

Submitted by: ASSEMBLY MEMBER TRAINI
Reviewed by: Assembly Counsel
For reading: December 12, 2006

CITY CLERK'S OFFICE

APPROVED

Date: 12-12-06

ANCHORAGE, ALASKA
AR NO. 2006-316

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
ASSEMBLY RESOLUTION AR 2005-222 TO INCLUDE THE REQUIREMENT THAT CLUB
OASIS SECURE AND RECORD A REVISED JOINT-USE PARKING AGREEMENT ON OR
BEFORE SEPTEMBER 13, 2007.**

WHEREAS, The Anchorage Municipal Assembly approved AR 2005-222 on
September 13, 2005;

WHEREAS, AR 2005-222 approved an amendment to the existing conditional use to
provide for two duplicate licenses for Club Oasis located on 4801 Old Seward Highway;

WHEREAS, the Municipality of Anchorage Planning Department and Club Oasis
agreed that Club Oasis would have until September 13, 2007, to secure a revised Joint-Use
Parking Agreement as set out in condition No. 2, Section 2 of AR 2005-222;

WHEREAS, this 2-year period for securing a revised Joint Use Parking Agreement
was not included within the terms of AR-2005-222;

WHEREAS, it is the intent of this Resolution to amend AR 2005-222 to require Club
Oasis to secure and record a suitable Joint Parking Agreement on or before September 13,
2007;

NOW THEREFORE THE ANCHORAGE ASSEMBLY RESOLVES:

1. Condition No. 2 in Section 2 of AR 2005-222 is hereby amended to include "by
no later than September 13, 2007" so that the last sentence of Condition No. 2 will
read as follows:

A revised Joint-Use Parking agreement reflecting the new approved
parking lot design shall be recorded with the State District
Recorder's Office **by no later than September 13, 2007.**

2. An amended notice of zoning action containing this amended condition, and all
other conditions as previously approved, shall be filed with the State District
Recorder's Office within 120 days of approval of this resolution.

3. This resolution shall be effective immediately upon its passage and approval by
the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 12th day of
December, 2006.

Sam Sullivan
Chair

ATTEST:

Linda L. Helm
Municipal Clerk
Deputy

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 9-13-05

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Planning Department
For reading: September 13, 2005

Anchorage, Alaska
No. AR 2005- 222

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN AMENDMENT TO AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-3 DISTRICT FOR A BEVERAGE DISPENSARY USE PER AMC 21.40.180 D.8 FOR THE CLUB OASIS TO ADD TWO DUPLICATE BEVERAGE DISPENSARY LICENSES, LOCATED ON LOT 2B, MIDRIFF SUBDIVISION, SITE ADDRESS BEING 4801 OLD SEWARD HIGHWAY, GENERALLY LOCATED BETWEEN EAST 46TH COURT AND EAST 50TH AVENUE, ON THE EAST SIDE OF THE OLD SEWARD HIGHWAY.

(Mid-Town; Campbell Park; Taku Campbell Community Council) (Case 2005-115)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. The amendment to an Alcoholic Beverages Conditional Use in the B-3 District for a Beverage Dispensary use per AMC 21.40.180 D.8 for the Club Oasis to add two Duplicate Beverage Dispensary Licenses, located on Lot 2B, Midriff Subdivision; site address being 4801 Old Seward Highway, generally meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160.

Section 2. The subject amendment to a conditional use permit for an Alcoholic Beverages Conditional Use in the B-3 District for a Beverage Dispensary Use per AMC 21.40.180 D.8 is subject to the following conditions:

1. A Notice of Zoning Action shall be filed with the State District Recorder's Office within 120 days of the Alcoholic Beverage Control Board's approval of the license, and recordation of a revised Joint-Use Parking Agreement as required by condition of approval number two.
2. Prior to this conditional use amendment becoming effective, parking calculations and a new parking lot redesign meeting the requirements of AMC 21.45.080, prepared by a professional surveyor, engineer or architect, shall be submitted for review and approval to Traffic Engineering and Land Use Enforcement. A revised Joint-Use Parking Agreement reflecting the new approved parking lot design shall be recorded with the State District Recorder's Office.
3. All uses shall conform to the plans and narrative submitted, except as modified by this approval.
4. This conditional use amendment approval is for two duplicate Alcoholic Beverages Conditional Uses in the B-3 District for two new bar/lounges per AMC 21.40.180 D.8 for a 10,800 square-foot building located at 4801 Old Seward Highway, Lot 2B, Midriff Subdivision. The current uses of the building are the Club Oasis Lounge

(License Number 1625) on the ground floor, and the Oasis Liquors Package Store (License Number 1626), also on the ground floor. According to the application, there is non-fixed seating for 69 in the basement bar/lounge; 91 in the ground floor bar/lounge and 80 in the top second floor. Since there is no fixed seating, only non-fixed, and the total UBC occupancy is 411, the required parking spaces appear to be 137 spaces. Alcohol sales are estimated to be ~~20~~ 80 percent of total gross receipts compared to ~~80~~ 20 percent food sales. All bar/lounges will operate 365 days a year, with hours of operation as permitted by law.

5. Upon demand, 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.).

6. 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.

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

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

Section 4. This resolution shall become effective immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 13th day of September 2005.

ATTEST:

Chair

Anna L. Fairclough

Sharon S. Dunt
Municipal Clerk

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

AR 2006-316

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT AMEND AR 2005-222 TO INCLUDE THE REQUIREMENT	DATE PREPARED 12/5/06
	THAT CLUB OASIS SECURE AND RECORD A REVISED	
	JOINT-USE PARKING AGREEMENT ON OR BEFORE 9/13/07	Indicate Documents Attached <input type="checkbox"/> AO <input checked="" type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Daniel A. Sullivan, Chairman
	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Julia Tucker, Assembly Counsel	HIS/HER PHONE NUMBER 343-4419
4	COORDINATED WITH AND REVIEWED BY	INITIALS
	Mayor	
	Municipal Clerk	
	Municipal Attorney	
	Employee Relations	
	Municipal Manager	
	Anchorage Parks & Recreation	
	Fire	
	Health & Human Services	
	Merrill Field Airport	
	Municipal Light & Power	
	Office of Management and Budget	
	Police	
	Port of Anchorage	
	Office of Economic & Community Development	
	Solid Waste Services	
	Public Transportation	
	Anchorage Water & Wastewater Utility	
	Executive Manager	
	Planning Department	
	Chief Fiscal Officer	
	Heritage Land Bank	
	Information Technology Department	
	Project Management & Engineering	
	Purchasing	
	Other	
5	Special Instructions/Comments	
	CONSENT AGENDA-RESOLUTIONS FOR ACTION-OTHER	
6	ASSEMBLY HEARING DATE REQUESTED 12/12/06	7
		PUBLIC HEARING DATE REQUESTED

M.O.A.
 2006 DEC -5 PM 3:54
 CLERK'S OFFICE