Introduced by: Council Member Albertson
Date: August 8, 2017
Action: August 8, 2017
Vote: 5-1

CITY OF BETHEL, ALASKA

Resolution # 17-14

CITY OF BETHEL PROTEST OF PACKAGE STORE LIQUOR LICENSE NUMBER 5584, SWANSON'S LIQUOR STORE, LOCATED AT 230 TUNDRA STREET, BETHEL, OWNED BY SWANSON'S LIQUOR STORE, LLC

WHEREAS, Swanson's Liquor Store filed application #5584 with the Alaska Alcohol and Marijuana Control Office (AMCO) for a Package Store License to be located at 230 Tundra Street, Bethel, Alaska 99559;

WHEREAS, the City Clerk received a copy of this application on June 16, 2017 and has determined that the last day for the Council to file a protest is August 15, 2017;

WHEREAS, as provided in 3 AAC 304.110, the license application submitted by Swanson's Liquor Store, was not submitted within 30 days after the immediately preceding application for the license and is therefore not qualified to be considered as a Mutually exclusive and competing application;

WHEREAS, City of Bethel Administration submitted a report to the Bethel City Council on July 6, 2017 with the following findings:

1. Planning Director-A conditional Use permit has not been obtained from the Planning Commission.
2. Police Chief- From January 1, 2017 to June 30, 2017 there were 133 calls for service of which 63 were for pedestrians be intoxicate; 6 vehicle related offences two of which were accidents.
3. Fire Chief-The proposed location has no sprinkler system, no fire or separation walls, no standpipe system, flammable interior and exterior finishes, insufficient exiting, no fire alarm system, no fire access roads and extreme fire load. Recommending a plan review of this facility should be done regardless of the outcome of the liquor license application.

WHEREAS, pursuant Alaska Statutes 04.11.420 Zoning Limitations, a person may not be issued a license or permit in a municipality if a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages unless a variance of the regulations or ordinance has been approved;

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WHEREAS, as of August 8, 2017 Swanson's Liquor Store has not been granted a conditional use permit from the City of Bethel, as required under Bethel Municipal Code 5.08.060, Conditional Use Permit Required;

WHEREAS, Bethel's population limits the community's package store licenses to three, with one license not yet issued;

WHEREAS, the proposed location is in an area that has received an excessive rate of Police calls between January 1, 2017 and June 30, 2017 with 133 calls for service of which 63 were for intoxicated pedestrians;

WHEREAS, the location must also comply with current fire and life safety codes.

NOW, THEREFORE, BE IT RESOLVED the Bethel City Council hereby protests the issuance of a Package Store License for Swanson's Liquor Store for the reasons listed above.

ENACTED THIS 8th DAY OF AUGUST 2017 BY A VOTE OF 5 IN FAVOR AND 1 OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk