

NOT INTRODUCED 6/14/11

Submitted by: ASSEMBLY MEMBER FLYNN

Reviewed by: ASSEMBLY COUNSEL

For reading: June 14, 2011

**ANCHORAGE, ALASKA
AR NO. 2011-172**

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS TEMPORARY NON-OBJECTION TO MODIFICATION OF THE CONDITIONAL USE PERMIT FOR ALCOHOL USE FOR RUMRUNNERS OLD TOWNE BAR AND GRILL (LOCATED AT 415 E STREET) TO ADD A DUPLICATE LIQUOR LICENSE TO BE ISSUED BY THE STATE ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD; OCCUPANCY OF ANY EXPANDED PREMISES TO REMAIN SUBJECT TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY AND OTHER NON-ALCOHOL RELATED MUNICIPAL PERMITTING REQUIREMENTS.

WHEREAS, the licensee of Alcoholic Beverage Control (ABC) Board Beverage Dispensary Liquor License #4157 has filed an application, as required by Alaska Statute 04.11.090(e), with the ABC Board for a duplicate liquor license, for use in the expanded basement level of Rumrunner's Old Towne Bar & Grill (Rumrunners), located at 415 E Street Anchorage, Alaska; and

WHEREAS, Rumrunners has an existing conditional use permit for land use as an ABC Board licensed business operating at this location in downtown Anchorage, which must be modified to included the expanded premises; and

WHEREAS, Rumrunners has made application with the Municipality of Anchorage and has paid the required application fees for modification to the existing conditional use permit to be associated with the duplicate license, and issuance of any additional conditional use permit required as a result of the expansion, as required by the Municipality's Community Development Department ; and

WHEREAS, the Assembly protest period on the duplicate license application does not expire until July 18, 2011, and the license application and conditional use application(s) for alcohol use are scheduled for public hearing and action by the Assembly on July 12, 2011; and

WHEREAS, a Certificate of Occupancy is required related to expansion of the premises and this Assembly Resolution does not authorize occupancy of areas which do not have a Certificate of Occupancy as administered by the Municipality's Community Development Department; and

WHEREAS, the purpose of this Assembly Resolution is to facilitate the processing of a temporary duplicate license approval with the ABC Board during this busy time of year;

NOW, THEREFORE, the Anchorage Assembly RESOLVES:

1 Section 1. The Anchorage Assembly hereby states its temporary non-objection to
2 issuance of a duplicate beverage dispensary liquor license by the Alcoholic Beverage Control
3 Board to Rumrunners for the addition of a fixed bar in the expanded basement level at the
4 present licensed location, 415 E Street, Anchorage, Alaska, provided that the expanded
5 basement location is not occupied for alcohol-related use unless and until a Certificate of
6 Occupancy is issued and the building services permitting process is complete.
7

8 Section 2. The Anchorage Assembly hereby reserves final action on the pending
9 applications until formal presentation and public hearing are completed, within the protest
10 period. This temporary non-objection shall not be used to bind the Assembly to any future
11 action on matters involving continued operation of Rumrunners at this location, including
12 without limitation, final action by the Assembly on the conditional use and license applications
13 presently pending.
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15 Section 3. Unless specifically extended, amended, or superseded by action of the
16 Assembly, this temporary non-objection shall expire on July 12, 2011 at close of the
17 Assembly Meeting.
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19 Section 4. A copy of this Resolution may be presented to the Alcoholic Beverage
20 Control Board as proof that the Anchorage Assembly, as the local governing body, has stated
21 its temporary non-objection to the issuance of a duplicate beverage dispensary liquor license
22 for the new fixed bar to be located in the expanded basement area within Rumrunners, in
23 order to permit the Director of the Alcoholic Beverage Control Board to issue temporary
24 approval of the duplicate license. Neither the Assembly's action, nor action by the ABC
25 Board, shall relieve the licensee of municipal code compliance and municipal building
26 requirements related to physical expansion of the premises.
27

28 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
29 _____, 2011.
30

31 _____
32 Chair
33

34 ATTEST:
35
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37 _____
Municipal Clerk