

Introduced by: Council Member Welch  
Date: February 28, 2017  
Action: Passed  
Vote: 5-1

## *CITY OF BETHEL, ALASKA*

### **Resolution # 17-02**

#### **CITY OF BETHEL PROTEST OF PACKAGE STORE LIQUOR LICENSE NUMBER 5535, BETHEL LIQUOR STORE**

- WHEREAS,** Mefail Saliu filed application #5535 with the Alaska Alcohol and Marijuana Control Office (AMCO) for a Package Store License to be located at 110 Osage Street, Bethel, Alaska 99559;
- WHEREAS,** the City Clerk received a copy of this application on January 18, 2017 and has determined that the last day for the Council to file a protest is March 17, 2017;
- WHEREAS,** City of Bethel Administration submitted a report to the Bethel City Council on February 1, 2017 with the following findings;
- WHEREAS,** Alaska Statutes 04.11.420 Zoning Limitations, states, in part: "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;"
- WHEREAS,** as of February 28, 2017, Bethel 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,** there is a health and safety concern in the accessibility of the proposed site, the increased traffic flow would provide for unsafe ingress and egress to the property and the adjacent state highway. This would likely negatively impact pedestrian safety.
- WHEREAS,** the City Council under the authority of Bethel Municipal Code 5.08.030 Subsections 2, finds Bethel Liquor Store's location is in conflict with the character and public interest of the surrounding neighborhood;
- WHEREAS,** Bethel Liquor Store is directly across the street (214 feet) from the State of Alaska, Department of Corrections Rehabilitation Center (Tundra Center);
- WHEREAS,** the Tundra Center is often utilized as a halfway house and step-down facility for incarcerated individuals;

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**WHEREAS,** inmates at the Tundra Center earn the right to leave the Facility in order to find work in the community, perform community work service and work on general re-entry;

**WHEREAS,** because a large number of inmates at the Tundra Center are there for alcohol related crimes, outpatient alcohol services are a standard service at the Tundra Center;

**WHEREAS,** a continuing issue for our community is public consumption of alcohol and with the proposed location of the package store in the heart of our recreational district, there is fear that the public consumption will begin to interfere with the many community activities that take place within a 1,200 foot radius of the proposed package store location;

**WHEREAS,** Bethel Liquor Store is catty-corner, from the City of Bethel Teen Center, with a property line to property line measurement of 160 ft., the Teen Center is operated by the University of Alaska, Cooperative Extension Service 4-H, and provides educational programs for students' ages five and up. This corner property also contains a community park;

**WHEREAS,** the location of the proposed package store is across the street from the Ridgecrest Cemetery. Bethel's tribal government, the Orutsaramiut Native Council has formally expressed the opinion that the cemetery is "sacred grounds" and that opening a liquor store across the street would be disrespectful to those laid to rest therein;

**WHEREAS,** Pinky's Park is a hub for recreational activities in our community;

**WHEREAS,** the Park consists of a skate park, basketball hoops, a playground, baseball field, a community garden, ponds used for ice-skating, as well as miles of boardwalk, trails and tundra, the City has recently invested in the park space with the addition of a new multi-purpose field;

**WHEREAS,** the location of the proposed liquor store is near several wooded areas which tend to harbor both criminal activity and homeless encampments, these areas are difficult and dangerous to access for first responders;

**WHEREAS,** a nearby liquor store could negatively impact the safety in wooded areas;

**WHEREAS,** since the addition of a package store on the north end of the boardwalks, the number of intoxicated individuals at the Park has increased, harming activities at the Park and creating safety issues on the boardwalk;

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**WHEREAS,** Bethel Police Department and Bethel Fire Department commonly respond to reports of intoxicated individuals on the boardwalk trails, these calls represent a logically and safety issue since first responders must leave their vehicles and respond on foot in an expansive park that is largely unlit;

**WHEREAS,** adding a package store so close to the teen recreation center, playgrounds, softball fields, skate parks and ball field is likely to result in an increase in intoxicated persons in the Park, and will, in turn, result in increased negative interactions between inebriates and the children and families who wish to recreate in the city-maintained park space;

**WHEREAS,** there is currently another package store located on the other end of the park. A second store would result in compounded health, safety and social issues within our flagship parkland as well as the surrounding neighborhood;

**WHEREAS,** there is a robust body of academic research describing a strong correlation between retail alcohol outlet density and negative health and social outcomes in residential neighborhoods;

**WHEREAS,** the Bethel City Council finds the proposed location of the package store to be inconsistent with the surrounding neighborhood and determines the issuance of this license would be a detriment to the quiet enjoyment for the thousands of residents that use this space due to the exposure to alcohol activities and public safety issues with people departing the area after consuming alcoholic beverages;

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

**ENACTED THIS 28 DAY OF FEBRUARY 2017 BY A VOTE OF 5 IN FAVOR AND 1 OPPOSED.**

  
Richard Robb, Mayor

ATTEST:  
  
Lori Strickler, City Clerk