

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION AGENDA**

Vern Halter, Mayor

**PLANNING COMMISSION**  
 Mary Anderson, District 1  
 Thomas Healy, District 2  
 John Klapperich, Chair, District 3  
 Colleen Vague, District 4  
 William Kendig, District 5  
 Tomas Adams, District 6  
 Vern Rauchenstein, District 7



John Moosey, Borough Manager

**PLANNING & LAND USE  
DEPARTMENT**  
 Eileen Probasco, Director of Planning &  
 Land Use  
 Lauren Driscoll, Planning Services Chief  
 Alex Strawn, Development Services  
 Manager  
 Fred Wagner, Platting Officer  
 Mary Brodigan, Planning Clerk

*Assembly Chambers of the  
Dorothy Swanda Jones Building  
350 E. Dahlia Avenue, Palmer*

**June 6, 2016  
REGULAR MEETING  
6:00 p.m.**

- I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PLEDGE OF ALLEGIANCE
- IV. CONSENT AGENDA  
*Items on the consent agenda are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.*
  - A. MINUTES
    - 1. May 16, 2016, regular meeting minutes
  - B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
  - C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS
    - 1. **Resolution 16-24**, amending the comprehensive planning process as requested by the Chase Community Council. Public Hearing: June 20, 2016. (Staff: Taunnie Boothby)
    - 2. **Resolution 16-25**, recommending the Assembly support the development of a Regional Transportation Planning Partnership Program. Public Hearing: June 20, 2016. (Staff: Jessica Smith)
- V. COMMITTEE REPORTS
- VI. AGENCY/STAFF REPORTS

## VII. LAND USE CLASSIFICATIONS

VIII. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (*Public Hearings shall not begin before 6:15 p.m.*)

***Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.***

*The Planning Commission members may submit questions to the Planning Commission Clerk concerning the following matters or request for more information from the applicant at the time of the introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing.*

- A. **Resolution 16-20**, a request for a Conditional Use Permit in accordance with MSB 17.70, Regulation of Alcoholic Beverages Uses, for the operation of a Liquor Package Store within a proposed convenience store, located on Lot 11, Hollywood Heights; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 24. (*Applicant: Three Bears Alaska, Inc., Staff: Susan Lee*)

## X. PUBLIC HEARING: LEGISLATIVE MATTERS

- A. **Resolution 16-22**, recommending amendments to Assembly Ordinance 16-003, an Ordinance Amending MSB 17.60 to Include Permit Requirements and Standards for Marijuana Related Facilities. Referred by the Assembly to the PC on April 5, 2016, for 90 days. Continued from May 16, 2016. (*Staff: Alex Strawn*)

## XI. CORRESPONDENCE &amp; INFORMATION

## XII. UNFINISHED BUSINESS

- A. **Resolution 16-23**, recommending denial of an Ordinance amending MSB 17.55 to add Riparian Buffer Standards. (*Staff: Frankie Barker*)

## XIII. NEW BUSINESS

## XIV. COMMISSION BUSINESS

- A. Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)

## XV. DIRECTOR AND COMMISSIONER COMMENTS

**XVI. ADJOURNMENT (Mandatory Midnight)**

*In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for definition of "Interested Party." The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the Borough Internet home page, <http://www.matsugov.us>, in the Borough Clerk's office, or at various libraries within the Borough.*



**INTRODUCTION FOR PUBLIC HEARING  
LEGISLATIVE**

**Resolution No. 16-24**

Amending the Chase Community Council  
Comprehensive Plan Process

(Page 5 - 20)

**INTRODUCTION FOR PUBLIC HEARING**

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# MATANUSKA-SUSITNA BOROUGH

## PLANNING AND LAND USE DEPARTMENT

### Planning Division

350 East Dahlia Avenue - Palmer, Alaska 99645-6488

Fax (907)745-9876 - Phone (907)745-9833

## STAFF MEMORANDUM

DATE: May 18, 2016

INTRODUCTION DATE: June 6, 2016

PUBLIC HEARING DATE: June 20, 2016

TO: Planning Commission

FROM: Taunie L. Boothby, Planner II *AB*

SUBJECT: **Resolution 16-24** Recommending Planning Commission approval of the amended Chase Community Comprehensive Plan process per the Chase Community Council request.

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### Summary

Chase Community Council currently has an Assembly adopted Comprehensive Plan through Ordinance No. 93-071AM (1) dated October 19, 1993. On October 13, 2014, the Borough received the request for a comprehensive plan update. The Assembly approved the request on April 21, 2015 and the Planning Commission approved on June 1, 2015. In July of 2015, public notice was sent requesting planning team members and 15 prospective planning team member applications were received. However, a planning team was not approved and the planning process was postponed due to staff departure.

On March 17, 2016, the Chase Community Council (CCC) met with staff from the Matanuska-Susitna Borough Planning Department to discuss the Comprehensive Planning process and what the CCC desired from the process. During the discussion, Chase expressed a desire to amend the current planning process to something simpler and limited in contextual changes. Chase likes their current plan but feels that basic data and references need updating in order to keep the plan relevant and useful to the community. The approach discussed with staff was a limited update to only statistical data (i.e. population count, ect) and reference material that has completed a public process and pertains to the area (i.e state plans, borough plans, etc...). Staff recommended a formal letter of request from the Community Council outlining their proposal as this varies from our current process and since the CCC comprehensive planning process has already begun.

On April 21, 2016, staff received a letter from the CCC requesting and detailing the simplified and limited Chase Comprehensive Plan update and process. The community council's letter further details their request to include a 90-day public comment period, CCC meeting to take

action and complete their recommendation, and then forward the recommendation to the Planning Commission and Assembly. Being able to run this alternative process as proposed by the community is imperative to the community. As the Chase Community Council letter states, "If this alternate process is not approved, knowing our request is an alternate method for completing an update, we are not interested in completing the update at this time." Upon adoption of Planning Commission Resolution 16-24, approving this amended process, a planning team would not be needed. Staff would notify prospective team members of the change and thank them for their willingness to serve.

All though this is different from the Borough's standard process, per PC Resolution 09-14, staff recognizes the importance of offering a process and plan that will work best for a community. In addition, based on both Assembly and Planning Commission's feedback; staff views this as an opportunity to assess the overall applicability of this new "lite" process with consideration for further development as a way of expanding and diversifying the Borough's comprehensive planning process.

**RECOMMENDATION:**

Staff respectfully recommends the Planning Commission approve Resolution 16-24 recommending the Planning Commission approval of the amended Chase Community Comprehensive Plan process per the Chase Community Council request.

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**Attachments:**

1. Assembly Resolution 15-039, dated April 21, 2015
2. Planning Commission Resolution 15-23, dated June 1, 2015
3. Chase Community Council Letter received April 21, 2016
4. Planning Commission Resolution 16-24

Adopted: 04/21/15

MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-039

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE START OF THE COMPREHENSIVE PLANNING PROCESS FOR CHASE COMMUNITY COUNCIL.

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WHEREAS, the Chase Community Council voted unanimously on April 4, 2014, to send a formal letter requesting assistance from the Borough in developing a community comprehensive plan, which was received on October 13, 2014; and

WHEREAS, the Planning Commission has established a process and guidelines for developing community comprehensive plans through Planning Commission Resolution 09-14 (AM); and

WHEREAS, the Chase Community Council has a community comprehensive plan adopted by Ordinance Serial No. 93-071AM which is 22 years old; and

WHEREAS, the Chase Community Council boundary encompasses an area sensitive to population change and density, which would impact the area's rural roadless subsistence lifestyle; and

WHEREAS, the Chase Community Council area is likely to be significantly impacted by any increased residential development, over consumption of game, and road development within its boundaries; and

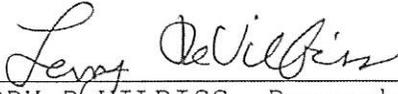
WHEREAS, the Chase Community Council is also concerned with the potential impacts upon their community from large scale

projects such as the Watana-Susitna Dam project and the Alaska Liquid Natural Gas Pipeline project; and

WHEREAS, it is prudent for the Council to update the comprehensive plan, identify community goals and assets, and ensure that development occurs in a way that is consistent with the resident's goals.

NOW, THEREFORE, BE IT RESOLVED, that the Assembly does hereby approve the start of the comprehensive plan process for the Chase Community Council, and designates planning staff and resources to facilitate the process.

ADOPTED by the Matanuska-Susitna Borough Assembly this 21 day of April, 2015.

  
\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

  
\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Sykes, Beck, Arvin, Colligan, Mayfield,  
Doty, and Halter

By: Joshua Allen  
Introduced: May 18, 2015  
Public Hearing: June 1, 2015  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-23**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING THE START OF THE COMPREHENSIVE PLANNING PROCESS FOR CHASE COMMUNITY COUNCIL.

---

WHEREAS, the Chase Community Council voted unanimously on April 4, 2014 to send a formal letter requesting assistance from the borough in developing a community comprehensive plan which was received on October 13, 2014; and

WHEREAS, the planning commission has established a process and guidelines for developing community comprehensive plans through PC Resolution 09-14 (AM); and

WHEREAS, the Chase Community Council has a community comprehensive plan adopted by MSB Ordinance 93-071AM (1) which is twenty-two (22) years old; and

WHEREAS, the Chase Community Council boundary encompasses an area sensitive to population change and density which would impact the area's rural roadless subsistence lifestyle; and

WHEREAS, the Chase Community Council area is likely to be significantly impacted by any increased residential development, over consumption of game, and road development within its boundaries; and

WHEREAS, the Chase Community Council is also concerned with the potential impacts upon their community from large scale projects such as the Watana-Susitna Dam Project and the Alaska LNG Pipeline Project; and

WHEREAS, it is prudent for the council to update the comprehensive plan, identify community goals and assets, and ensure that development occurs in a way that is consistent with the resident's goals.

WHEREAS, the Assembly approved the start-up of the update process of the Chase Comprehensive Plan through Resolution 15-039 on April 21, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission does hereby approve the start of the Comprehensive Plan Process for the Chase Community Council, and designates planning staff and resources to facilitate the process.

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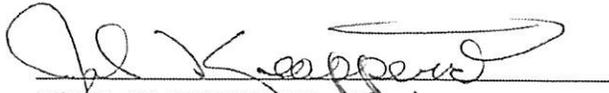
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ADOPTED by the Matanuska-Susitna Borough Planning Commission  
this 1st day of June, 2015.

  
\_\_\_\_\_  
JOHN KLAPPERICH, Chair

ATTEST:

  
\_\_\_\_\_  
MARY BRODIGAN, Planning Clerk

(SEAL)



YES: *Endle, Healy, Kerdig, and Adams*

NO: *Klapperich and Raucherstein*

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Chase Community Council  
PO Box 205  
Talkeetna, AK 99676

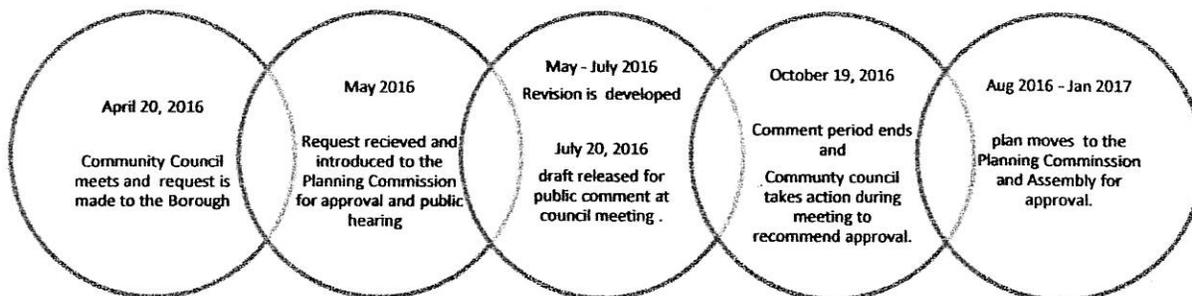
*Recvd VIA  
E-MAIL ON  
APRIL 21, 2016  
HB*

Eileen Probasco  
Director, Planning and Land Use  
350 E. Dahlia Ave  
Palmer, AK, 99645

Dear Ms. Probasco,

We met with your staff on March 17, 2016, to discuss the Comprehensive Planning process and our desire for a simple update. We like our plan the way it is but would like to see updated statistical data, such as population, and updated references to plans that pertain to our area that completed a public process. These two categories are the only items to update.

We understand this is not the normal process and we are requesting a simplified and limited update. We are suggesting the following proposed process and timeline.



If this process is not approved, knowing our request is an alternate method for completing an update, we are not interested in completing an update at this time.

Please let us know if you have any questions. We look forward to working with you and your staff on this abbreviated process.

Sincerely, Chase Community Council Board of Directors

*Mike Wood*  
*Jonathan Darr*  
*Jonathan Darr*  
*Dana R. Sumrell*  
*Annie Helmsworth*

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By: Taunnie Boothby  
Introduced: June 6, 2016  
Public Hearing: June 20, 2016  
Action:

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 16-24**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AMENDING THE COMPREHENSIVE PLANNING PROCESS AS REQUESTED BY THE CHASE COMMUNITY COUNCIL.

WHEREAS, the Assembly approved through Resolution Serial No. 15-039 on April 21, 2015 and the Planning Commission approved through Resolution Serial No. 15-23 on June 1, 2015 the start-up of the Chase Comprehensive Plan update; and

WHEREAS, update activities were postponed due to a change in planning staff; and

WHEREAS, the newly assigned planner and the Planning Chief met with the Community Council on March 17, 2016 to re-engage the planning process; and

WHEREAS, the Chase Community Council requested a simple and limited update in accordance with their letter received April 21, 2016; and

WHEREAS, the limited update would only include statistical data revisions, such as population, and updated referenced plans, such as state and borough plans, that completed a public process and pertains to the Chase Community; and

WHEREAS, the draft will be released for public comment for 90 days and the Chase Community Council will review the update

at their council meeting to take action and complete their recommendation, and then forward the recommendation to the Planning Commission and Assembly; and

WHEREAS, being able to run this alternative process as proposed by the community is imperative to the community. The Chase Community Council letter states their wish to cancel their Comprehensive Plan update should this limited update process be denied; and

WHEREAS, staff supports the community planning process and recognizes the Chase Community Council request differs from the Matanuska-Susitna Borough's standard process, per Planning Commission Resolution Serial No. 09-14; and

WHEREAS, staff recognizes the importance of offering a process and plan that will work best for a community; and

WHEREAS, based on Assembly and Planning Commission's feedback staff views this as an opportunity to assess the overall applicability of this new "lite" process with consideration for further development as a way of expanding and diversifying the Borough's comprehensive planning process.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission does hereby approve the amended planning process requested by the Chase Community Council.

/

/

ADOPTED by the Matanuska-Susitna Borough Planning Commission this \_\_\_ day of \_\_\_\_, 2016.

\_\_\_\_\_  
JOHN KLAPPERICH, Chair

ATTEST:

\_\_\_\_\_  
MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

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**INTRODUCTION FOR PUBLIC HEARING  
LEGISLATIVE**

**Resolution No. 16-25**

Development of a Regional  
Transportation Planning Partnership Program

(Page 21 - 62)

**INTRODUCTION FOR PUBLIC HEARING**



PC.

### DOCUMENT TRACKING REPORT

**DOCUMENT:** A Resolution Supporting Planning Efforts To Develop A Regional Transportation Planning Partnership Process To Ensure Better Communication And Collaboration Between The Alaska State Department Of Transportation And Public Facilities, The Borough, And The Cities Of Palmer, Wasilla, And Houston.

| DATE    | STATUS                                       |
|---------|--|
| 5-17-16 | referred to Planning Commission + T.A.B. for |
|         | 90 days - due back August 15, 2016           |
|         |  |
|         |  |
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**SUBJECT:** A resolution of the Matanuska-Susitna Borough Assembly supporting the development of a Transportation Planning Partnership Program.

**AGENDA OF:** May 17, 2016

**Assembly Action:**

**MANAGER RECOMMENDATION:** Refer to Transportation Advisory Board & Planning Commission for review and consideration.

**APPROVED** <sup>for</sup> ~~BY~~ JOHN MOOSEY, BOROUGH MANAGER. *George Hays*

| Route To: | Department/Individual          | Initials   | Remarks                  |
|-----------|--------------------------------|------------|--------------------------|
| X         | Originator                     | <i>JK</i>  |                          |
| X         | Planning and Land Use Director | <i>JMB</i> | <i>acting</i>            |
| X         | Borough Attorney               | <i>NS</i>  |                          |
| X         | Borough Clerk                  | <i>JAM</i> | <i>5/9/16</i> <i>BSM</i> |

**ATTACHMENT (S) :** Fiscal Note: YES \_\_\_\_\_ NO X  
 Transportation Planning Partnership Brochure (2 pp)  
 Houston City Council Resolution No. 16-01 (3 pp)  
 Palmer City Council Resolution No. 16-010 (3 pp)  
 Palmer Planning & Zoning Commission Resolution No. 16-001 (3 pp)  
 Wasilla City Council Resolution No. 16-04 (4 pp)  
 Wasilla Planning Commission Resolution No. 16-03 (4 pp)  
 Assembly Resolution Serial No. 16-017 (5 pp)

**SUMMARY STATEMENT:** This resolution represents support for Matanuska Susitna Borough efforts to move forward with the development of a formalized, regional transportation planning partnership program specifically for the Mat-Su Valley. This project would work with the Cities, the Borough, and Alaska Department of Transportation & Public Facilities (DOT&PF) to develop a method for addressing the Borough's transportation planning challenges through a standardized collaboration and communication process that can be applied from the very

beginning of a major project and used throughout the life of the built transportation facility (e.g., a roadway, sidewalk, pathway, etc.).

As an initial step before completely developing the program, staff is seeking the support of Borough, Cities, and DOT&PF to actively participate in the development and implementation of the partnership program. To date, the Cities have provided Resolutions of support to move forward with the program's development. Adoption of this Resolution will create full regional support for the development of the program.

### **Background**

In 2014 the Matanuska-Susitna Borough hosted a Regional Transportation Planning Workshop. The workshop was attended by members of the public, representatives from the Matanuska-Susitna Borough, City of Palmer, City of Wasilla, City of Houston and DOT&PF. The week-long workshop was specifically designed to focus discussion topics on addressing the challenges, opportunities and issues facing Borough-wide transportation planning and ways to encourage better communication and collaboration between the Borough, the Cities and DOT&PF. Workshop participants identified seven key opportunities for regional transportation planning improvements:

- Link Land Use and Transportation Planning Efforts
- Emphasize Regional Planning and Coordination
- Improve Connectivity across the Region
- Ensure Maintenance Budgets Meet Infrastructure Needs
- Collaborate to Fund Projects
- Advance Shared Decision-Making
- Encourage Stakeholder and Public Involvement

Since 2014 the Borough, Cities, and DOT&PF have been working to implement projects and strategies identified in the report and action plan developed from the workshop. Since the action plan was developed, the DOT&PF awarded a grant in the amount of \$1 million to the Mat-Su Borough in 2015 to continue current efforts in regional transportation planning. Of the several projects identified for funding by the DOT&PF grant, the development of a Regional Transportation Planning Partnership Process (partnership program) was included.

