

# Assembly requires new permitting for 2 Mountain View liquor stores

BY TEGAN HANLON

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Read more here: <http://www.adn.com/2014/02/26/3347746/assembly-requires-new-permitting.html#storylink=cpy>

At the prodding of concerned, vocal neighbors, the Anchorage Assembly passed resolutions Tuesday requiring two Mountain View Brown Jugs to acquire modified conditional-use permits in the next 180 days, giving residents the chance to weigh-in on the liquor stores' operations.

Diane Mead, the acting president of the Mountain View Community Council, testified before the Assembly that neighbors have complained of witnessing inebriates throwing up and having sex in front of a bus stop near Clark Middle School. She said Brown Jug bags litter the area, tangling with empty liquor and beer bottles.

"As operated now, I don't feel that the two stores are compatible with our neighborhood," Mead said.

The stores in question sit around the block from one another -- one at 119 Klewin St. and the other at 131 Bragaw St. Walk about 280 feet south and you'll find the middle school with more than 1,100 students.

"We'd like to have our children go to school without having to go through, you know, step over or be around or be harassed by people who are inebriated," Don Crandall, a Mountain View resident, told the Assembly. "It's not a good example for the kids."

But O.C. Madden, Brown Jug director of operations, said the package stores shouldn't be blamed for the behavior of individuals. He said the stores have already raised prices, retrained employees and shifted management.

"I agree there was an influx of inebriates into Mountain View this year and I think that the primary reason for that was that the Inlet Inn was torn down," he said. "And we've experienced, and I'm sure long-term Anchorage residents will know, that when you squeeze the public inebriate bubble in one part of town it shows up in another because there has never been an attempt to actually deal with the problem."

Assemblyman Patrick Flynn, who spearheaded the measures, hopes that the two sides can reach a compromise on sales, hours and labeling by the time the new permit comes before the Assembly for approval.

Flynn and some Assembly members have latched onto this re-permitting process as a way to open up conversation between residents and unruly liquor stores. Last year, the Assembly created a new conditional-use permit for the Spenard In & Out that called for the business to start labeling individual booze containers.

To sell or distribute alcohol, a business must have a liquor license from the state and a one-time conditional-use permit from the municipality. But in 1994, Anchorage standardized conditional-use permitting. This has left many long-standing liquor stores today with outdated, but "grandfathered" permits, like the two Brown Jugs.

Businesses must renew their liquor licenses with the state every two years, a renewal that the Assembly can protest.

When the Mountain View stores' licenses came up for renewal this year, the Assembly voted 10 to 1 Tuesday that the stores must apply for and obtain new conditional-use permits in the given time frame as a prerequisite for the licenses.

"I think we're making the right decision by letting the community council and the operator figure out what the right balance is and bringing it back to us in 180 days," Flynn said, whose district covers Downtown Anchorage.

Shirley Cote, director of the Alcoholic Beverage Control Board, said that as of Feb. 14 there were 486 liquor licenses in Anchorage. Francis McLaughlin, a senior planner with the municipality, estimated that hundreds of those licensed businesses have outdated permits. Permit modification costs \$1,080, he said. The Assembly has not planned a course of action for the other outdated permit holders who haven't caused a community stir, Flynn said.

Assemblyman Bill Starr, who represents Eagle River and Chugiak, was the only no vote on the two resolutions. He described the modified permitting process as burdensome.

"I think this is a little bit punitive, Mr. Flynn, and it confuses the folks that the next time a renewal comes up we can mess with their conditional use," he said. "The only reason they're here is because there is no conditional use, a technicality of old age."

Madden hired Hellenthal & Associates to poll Mountain View residents about their neighborhood Brown Jug stores this month. He read the results to the assembly -- 50.2 percent of the 271 polled wanted "to be able to buy alcoholic beverages at a liquor store free from government imposed restrictions on minimum size, minimum price and types of alcoholic beverages that may be sold." About 88 percent supported holding public inebriates accountable, he said.

Meanwhile in Juneau, Rep. Geran Tarr, D-Anchorage, introduced a bill Monday to extend the buffer between schools and alcohol stores from 200 feet to 400 feet. In a prepared statement, she said she

chose to introduce the legislation after hearing student and parent complaints at local community council meetings.

"I'm proud that the students spoke up and wanted to do something," she said. "This bill is about keeping our students safe."

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