

**GOVERNMENT HILL COMMUNITY COUNCIL**

**RESOLUTION #2022-03**

**ASKING THE ALASKA RAILROAD CORPORATION TO DENY ADOTPF's  
REQUEST FOR A CHANGE OF USE ON LEASE #9999 PERTAINING TO 500 W.  
HOLLYWOOD DR. (FORMERLY THE 2-GO TESORO STORE)**

**WHEREAS**, the building located at 500 Hollywood Drive in the Government Hill neighborhood has operated as a convenience store for at least 25 years, most recently as a 2-Go-Tesoro convenience store; and

**WHEREAS**, the store has been heavily used by residents of the Government Hill neighborhood, particularly residents of nearby high-density residential apartments, and by the personnel of Joint Base Richardson-Elmendorf to purchase food, and, in the past, to purchase gasoline; and

**WHEREAS**, there is no comparable store nearby where residents can buy a variety of food items without a car; and

**WHEREAS**, in 2014 ADOTPF asked the landowner Alaska Railroad Corporation to assume the lease for the 500 Hollywood Drive lot as right of way for the Knik Arm Crossing Project; and

**WHEREAS**, when it made the request ADOTPF assured the Board of Directors of the Alaska Railroad Corporation that it would "continue the existing use and occupancy as a gas station and convenience store until such time as the land subject to the lease is required for the proposed Knik Arm Bridge Road Improvements...."; and,

**WHEREAS** in November of 2014 the Alaska Railroad Corporation agreed to allow ADOTPF to acquire the lease; and

**WHEREAS**, in Article 4, Lessee's Covenants, paragraph 4.01, Lease Reference # 9999, ADOTPF specifically promised for the term of the lease, to "use the Leased Premises for no other purpose other than Gas Station/Convenience Store....Any change in use will require prior written approval of Lessor"; and

**WHEREAS**, this particular provision was included in the lease by the landowner Alaska Railroad Corporation because it understood that continuing the convenience store at that location was important to the neighborhood; and

**WHEREAS**, the lease document was signed on 11/19/14 by longtime ADOTPF employee Judy Dougherty and extends through 2040; and

**WHEREAS**, on June 29, 2016, ADOTPF advised the Federal Highway Administration that it intended to close efforts to advance the Knik Arm Crossing Bridge project; and

**WHEREAS**, on September 8, 2016 the Federal Highway Administration agreed to process the necessary documentation to close out the Knik Arm Crossing project; and

**WHEREAS**, the Knik Arm Crossing project is no longer an active or viable transportation project; and

**WHEREAS**, reviving the Knik Arm Crossing project will be neither feasible nor affordable for the foreseeable future; and

**WHEREAS**, effective in July of 2022 ADOTPF evicted the longtime convenience store tenant from 500 W Hollywood, surrounded the lot with chain link fence and jersey barriers and boarded up the building; and

**WHEREAS**, ADOTPF's actions violated and continue to violate the lease term requiring it to operate a convenience store at 500 W Hollywood; and

**WHEREAS**, on October 5, 2002 ADOTPF asked the Alaska Railroad Corporation to change the lease after the fact to escape its contractual obligation to operate a convenience store on the lot and it wants permission to demolish the structure on the lot; and

**WHEREAS**, the mothballed building and lot are located at the entrance to our neighborhood and at the cross-road of our business district, creating an unfortunate and unacceptable first impression of decay and abandonment at the entrance to our neighborhood; and

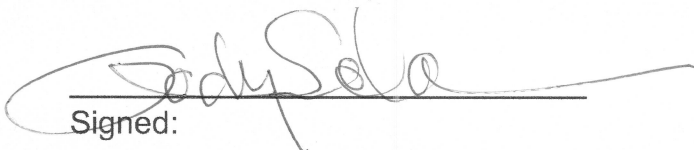
**WHEREAS**, the Government Hill Community Council (GHCC) desires that the property be continued in use as a convenience store as required by the lease and for the benefit of residents who relied on that store for food and other needs; and

**WHEREAS**, the lease requirement to operate a convenience store is a reasonable and valid provision, entered into knowingly and voluntarily by ADOTPF for the benefit of Government Hill and enforceable in a court of law; and

**BE IT THEREFORE RESOLVED**, that GHCC requests the Alaska Railroad Corporation to deny the ADOTPF's change of use application for Lease 9999; (pertaining to Lot 1A, Block 6, East Government Hill Subdivision of the Alaska Railroad, referred to here as the lot at 500 W Hollywood Dr.) and require ADOTPF to comply with its existing contractual obligations.

**PASSED** unanimously this day of October 13, 2022, by action of the Government Hill Community Council Executive Committee.

Yea\_8\_ Nay\_\_0\_\_ Abstain\_0\_

  
Signed: \_\_\_\_\_

Jody Sola, President  
Government Hill Community Council