### **Why Develop a Transportation Planning Partnership Program?**

The partnership program would create an opportunity for improved regional involvement in major transportation projects by allowing the pooling of resources, enhanced public involvement, collaborative problem solving and prioritized investments before a project is even designed. The combination of these elements brings the region an improved ability to operate with a shared

vision, save time and money, maintain public trust, empower staff to make the best possible decisions, and build positive political capital.

**What is the Transportation Planning Partnership Program?**

The partnership program will change the paradigm of how the Borough, Cities and partner agencies plan for, manage and fund transportation investments. The conceptual partnership program would work as such:

- 1) It would begin before design on any major project that meets a mutually agreed upon criteria.
- 2) A formal agreement is drafted and agreed upon by all parties outlining the governance structure for managing the project.
- 3) Together the partnership defines the problem and outlines the public involvement strategy.
- 4) Once the problem is defined, the partnership drafts performance measures and project goals to evaluate their decisions and track their progress.
- 5) The partnership is involved in strategizing solutions and developing funding/implementation plans. Partners share resources to advance the identified strategies and solutions.
- 6) The partnership is not disbanded when the project enters the design phase; it follows the project providing oversight and ensuring the goals and performance measures are being met.
- 7) The partnership continues to evaluate its success after construction and through that life cycle of the transportation investment.

**Next Steps:**

Following the adoption of Resolution No. 16-\_\_, the Borough is hoping to develop a memorandum of understanding (MOU) with DOT&PF. This MOU along with the resolution will document the support needed to move forward with development and implementation of this program. Staff will then work with the Cities and DOT&DF to draft policies and tools necessary for the program's development and implementation. Once developed, the program will be applied to specific transportation projects to test the program's effectiveness and look for opportunities for program improvement. Once the program has been tested, an agreement between participants to ensure implementation of the program will be executed, securing the DOT&PF, the Borough and the Cities (as appropriate) remain in active program participation for selected projects.

**RECOMMENDATION:**

Staff respectfully recommends adoption of Resolution 16-047, a

resolution of the Matanuska-Susitna Borough Assembly supporting the development of a Transportation Planning Partnership Program.



# TRANSPORTATION PLANNING PARTNERSHIP

- Traffic demand management
- Economic impact evaluations
- Safety enhancements
- Traveler information
- Intersection improvements
- Road widening
- Cradle to cradle projects

- Maintenance
- Transit improvements
- Rail improvements
- Bike/Ped improvements
- Local street connections
- Emergency management
- Signal timing

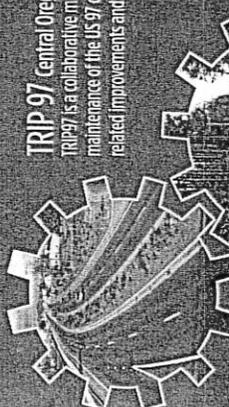
WHAT'S IN OUR TOOLBOX  
IMPROVEMENTS COME IN  
MANY SHAPES AND SIZES.  
HERE'S HOW...



## PARTNERSHIP CASE STUDIES

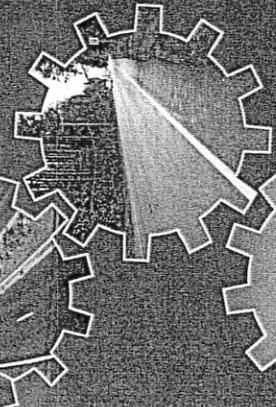
### TRIP 97 Central Oregon

TRIP 97 is a collaborative multi-agency effort focused on developing a long-term framework for the improvement and maintenance of the US 97 corridor. It is a study of a concept to change the paradigm of how they plan and fund US 97 related improvements and investments.



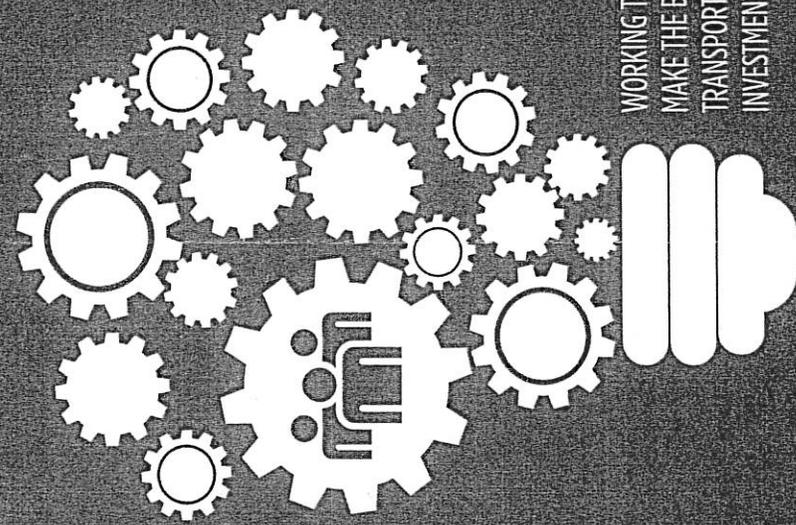
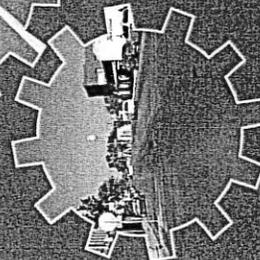
### US 12 CORRIDOR Chelan, WA

The Chelan Tribe paid to have a study done on a WSDOT, US Highway. In addition to the Tribe and DOT partner, the two counties within which the corridor spanned, were also engaged. It was a unique partnership that led to shared, commonly supported solutions.



### KUNA DOWNTOWN CORRIDOR PLAN Kuna, ID

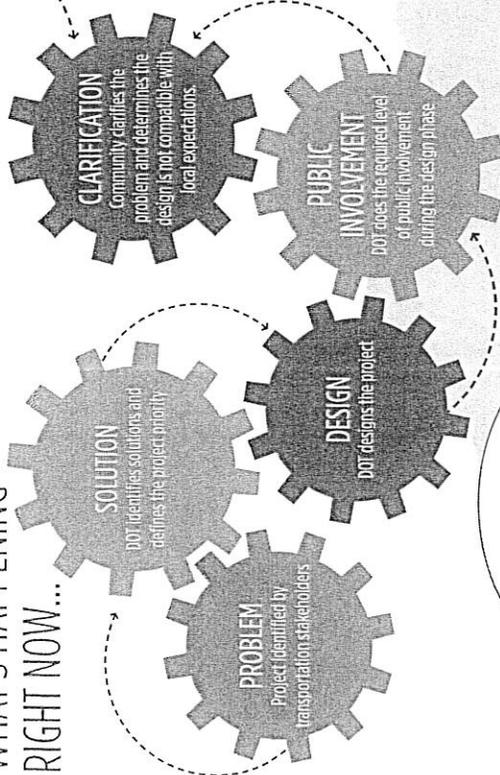
Corridor planning project that had a lot of cross-agency collaboration (mainly between the City and County). The project won an Excellence in Transportation Award, partially based on the amount of agency collaboration. "In the eight years I've been with city council, I haven't seen that kind of involvement with the taxpayers. I am very happy that we have leadership at ACAD that seeks more input for the cities and for the taxpayers," said Kuna City Council President, Richard Cardoza.



WORKING TOGETHER TO  
MAKE THE BEST  
TRANSPORTATION  
INVESTMENT DECISIONS

Be a part of  
the solution

WHAT'S HAPPENING RIGHT NOW...



WHY THIS IS NOT OPTIMAL

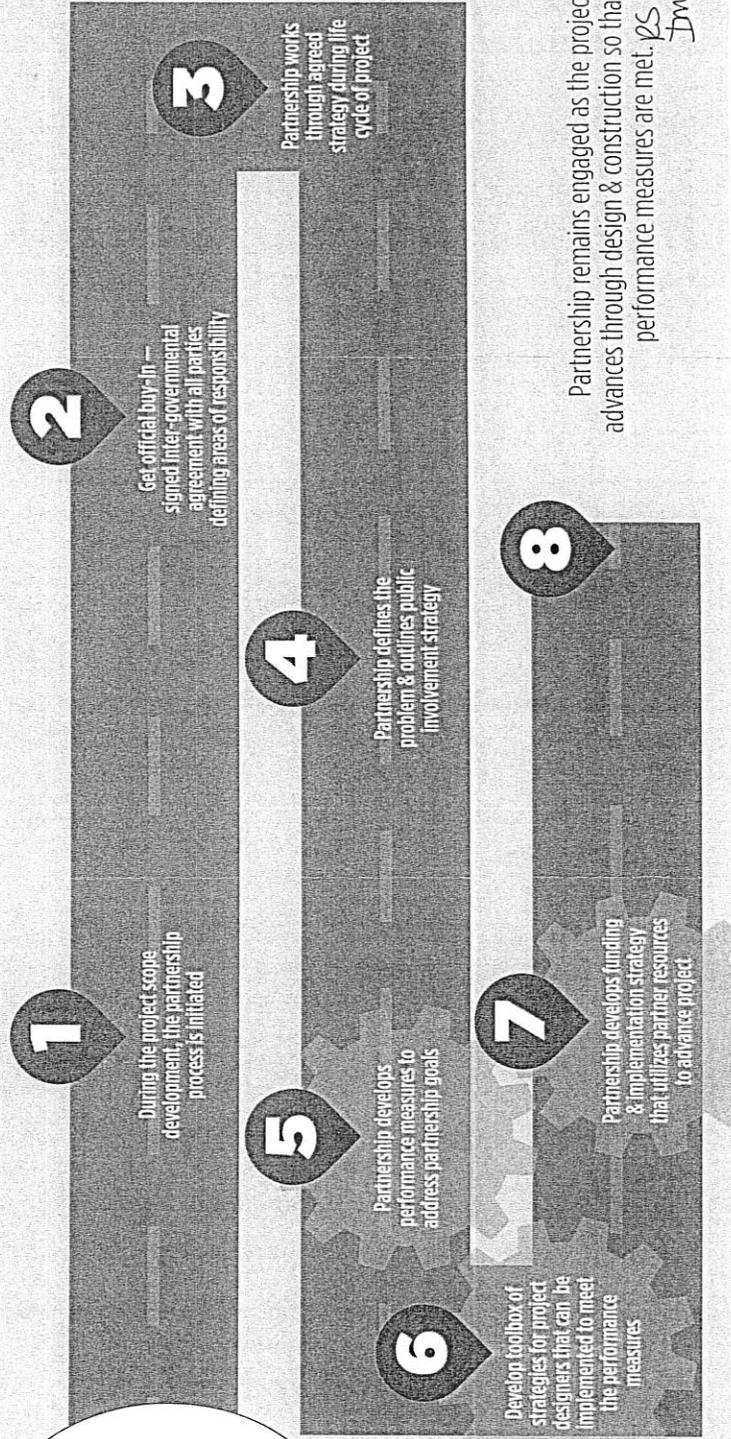
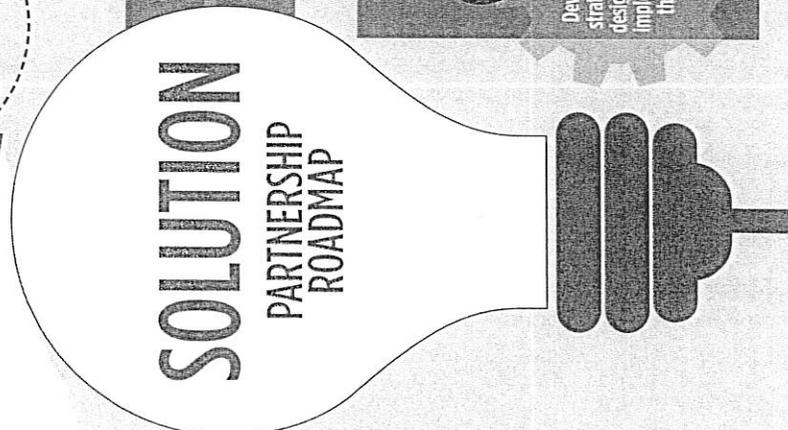
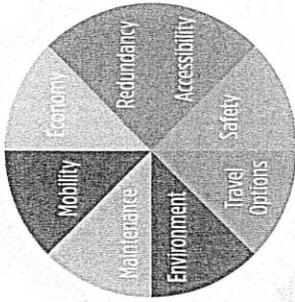
- Waste of Time and Money
- Loss of Public Trust
- Burnt Out Staff
- Expanded Political Capital

WE NEED A BETTER WAY TO DEFINE AND SOLVE THE PROBLEMS OF OUR TRANSPORTATION SYSTEM!

WHY A PARTNERSHIP APPROACH MAKES SENSE...

- Cost Effective and Time Saving
- Operate with a Shared Vision
- Each Partner Brings Something
- Pooling of Resources
- Vested Interest for Success
- Project Investment
- Advance Mutual Interests
- Amplify Success
- Collaborative Problem Solving
- Allows for Range of Investments

PERFORMANCE MEASURES THAT ADDRESS A BROAD RANGE OF PARTNERSHIP GOALS



Partnership remains engaged as the project advances through design & construction so that the performance measures are met. *PS 16-047 Dm 16-109*

Introduced by: Mayor Thompson

Date: January 14, 2016

Action: Approved

Vote: Stout, Johnson, Barney, Jorgensen, Wilson, Thompson in favor

**HOUSTON, ALASKA  
RESOLUTION 16-01**

**A RESOLUTION OF THE HOUSTON CITY COUNCIL SUPPORTING MATANUSKA-SUSITNA BOROUGH PLANNING EFFORTS TO DEVELOP A REGIONAL TRANSPORTATION PLANNING PARTNERSHIP PROCESS TO ENSURE BETTER COMMUNICATION AND COLLABORATION BETWEEN THE ALASKA DEPARTMENT OF TRANSPORTATION AND COLLABORATION BETWEEN THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, THE BOROUGH AND THE CITY OF HOUSTON, PALMER AND WASILLA**

**WHEREAS**, over the last decade there have been several road projects within the Matanuska-Susitna Borough and the City of Houston, that have been postponed or delayed due to communication and/or collaboration issues between the Alaska Department of Transportation and Public Facilities (DOT&PF) and the Matanuska-Susitna Borough (Borough); and

**WHEREAS**, these delays and postponements have come at significant costs in terms of project budgets, public trust, safety, and political support; and

**WHEREAS**, the borough, the cities of Palmer, Wasilla, and Houston (cities), and DOT&PF hosted a Regional Transportation Planning Workshop (workshop) in 2014 to specifically address the challenges, opportunities and issues facing regional transportation planning and to encourage the better communication and collaboration; and

**WHEREAS**, workshop participants identified seven key opportunities for regional transportation planning improvements:

- Link Land Use and Transportation Planning Efforts
- Emphasize Regional Planning and Coordination
- Improve Connectivity Across the Region
- Ensure Maintenance Budgets Meet Infrastructure Needs
- Collaborate to Fund Projects

RS 16-047  
DM 16-109

**Bold and Underline**, added. ~~Strike through~~, deleted.

- 1 • Advance Shared Decision-Making
- 2 • Encourage Stakeholder and Public Involvement

3 ; and

4  
5 **WHEREAS**, since 2014 the borough, cities, and DOT&PF have been working to  
6 implement projects and strategies identified in the report and action plan developed from the  
7 workshop; and

8  
9 **WHEREAS**, identified in the workshop report and action plan, the borough, cities, and  
10 DOT&PF applied jointly for a Transportation Investment Generating Economic Recovery (Tiger)  
11 grant in 2014 and developed a self-assessment report in 2015 to understand and prepare for the  
12 region’s future designation as a Metropolitan Planning organization; and

13  
14 **WHEREAS**, the DOT & PF awarded a grant in the amount of one million dollars to the  
15 Mat-Su Borough in 2015 to continue current efforts in regional transportation planning; and

16  
17 **WHEREAS**, of the several projects identified for funding by DOT&PF grant, the  
18 development of a Regional Transportation Planning partnership Process (partnership) was  
19 included;

20  
21 **WHEREAS**, the development of the partnership process was highlighted in the report and  
22 action plan and will help to address each of the improvement opportunities identified by workshop  
23 participants; and

24  
25 **WHEREAS**, communication and cooperation is critical to the development and  
26 implementation to the partnership process; and

27  
28 **WHEREAS**, before completely developing the process, borough staff is seeking support  
29 for the overall concept and a willingness to participate in the development of the partnership  
30 process; and

31  
32 **WHEREAS**, the partnership process is intended to create a proactive management  
33 approach to change the relationship of how the borough, cities and partner agencies plan for,  
34 manage and fund transportation improvements; and

35  
36 **WHEREAS**, the conceptual partnership process would work as such:  
37 1). It would begin the conceptual partnership process would work as such: 1) It would begin before  
38 design on any major project that meet mutually an agreed upon criteria.  
39 2). A formal agreement is drafted and agreed upon by all parties outlining the governance structure  
40 for managing the project.  
41 3). Together the partnership defines the problem and outlines the public involvement strategy.  
42 4). Once the problem is defined, the partnership drafts performance measures and project goals to  
43 evaluate their decisions and track their progress.  
44 5). The partnership is involved in strategizing solutions and developing funding/implementation  
45 plans. Partners share resources to advance the identified strategies and solutions.

**Bold and Underline**, added. ~~Strike through~~, deleted.

RS 16-047  
JM 16-109

- 6). The partnership is not disbanded when the project enters the design phase; it follows the project providing oversight and ensuring the goals and performance measures are being met.
- 7). The partnership continues to evaluate its success after construction and through that life cycle of the transportation facility; and

**WHEREAS**, the partnership would create an opportunity for improved regional governance over major transportation projects by allowing the pooling of resources, collaborative problem solving, and prioritized investments. The combination of these elements brings the region an improved ability to operate with a shared vision, save time and money, regain the public trust, empower staff to make the right decisions, and build positive political capital; and

**WHEREAS**, the State of Alaska Department of Transportation & Public Facilities (DOT&PF) is obligated by 23 CFR450.210(b) to have a documented process for consulting non-metropolitan local officials for both the Statewide Transportation Improvement Program (STIP) and the Statewide Transportation Plan (SLRTP) .

**NOW, THEREFORE BE IT RESOLVED**, that the City of Houston supports Matanuska Susitna Borough planning efforts to develop a regional Transportation Planning partnership process to ensure better communication and collaboration between the Alaska Department of Transportation and Public facilities, the borough and the cities of Palmer, Wasilla, and Houston.

