A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY APPROVING AN ALCOHOLIC BEVERAGES CONDITIONAL USE IN THE B-2A (CENTRAL BUSINESS DISTRICT CORE) FOR A PACKAGE STORE USE AND LICENSE PER AMC 21.40.150 D.12, FOR CELLAR, LLC; LOCATED AT 343 WEST 6TH AVENUE, #2, WITHIN AOT, BLOCK 49, TRACT A, FRAGMENT LOT 3; GENERALLY LOCATED AT THE NORTHEAST CORNER OF WEST 6TH AVENUE AND D STREET EXTENDED.

Downtown Community Council) (Case 2008-116)

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. This conditional use approval is for an Alcoholic Beverages Conditional Use in the B-2A District for a Package Store Use and License per AMC 21.40.150 D.12, for Cellar, LLC; located within AOT, Block 49, Tract A, Fragment Lot 3; generally meets the applicable provisions of AMC 21.50.020 and AMC 21.50.160.

Section 2. The conditional use for an Alcoholic Beverages Conditional Use for a Package Store Use is comprised of 1,811 square feet of gross leasable area.

Section 3. The conditional use is approved 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 Assembly’s approval of a final conditional use approval for a Package Store Use in the B-2A District, and compliance with the other conditions set forth herein.

2. All uses shall conform to the plans and narrative submitted with this conditional use application.

3. This conditional use approval is for an Alcoholic Beverages Conditional Use in the B-2A District for a Package Store Use per AMC 21.40.150.D.12, for approximately 1,811 square feet gross leasable area to be located in the structure within AOT, Block 49, Tract A, Fragment Lot 3.

4. On-premise sales will be seven days a week as permitted per the State Alcoholic Beverage Control Board requirements.
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 of alcoholic beverages. 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.

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 ____________ day of ________________ 2008.

ATTEST: Chair

Municipal Clerk

(Planning Case Number 2008-116)
(Tax Identification Number 002-102-43)