

Submitted by: ASSEMBLY MEMBER FLYNN
Prepared by: Assembly Counsel
For reading: August 19, 2008

CLERK'S OFFICE

APPROVED

Date: 8/19/08

Anchorage, Alaska
AR No. 2008-174

1 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY LIFTING
2 THE ON-PREMISE STAFFING REQUIREMENT AND THE HOURS-OF-
3 OPERATION RESTRICTION IN THE ALCOHOLIC BEVERAGES
4 CONDITIONAL USE PERMIT FOR DOWNTOWN WINE AND SPIRITS, A
5 PACKAGE STORE USE AND LICENSE OPERATED BY BROWN JUG, INC.
6 and LOCATED AT 930 WEST 5th AVENUE, IN THE DOWNTOWN BUSINESS
7 IMPROVEMENT DISTRICT.
8

9
10 WHEREAS, by Assembly Resolution No. 93-123 (As Amended), passed
11 and approved on May 18, 1993, the Assembly granted conditional use approval
12 for an Alcoholic Beverages Conditional Use in the B-2A District to a Package
13 Store use and license per AMC 21.40.150 D.12, for Downtown Wine and
14 Beverage, operated by Brown Jug, Inc., and located at 930 West 5th Avenue, in
15 the Downtown Business Improvement District; and
16

17 WHEREAS, the conditional use permit approval is subject to conditions
18 established by the Assembly and reflects community review requirements
19 recommended by the Downtown Community Council; and
20

21 WHEREAS, the Downtown Community Council has previously requested
22 that a staffing requirement and an hours-of-operation restriction be included by
23 the Assembly as a condition of this use in the Downtown Improvement District;
24 and

25 WHEREAS, the on-premise staffing requirement included by the
26 Assembly at the request of the Downtown Community Council provides:
27

28 **"At least two inside sales people will be on duty at all times.**
29 **One additional person on outside security and trash pick-up."**
30

31 WHEREAS, the hours-of-operation restriction included by the Assembly
32 at the request of the Downtown Community Council provides:
33

34 **"The store may not operate after 10:00 p.m."**
35

36 WHEREAS, in the context of reviewing conditions appropriate for the
37 most recent similar conditional use permit application in the Downtown
38 Improvement District, the Downtown Community Council has endorsed lifting
39 both the on-premise staffing requirement and the-hours-of operation restriction;
40 and
41

1 WHEREAS, lifting both the on-premise staffing requirement and the
2 hours-of-operation restriction applies to the conditional use under AR 93-123
3 (As Amended);
4

5 NOW, THEREFORE, the ANCHORAGE ASSEMBLY RESOLVES:
6

7 **Section 1.** The staffing requirement under Section 1, Condition B.1. and the
8 hours-of-operation restriction under Section 1, Condition E.1. of AR 93-123 (As
9 Amended) shall not apply as conditions of the conditional use permit for this
10 location.
11

12 **Section 2.** Except for lifting Conditions B.1. (on-premise staffing requirement)
13 and E.1. (hours-of-operation restriction), the conditional use approval for an
14 Alcoholic Beverages Conditional Use in the B-2A District for a Package Store
15 use and license per AMC 21.40.150 D.12, for Brown Jug, Inc., dba Downtown
16 Wine and Spirits; located at 930 West 5th Avenue, as set out in AR 93-123 (As
17 Amended) remains unchanged.
18

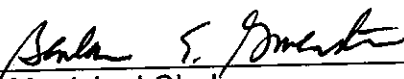
19 **Section 3.** A copy of the conditions imposed by the Assembly in connection
20 with the conditional use shall be maintained on the premise at a location visible
21 to the public.
22

23 **Section 4.** This resolution shall become effective immediately upon passage
24 and approval by the Anchorage Assembly.
25

26 PASSED AND APPROVED by the Anchorage Assembly this 19th day of
27 August 2008.
28

ATTEST:


Chair


Municipal Clerk