**EFFECTIVE DATE:** This Resolution shall take effect upon approval by the Houston City Council.

**PASSED AND APPROVED** by a duly constituted quorum of the Houston City Council on this 14th day of January 2016.

**THE CITY OF HOUSTON, ALASKA**

*Virgie Thompson*  
 \_\_\_\_\_  
 Virgie Thompson, Mayor

**ATTEST:**

*Sonya Dukes*  
 \_\_\_\_\_  
 Sonya Dukes, CMC, City Clerk

for

RS 16-047  
 JM 16-109

**Bold and Underline**, added. ~~Strike through~~, deleted.

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Introduced by: City Manager Wallace  
 Date: February 23, 2016  
 Action: Adopted  
 Vote: Unanimous

| Yes:  | No: |
|---|-----|
| Best<br>LaFrance<br>Carrington<br>Combs<br>DeVries<br>Hanson<br>Johnson |     |

CITY OF PALMER, ALASKA

**Resolution No. 16-010**

**A Resolution of the Palmer City Council Supporting Matanuska-Susitna Borough Planning Efforts to Develop a Regional Transportation Planning Partnership Process**

WHEREAS, over the last decade there have been several road projects within the Matanuska-Susitna Borough that have been postponed or delayed due to communication and/or collaboration issues between the State of Alaska Department of Transportation and Public Facilities (DOT&PF), the Matanuska-Susitna Borough (Borough), and the cities of Palmer, Wasilla and Houston (Cities);

WHEREAS, these delays and postponements have come at significant costs in terms of project budgets, public trust, safety, and political support;

WHEREAS, the borough, the cities, and DOT&PF hosted a Regional Transportation Planning Workshop in 2014 to specifically address the challenges, opportunities and issues facing regional transportation planning and to encourage better communication and collaboration; and

WHEREAS, workshop participants identified seven key opportunities for regional transportation planning improvements:

- Link Land Use and Transportation Planning Efforts
- Emphasize Regional Planning and Coordination
- Improve Connectivity Across the Region
- Ensure Maintenance Budgets Meet Infrastructure Needs
- Collaborate to Fund Projects
- Advance Shared Decision-Making
- Encourage Stakeholder and Public Involvement

WHEREAS, since 2014 the borough, cities, and DOT&PF have been working to implement projects and strategies identified in the report and action plan developed from the workshop;

WHEREAS, identified in the workshop report and action plan, the borough, cities, and DOT&PF applied jointly for a Transportation Investment Generating Economic Recovery (TIGER) grant in 2014 and developed a self-assessment report in 2015 to understand and prepare for the region's future designation as a Metropolitan Planning Organization;

*RS 16-047*  
*DM 16-109*

WHEREAS, the DOT&PF awarded a grant in the amount of one million dollars to the Mat-Su Borough in 2015 to continue current efforts in regional transportation planning;

WHEREAS, of the several projects identified for funding by the DOT&PF grant, the development of a Regional Transportation Planning Partnership Process (partnership process) was included;

WHEREAS, the development of the partnership process was highlighted in the report and action plan and will help to address each of the improvement opportunities identified by workshop participants;

WHEREAS, communication and cooperation is critical to the development and implementation of the partnership process;

WHEREAS, before completely developing the process, the borough is seeking support for the overall concept and a willingness to participate in the development of the partnership process;

WHEREAS, the partnership process is intended to create a proactive management approach to change the paradigm of how the borough, cities and partner agencies plan for, manage and fund transportation improvements;

WHEREAS, the concept behind the partnership process would: 1) Begin before design on any major project that meets mutually agreed upon criteria. 2) A formal agreement is drafted and agreed upon by all parties outlining the governance structure for managing the project. 3) Together, the partnership defines the problem and outlines the public involvement strategy. 4) Once the problem is defined, the partnership drafts performance measures and project goals to evaluate their decisions and track their progress. 5) The partnership is involved in strategizing solutions and developing funding/implementation plans. Partners share resources to advance the identified strategies and solutions. 6) The partnership is not disbanded when the project enters the design phase; it follows the project providing oversight and ensuring the goals and performance measures are being met. 7) The partnership continues to evaluate the project after construction and through the life cycle of the transportation facility;

WHEREAS, the partnership would create an opportunity for improved regional governance over major transportation projects by allowing the pooling of resources, collaborative problem solving, and prioritized investments. The combination of these elements brings the region an improved ability to operate with a shared vision, saves time and money, regains the public trust, empowers staff to make the right decisions, and builds positive political capital; and

WHEREAS, the State of Alaska Department of Transportation & Public Facilities (DOT&PF) is obligated by 23 CFR450.210(b) to have a documented process for consulting non-metropolitan local officials for both the Statewide Transportation Improvement Program (STIP) and the Statewide Transportation Plan (SLRTP).

NOW, THEREFORE, BE IT RESOLVED, the Palmer City Council supports the Matanuska-Susitna Borough planning efforts to develop a regional transportation planning partnership process.

RS 16-047  
JM 16-109

Passed and approved by the City Council of the City of Palmer, Alaska this twenty-third day of February, 2016.

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DeLena Goodwin Johnson, Mayor

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Janette M. Bower, MMC, City Clerk

RS 16-047  
JM 16-109

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## PALMER PLANNING AND ZONING COMMISSION

## RESOLUTION NO. 16-001

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION SUPPORTING MATANUSKA-SUSITNA BOROUGH PLANNING EFFORTS TO DEVELOP A REGIONAL TRANSPORTATION PLANNING PARTNERSHIP PROCESS TO ENSURE BETTER COMMUNICATION AND COLLABORATION BETWEEN THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, THE BOROUGH AND THE CITIES OF PALMER, WASILLA AND HOUSTON

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WHEREAS, over the last decade there have been several road projects within the Matanuska-Susitna Borough that have been postponed or delayed due to communication and/or collaboration issues between the State of Alaska Department of Transportation and Public Facilities (DOT&PF), the Matanuska-Susitna Borough (Borough), and the cities of Palmer, Wasilla and Houston (Cities);

WHEREAS, these delays and postponements have come at significant costs in terms of project budgets, public trust, safety, and political support;

WHEREAS, the borough, the cities, and DOT&PF hosted a Regional Transportation Planning Workshop (workshop) in 2014 to specifically address the challenges, opportunities and issues facing regional transportation planning and to encourage better communication and collaboration; and

WHEREAS, workshop participants identified seven key opportunities for regional transportation planning improvements:

- Link Land Use and Transportation Planning Efforts
- Emphasize Regional Planning and Coordination
- Improve Connectivity Across the Region
- Ensure Maintenance Budgets Meet Infrastructure Needs
- Collaborate to Fund Projects
- Advance Shared Decision-Making
- Encourage Stakeholder and Public Involvement

WHEREAS, since 2014 the borough, cities, and DOT&PF have been working to implement projects and strategies identified in the report and action plan developed from the workshop;

WHEREAS, identified in the workshop report and action plan, the borough, cities, and DOT&PF applied jointly for a Transportation Investment Generating Economic Recovery (TIGER) grant in 2014 and developed a self-assessment report in 2015 to understand and prepare for the region's future designation as a Metropolitan Planning Organization;

WHEREAS, the DOT&PF awarded a grant in the amount of one million dollars to the Mat-Su Borough in 2015 to continue current efforts in regional transportation planning;

RS 16-047  
JM 16-109

WHEREAS, of the several projects identified for funding by the DOT&PF grant, the development of a Regional Transportation Planning Partnership Process (partnership process) was included;

WHEREAS, the development of the partnership process was highlighted in the report and action plan and will help to address each of the improvement opportunities identified by workshop participants;

WHEREAS, communication and cooperation is critical to the development and implementation of the partnership process;

WHEREAS, before completely developing the process, the borough is seeking support for the overall concept and a willingness to participate in the development of the partnership process;

WHEREAS, the partnership process is intended to create a proactive management approach to change the paradigm of how the borough, cities and partner agencies plan for, manage and fund transportation improvements;

WHEREAS, the concept behind the partnership process would: 1) Begin before design on any major project that meets mutually agreed upon criteria. 2) A formal agreement is drafted and agreed upon by all parties outlining the governance structure for managing the project. 3) Together, the partnership defines the problem and outlines the public involvement strategy. 4) Once the problem is defined, the partnership drafts performance measures and project goals to evaluate their decisions and track their progress. 5) The partnership is involved in strategizing solutions and developing funding/implementation plans. Partners share resources to advance the identified strategies and solutions. 6) The partnership is not disbanded when the project enters the design phase; it follows the project providing oversight and ensuring the goals and performance measures are being met. 7) The partnership continues to evaluate the project after construction and through the life cycle of the transportation facility;

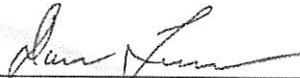
WHEREAS, the partnership would create an opportunity for improved regional governance over major transportation projects by allowing the pooling of resources, collaborative problem solving, and prioritized investments. The combination of these elements brings the region an improved ability to operate with a shared vision, saves time and money, regains the public trust, empowers staff to make the right decisions, and builds positive political capital; and

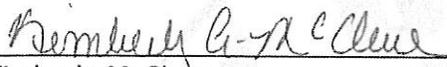
WHEREAS, the State of Alaska Department of Transportation & Public Facilities (DOT&PF) is obligated by 23 CFR450.210(b) to have a documented process for consulting non-metropolitan local officials for both the Statewide Transportation Improvement Program (STIP) and the Statewide Transportation Plan (SLRTP).

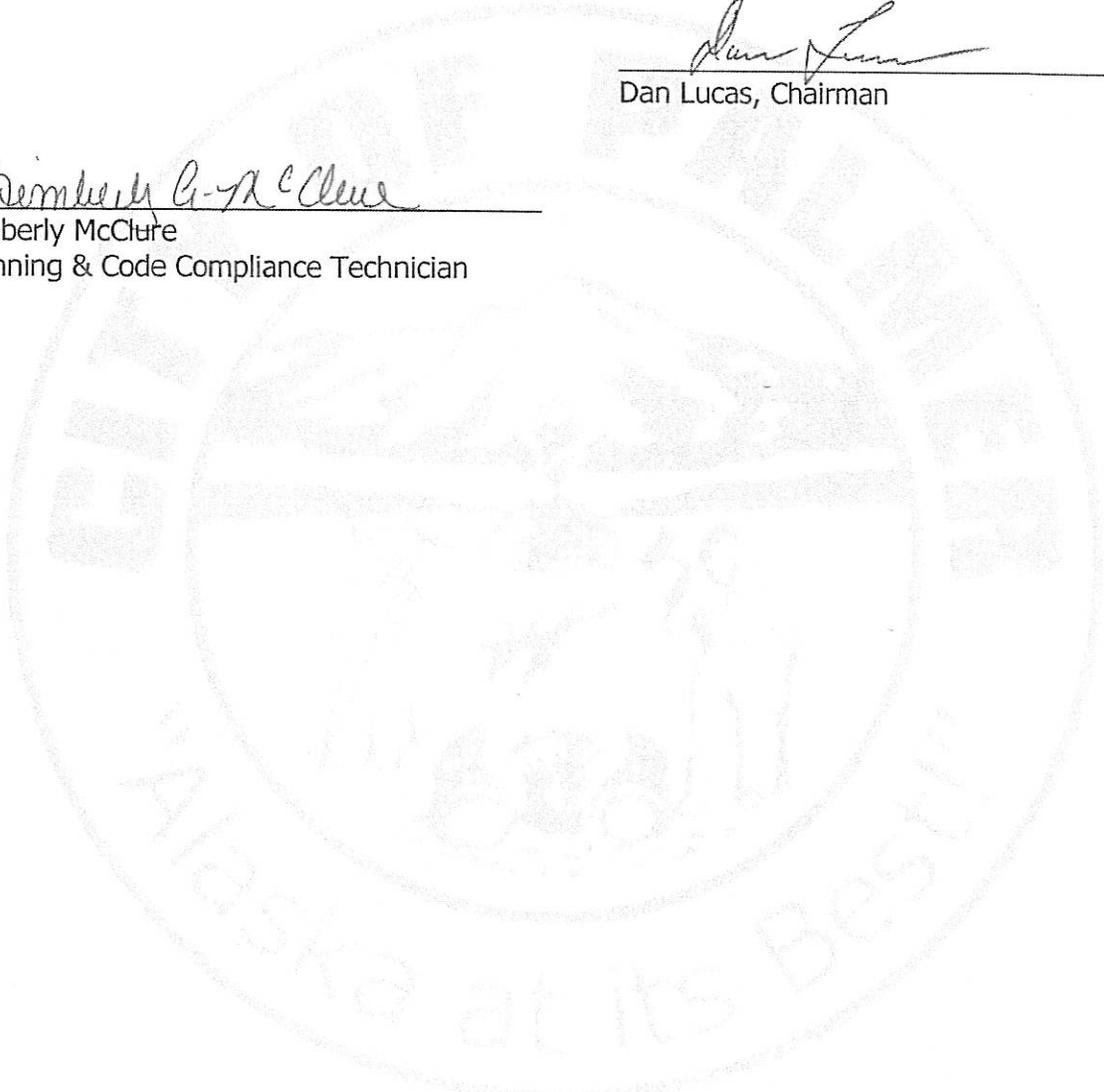
RS 16-047  
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NOW, THEREFORE, BE IT RESOLVED, the Palmer Planning and Zoning Commission supports the Matanuska-Susitna Borough planning efforts to develop a regional transportation planning partnership process to ensure better communication and collaboration between the State of Alaska Department of Transportation and Public Facilities, the Borough and the cities of Palmer, Wasilla, and Houston.

Passed and approved this 21<sup>st</sup> day of January, 2016.

  
\_\_\_\_\_  
Dan Lucas, Chairman

  
\_\_\_\_\_  
Kimberly McClure  
Planning & Code Compliance Technician



RS 16-047  
IM 16-109

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By: Public Works  
Adopted: March 21, 2016  
Vote: Burney, Graham, O'Barr, Sullivan-Leonard, and Wilson in favor  
Wall absent

**City of Wasilla  
Resolution Serial No. 16-04**

**An Resolution Of The Wasilla City Council Supporting Matanuska-Susitna Borough Planning Efforts To Develop A Regional Transportation Planning Partnership Process To Ensure Better Communication And Collaboration Between The Alaska Department Of Transportation And Public Facilities, The Borough, And The Cities Of Palmer, Wasilla, And Houston.**

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WHEREAS, over the last decade there have been several road projects within the Matanuska-Susitna Borough ("Borough") that have been postponed or delayed due to communication and/or collaboration issues between the Alaska Department of Transportation and Public Facilities (AKDOT&PF) and the Borough; and

WHEREAS, these delays and postponements have come at significant costs in terms of project budgets, public trust, safety, and political support; and

WHEREAS, the Borough, the cities of Palmer, Wasilla, and Houston ("cities"), and AKDOT&PF hosted a regional transportation planning workshop ("workshop") in 2014 to specifically address the challenges, opportunities and issues facing regional transportation planning and to encourage the better communication and collaboration; and

WHEREAS, workshop participants identified seven key opportunities for regional transportation planning improvements:

- Link land use and transportation planning efforts
- Emphasize regional planning and coordination
- Improve connectivity across the region
- Ensure maintenance budgets meet infrastructure needs

RS 16-047  
JM 16-109

- Collaborate to fund projects
- Advance shared decision-making
- Encourage stakeholder and public involvement; and

WHEREAS, the Borough, cities, and AKDOT&PF have been working to implement projects and strategies identified in the report and action plan developed from the workshop since 2014; and

WHEREAS, as identified in the workshop report and action plan, the Borough, cities, and AKDOT&PF applied jointly for a Transportation Investment Generating Economic Recovery (TIGER) grant in 2014 and developed a self-assessment report in 2015 to understand and prepare for the region's future designation as a Metropolitan Planning Organization; and

WHEREAS, the AKDOT&PF awarded a grant in the amount of \$1,000,000 to the Borough in 2015 to continue current efforts in regional transportation planning; and

WHEREAS, the development of a Regional Transportation Planning Partnership Process (partnership process) was one of the projects identified for funding by the AKDOT&PF grant; and

WHEREAS, development of the partnership process was highlighted in the report and action plan and will help to address each of the improvement opportunities identified by workshop participants; and

WHEREAS, communication and cooperation is critical to the development and implementation of the partnership process; and

WHEREAS, before completely developing the process, Borough staff is seeking support from the cities and AKDOT&PF for the overall concept and a willingness to participate in the development of the partnership process; and

RS 16-047  
JM 16-109

WHEREAS, the partnership process is intended to create a proactive management approach to change the paradigm of how the Borough, cities and partner agencies plan for, manage, and fund transportation improvements; and.

WHEREAS, the conceptual partnership process would work as such:

- 1) The process would begin before design on any major project that meets mutually agreed upon criteria;
- 2) A formal agreement is drafted and agreed upon by all parties outlining the governance structure for managing the project;
- 3) The partnership defines the problem and outlines the public involvement strategy;
- 4) Once the problem is defined, performance measures and project goals are drafted to evaluate decisions and track progress;
- 5) The partnership is involved in strategizing solutions and developing funding/implementation plans. Partners share resources to advance the identified strategies and solutions;
- 6) The partnership is not disbanded when the project enters the design phase but follows the project providing oversight and ensuring the goals and performance measures are being met;
- 7) The partnership continues to evaluate its success after construction and throughout the life cycle of the transportation facility; and

WHEREAS, the partnership would create an opportunity for improved regional governance over major transportation projects by allowing the pooling of resources, collaborative problem solving, and prioritized investments. The combination of these elements

brings the region an improved ability to operate with a shared vision, save time and money, regain the public trust, empower staff to make the right decisions, and build positive political capital; and

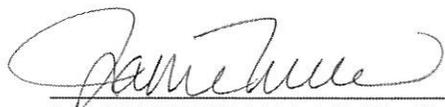
WHEREAS, the AKDOT&PF is obligated by 23 CFR450.210(b) to have a documented process for consulting non-metropolitan local officials for both the Statewide Transportation Improvement Program (STIP) and the Statewide Long-Range Transportation Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Wasilla City Council supports Borough planning efforts to develop a regional transportation planning partnership process to ensure better communication and collaboration between the AKDOT&PF, the Borough, and the cities.

ADOPTED by the Wasilla City Council on March 21, 2016.

  
BERT L. COTTLE, Mayor

ATTEST:

  
JAMIE NEWMAN, MMC, City Clerk

[SEAL]

RS 16-047  
JM 16-109

By: Planning  
Public Hearing: 02/09/16  
Adopted: 02/09/16

WASILLA PLANNING COMMISSION  
RESOLUTION SERIAL NO. 16-03

A RESOLUTION OF THE WASILLA PLANNING COMMISSION SUPPORTING MATANUSKA-SUSITNA BOROUGH PLANNING EFFORTS TO DEVELOP A REGIONAL TRANSPORTATION PLANNING PARTNERSHIP PROCESS TO ENSURE BETTER COMMUNICATION AND COLLABORATION BETWEEN THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, THE BOROUGH, AND THE CITIES OF PALMER, WASILLA, AND HOUSTON.

