is for a Duplicate Beverage Dispensary Use/License
31 to be located on the deck of the Woodshed Lounge, and is restricted to the 630
32 square-feet deck area. Alcohol would be stored in the storage and cooler rooms.

1 The estimated ratio of food sales to alcohol beverage sales is 7% food to 93%, and
2 food sales could increase in the future if the kitchen gets upgraded.

3
4 ~~4. The deck area will operate seven days a week: weekdays from 5:00 PM to 2:00~~
5 ~~AM, and 7:00 PM to 2:30 AM weekends. Entertainment may include recorded~~
6 ~~music, live music and floor shows.~~

7
8 4. The deck area will operate seven days a week: weekdays from 11:00 AM to 2:00
9 AM, and 11:00 AM to 2:30 AM weekends. Alcohol service will be permitted by
10 servers and a portable bar on the deck seven days a week from 11:00 AM to 10:00
11 PM. Entertainment may include recorded music, live music, and floor shows: all
12 forms of entertainment must end by 10:00 PM each night. After 10:00 PM, the
13 owner will ensure that noise levels originating from the deck will not exceed
14 those levels currently allowed under Municipal code.

15
16 5. All employees employed by the Woodshed Lounge will have direct contact with
17 alcohol and be trained in accordance with the Alcoholic Beverage Control
18 Board's Liquor Server Awareness Training Program.

19
20 6. Upon demand, the applicant shall demonstrate compliance with a liquor "Server
21 Awareness Training Program" approved by the State of Alaska Alcoholic
22 Beverage Control Board, such as or similar to the program for Techniques in
23 Alcohol Management (T.A.M.).

24
25 7. The use of the property by any person for the permitted purposes shall comply
26 with all current and future Federal, State and local laws and regulations including
27 but not limited to laws and regulations pertaining to the sale, dispensing, service
28 and consumption of alcoholic beverages and the storage, preparation, sale, service
29 and consumption of food. The owner of the property, the licensee under the
30 Alcoholic Beverage Control license and their officers, agents and employees shall
31 not knowingly permit or negligently fail to prevent the occurrence of illegal
32 activity on the property.

33
34 8. A copy of the conditions imposed by the Assembly in connection with this
35 conditional use approval shall be maintained on the premise at a location visible
36 to the public.

37
38 9. The approved conditional use is reflected on the following plan:

39
40 a. Revised as-built for Lot 7A, Block 17, Original Townsite, showing
41 proposed deck addition; dated September 22, 2003, revised 10-8-03; scale
42 1" = 20'; drawn by: Fred Walatka.
43

10. Relocate the metal fence from the F Street right of way onto the property, or apply for an Encroachment Permit from the Right of Way Division.
11. Submit a parking layout to Zoning Code Compliance to verify compliance with the requirements of AMC 21.45.080.W.2-11.
12. Provide a plan to Zoning Code Compliance showing details of refuse screening, screening for rooftop mechanical equipment, and the location and type of plant materials use to satisfy the landscaping requirements of AMC 21.40.170.Q, 21.45.080.W.4.f and W.10.

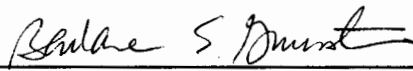
Section 4. Failure to comply with the conditions of this conditional use permit shall constitute grounds for its modification or revocation.

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

PASSED AND APPROVED by the Anchorage Assembly this 17th day of February, 2004.

ATTEST:


Chair


Municipal Clerk

(Case 2004-010)
(Tax Parcel 002-107-08)



MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATIONAL MEMORANDUM

No. AIM 9 -2004

Meeting Date: February 17, 2004

From: Mayor

Subject: AR 2004-10 (S) Alcoholic Beverages Conditional Use in the B-2C District for a New Duplicate Beverage Dispensary Use per AMC 21.40.170 D. 14 for the Woodshed Lounge.

1 The Woodshed Lounge has made application for a new conditional use permit for an
2 alcoholic beverages conditional use in the B-2C District for a duplicate beverage
3 dispensary use per AMC 21.40.170. D. 14 for its new lower level floor lounge at 535 West
4 3rd Avenue. The Woodshed Lounge holds a valid Beverage Dispensary License Number
5 1244 for its street-level lounge, and a Beverage Dispensary Duplicate License for its lower
6 level lounge. This second Duplicate license request is to allow for alcoholic beverage
7 service on a proposed outdoor deck of approximately 630 square feet.

8
9 The conditional use was before the Municipal Assembly at its January 20, 2004 meeting
10 and postponed to allow the petitioner and the homeowners in the Turnagain Arms
11 Condominiums to meet and agree to conditions acceptable to both parties concerning the
12 operation of the outdoor deck. Changes were made to AR 2004-10 in Section 3 resulting
13 in AR 2004-10 (S).

