

CLERK'S OFFICE

APPROVED

Date: 1-20-04

Submitted by: Chair Traini

Prepared by: Department of Assembly

For reading: January 20, 2004

ANCHORAGE, ALASKA

AR NO. 2004- 21

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY FINDING THAT THE PROPOSED MODIFICATION OF THE EXISTING CONDITIONAL USE MEETS THE STANDARDS OF AMC 21.50.020 AND 21.50.160 AND THAT NO SIGNIFICANT EFFECT WILL RESULT FROM THE APPROVAL OF THE MODIFICATION OF THIS EXISTING CONDITIONAL USE IN THE B-3 DISTRICT FOR A PACKAGE STORE PER AMC 21.40.180D.8., THE LEGAL DESCRIPTION OF WHICH IS TRACT K-1A COMMERCIAL TRACT FRAGMENT LOT, SITE PLAN OF TRACT A-1, MADIGAN PLACE SUBDIVISION, PLAT NO 94-160 GENERALLY LOCATED AT 8601 OLD SEWARD HIGHWAY.

WHEREAS, the modification of the existing conditional use permit for a package store liquor license per AMC 21.40.180 D. 8. located at 8601 Old Seward Highway, meets the applicable standards of AMC 21.50.020 and AMC 21.50.160; and

WHEREAS, the modification does not require a public hearing because this location has, after public hearing, previously been approved for a conditional use for a package liquor store and no significant effect will occur as a result of this modification (AMC 21.15.030 (G)(2); and

WHEREAS, the modification of the existing conditional use has been considered twice by the Taku-Campbell Community Council which has voiced no objection to the modification; and

WHEREAS, the Assembly previously approved (December 17, 2003) the transfer of ownership of the liquor license located at this site from Kmart Corporation to Goldrush Liquors, subject only to the resolution of the conditional use modification.

NOW, THEREFORE, the Anchorage Assembly resolves that:

**Section 1:** The modification of the existing conditional use permit (package store liquor) in the B-3 district for a package store per AMC 21.40.180 D.8.. located on Tract K-1A, Commercial Tract Fragment Lot Site Plan of Tract A-1, Madigan Place Subdivision, Plat No 94-160, located at 8601 Old Seward Highway, is therefore approved subject to the following conditions:


1. A Notice of Zoning Action of this Modification of the existing conditional use shall be filed with the District Records Office within 120 days of the City Clerk's Office review and approval of the form of the Notice of Zoning Action.
2. Such Notice of Zoning Action shall be prepared by the Applicant and submitted to the City Clerk's Office within thirty (30) days of the date of the Assembly's approval of this modification.

3. All uses shall conform to the plans and the narrative submitted.
4. The use of the property by any person for the conditional use 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 storage and sale of package liquor goods. The owner of the licensed premise, the licensee under the Alcoholic Beverage Control Board license and their officers, directors, agents and employees shall not knowingly permit or negligently fail to prevent the occurrence of illegal activity on the premise.
5. Upon request, the applicant shall demonstrate, by affidavit or other acceptable means, compliance with a Liquor Server Awareness Training Program approved by the Alcoholic Beverage Control Board.
6. A copy of any conditions imposed by the Assembly in connection with this approved modification shall be maintained on the licensed premises.

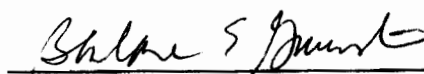
**Section 2:** Failure to comply with the conditions of the original conditional use or this modification shall constitute grounds for its modification or revocation.

**Section 3.** This resolution shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 20th day of January, 2004.

  
Chair

ATTEST:

  
Municipal Clerk

Municipality of Anchorage  
MUNICIPAL CLERK'S OFFICE  
**Agenda Document Control Sheet**

AR 2004-21

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

<b>1</b>	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED	
	A Resolution Finding that the Proposed Modification of the Existing	16-Jan-04	
	Conditional Use Meets the Standards of AMC 21.50.020 and 21.50.160	<input type="checkbox"/> AO <input checked="" type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
<b>2</b>	DEPARTMENT NAME	DIRECTOR'S NAME	
	Assembly	Dick Traini	
<b>3</b>	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER	
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>	<b>DATE</b>
	Mayor		
	Heritage Land Bank		
	Merrill Field Airport		
	Municipal Light & Power		
	Port of Anchorage		
	Solid Waste Services		
	Water & Wastewater Utility		
	Municipal Manager		
	Cultural & Recreational Services		
	Employee Relations		
	Finance, Chief Fiscal Officer		
	Fire		
	Health & Human Services		
	Office of Management and Budget		
	Management Information Services		
	Police		
	Planning, Development & Public Works		
	Development Services		
	Facility Management		
	Planning		
	Project Management & Engineering		
	Street Maintenance		
	Traffic		
	Public Transportation Department		
	Purchasing		
	Municipal Attorney		
	Municipal Clerk		
	Other		
<b>5</b>	Special Instructions/Comments		
	<i>Addendum - Action</i>		
<b>6</b>	ASSEMBLY HEARING DATE REQUESTED	<b>7</b>	PUBLIC HEARING DATE REQUESTED
	<i>1/20/04</i>		