WHEREAS, over the last decade there have been several road projects within the Matanuska-Susitna Borough ("Borough") that have been postponed or delayed due to communication and/or collaboration issues between the Alaska Department of Transportation and Public Facilities (AKDOT&PF) and the Borough (Borough); and

WHEREAS, these delays and postponements have come at significant costs in terms of project budgets, public trust, safety, and political support; and

WHEREAS, the Borough, the cities of Palmer, Wasilla, and Houston ("cities"), and AKDOT&PF hosted a regional transportation planning workshop ("workshop") in 2014 to specifically address the challenges, opportunities and issues facing regional transportation planning and to encourage the better communication and collaboration; and

WHEREAS, workshop participants identified seven key opportunities for regional transportation planning improvements:

- Link land use and transportation planning efforts
- Emphasize regional planning and coordination
- Improve connectivity across the region
- Ensure maintenance budgets meet infrastructure needs

RS 16-047  
JM 16-109

- Collaborate to fund projects
- Advance shared decision-making
- Encourage stakeholder and public involvement

WHEREAS, the Borough, cities, and AKDOT&PF have been working to implement projects and strategies identified in the report and action plan developed from the workshop since 2014; and

WHEREAS, as identified in the workshop report and action plan, the Borough, cities, and AKDOT&PF applied jointly for a Transportation Investment Generating Economic Recovery (TIGER) grant in 2014 and developed a self-assessment report in 2015 to understand and prepare for the region's future designation as a Metropolitan Planning Organization; and

WHEREAS, the AKDOT&PF awarded a grant in the amount of \$1,000,000 to the Borough in 2015 to continue current efforts in regional transportation planning; and

WHEREAS, the development of a Regional Transportation Planning Partnership Process (partnership process) was one of the projects identified for funding by the AKDOT&PF grant; and

WHEREAS, development of the partnership process was highlighted in the report and action plan and will help to address each of the improvement opportunities identified by workshop participants; and

WHEREAS, communication and cooperation is critical to the development and implementation of the partnership process; and

WHEREAS, before completely developing the process, Borough staff is seeking support from the cities and AKDOT&PF for the overall concept and a willingness to participate in the development of the partnership process; and

RS 16-047  
IM 16-109

WHEREAS, the partnership process is intended to create a proactive management approach to change the paradigm of how the Borough, cities and partner agencies plan for, manage, and fund transportation improvements; and

WHEREAS, the conceptual partnership process would work as such:

- 1) The process would begin before design on any major project that meets mutually agreed upon criteria;
- 2) A formal agreement is drafted and agreed upon by all parties outlining the governance structure for managing the project;
- 3) The partnership defines the problem and outlines the public involvement strategy;
- 4) Once the problem is defined, performance measures and project goals are drafted to evaluate decisions and track progress;
- 5) The partnership is involved in strategizing solutions and developing funding/implementation plans. Partners share resources to advance the identified strategies and solutions;
- 6) The partnership is not disbanded when the project enters the design phase but follows the project providing oversight and ensuring the goals and performance measures are being met; and
- 7) The partnership continues to evaluate its success after construction and throughout the life cycle of the transportation facility;

WHEREAS, the partnership would create an opportunity for improved regional governance over major transportation projects by allowing the pooling of resources, collaborative problem solving, and prioritized investments. The combination of these elements brings the region an improved ability to operate with a shared vision, save

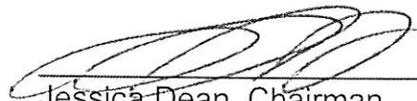
time and money, regain the public trust, empower staff to make the right decisions, and build positive political capital; and

WHEREAS, the AKDOT&PF is obligated by 23 CFR450.210(b) to have a documented process for consulting non-metropolitan local officials for both the Statewide Transportation Improvement Program (STIP) and the Statewide Long-Range Transportation Plan (SLRTP).

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby supports Borough planning efforts to develop a regional transportation planning partnership process to ensure better communication and collaboration between the AKDOT&PF, the Borough, and the cities.

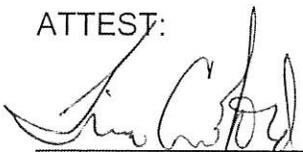
ADOPTED by the Wasilla Planning Commission on February 9, 2016.

APPROVED:

  
\_\_\_\_\_  
Jessica Dean, Chairman

2/29/16  
\_\_\_\_\_  
Date

ATTEST:

  
\_\_\_\_\_  
Tina Crawford, AICP, City Planner

VOTE: Passed Unanimously

RS 16-047  
JM 16-109

Action:

**MATANUSKA-SUSITNA BOROUGH**  
**RESOLUTION SERIAL NO. 16-047**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORTING PLANNING EFFORTS TO DEVELOP A REGIONAL TRANSPORTATION PLANNING PARTNERSHIP PROCESS TO ENSURE BETTER COMMUNICATION AND COLLABORATION BETWEEN THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, THE BOROUGH, AND THE CITIES OF PALMER, WASILLA, AND HOUSTON.

---

WHEREAS, over the last decade there have been several transportation projects within the Matanuska-Susitna Borough that have been postponed or delayed due to communication and/or collaboration issues between the Alaska Department of Transportation and Public Facilities (DOT&PF) and the Matanuska-Susitna Borough (Borough);

WHEREAS, these delays and postponements have come at significant costs in terms of project budgets, public trust, safety, and political support;

WHEREAS, the Borough, the cities of Palmer, Wasilla, and Houston (cities), and DOT&PF hosted a Regional Transportation Planning Workshop (workshop) in 2014 to specifically address the challenges, opportunities and issues facing regional transportation planning and to encourage the better communication and collaboration; and

WHEREAS, workshop participants identified seven key opportunities for regional transportation planning improvements:

- Link Land Use and Transportation Planning Efforts

- Emphasize Regional Planning and Coordination
- Improve Connectivity Across the Region
- Ensure Maintenance Budgets Meet Infrastructure Needs
- Collaborate to Fund Projects
- Advance Shared Decision-Making
- Encourage Stakeholder and Public Involvement

WHEREAS, since 2014 the borough, cities, and DOT&PF have been working to implement projects and strategies identified in the report and action plan developed from the workshop;

WHEREAS, identified in the workshop report and action plan, the borough, cities, and DOT&PF applied jointly for a Transportation Investment Generating Economic Recovery (TIGER) grant in 2014 and developed a self-assessment report in 2015 to understand and prepare for the region's future designation as a Metropolitan Planning organization;

WHEREAS, the DOT&PF awarded a grant in the amount of one million dollars to the Mat-Su Borough in 2015 to continue current efforts in regional transportation planning;

WHEREAS, of the several projects identified for funding by the DOT&PF grant, the development of a Regional Transportation Planning Partnership Process (partnership process) was included;

WHEREAS, the development of the partnership process was highlighted in the report and action plan and will help to address each of the improvement opportunities identified by

workshop participants;

WHEREAS, communication and cooperation is critical to the development and implementation of the partnership process;

WHEREAS, before completely developing the process, staff is seeking support for the overall concept and a willingness to participate in the development of the partnership process;

WHEREAS, the partnership process is intended to create a proactive management approach to change the paradigm of how the borough, cities and partner agencies plan for, manage and fund transportation improvements;

WHEREAS, the conceptual partnership process would work as such: 1) It would begin before design on any major project that meet mutually an agreed upon criteria. 2) A formal agreement is drafted and agreed upon by all parties outlining the governance structure for managing the project. 3) Together the partnership defines the problem and outlines the public involvement strategy. 4) Once the problem is defined, the partnership drafts performance measures and project goals to evaluate their decisions and track their progress. 5) The partnership is involved in strategizing solutions and developing funding/implementation plans. Partners share resources to advance the identified strategies and solutions. 6) The partnership is not disbanded when the project enters the design phase; it follows the project providing oversight and ensuring

the goals and performance measures are being met. 7) The partnership continues to evaluate its success after construction and through that life cycle of the transportation facility;

WHEREAS, the partnership would create an opportunity for improved regional governance over major transportation projects by allowing the pooling of resources, collaborative problem solving, and prioritized investments. The combination of these elements brings the region an improved ability to operate with a shared vision, save time and money, regain the public trust, empower staff to make the right decisions, and build positive political capital; and

WHEREAS, the State of Alaska Department of Transportation & Public Facilities (DOT&PF) is obligated by 23 CFR450.210(b) to have a documented process for consulting non-metropolitan local officials for both the Statewide Transportation Improvement Program (STIP) and the Statewide Transportation Plan (SLRTP).

NOW, THEREFORE, BE IT RESOLVED, THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORTS PLANNING EFFORTS TO DEVELOP A REGIONAL TRANSPORTATION PLANNING PARTERSHIP PROCESS TO ENSURE BETTER COMMUNICATION AND COLLABORATION BETWEEN THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, THE BOROUGH AND THE CITIES OF PALMER, WASILLA, AND HOUSTON.

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ADOPTED by the Matanuska-Susitna Borough Assembly this -

day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

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By: Jessica Smith  
Introduced: June 6, 2016  
Public Hearing: June 20, 2016  
Action:

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 16-25**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION SUPPORTING PLANNING EFFORTS TO DEVELOP A REGIONAL TRANSPORTATION PLANNING PARTNERSHIP PROCESS TO ENSURE BETTER COMMUNICATION AND COLLABORATION BETWEEN THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, THE BOROUGH, AND THE CITIES OF PALMER, WASILLA, AND HOUSTON.

---

WHEREAS, over the last decade there have been several transportation projects within the Matanuska-Susitna Borough that have been postponed or delayed due to communication and/or collaboration issues between the Alaska Department of Transportation and Public Facilities (DOT&PF) and the Matanuska-Susitna Borough (Borough); and

WHEREAS, these delays and postponements have come at significant costs in terms of project budgets, public trust, safety, and political support; and

WHEREAS, the Borough, the cities of Palmer, Wasilla, and Houston (cities), and DOT&PF hosted a Regional Transportation Planning Workshop (workshop) in 2014 to specifically address the challenges, opportunities and issues facing regional transportation planning and to encourage the better communication and collaboration; and

WHEREAS, workshop participants identified seven key opportunities for regional transportation planning improvements:

- Link Land Use and Transportation Planning Efforts
- Emphasize Regional Planning and Coordination
- Improve Connectivity Across the Region
- Ensure Maintenance Budgets Meet Infrastructure Needs
- Collaborate to Fund Projects
- Advance Shared Decision-Making
- Encourage Stakeholder and Public Involvement; and

WHEREAS, since 2014 the borough, cities, and DOT&PF have been working to implement projects and strategies identified in the report and action plan developed from the workshop; and

WHEREAS, identified in the workshop report and action plan, the borough, cities, and DOT&PF applied jointly for a Transportation Investment Generating Economic Recovery (TIGER) grant in 2014 and developed a self-assessment report in 2015 to understand and prepare for the region's future designation as a Metropolitan Planning organization; and

WHEREAS, the DOT&PF awarded a grant in the amount of one million dollars to the Mat-Su Borough in 2015 to continue current efforts in regional transportation planning; and

WHEREAS, of the several projects identified for funding by the DOT&PF grant, the development of a Regional Transportation

Planning Partnership Process (partnership process) was included;  
and

WHEREAS, the development of the partnership process was highlighted in the report and action plan and will help to address each of the improvement opportunities identified by workshop participants; and

WHEREAS, communication and cooperation is critical to the development and implementation of the partnership process; and

WHEREAS, before completely developing the process, staff is seeking support for the overall concept and a willingness to participate in the development of the partnership process; and

WHEREAS, the partnership process is intended to create a proactive management approach to change the paradigm of how the borough, cities and partner agencies plan for, manage and fund transportation improvements; and

WHEREAS, the conceptual partnership process would work as such: 1) It would begin before design on any major project that meet mutually an agreed upon criteria. 2) A formal agreement is drafted and agreed upon by all parties outlining the governance structure for managing the project. 3) Together the partnership defines the problem and outlines the public involvement strategy. 4) Once the problem is defined, the partnership drafts performance measures and project goals to evaluate their decisions and track their progress. 5) The partnership is

involved in strategizing solutions and developing funding/implementation plans. Partners share resources to advance the identified strategies and solutions. 6) The partnership is not disbanded when the project enters the design phase; it follows the project providing oversight and ensuring the goals and performance measures are being met. 7) The partnership continues to evaluate its success after construction and through that life cycle of the transportation facility; and

WHEREAS, the partnership would create an opportunity for improved regional governance over major transportation projects by allowing the pooling of resources, collaborative problem solving, and prioritized investments. The combination of these elements brings the region an improved ability to operate with a shared vision, save time and money, regain the public trust, empower staff to make the right decisions, and build positive political capital; and

WHEREAS, the State of Alaska Department of Transportation & Public Facilities (DOT&PF) is obligated by 23 CFR450.210(b) to have a documented process for consulting non-metropolitan local officials for both the Statewide Transportation Improvement Program (STIP) and the Statewide Transportation Plan (SLRTP).

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NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby supports planning efforts to develop a regional transportation planning partnership program to ensure better communication and collaboration between the Alaska Department of Transportation and Public Facilities, the Borough and the Cities of Palmer, Wasilla and Houston.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this \_\_\_ day of \_\_\_, 2016.

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JOHN KLAPPERICH, Chair

ATTEST

---

MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

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**PUBLIC HEARING  
QUASI-JUDICIAL**

**Resolution No. 16-20**

**Three Bears Liquor Package Store CUP  
14468 W. Hollywood Road**

(Page 63 - 242)

**PUBLIC HEARING**



# **STAFF REPORT**





**MATANUSKA-SUSITNA BOROUGH**

**Planning and Land Use Department**

**Development Services Division**

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

Email: [PermitCenter@matsugov.us](mailto:PermitCenter@matsugov.us)

**DEVELOPMENT SERVICES DIVISION STAFF REPORT**

**File Number:** 177020160001

**Applicant:** Three Bears Alaska, Inc.

**Property Owner:** Three Bears Alaska, Inc.

**Request:** Planning Commission Resolution 16-20  
Request for a liquor package store conditional use permit in accordance with MSB Chapter 17.70 – Regulation of Alcoholic Beverage Uses

**Location:** Hollywood Heights, Lot 11; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21, Seward Meridian; MSB Tax Account# 5271000L011

**Size of Property:** 3.17 acres

**Public Hearing:** June 6, 2016

**Planning Commission Action:** The planning commission shall conduct a public hearing and render a decision on the application for a conditional use permit

**Reviewed By:** Eileen Probasco, Planning & Land Use Director *EProbasco*  
Alex Strawn, Development Services Manager *(AS)*

**Staff:** Susan Lee, Planner II *Susan*

**Staff Recommendation:** Approval, with conditions

**EXECUTIVE SUMMARY**

A conditional use permit application has been submitted for the operation of a liquor package store within a convenience store. The applicant is proposing to operate a 1,907 square foot package store. The convenience store will be 2,177 square feet in size. The entire building will be 4,572 square feet in size.

A liquor package store is only permitted upon the issuance of a conditional use permit. Unless this type of use is maintained under and in accordance with a lawfully issued permit, a package store is declared to be a public nuisance. Operation of such a land use without a permit is prohibited. The convenience store and fuel station do not require conditional use permits.

## LAND USE

### Existing Land Use:

The land is currently undeveloped. Most of the vegetation on the site was previously cleared. However, this remaining strip was vegetation was cleared from the lot for construction. Construction has started on the convenience store and fuel station. In addition to the subject property, Lot 11, Hollywood Heights, Three Bears Alaska, Inc. also owns Lots 12 and 13, which will be used for future construction of a new Three Bears Store.

### Surrounding Land Uses:

The property is located at the intersection of Hollywood Road, Big Lake Road, and Big Lake Lodge Road. Developed properties in the vicinity on Big Lake Road are mostly commercial; however, the area is not zoned commercial. East Lake Mall is located on the north side of Hollywood Road, which consists of a mix of commercial uses. The Big Lake Library, the post office, and the fire station are north of the proposed facility on Big Lake Road. The adjacent lots on the east side of the proposed facility are developed with residences.

Other liquor package stores in the area include the Big Lake Moonshine Shop which is located in the East Lake Mall, on the north side of Hollywood Road, across from the Three Bears site. Big Lake Liquor Store and the Big Lake Super Store package store are located within one mile north of this site on Big Lake Road.

## COMPREHENSIVE PLAN

This property is located within the Big Lake Comprehensive Plan (2009) planning area. The comprehensive plan does not specifically address commercial liquor uses. The Big Lake Comprehensive Plan Guide Map shows this as the “Town Center”, which is defined as “walkable, mixed-use development”.

The comprehensive plan states the “Town Center” use area is intended to be the center of Big Lake life. Desired characteristics are listed below:

- Mixed use shops, food, retail goods, and services, housing, including higher density housing, within walking distance of shops and services.
- A central area for library, schools, fire station, community center, parks, etc.
- Pedestrian friendly, walking access.
- An alternative to strip commercial development.

The comprehensive plan more specifically states that this located is within the “Heart of Town Center”, which is defined by a ¼ mile radius circle in the center of the town center area. The plan states: *“Experience in other US communities has shown that if uses are clustered in an area of about this size (1/4 mile translates to roughly a 5 minute walk) the large majority of people will regularly walk between stores rather than drive. The objectives for this core area*

*are generally the same in this area as the town center as a whole; this area may be the more concentrated portion of the town center.”*

The comprehensive plan presents guidelines that address the character of development. The intent of these guidelines is to allow for a wide range of uses to coexist in Big Lake, but to encourage these uses to occur in a way that minimize impacts on the quality of life of neighbors and the natural environment. The following is a list of guidelines the applicant is recommended to consider in the development of their business:

- *Avoid using bright lights that wash onto adjoining properties.*
- *Use unobtrusive signage.*

The proposed liquor package store is consistent with the Big Lake Comprehensive Plan as the property is located within an area that is already developed with commercial uses. Other land uses in the area are a mix of commercial (retail sales and services), residential and undeveloped properties, the Big Lake Library, fire station, and post office.

This property is located within the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) planning area. The plan does not specifically address alcoholic beverage uses. The comprehensive plan has land use goals and policies and some of the relevant ones for this proposed use are as follows:

- **Goal LU-1:** Protect and enhance the public safety, health, and welfare of Borough residents.  
Policy LU1-2: Provide for consistent, compatible, effective and efficient development within the Borough.
- **Goal LU-2:** Protect residential neighborhoods and associated property values.  
Policy LU2-1: Develop and implement regulations that protect residential development by separating incompatible uses, while encouraging uses that support such residential uses including office, commercial and other mixed-use developments that are shown to have positive cumulative impacts to the neighborhood.
- **Goal LU-3:** Encourage commercial and industrial development that is compatible with residential development and local community desires.  
Policy LU3-1: Develop and implement regulations that provide for non-residential development.

The proposed liquor package store meets the goals and recommendations of the comprehensive plan, as it is consistent with the existing development patterns.

## REVIEW OF APPLICABLE CRITERIA AND FINDINGS

### MSB 17.03 – Public Notification

**Finding:** Notices were mailed to all property owners within Hollywood Heights Subdivision and all property owners within 600 feet of the site. A total of 128 notices were mailed. There were over 80 written comments submitted in opposition to a fourth liquor store in the Big Lake area. The public hearing notice was published in the April 22, 2016 Frontiersman. The application material was also posted on the Borough's web site. A notice was also sent to

the Big Lake Community Council. The Big Lake Community submitted comments stating that they were remaining silent with no response regarding this conditional use permit. Copies of all of the comments are enclosed in the packet.

**Section 17.70.100 Standards**

*17.70.100 Standards*

*(A) A conditional use may be approved only if it meets the general requirements of this section in addition to any other standards required by this chapter.*

*(1) Findings. In granting a conditional use permit the planning commission must make the following findings:*

*(a) The conditional use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area.*

**Applicant Response:** Yes. The lot being developed is in Big Lake's commercial core with a large number of properties in the area being zoned commercial. The new store is a commercial use that is compatible with the surrounding area and that will add value to the surrounding area by adding a brand new and totally modern neighborhood convenience store, package store, and fuel station.

**Finding:** The developed properties along South Big Lake Road are predominantly commercial.

**Finding:** The proposed package store is located within the "Town Center" of Big Lake, as described in the Big Lake Comprehensive Plan.

**Finding:** The nearest other operating package store in the Big Lake area is the Moonshine Shop which is across Hollywood Road from this proposed facility.

**Finding:** In addition to the Moonshine Shop, there are two other liquor package stores located within one mile of this facility along Big Lake Road.

**Finding:** The adjacent properties to the east of this lot are developed with residences, which may be visible from this site.

