

Introduced by: Council Member Albertson
Date: February 13, 2018
Action: Passed
Vote: 4-1

CITY OF BETHEL, ALASKA

Resolution # 18-03

CITY OF BETHEL PROTEST OF PACKAGE STORE LIQUOR LICENSE #5418 RENEWAL FOR AC QUICKSTOP, LOCATED AT 131 AKAKEEK ST., OWNED BY THE NORTH WEST COMPANY (INTERNATIONAL) INC.

- WHEREAS,** the North West Company submitted an application to the Alaska Alcohol and Marijuana Control Office (AMCO) to renew AC Quickstop Package Store License #5418, located at 131 Akakeek St., Bethel, Alaska 99559;
- WHEREAS,** AC Quickstop was issued the Package Store License on April 5, 2016 and began operation on May 3, 2016;
- WHEREAS,** the City Clerk received a copy of this renewal application on December 20, 2017 and has determined that the last day for the Council to file a protest is February 18, 2018;
- WHEREAS,** City of Bethel Administration submitted a report to the Bethel City Council on January 9, 2018 with the following findings:
- Excessive calls for service in and around AC Quickstop,
 - The location does not comply with the City's Conditional Use Permitting Standards;
- WHEREAS,** after a review of all relevant information, the Council finds that the renewal of Package Store License 5418, AC Quickstop, Located at 131 Akakeek St. would not be in the best interest of the public and asks the Alcohol Beverage Control Board to deny the renewal;
- WHEREAS,** the community of Bethel is facing an outstanding rate of increase in emergency calls and social service needs since AC Quickstop initiated their sales of alcohol in the community;
- WHEREAS,** the Police Department's total calls for service in the community have increase from 17,052 in 2015, to 17,705 in 2016 and 20,634 in 2017, this represents a total increase of 21% between 2015 and 2017;
- WHEREAS,** the Fire Department's Emergency Medical Services total calls for service in the community have increase from 1,172 in 2015, to 1,335 in 2016 and 1,734 in 2017, this represents a total increase of 48% between 2015 and 2017;

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- WHEREAS,** the increases are not limited to the City's emergency response team, the Yukon Kuskokwim Health Corporation presented statistics on the Hospital's Sobering Center, which faced a 32% increase in their encounters over the previous year;
- WHEREAS,** specific to the Northwest Company, the City's administrative report details the increased number of calls in the area of AC Quickstop as well as the other property owned and operated by Northwest Company: AC Main Store;
- WHEREAS,** the overall call volume at these two properties has spiked to exorbitant levels clearly showing a significant lack of control and oversight at the properties;
- WHEREAS,** the calls for intoxicated pedestrians at AC Quickstop totaled 51 for 2015, 85 in 2016 and 147 in 2017, this represents a total increase of 188% between 2015 and 2017;
- WHEREAS,** the excessive calls for service extend to the Northwest Company's other store, the AC Main store located .6 miles from AC Quickstop at 135 Ridgcrest Dr.,
- WHEREAS,** the calls for service for intoxicated pedestrians at the AC Main store totaled 211 in 2015, 419 for 2016 and 967 for 2017, this represents a total increase of 358% between 2015 and 2017;
- WHEREAS,** the call volume at these two locations demonstrates a negligence of the business owner, Northwest Company at ensuring public safety is maintained at their places of business;
- WHEREAS,** in addition to the excessive calls for service, the Council finds the location of this package store to be a significant public safety concern;
- WHEREAS,** AC Quickstop was issued a package store license prior to the City's finalization of the Conditional Use Permitting (CUP) process;
- WHEREAS,** had the applicant been required to obtain a CUP for the Akakeek location, the applicant would have had to convince the Planning Commission that the operation of a package store would be conducive to the neighborhood;

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WHEREAS, AC Quickstop is located in a neighborhood commonly referred to as ASHA Housing (Alaska State Housing Authority) a subdivision primarily made up of Alaska Housing Finance Corporation (AHFC), State subsidized housing;

WHEREAS, a high school, two elementary schools, a preschool and playgrounds are adjacent to the ASHA Subdivision, just a five minute walk from the store;

WHEREAS, the City Council believes Alaska Statutes 04.11.365 Licensed premises in multi-unit residential housing development owned or financed by the Alaska Housing Finance Corporation, has legislative intent which is not being acknowledged with the continued operation of this package store license;

WHEREAS, AS 04.11.365 states:
"for premises located in a multi-unit residential housing development owned or financed by the Alaska Housing Finance Corporation, the board may... renew a license under AS 04.11.330, ...if the Alaska Housing Finance Corporation authorizes the use under AS 18.56.340...";

WHEREAS, there are 200 homes in the ASHA Subdivision, 121 of those are owned by AHFC and are within a quarter mile of the liquor store, of the five homes directly adjacent to AC Quickstop, four are owned by AHFC;

WHEREAS, if the effects of alcohol sales in a housing development owned or financed by AHFC were a concern enough for the legislature to establish this legislation, it has to be assumed that the location of this package store is not meeting the intent of the regulation;

WHEREAS, if the Planning Commission determined the location is conducive to the neighborhood, the property would have had to undergo a number of improvements before it would be considered compliant with the City's Conditional Use Standards;

WHEREAS, the Planning Director identified concerns with the adequacy of parking, ingress and egress to the property, the traffic impacts due to the inadequacy of the parking as well as the accessibility for fire as being the highest areas of concern;

WHEREAS, in the absence of the Conditional Use Permitting process, the Council must evaluate the effects of this license on the surrounding neighborhood and

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ensure the health safety and welfare of the area and the citizens are protected;

NOW, THEREFORE, BE IT RESOLVED with the information provided and all relevant facts considered the Council finds the location of the AC Quickstop to be a public safety concern and implores the Alcohol Beverage Control Board not renew the AC Quickstop Package Store License at the current location.

ENACTED THIS 13 DAY OF FEBRUARY 2018 BY A VOTE OF 4 IN FAVOR AND 1 OPPOSED.

ATTEST:



Lori Strickler, City Clerk



Fred Watson, Vice-Mayor