

**ANCHORAGE, ALASKA  
AO No. 2014-100**

1 **AN ORDINANCE MODIFYING AO 2014-83, WHICH AUTHORIZED A LAND USE**  
2 **PERMIT OF MUNICIPAL PROPERTY TO MIDNIGHT MOON COMPANY, INC. dba**  
3 **RUSTIC GOAT RESTAURANT AND APPROVED A CONDITIONAL USE PERMIT**  
4 **FOR OFF-STREET PARKING ON MUNICIPAL PROPERTY LEGALLY**  
5 **DESCRIBED AS LOTS 7Q, 8Q, 9Q, 10Q AND 11Q, BLOCK Q, WOODLAND**  
6 **PARK SUBDIVISION; TO DELETE LOT 7Q AND ADD LOT 12Q, APPROVE THE**  
7 **LAND USE PERMIT, SITE PLAN AND CONDITIONAL USE PERMIT FOR OFF-**  
8 **STREET PARKING, AND WAIVE ANCHORAGE MUNICIPAL CODE 21.10.015A**  
9 **(PLANNING AND ZONING COMMISSION REVIEW).**

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11 **WHEREAS**, the subject parcels are remnant from the 1986 West Northern Lights  
12 Boulevard right-of-way parcel acquisition and a portion of the lots are in excess to  
13 project needs;

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15 **WHEREAS**, Midnight Moon Company, Inc. dba Rustic Goat Restaurant desires to  
16 construct off-street parking on a portion of the remnant property to alleviate the  
17 impact of parking on neighboring streets;

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19 **WHEREAS**, the parcels are zoned R-3, which permits off-street parking as a  
20 conditional use, per Anchorage Municipal Code (AMC) section 21.40.050D4, and  
21 use of the remnant property for off-street parking will adhere to the conditional use  
22 standards set forth in AMC 21.45.080 and 21.50.100;

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24 **WHEREAS**, the remnant property contains varied ground cover and mature trees at  
25 the perimeter. The land use permit will specify the retention of the existing mature  
26 vegetation outside the perimeter of the parking lot;

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28 **WHEREAS**, the land use permit area will be approximately 11,000 square feet of  
29 the two acre remnant area for a term of three years, with two mutually agreed three-  
30 year options to extend;

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32 **WHEREAS**, the project scope needs to be modified to exclude Lot 7Q and add Lot  
33 12Q to accommodate the sidewalk extension;

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35 **WHEREAS**, AMC 21.15.005 requires 21 day notice prior to a public hearing on a  
36 conditional use permit; and

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38 **WHEREAS**, the 21 day notice period has been complied with in conjunction with  
39 this ordinance; now, therefore,

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41 **THE ANCHORAGE ASSEMBLY ORDAINS:**

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**Section 1.** The land use permit of municipal land to Midnight Moon Company, Inc. dba Rustic Goat Restaurant legally described as an approximately 11,000 square foot portion of Lots 8Q, 9Q, 10Q, 11Q and 12Q, Block Q, Woodland Park Subdivision for three years, with two three-year mutually agreed options to extend, is hereby approved.

**Section 2.** A conditional use permit adhering to parking standards set forth in AMC sections 21.40.050D4, 21.45.080, and 21.50.100 is hereby approved.

**Section 3.** The attached site plan (Exhibit A) providing for 28 parking spaces and for retention of the existing landscaping meets the intent of the visual enhancement standards set forth in AMC subsection 21.45.080X.10.a. and is hereby approved.

**Section 4.** AMC subsection 21.10.015A.5. notwithstanding, the conditional use permit authorized by this ordinance shall not require Planning and Zoning Commission review.

**Section 5.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Chair of the Assembly

ATTEST:

\_\_\_\_\_  
Municipal Clerk