**Finding:** Written comments that were submitted stated that a fourth liquor store should not be allowed in the Big Lake area.

**Finding:** The site is in an area where uses are continuing an established trend of a commercial center development along the South Big Lake Road.

**Finding:** Commercial uses along Big Lake Road serve a broad market that is not limited to the immediate area.

**Finding:** The proposed 1,907 square foot package store will be located within a 4,572 square foot building that also includes a 2,177 square foot convenience store.

**Conclusions of Law:** Based on the above findings and evidence in the record, the conditional use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area (MSB 17.70.100(A)(1)(a)).

(b) *That granting the conditional use permit will not be harmful to the public health, safety, convenience and welfare.*

**Applicant Response:** No. The types of products being offered are already available at numerous other locations in the community. This will simply be another location from which Borough residents and visitors may choose to obtain these products.

**Finding:** The nearest package store in the Big Lake area is the Moonshine Shop which is across Hollywood Road from this proposed facility.

**Finding:** In addition to the Moonshine Shop, there are two other liquor package stores located within one mile of this facility along Big Lake Road.

**Finding:** The borough does not limit the number of these types of liquor licenses in a given location.

**Finding:** Three Bears Alaska, Inc. operates three other package stores in the borough.

**Finding:** The borough has no record of complaints filed under MSB 8.40 Liquor License Referrals, against any of the other Three Bears liquor store operations.

**Finding:** The nearest school is Big Lake Elementary which is about 1,000 feet south of the site. State regulations preclude package store licenses within 200 feet of a school.

**Finding:** The nearest church is about 1,500 feet east of the site. State regulations preclude package store licenses within 200 feet from a church.

**Finding:** The bike path does not run by this site.

**Finding:** Written comments that were submitted stated that a fourth liquor store should not be allowed in the Big Lake area.

**Conclusions of Law:** Based on the above findings and evidence in the record, this conditional use will not be harmful to the public health, safety, convenience and welfare (MSB 17.70.100(A)(1)(b)).

(c) *That sufficient setbacks, lot area, buffers or other safeguards are being provided to meet the conditions listed in subsections (A) and (B) of this section.*

**Applicant Response:** Yes. Please see the related plan set.

**Finding:** The property is located at the intersection of Big Lake Road, Hollywood Road, and Big Lake Lodge Road.

**Finding:** The lot is 3.71 acres in size.

**Finding:** The building will be located in the northeast corner of the lot, closer to Hollywood Road and the fuel station will be behind the store, closer to Big Lake Road.

**Finding:** The proposed package store will be located within the convenience store.

**Finding:** The proposed building will be set back over 100 feet from the east side yard lot line, which is where the adjacent residences are located.

**Finding:** The site will be landscaped on the north and west sides, adjacent to Hollywood Road and Big Lake Road.

**Finding:** Liquor store patrons will have to enter the convenience store, then go through a separate entrance into the liquor store.

**Finding:** The liquor store will have a pull down gate and is a store within a store.

**Finding:** There will be separate cashier counters for the liquor store and convenience store.

**Finding:** The applicant has stated that the hours of operation for proposed liquor store may be 9 a.m. to midnight during summer/high season and potentially shorter hours during the rest of the year. The convenience store will open earlier than the liquor store. Both stores will likely close at the same time.

**Finding:** The applicant has submitted driveway permit applications to the State of Alaska, Department of Transportation.

**Conclusions of Law:** Based on the findings above and evidence in the record, sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.70.100(A)(1)(c)).

*(2) General Standards. In considering whether the general standards are satisfied, the planning commission may weight factors contributing or detracting from the development of a safe, convenient and attractive community, including, but not limited to:*

*(a) Any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare.*

**Applicant Response:** No. Paved and gravel areas will prevent and control dust. Noise will be no more than already present from current traffic and commercial activity in the area. Advertising will be the same as at our other stores in the Borough and will be non-obtrusive. There will be no borrowed light from the site.

**Finding:** The site plan depicts the area around the convenience store and fuel station will be paved, which should control the dust.

**Finding:** There will be lighted building mounted signs.

**Finding:** There will be a pole sign for the fuel station, which will advertise fuel prices.

**Finding:** There will not be any advertising for the package store on the fuel station sign.

**Finding:** There will be building mounted exterior lights around the store. In addition, the fuel canopy will provide lighting for the site. There will be a pole light at each driveway entrance.

**Finding:** Exterior lighting will not shine onto adjacent properties or roadways.

**Finding:** The operation must comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sound and Vibration.

**Conclusions of Law:** Based on the findings above and evidence in the record, there will not be any negative effects upon the properties in the area due to such factors as dust, noise, obtrusive advertising and glare (MSB 17.70.100(A)(2)(a)).

*(b) Any potential negative effect on the safe, efficient flow of traffic on any highway arterial, collector or street from which access to and from the establishment is obtained.*

**Applicant Response:** Driveway permit will be issued by DOT with full analysis performed.

**Finding:** The applicant has submitted driveway permit applications to the State of Alaska, Department of Transportation.

**Finding:** Access to the site will be via one driveway off of Hollywood Road and one off of Big Lake Road.

**Finding:** There are not any turn lanes on Hollywood Road or Big Lake Road into this site.

**Finding:** The package store should not greatly increase the traffic in the area. Traffic will be similar to retail sales establishments generally permitted in the area.

**Finding:** Most of the traffic associated with this property will be generated from the convenience store and fuel station.

**Finding:** According to the ITE Trip Generation Manual, 7<sup>th</sup> Edition, the convenience store and gas station would generate 137 trips during the peak P.M. hour and the addition of the package store would generate 10 additional trips during the peak P.M. hour, for a total of 147 trips during the peak P.M. hour. This prediction of traffic generation is likely in excess of the reality of traffic generation for this business at this location based on the size of the community.

The addition of a package store should not greatly increase traffic in the area. Traffic will be similar to retail sales establishments generally permitted in the area.

**Conclusions of Law:** Based on the findings above and evidence in the record, there should not be any negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained (MSB 17.70.100(A)(2)(b)).

(c) *The effectiveness of any measures to reduce any negative effect upon adjacent and nearby properties by property line buffers and arterial buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exists onto highways, arterials and collectors, and where the surrounding area is predominantly residential in character, site and building design features that contribute to the residential character of the development.*

**Applicant Response:** The project was designed by a local registered architect and local registered engineers and will be most similar in appearance to a new store that we built in Tok, the design of which we think will fit very well in the Big Lake community. There are fully designed civil drawings for the project and the site will be both landscaped and buffered.

**Finding:** The proposed package store is a store within a store.

**Finding:** There is a pull down gate between the package store and the convenience store.

**Finding:** The site is located at the intersection of Big Lake Road, Hollywood Road, and Big Lake Lodge Road.

**Finding:** The site is in an area where uses are continuing an established trend of a commercial center development along the South Big Lake Road.

**Finding:** There will be lighted, building mounted signs.

**Finding:** There will be landscaping around the perimeter of the site adjacent to Hollywood Road and Big Lake Road.

**Finding:** Driveway permit applications for Hollywood Road and Big Lake Road have been submitted to the State of Alaska, Department of Transportation.

**Conclusions of Law:** Measures are in place to reduce any negative effect upon adjacent and nearby properties, as the package store will be located within a convenience store, no new driveways are proposed, signs will be building mounted, and there will be landscaping adjacent to Hollywood Road and Big Lake Road (MSB 17.70.100(A)(2)(c)).

(d) *Whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit.*

**Applicant Response:** Yes. There will be adequate on-site parking.

**Finding:** There will be 14 regular parking spaces and one handicapped accessible space.

**Finding:** There will be one parking space for every 327 square feet of floor area for the entire building.

**Conclusion of Law:** Based on the above findings and evidence in the record, adequate parking is being provided (MSB 17.70.100(A)(2)(d)).

*(e) Whether access to the premises will create an unreasonable traffic hazard.*

**Applicant Response:** No. The project is located in Big Lake's commercial core and will not present any unusual traffic patterns.

**Finding:** Access to the site will be from a driveway off of Hollywood Road and one off of Big Lake Road.

**Finding:** There are not any turn lanes on Hollywood Road or Big Lake Road into this property.

**Finding:** Driveway permit applications have been submitted to the State of Alaska, Department of Transportation.

**Conclusion of Law:** Based on the above findings and evidence in the record, access to the premise should not create an unreasonable traffic hazard (MSB 17.70.100(A)(2)(e)).

*(f) Whether a reasonably expected increase in traffic will overtax existing road systems.*

**Applicant Response:** No. The project is not the type to increase overall traffic on the existing road system.

**Finding:** Nothing within the record indicates that the operation of a package store at this location will greatly increase traffic in the area.

**Finding:** According to the ITE Trip Generation Manual, 7<sup>th</sup> Edition, the convenience store and gas station would generate 137 trips during the peak P.M. hour and the addition of the package store would generate 10 additional trips during the peak P.M. hour, for a total of 147 trips during the peak P.M. hour. This prediction of traffic generation is likely in excess of the reality of traffic generation for this business at this location based on the size of the community.

The addition of a package store should not greatly increase traffic in the area. Traffic will be similar to retail sales establishments generally permitted in the area.

**Conclusion of Law:** Based on the above findings and evidence in the record, traffic should not overtax existing road systems (MSB 17.70.100(A)(2)(f)).

(g) *Whether the use is incompatible with the character of the surrounding neighborhood.*

**Applicant Response:** Yes. Three Bears is a local neighborhood store.

**Finding:** This proposed facility will be operating within an established commercial area that continues to expand and develop.

**Finding:** The store will be set back more than 100 feet from the east side yard lot line.

**Finding:** Most of the vegetation on the site had previously been cleared. The remaining strip of vegetation on the east side of the lot has also been cleared for this construction.

**Finding:** The adjacent lots to the east are developed with residences.

**Conclusion of Law:** Based on the findings above and evidence in the record, the proposed liquor package store is compatible with the character of the surrounding neighborhood (MSB 17.70.100(A)(2)(g)).

(3) *The commission shall deny the application if it does not meet the application standards.*

**17.70.110 Special Standards for Liquor Uses.**

(A) *In addition to the general standards, a commercial use shall only be approved if it meets the requirements of this section.*

(B) *An application shall be denied if the planning commission finds, based on the evidence presented, that one or more of the following are applicable.*

(1) *There is, or the use would tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area.*

**Applicant Response:** No. The project will contain a package store along with a convenience store and fuel station. We card every single package store customer and every single tobacco customer.

**Finding:** Staff obtained accident data for one square mile around the site for the years 2011 - 2012. During that time period there were 23 accidents in the area of which two were alcohol-related.

**Finding:** There is no information available to determine where the individuals involved in the alcohol-related accidents obtained the alcoholic beverages.

**Finding:** A package store does not serve liquor on the premises.

**Conclusion of Law:** There is no evidence that the operation of a package store at this location will increase the crime rate in the area or increase alcohol-related accidents (MSB 17.70.110(B)(1)).

- (2) *The applicant or a person with an interest in the application has had an interest in a liquor license which was suspended or revoked in the 12 month preceding the application.*

**Applicant Response:** No.

**Finding:** The Alcoholic Beverage Control Board (ABC) has no record of violations by Three Bears Alaska, Inc.

**Conclusion of Law:** Based on the above finding and evidence in the record, the applicant has not had a liquor license suspended or revoked in the 12 months preceding the application (MSB 17.70.110(B)(2)).

- (3) *The applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public.*

**Applicant Response:** No.

**Finding:** Staff has no information indicating the applicant is untrustworthy or unfit to conduct business in the borough or that the applicant is a potential source of harm to the public.

**Conclusion of Law:** Based on the above finding and evidence in the record, no information has been submitted indicating that the applicant is untrustworthy or unfit to conduct business in the borough or that the applicant is a potential source of harm to the public (MSB 17.70.110(B)(3)).

## STAFF RECOMMENDATIONS

The applicant meets all the standards of MSB 17.70.100 and 17.70.110 and staff recommends approval of this permit with the following conditions:

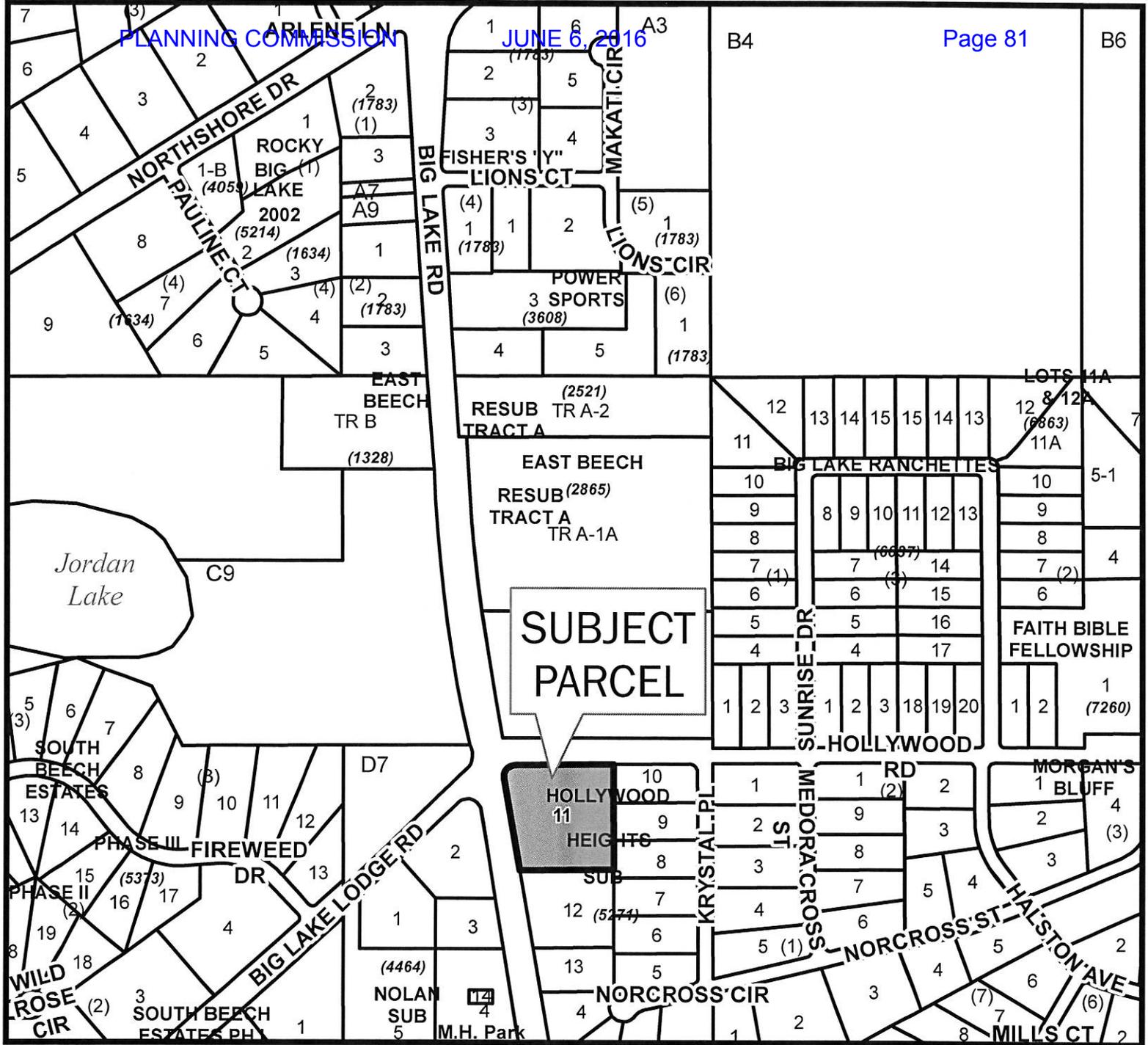
1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. If the operation expands or alters from the information submitted in the application, an amendment to the conditional use permit shall be required.
3. Signage and lighting shall be limited to that which does not directly shine onto the adjacent properties or thoroughfares.
4. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sound and Vibration.

5. The landscaping and lawn as indicated on the site plan, shall be maintained.
6. Three Bears Alaska, Inc. shall obtain driveway permits from the State of Alaska, Department of Transportation.

If the Planning Commission chooses to deny this permit, findings for denial must be prepared by the Commission.

# **VICINITY MAP**

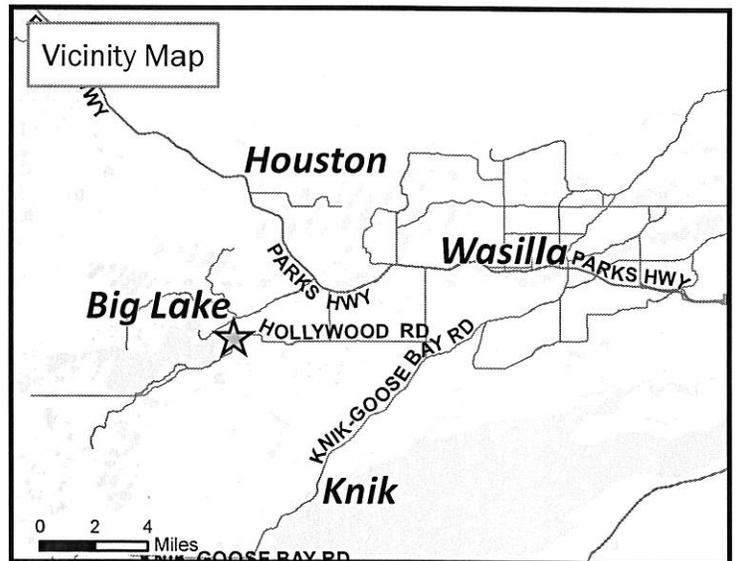




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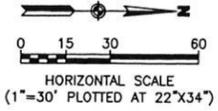
This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7801.