14
15
16 Prepared by: Jerry T. Weaver Jr., Zoning Administrator, Planning Department
17 Concur: Donald S. Alspach, Acting Director, Planning Department
18 Concur: Mary Jane Michael, Director, Office of Economic & Community
19 Development
20 Concur: Denis C. LeBlanc, Municipal Manager
21 Respectfully submitted: Mark Begich, Mayor
22
23

P.O. Box 92827 Anchorage, AK 99509
Ph. 907-276-5193 fax. 907-276-5193

U.P.E. INC.
d.b.a. The Woodshed

Fax

To: Jerry Weaver **From:** John Perry President of U.P.E. Inc.

Fax: 276-5193 **Pages:** 2

Phone: 276-5193 **Date:** 1/28/2004

Re: Requested changes to zoning variance **CC:**

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **Comments:** Mr. Weaver I met with the President and Vice President of the Turnagain Arm Home Owners Association on Jan. 27, 2004. As a result of this meeting we would like to delete the current wording of section 4 page 2 and insert the agreed upon language on the attached sheet. Should you have any question please feel free to call me John Perry (U.P.E. Inc.) 632-8808 or Carol Holder (Vice President Turnagain Arm Condo Assoc.) 223-4100

Thank you,



John Perry

U.P.E. Inc. d.b.a. *The Shed*
P.O. Box 92827
Anchorage, AK 99509
Ph. 276-5193 fax 276-5193
Email jkperryak@hotmail.com

To: Jerry Weaver M.O.A. Planning Dept. & Anchorage Assembly
From: John Perry (President U.P.E. Inc.) & Turnagain Arm Home Owner's Assoc.
Date: Jan. 27, 2004
Concerning: Agreed upon changes to zoning variance application.

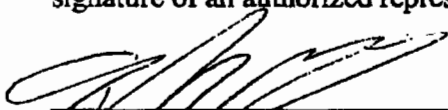
As requested by The Anchorage Assembly I John Perry and Representatives of the Turnagain Arm Home Owner's Assoc. met today and agreed to the following changes to U.P.E. Inc's zoning variance application:

The primary area of concern was with section 4 of the application which stated that:
The deck area will operate seven days a week: weekdays from 5:00 PM to 2:00 AM, and 7:00pm to 2:30 AM weekends. Entertainment may include recorded music, live music and floor shows.

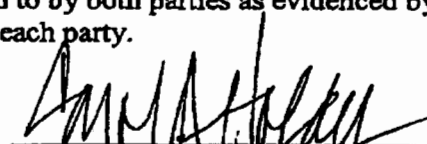
This section #4 should be changed to the following:

The deck area will operate seven days a week: weekdays from 11:00 AM to 2:00 AM, and 11:00 AM to 2:30 AM weekends. Alcohol service will be permitted by servers and a portable bar on the deck seven days a week from 11:00am to 10:00 PM. Entertainment may include recorded music, live music, and floor shows: All Forms of Entertainment must end by 10:00 PM each night. After 10:00 PM U.P.E. Inc. will insure that noise levels originating from the deck will not exceed those levels currently allowed under Municipality of Anchorage ordinances.

These changes to section 4 have been agreed to by both parties as evidenced by the signature of an authorized representative of each party.

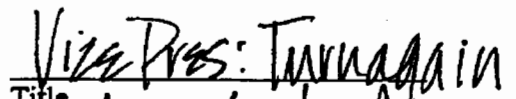


President of U.P.E.