2004 JAN 16 AM 9:34  
 CLERK'S OFFICE  
 M.O.A.



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APPROVED  
Date: 1-20-04

Submitted by: Chair Traini  
Prepared by: Department of Assembly  
For reading: January 20, 2004

ANCHORAGE, ALASKA  
AR NO. 2004- 21

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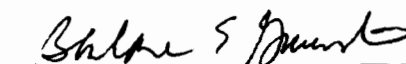
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**Section 3.** This resolution shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 20th day of January, 2004.

  
Chair

ATTEST:

  
Municipal Clerk

**2004-006116-0**

Recording Dist: 301 - Anchorage  
1/29/2004 2:58 PM Pages: 1 of 4

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S  
K  
A



CCXZ



**THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR RECORDING DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.**

**DO NOT DETACH**

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
ANCHORAGE RECORDER'S OFFICE  
550 W 7TH AVE SUITE 1200  
ANCHORAGE AK 99501-3564  
(907) 269-8899

REC DATE	RECEIPT NUMBER	RECEIPT DESCRIPTION
01/29/2004	2017074	RECORDERS OFFICE FEE

BANK CD/CK NUMBER: 8390                      RECORDING RECEIPT AMOUNT:              \$39.00

SERIAL NUMBER INFORMATION  
YEAR:2004              BEGINNING NUMBER :006116              ENDING NUMBER :006116

TOTAL PAGES :      4

RECORDING FEES	:	\$35.00	FILING FEES	:	
COPY FEES	:		CONFORMED COPY FEES	:	\$4.00
PLAT FEES	:		CERTIFICATION FEES	:	
PLAT COPY FEES	:		OVER SIX NAMES FEES	:	
NON REFUNDABLE	:		COPY SEARCH FEES	:	
OTHER FEES	:		INFORMATION SEARCH FEES	:	
MICROFICHE COPY FEES	:				

REMITTER: DAN K COFFEY PC  
207 E NORTHERN LIGHTS BLVD STE  
ANCHORAGE                      AK 99503

COMMENTS: BWP

RECEIPT - DO NOT PAY

NOTE: ORIGINAL RECORDED DOCUMENTS WILL BE RETURNED FROM  
MICROFILMING IN 4-6 WEEKS.



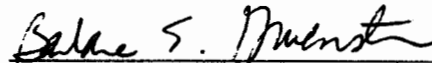
## NOTICE OF ZONING ACTION

This notice announces that a zoning conditional use has been duly approved by the Municipal Assembly of the Municipality of Anchorage providing for the development of the herein described property in accordance with the provisions of the Anchorage Municipal Code of Ordinances and the terms and conditions of the zoning conditional use approval as set forth in the Municipal zoning file 2004-022. Under the provisions of the specified ordinance the subsequent development of the subject property shall be in accordance with the terms of the approved zoning conditional use or any subsequent amendments hereto.

LEGAL: Tract K-1A Commercial Tract Fragment Lot, Site Plan of Tract A-1, Madigan Place Subdivision, Plat No. 94-160, Anchorage Recording District, Alaska. Generally located at 8601 Old Seward Highway

PETITIONER: Goldrush Liquors **NOTE:** (send a copy of the recorded document to Municipality of Anchorage, Planning Department, P.O. Box 196650, Anchorage, Alaska 99519-6650)

REQUEST: Modification of the existing Conditional Use permit in the B-3 District for a package store per AMC 21.40.180D.8.



Municipal Clerk  
Municipality of Anchorage  
Assembly




STATE OF ALASKA )  
 )  
THIRD JUDICIAL DISTRICT )

THIS IS TO CERTIFY that on the 26 day of January, 2004 before me, the undersigned, a Notary Public in and for Alaska, personally appeared Barbara E. Gruenstein, to me known to be the duly appointed Municipal Clerk of the Municipal Assembly and acknowledged to me that she had in her official capacity aforesaid executed the forgoing instrument as an act and deed of the Municipality of Anchorage for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the 26 day of January, 2004 in this certificate first above written.





Notary Public in and for Alaska

My Commission expires: Nov 14, 2005



2 of 4

2004-006116-0



Law Office of  
DANK K. COFFEY  
207 E. Northern Lights Blvd.  
Suite 200  
Anchorage, Alaska 99503

*Municipality of Anchorage*  
~~Municipality of Anchorage~~  
PO Box 196650  
Anchorage, AK 99519-6650