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# **SITE PLAN**

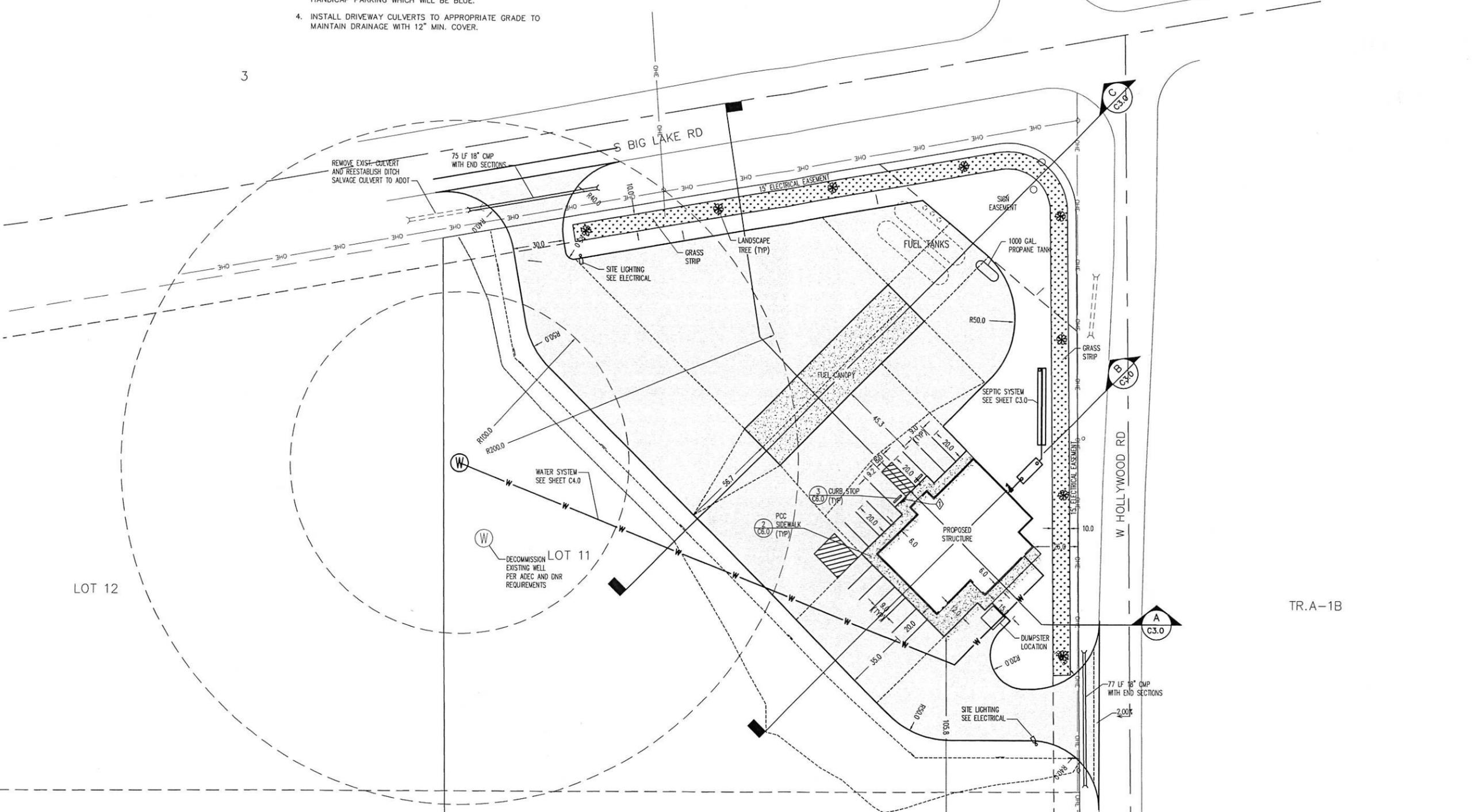




**NOTES**

1. SEE SHEET C0.1 FOR GENERAL NOTES
2. ALL PAVED AREAS SHALL BE PAVED PER PAVEMENT SECTION DETAIL 1/C5.0.
3. ALL PAVEMENT MARKINGS TO BE YELLOW EXCEPT FOR HANDICAP PARKING WHICH WILL BE BLUE.
4. INSTALL DRIVEWAY CULVERTS TO APPROPRIATE GRADE TO MAINTAIN DRAINAGE WITH 12" MIN. COVER.

| SIGN SCHEDULE |                                 | COMMENTS          |
|---------------|---------------------------------|-------------------|
| NO.           | SIGN                            |                   |
| 1             | HANDICAP PARKING VAN ACCESSIBLE | SEE DETAIL 4/C5.0 |



**SDCS, LLC**  
 STEINER DESIGN & CONSTRUCTION SERVICES, LLC  
 5900 W. DEWBERRY DR. PH: (907) 357-5609  
 WASILLA, AK 99623 FAX: (907) 357-5608

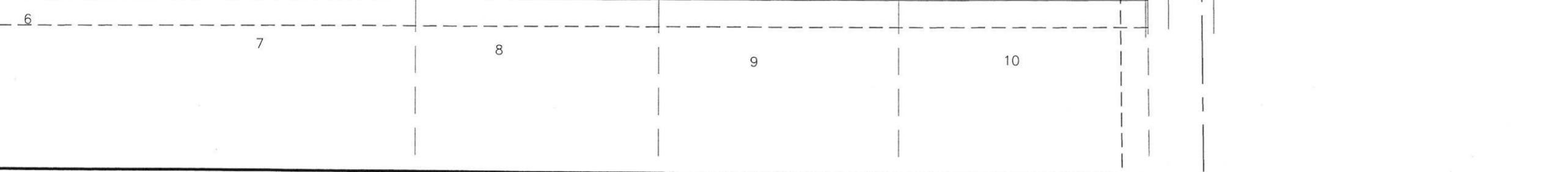
THREE BEARS ALASKA, INC.  
 CONVENIENCE STORE AND GAS STATION  
 LOT 11 HOLLYWOOD HEIGHTS SUBDIVISION  
 BIG LAKE, ALASKA

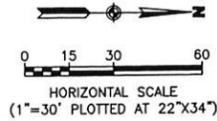
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JOB NO.: 16-005  
 DATE: 4/4/16  
 DRAWN: DES  
 REVIEWED: DES

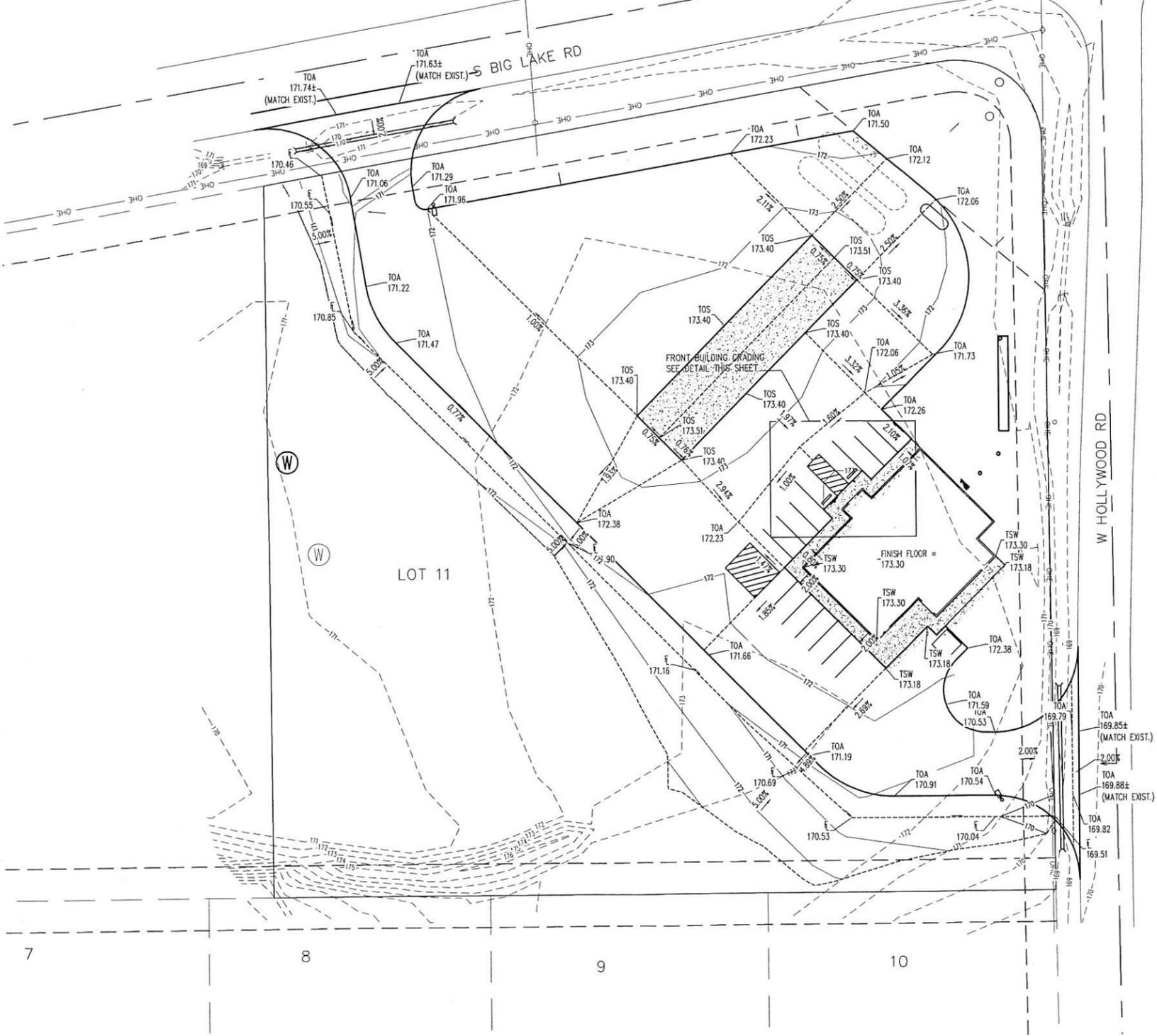
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 SITE PLAN

SHEET  
 C1.0





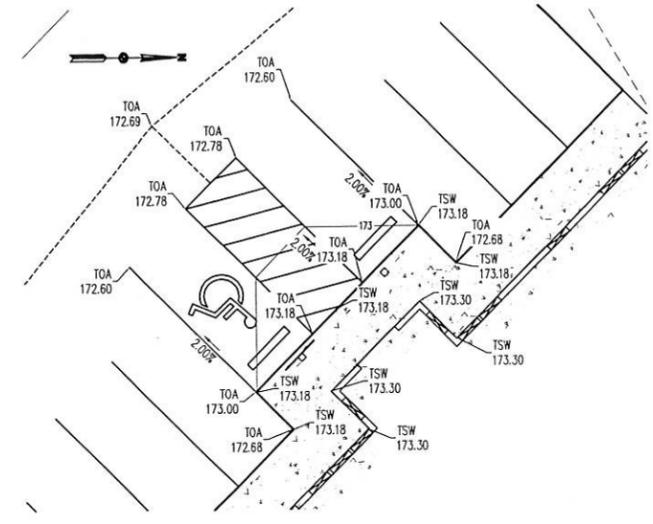
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NOTES

1. SEE SHEET C0.1 FOR GENERAL NOTES.
2. ALL SLOPES SHALL CONFORM TO ALL FEDERAL, STATE, AND LOCAL SAFETY REGULATIONS.
3. ALL CUT FILL SLOPES SHOWN ARE 2H:1V.
4. ASPHALT IS 0.5' BELOW SIDEWALK AND CURB AT ALL LOCATIONS UNLESS SHOWN OTHERWISE ON THIS SHEET.

- = SLOPE OR GRADE & DIRECTION OF DRAINAGE
- = DIRECTION OF DRAINAGE
- - - = BREAK IN GRADE
- TSW = TOP OF SIDEWALK
- TOA = TOP OF ASPHALT
- TOS = TOP OF CONCRETE SLAB
- GRD = GROUND ELEVATION
- E = FLOW LINE



**SDCS, LLC**  
 STEINER DESIGN & CONSTRUCTION SERVICES, LLC  
 5900 W. DEWBERRY DR. PH: (907) 357-5609  
 WASILLA, AK 99623 FAX: (907) 357-5608

THREE BEARS ALASKA, INC.  
 CONVENIENCE STORE AND GAS STATION  
 LOT 11 HOLLYWOOD HEIGHTS SUBDIVISION  
 BIG LAKE, ALASKA

| BY | DATE | REVISIONS |
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|    |      |           |
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JOB NO.: 16-005  
 DATE: 4/4/16  
 DRAWN: DES  
 REVIEWED: DES

SHEET TITLE  
 GRADING PLAN

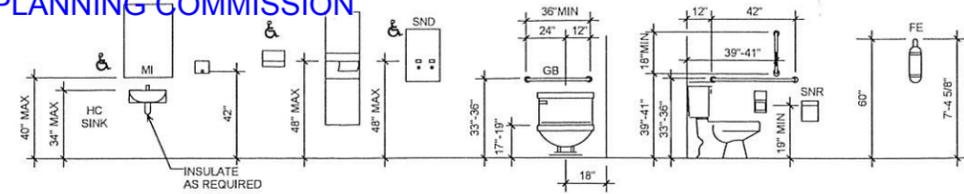
SHEET  
 C2.0

7

8

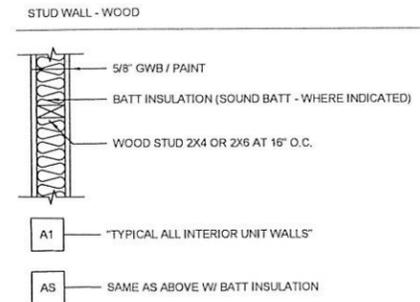
9

10



STANDARD MOUNTING HEIGHTS

- NOTES:
1. NOT ALL ITEMS SHOWN ARE IN CONTRACT. ADDITIONAL ITEMS SHOWN FOR OWNERS FUTURE REFERENCE.
  2. \* - INDICATES DIMENSION TO WORKING PART.
- KEY:
- FE - FIRE EXTINGUISHER
  - GB - GRAB BAR
  - M - MIRROR
  - PTD - PAPER TOWEL DISPENSER
  - SD - SOAP DISPENSER
  - SND - SANITARY NAPKIN DISPENSER
  - SNR - SANITARY NAPKIN RECEPTACLE
  - TP - TOILET PAPER DISPENSER



- EQUIPMENT LIST:
1. COFFEE BREWER - NEW
  2. CAPPUCCINO MACHINE - NEW
  3. SODA FNTN. MACHINE & ICE DISP. - USED
  4. HOT DISPLAY CASE - USED
  5. HOT DOG ROLLER GRILL - NEW
  6. MICROWAVE - NEW
  7. ICE CREAM MACHINE - NEW
  8. WALK IN FREEZER
  9. WALK IN COOLER
  10. FRYER - NEW
  11. ICE MERCHANDISER (LEER MODEL LP462/ 1/3HP/8.1 AMPS)
  12. NACHO CHEESE DISPENSER
  13. BABY CHANGING STATION
  14. BEER DISPENSER
  15. 32' OPEN FACE MERCHANDISER

- [FOR REFERENCE ONLY:]
- GONDOLA SHELVING - B.O.
  - ATM - B.O.
  - BIB RACK - VENDOR

- SHEET NOTES
- (A) DOOR TO REMAIN OPEN DURING BUSINESS HOURS
  - (B) BEAM (ABOVE)
  - (C) 8 x 8 COLUMN
  - (D) NOT USED
  - (M) MOP SINK 2' x 2' (SEE MECH.)
  - (R) LINE OF MECH. LOFT (ABOVE)
- FLOORING = SEALED CONC. TYP.



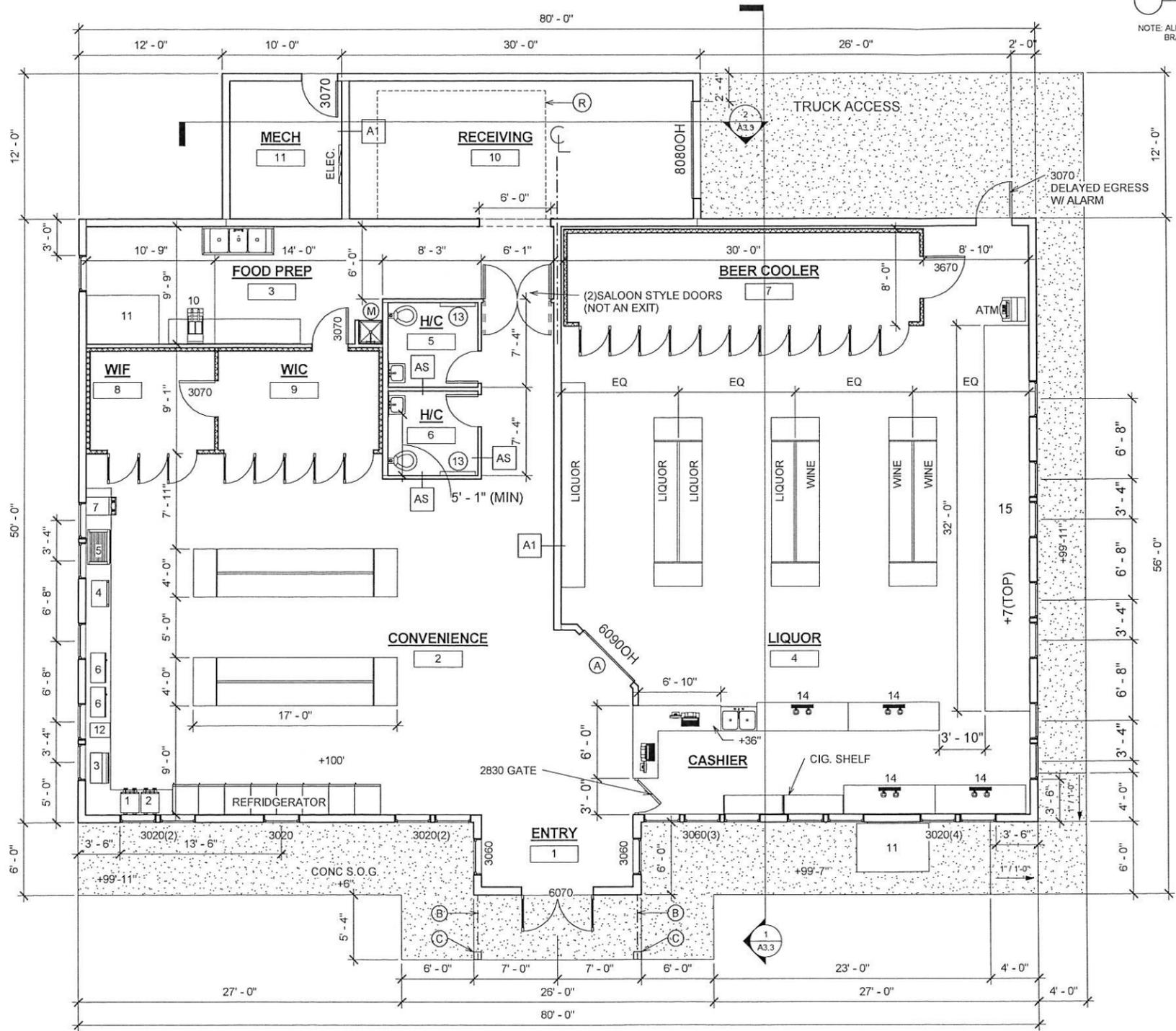
REV. NO. XX DATE

SAJJ ARCHITECTURE, LLC  
 6375 KULIS DRIVE, ANCHORAGE, ALASKA 99502  
 SCOTT A. JONES #907-440-6606 #907-258-6606 (FAX)

THREE BEARS BIG LAKE  
 14468 WEST HOLLYWOOD ROAD  
 BIG LAKE, ALASKA

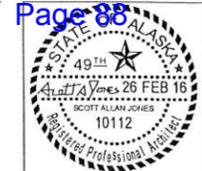
DR: KBK  
 CK: SAJ  
 DT: 13 JAN 16  
 JB: PRISM 3B BL  
 DWG:

A2.1



1 FLOOR PLAN - MAIN LEVEL  
 3/16" = 1'-0" TOTAL SF = 4,572 SF

"IIX17 DRAWINGS ARE HALF THE INDICATED SCALE"