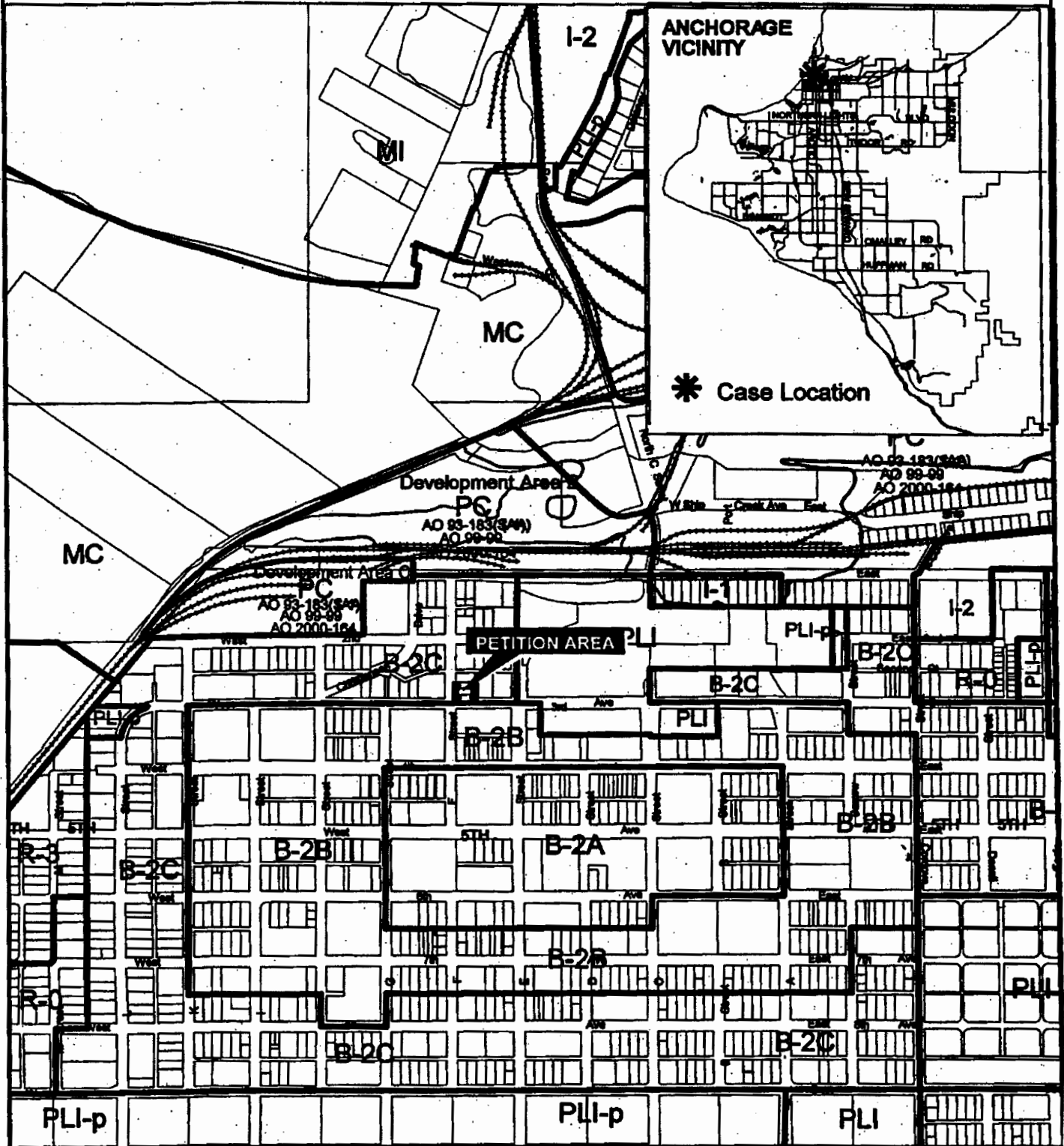
Turnagain Arm Representative

Date: Jan. 28, 2004



Title Vice Pres: Turnagain Arm Landg. Assoc.

CONDITIONAL USE-LIQUOR 2004-010



Municipality of Anchorage
Planning Department



Date: NOVEMBER 14, 2003

Flood Limits

- 100 Year Floodplain
- 500 Year Floodplain
- Floodway



0 500 1000 Feet

Content Information**Content ID :** 001500**Type:** InfoMemorandum - AIM

Alcoholic Beverages Conditional Use in the B-2C District for a New

Title: Duplicate Beverage Dispensary Use per AMC 21.40.170 D. 14 for the Woodshed Lounge.**Author:** weaverjt**Initiating Dept:** Planning

Alcoholic Beverages Conditional Use in the B-2C District for a New

Description: Duplicate Beverage Dispensary Use per AMC 21.40.170 D. 14 for the Woodshed Lounge.**Date Prepared:** 1/29/04 2:24 PM**Director Name:** Donald S. Alspach**Assembly Meeting**
Date MM/DD/YY: 2/17/04 12:00 AM**Workflow History**

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllAIMSWorkflow	1/29/04 2:30 PM	Checkin	weaverjt	Public	001500
Planning_SubWorkflow	1/30/04 2:43 PM	Approve	alspach	Public	001500
MuniManager_SubWorkflow	2/9/04 11:55 AM	Approve	katkusja	Public	001500
MuniMgrCoord_SubWorkflow	2/9/04 11:59 AM	Approve	katkusja	Public	001500

OLD BUSINESS

S

CLERK OFFICE

2004 FEB -9 PM 4:03

M.O.A