REV NO: XX DATE

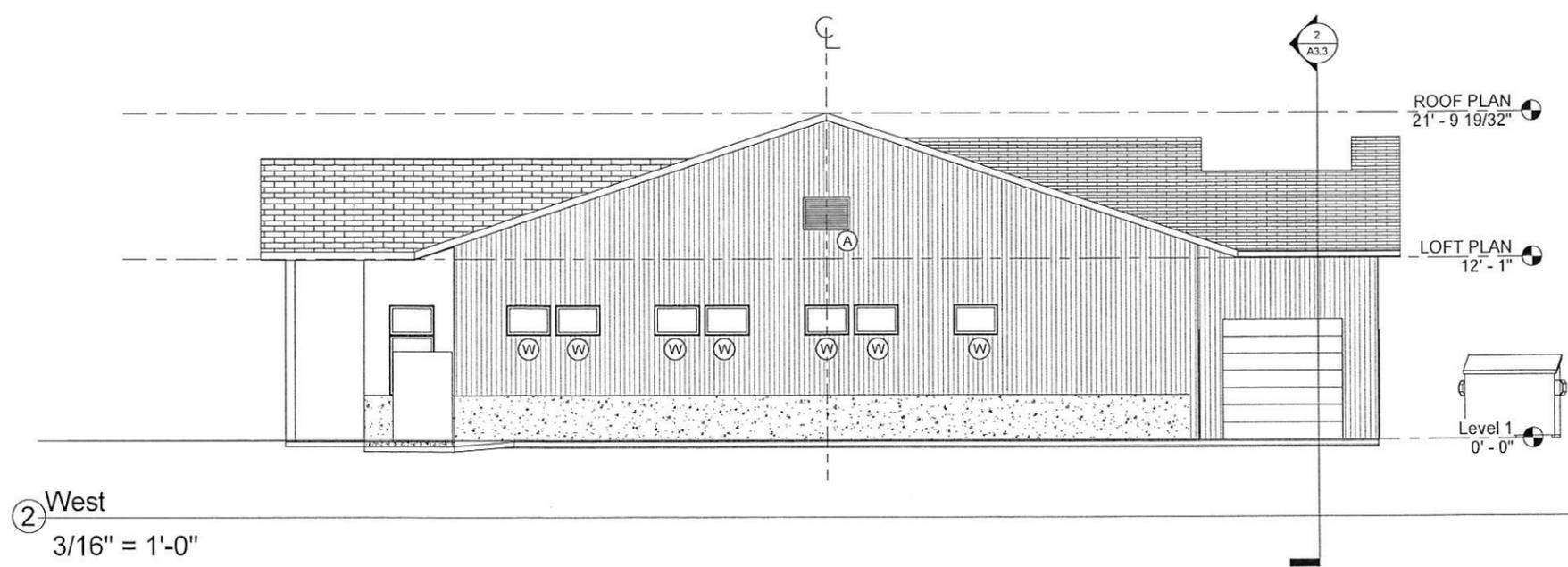
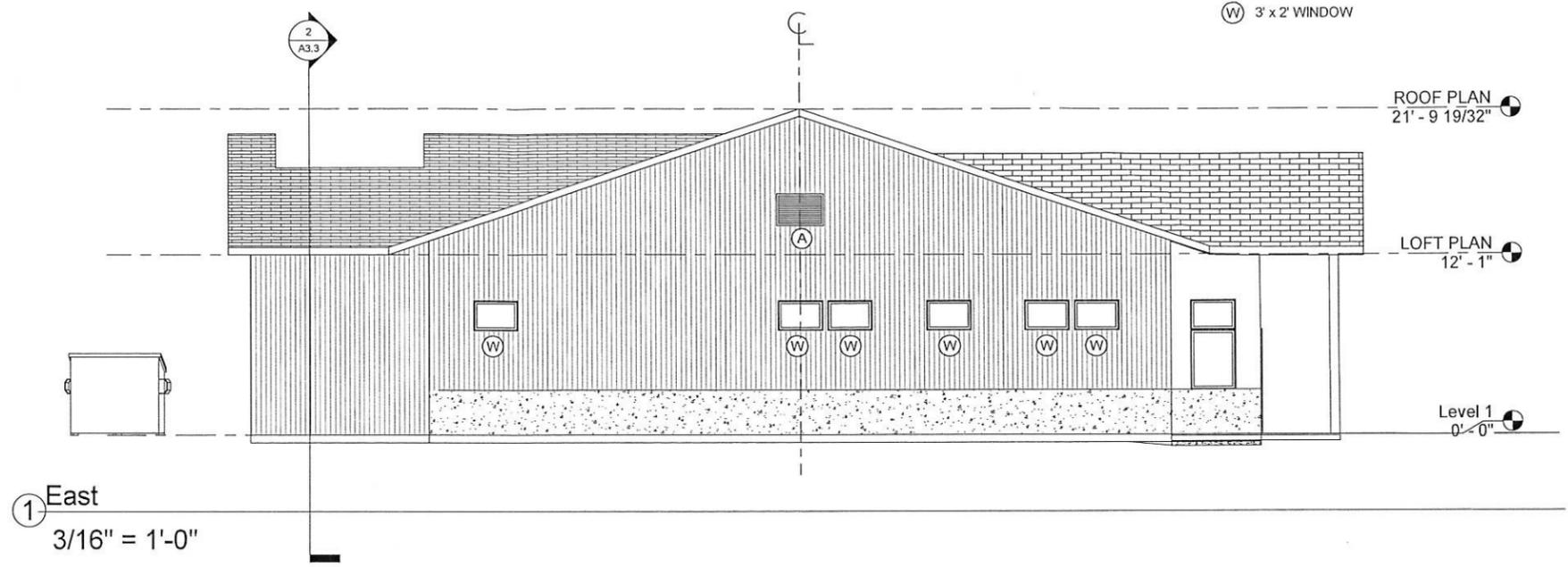
SAJJ ARCHITECTURE, LLC  
SCOTT A. JONES 6375 KULIS DRIVE ANCHORAGE, ALASKA 99502  
#907-440-6606 #907-258-6606 (FAX)

THREE BEARS BIG LAKE  
144.68 WEST HOLLYWOOD ROAD  
BIG LAKE, ALASKA

DR: KBK  
CK: SAJ  
DT: 13 JAN 16  
JB: PRISM 3B BL  
DWG:

A3.1

- SHEET NOTES**
- (A) ATTIC VENT  
3' x 2' W/ BUG SCREEN
  - (W) 3' x 2' WINDOW



"IIX17 DRAWINGS ARE HALF THE INDICATED SCALE"



REV. NO: XX DATE

SAJJ ARCHITECTURE, LLC  
SCOTT A. JONES 6375 KULIS DRIVE, ANCHORAGE, ALASKA 99502  
#907-440-6606 #907-258-6606 (FAX)

THREE BEARS BIG LAKE  
14468 WEST HOLLYWOOD ROAD  
BIG LAKE, ALASKA

DR: KBK  
CK: SAJ  
DT: 13 JAN 16  
JB: PRISM JB BL  
DWG:

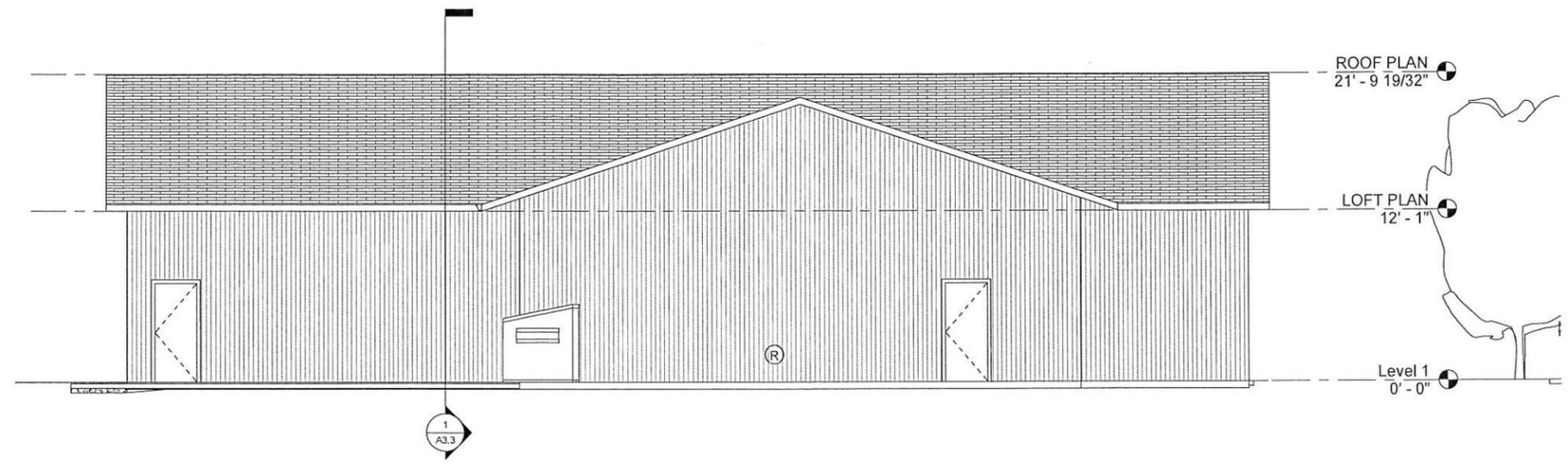
A3.2

SHEET NOTES

- (W) 3' x 2' WINDOW (+11'-0" HEAD HEIGHT)
- (R) ROOF DRAIN / OVERFLOW ROOF DRAIN



1 North  
3/16" = 1'-0"



2 South  
3/16" = 1'-0"

"IIX17 DRAWINGS ARE HALF THE INDICATED SCALE"

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# **APPLICATION MATERIAL**





MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876
Email: permitcenter@matsugov.us

Received

APPLICATION FOR A CONDITIONAL USE PERMIT
REGULATION OF ALCOHOLIC BEVERAGE USES – MSB 17.70

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

Application fee must be attached:

- \$1,000 for Liquor Beverage Dispensary
[X] \$1,000 for Liquor Package Store

Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Applicants will be provided with a statement of advertising and mailing charges. Payment must be made prior to the application presentation before the Borough Planning Commission.

Subject Property Township: \_\_\_\_\_, Range: \_\_\_\_\_, Section: \_\_\_\_\_, Meridian \_\_\_\_\_

MSB Tax Account # 5271000L011

SUBDIVISION: Hollywood Heights BLOCK(S): \_\_\_\_\_, LOT(S): 11

STREET ADDRESS: 14468 W. Hollywood Rd.

(US Survey, Aliquot Part, Lat. /Long. etc) \_\_\_\_\_

Ownership A written authorization by the owner must be attached for an agent or contact person, if the owner is using one for the application. Is authorization attached? o Yes o No • N/A

Name of Property Owner
Three Bears Alaska, Inc.
Address: 445 N. Pittman Rd., Ste. B
Wasilla, AK 99623
Phne: Hm 287-2130 Fax 357-4312
Wk 357-4311 Cell 907-980-0721
E-mail: steve@threebearsalaska.com

Name of Agent/ Contact for application
Address: \_\_\_\_\_
Phne: Hm \_\_\_\_\_ Fax \_\_\_\_\_
Wk \_\_\_\_\_ Cell \_\_\_\_\_
E-mail \_\_\_\_\_

Table with 2 columns: Requirements and Attached. Row 1: Is the conditional use compatible... Attached: checkmark. Row 2: Will the granting of the conditional use permit be harmful... Attached: checkmark.

|  |   |
|--|---|
| 3. Are sufficient setbacks, lot area, buffers and other safeguards being provided?   | ✓ |
| 4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?   | ✓ |
| 5. Is there any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?  | ✓ |
| 6. What measures are being proposed to reduce any negative effect upon adjacent and nearby properties by property line buffers and arterial buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors and where the surrounding area is predominantly residential in character, site and building design features that contribute to the residential character of the development? | ✓ |
| 7. Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?  | ✓ |
| 8. Will access to the premises create an unreasonable traffic hazard?  | ✓ |
| 9. Will a reasonably expected increase in traffic overtax the existing road system?  | ✓ |
| 10. Is the use compatible with the character of the surrounding neighborhood?  | ✓ |
| 11. Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area?   | ✓ |
| 12. Does the applicant or a person with an interest in the application have an interest in a liquor license which was suspended or revoked in the 12 months preceding the application?   | ✓ |
| 13. Has the applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?  | ✓ |

| Supplemental Information – Explain in Detail                             | Attached |
|--|----------|
| 1. Maximum occupancy capacity of facility as determined by Fire Marshall | ✓        |
| 2. Number of employees proposed to work on largest work shift.           | ✓        |
| 3. Number of regular parking spaced provided.                            | ✓        |
| 4. Number of handicapped parking spaces provided.                        | ✓        |
| 5. Is the use a sole occupant in a building or a tenant in a building?   | ✓        |
| 6. Total square footage of space in building occupied by this use.       | ✓        |
| 7. Hours of operation.   | ✓        |
| 8. Noise mitigation measures   | ✓        |

| SITE PLAN – Attach a detailed, to scale, site plan clearly showing the following information:   | Attached |
|---|----------|
| 1. Proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the liquor use. Draw lot dimensions and indicate setback distance of structure(s) from the lot lines, rights-of-way, and waterbodies. | ✓        |
| 2. Dimensions of all structures   | ✓        |
| 3. Interior floor plans (specific location of the use or uses to be made of the development)  | ✓        |
| 4. Signage – Existing and Proposed  | ✓        |
| 5. Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.   | ✓        |
| 6. Proposed contouring  | ✓        |
| 7. Vegetation and any landscaping   | ✓        |
| 8. Buffering – Fences, trees, topography, or berms  | ✓        |
| 9. Drainage   | ✓        |
| 10. Vehicular and pedestrian circulation patterns   | ✓        |
| 11. Exterior site lighting  | ✓        |
| 12. Distance(s) to the nearest intersection in all directions from proposed permit site along roads adjacent to the site.   | ✓        |
| 13. Location and dimensions of parking areas to be provided   | ✓        |
| 14. Boundary protection   | ✓        |
| 15. Scale and north arrow.  | ✓        |

**OWNER'S STATEMENT:** I am owner of the following property:

MSB Tax parcel ID #(s) 5271000L011 and, I hereby apply for approval an alcoholic beverage use conditional use permit on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.70 and with all other applicable borough, state or federal laws.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public’s health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to the buyer when I sell the land.

I understand that changes from the approved conditional use permit may require further authorization by the Borough Planning Commission. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

*Three Bears Alaska, Inc.*

By: *[Signature]* Stephen D. Mierop 03.03.2016  
Signature: Property Owner Printed Name Date

\_\_\_\_\_  
Signature: Agent Printed Name Date

**THREE BEARS ALASKA, INC.****Application for Conditional Use Permit****Regulation of Alcoholic Beverage Uses – MSB 17.70****Basic Information (Questions 1 – 13)**

1. Yes. The lot being developed is in Big Lake's commercial core with a large number of properties in the area being zoned commercial. The new store is a commercial use that is compatible with the surrounding area and that will add value to the surrounding area by adding a brand new and totally modern neighborhood convenience store, package store, and fuel station.
2. No. The types of products being offered are already available at numerous other locations in the community. This will simply be another location from which Borough residents and visitors may choose to obtain these products.
3. Yes. Please see the related plan set.
4. No. Paved and gravel areas will prevent and control dust. Noise will be no more than already present from current traffic and commercial activity in the area. Advertising will be the same as at our other stores in the Borough and will be non-obtrusive. There will be no borrowed light from the site.
5. Driveway permit will be issued by DOT with full analysis performed.
6. The project was designed by a local registered architect and local registered engineers and will be most similar in appearance to a new store that we built in Tok, the design of which we think will fit very well in the Big Lake community. There are fully designed civil drawings for the project and the site will be both landscaped and buffered.
7. Yes. There will be adequate on-site parking.
8. No. The project is located in Big Lake's commercial core and will not present any unusual traffic patterns.
9. No. The project is not the type to increase overall traffic on the existing road system.
10. Yes. Three Bears is a local neighborhood store.
11. No. The project will contain a package store along with a convenience store and fuel station. We card every single package store customer and every single tobacco customer.
12. No.
13. No.

**Supplemental Information (Items 1 – 7)**

1. 138
2. 6
3. 14
4. 1
5. Three Bears Alaska, Inc. is the sole occupant of the building, but the use is a partial use (the rest of the building will be used as a convenience store)
6. 1,405
7. 9:00 a.m. to midnight during summer/high season and potentially shorter hours during rest of year
8. The very low amount of noise generated by a project like this is generally not sufficient to require mitigation.

**Susan Lee**

---

**From:** Steve Mierop <steve@threebearsalaska.com>  
**Sent:** Friday, March 04, 2016 11:56 AM  
**To:** Susan Lee  
**Cc:** David Weisz  
**Subject:** RE: app form  
**Attachments:** THREE BEARS BIG LAKE - Overview of Ultimate Development - 20160304-1120.pdf; DG Signs - Three Bears - Big Lake C Store Signs PROOF v1.pdf

Susan,

Here's a copy of a drawing that we had to do in our initial planning so that we could work out parking and other bigger picture issues related to the overall/ultimate project.

And I've already spoken to Carol Kane and am going to send this to her directly. But even though this drawing is not a part of our official submittal, you should feel free to share this anytime you feel it would be helpful.

Also, I've included a proof of our building signage that just came in.

THANKS for all your help, and have a GREAT weekend!!!

All the best,

Steve

VP/CFO  
907-357-4311 x22 Voice  
907-357-4312 Fax  
907-980-0721 Mobile  
[Steve@ThreeBearsAlaska.com](mailto:Steve@ThreeBearsAlaska.com)



**From:** Susan Lee [<mailto:Susan.Lee@matsugov.us>]  
**Sent:** Monday, January 04, 2016 08:12  
**To:** [steve@threebearsalaska.com](mailto:steve@threebearsalaska.com)  
**Subject:** app form

Hi Steve:

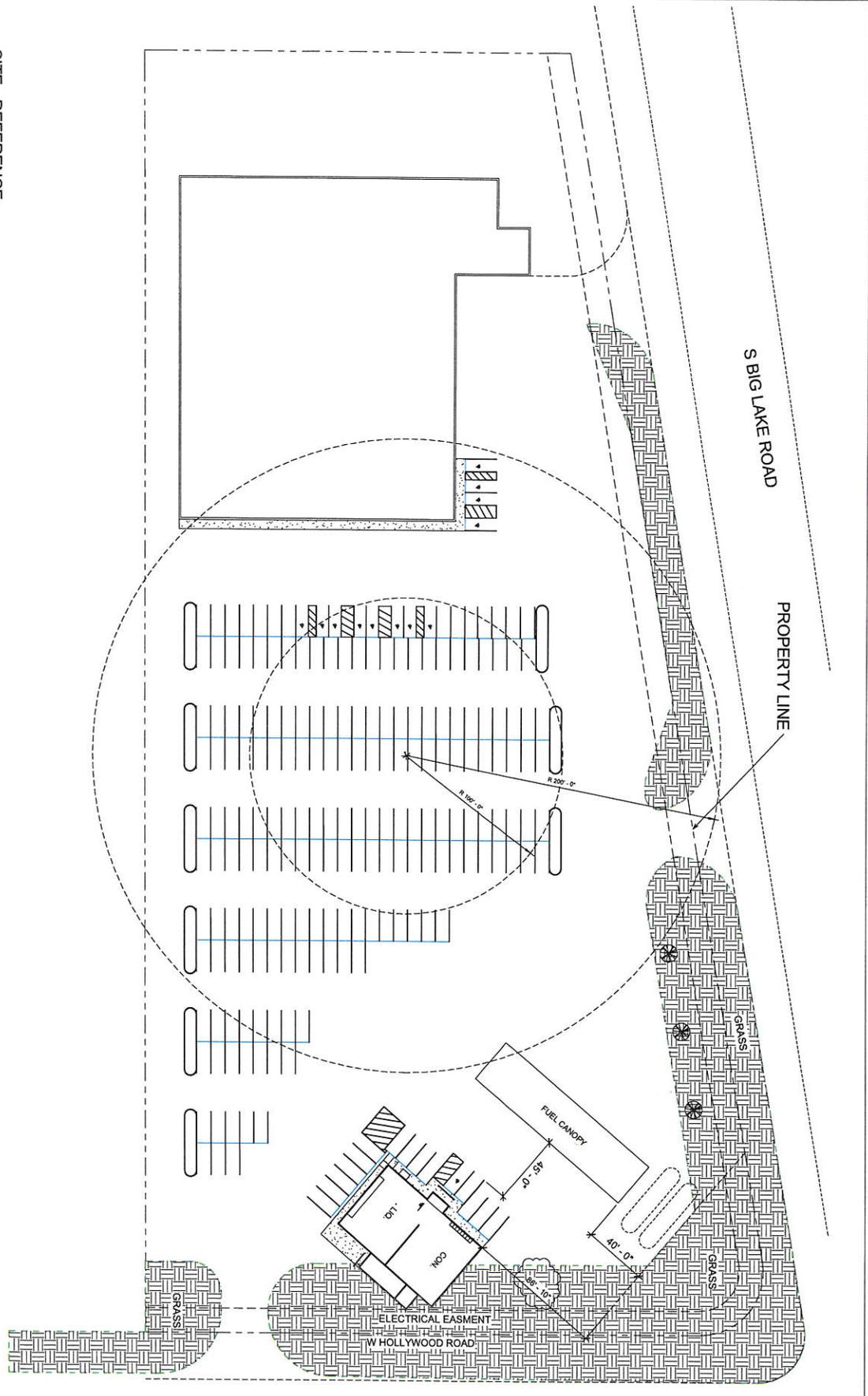
Attached is the updated conditional use permit application form.

Susan

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\*1/17 DRAWINGS ARE HALF THE INDICATED SCALE\*

① SITE - REFERENCE  
PLAN  
1" = 30'-0"



\* 16 DECEMBER 2015 \* 90% REVIEW SET \*

**A1.2**

DR: KBK  
 CK: SAJ  
 DT: 16 DEC 15  
 JB: FRISH 3B BL  
 DWG:

**THREE BEARS BIG LAKE**

BIG LAKE, ALASKA

**SAJJ ARCHITECTURE, LLC**

SCOTT A. JONES 6375 KULIS DRIVE, ANCHORAGE, AK 99502  
 #907-440-6456 #907-258-4

REV NO. XX DATE



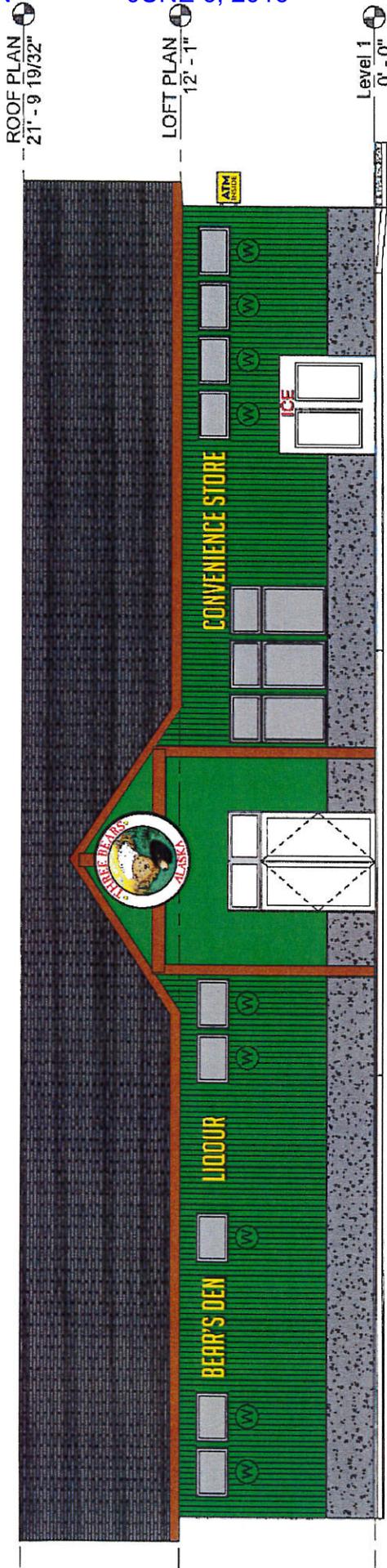
**SIGNS & LIGHTING**  
R E P A I R

CALL 907.746.5197  
WWW.DGDESIGNAK.COM

DESIGN UTILITY PHOTOS LLC  
1870 S. WARDING DR.  
PALM HILL, ALASKA 99599

PLANNING COMMISSION

JUNE 6, 2016



## NORTH - FACING FUEL PUMPS

Production will not begin until approval is signed and sent back marked APPROVED. Please verify all wording, spelling, art and sizes are correct before approving.

All draft concepts previewed by the client are for client review and comment purposes only. Until final design balance is received by DG Signs, all logos, artwork, concepts and designs remain the copyright and exclusive property of DG Signs. DG Signs reserves the right to utilize and/or reproduce any image, logo, or illustration created by DG Signs in advertising, electronic or traditional reproduction, with the addition of any copyright and/or trademark notice that may be requested by the owner of the work. The client is granted unlimited and unrestricted use of the design upon full payment of all fees. DG Signs retains the rights to concepts, comprehensives and artwork involved in the design process prior to the final artwork, and is granted the right to display these designs in promotional and advertising and marketing materials unless exclusion is explicitly requested in writing by the client.

Page 102

**APPROVAL REQUIRED!**

APPROVED AS-IS  CHANGES REQUIRED

SIGNATURE

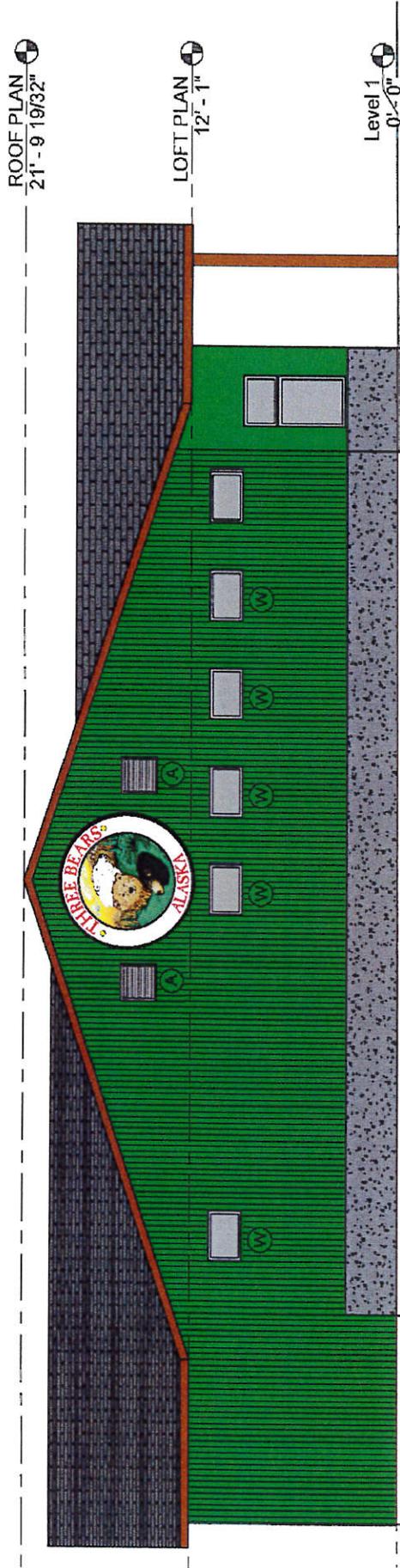
DATE



# SIGNS & LIGHTING R E P A I R

FAX 907.346.5197  
CALL 907.746.5197  
INFO@DGSIGNSAK.COM  
WWW.DESIGNAK.COM

DESIGN GRAPHICS LLC  
1970 S. WHITING CIR  
PALM BEACH, ALASKA 99664



## EAST - FACING HOLLYWOOD

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**APPROVAL REQUIRED!**

APPROVED AS-IS  CHANGES REQUIRED

SIGNATURE

DATE

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**Susan Lee**

---

**From:** Steve Mierop <steve@threebearsalaska.com>  
**Sent:** Wednesday, May 04, 2016 9:31 AM  
**To:** Susan Lee  
**Cc:** David Weisz  
**Subject:** RE: 3 Bears questions

Susan,

The liquor store has a pulldown gate and is a store within a store. We haven't set firm hours yet, but our thinking right now is that the convenience store will open at 6 or 7, the package store will open at 9 or 10, and both will likely close at the same time (although the package store could close earlier than the convenience store). And as usual, there may be slight seasonal variations in hours.

Regarding driveway permits, two applications have been submitted to DOT (one for S. Big Lake and one for W. Hollywood), and it is our understanding that DOT is working them through the approval process jointly as the both relate to the same property.

All the best,

Steve

VP/CFO  
907-357-4311 x22 Voice  
907-357-4312 Fax  
907-980-0721 Mobile  
[Steve@ThreeBearsAlaska.com](mailto:Steve@ThreeBearsAlaska.com)



**From:** Susan Lee [<mailto:Susan.Lee@matsugov.us>]  
**Sent:** Tuesday, May 03, 2016 10:46  
**To:** [steve@threebearsalaska.com](mailto:steve@threebearsalaska.com)  
**Subject:** 3 Bears questions

Steve:

Will the convenience store hours be the same as the liquor store or will there be different hours?

Has DOT approved the driveway permits? If so, please provide a copy.

Susan

Susan Lee  
Planner II

**Susan Lee**

---

**From:** Steve Mierop <steve@threebearsalaska.com>  
**Sent:** Wednesday, May 04, 2016 4:09 PM  
**To:** Susan Lee  
**Subject:** Three Bears - Shell Sign at New Big Lake Location  
**Attachments:** Three Bears - Sample of Shell Sign for New Big Lake Store-Fuel Station - 20160504.JPG

Susan,

As we discussed earlier today, the Shell sign at our new Big Lake store/fuel station will be the same as the current sign at our Meadow Lakes store (photo attached) with the exception that the new sign will have only one pole.

All the best,

Steve

VP/CFO

907-357-4311 x22 Voice

907-357-4312 Fax

907-980-0721 Mobile

[Steve@ThreeBearsAlaska.com](mailto:Steve@ThreeBearsAlaska.com)





Regular

2.92 9/10

Diesel

3.24 9/10

Shell  
V-Power



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# COMMENTS





## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-8501 • Fax (907) 861-7876

www.matsugov.us • [planning@matsugov.us](mailto:planning@matsugov.us)

#### MEMORANDUM

TO: Susan Lee, Planner II

FROM: Jessica Smith, Transportation Planner

DATE: May 23, 2016

SUBJECT: Trip Generation Data for Conditional Use Permit #177020160001

The following is a trip generation estimate for the proposed gas station, convenience store, and attached package (liquor) retail store at the intersection of Big Lake Road and Hollywood Road. The trip generation estimates provided are the for Peak P.M. Hour of the Generator and uses Weighted Trip Generation Rates and the User's Guide of the ITE Trip Generation Manual, 7<sup>th</sup> Edition.

Please note that a package (liquor) store is not a specific Land Use Code in the ITE manual. For the purposes of this estimate a "Specialty Retail Center (ITE Land Use Code 814) is used.

#### **Convenience Market with Gas Pumps (ITE Land Use Code 853)**

##### Assumptions:

- Average Vehicle Trip Ends per 1000 sq. ft. Gross Floor Area (GFA)
- Weekday P.M. Peak Hour of Generator
- Weighted Trip Generation Rate (Average Rate) = 62.57
- Convenience Market GFA = 2,177 sq. ft
- Estimated Trips (T) = Average Rate x (GFA/1,000)

$$T = (62.57) \times (2,177/1,000) = 136.2$$

**Estimated Trip Ends for the Peak P.M. Hour for ITE Land Use Code 853 = 137**

#### **Specialty Retail Store (ITE Land Use Code 814)**

##### Assumptions:

- Average Vehicle Trip Ends per 1000 sq. ft. Gross Floor Area (GFA)
- Weekday P.M. Peak Hour of Generator



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-8501 • Fax (907) 861-7876

www.matsugov.us • [planning@matsugov.us](mailto:planning@matsugov.us)

- Weighted Trip Generation Rate (Average Rate) = 5302
- Convenience Market GFA = 1,907 sq. ft
- Estimated Trips (T) = Average Rate x (GFA/1,000)

$$T = (5.02) \times (1,907/1,000) = 9.6$$

**Estimated Trip Ends for the Peak P.M. Hour for ITE Land Use Code 853 = 10**

**Total Trip Ends Estimated per Weekday Peak P.M. Hour of Generator(s) = 147**

According to this estimate, it is expected that a Specialty Retail Center, such as a package (liquor) store, will generate **less than 10% of trip ends for the peak P.M. hour for a Convenience Market with Gas Pumps.**

**Susan Lee**

---

**From:** Michael Weller  
**Sent:** Monday, May 02, 2016 2:24 PM  
**To:** Susan Lee  
**Subject:** FW: Hollywood and Big Lake - Crash Map and List  
**Attachments:** Hollywood and Big Lake\_1 mile radius crash map.pdf; Copy of Hollywood and Big Lake\_1 mile radius crash list.xlsx

---

**From:** Knowles, Jon W (DOT) [<mailto:jon.knowles@alaska.gov>]

**Sent:** Monday, May 02, 2016 1:20 PM

**To:** Michael Weller

**Subject:** Hollywood and Big Lake - Crash Map and List

Mike,

Attached is a map and list of crashes within a one mile radius of Hollywood and Big Lake.

**Jon Knowles, P.E.**

Alaska Department of Transportation & Public Facilities

Central Region | Traffic and Safety

Highway Safety Improvement Program

(907) 269-0643



CRASHES\_BIGLAKE\_XY  
CRASHES\_BIGLAKE\_LRS

| CDS_NUM | MPT    | CRASH_NUM | CRASH_DATE | STREET           | ALC_DRUG | ACCSEVERITY           |
|---------|--------|-----------|------------|------------------|----------|-----------------------|
| 170073  | 3.137  | 201102995 | 10/3/2011  | Big Lake Road    |          |                       |
| 170073  | 3.329  | 201170173 | 12/6/2011  | Big Lake Road    |          |                       |
| 170073  | 3.337  | 201200886 | 11/12/2011 | Big Lake Road    | Yes      | Property Damage Or    |
| 170073  | 3.3496 | 201201305 | 2/19/2011  | Big Lake Road    |          |                       |
| 170073  | 3.3651 | 201271454 | 1/24/2012  | Big Lake Road    |          |                       |
| 170073  | 3.3917 | 201201568 | 7/13/2012  | Big Lake Road    |          |                       |
| 170073  | 3.637  | 201104865 | 12/15/2011 | Big Lake Road    |          |                       |
| 170073  | 4.0344 | 201200883 | 1/9/2011   | Big Lake Road    |          |                       |
| 170073  | 4.0912 | 201102669 | 8/20/2011  | Big Lake Road    |          |                       |
| 170073  | 4.0919 | 201131327 | 3/31/2011  | Big Lake Road    |          |                       |
| 170073  | 4.331  | 201104846 | 12/13/2011 | Big Lake Road    |          |                       |
| 170073  | 4.661  | 201103135 | 11/15/2011 | Big Lake Road    |          |                       |
| 170073  | 4.6687 | 201201762 | 6/16/2011  | Big Lake Road    | Yes      | Incapacitating Injury |
| 170073  | 4.914  | 201104203 | 2/27/2011  | S Big Lake Road  |          |                       |
| 170073  | 4.9426 | 201201276 | 7/5/2011   | Big Lake Road    |          |                       |
| 170073  | 5.0413 | 201102300 | 2/1/2011   | Big Lake Road    |          |                       |
| 170077  | 7.695  | 201201275 | 2/3/2011   | Hollywood Road   |          |                       |
| 170077  | 8.0205 | 201101111 | 1/15/2011  | Hollywood Road   |          |                       |
| 170077  | 8.1469 | 201200876 | 3/6/2011   | Hollywood Road   |          |                       |
| 170081  | 0.4548 | 201102658 | 7/18/2011  | Beaver Lake Road |          |                       |
| 170081  | 0.47   | 201102626 | 12/5/2011  | Beaver Lake Road |          |                       |
|         |        | 201104733 | 11/23/2011 | West Lake Road   |          |                       |
|         |        | 201103918 | 3/21/2011  | Holly Loop       |          |                       |

**Total crashes**

23

**Total alcohol related crashes**

2

The information in this report is compiled for highway safety planning purposes. Federal law prohibits its discovery or admissibility in litigation against state, tribal or local government that involves a location or locations mentioned in the collision data. 23 U.S.C. § 409; 23 U.S.C. § 148(g); *Walden v. DOT*, 27 P.3d 297, 304-305 (Alaska 2001).

ily

**Susan Lee**

---

**From:** AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>  
**Sent:** Thursday, April 28, 2016 10:02 AM  
**To:** Susan Lee; AMCO Local Government Only (CED sponsored)  
**Subject:** RE: 3 Bears Alaska  
**Attachments:** Matsu letter.pdf

Here is the response

Thank you

**AMCO Staff**

---

**From:** Susan Lee [<mailto:Susan.Lee@matsugov.us>]  
**Sent:** Tuesday, April 26, 2016 9:40 AM  
**To:** AMCO Local Government Only (CED sponsored)  
**Subject:** 3 Bears Alaska

Please see attached.

Susan Lee  
Planner II  
Matanuska-Susitna Borough  
907-861-7862 (Direct Line)  
907-861-7876 (FAX)



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

Email: [PermitCenter@matsugov.us](mailto:PermitCenter@matsugov.us)

April 26, 2016

Alcoholic Beverage Control Board  
550 W. 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501

**SUBJECT: Matanuska-Susitna Borough Permit for Alcoholic Beverage Uses**

The Matanuska-Susitna Borough, Planning Department, received an application for an Alcoholic Beverage Uses Conditional Use Permit from Three Bears Alaska, Inc. for the operation of a liquor package store at 14468 W. Hollywood Road (See attached map).

Section 17.70.110 of the Borough Code requires that we determine if the applicant(s) or person(s) with an interest in the application had an interest in a liquor license which was suspended or revoked in the twelve months preceding the application.

We would appreciate receiving this information ten (10) days from receipt of this letter. This information will be provided to the Planning Commission for their review. Please fill in the information request and return this notice to the Matanuska-Susitna Borough, Development Services Division, 350 E. Dahlia Avenue, Palmer, AK, 99645 or [slee@matsugov.us](mailto:slee@matsugov.us). Attach additional pages if required.

Sincerely,

Susan Lee  
Planner II

ALCOHOLIC BEVERAGE CONTROL BOARD REVIEW

DATE: 4/28/16 APPLICATION: \_\_\_\_\_

NO COMMENT

COMMENTS: \_\_\_\_\_

SIGNATURE: POSITION Director

**Susan Lee**

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**From:** Nancy Cameron  
**Sent:** Tuesday, April 19, 2016 1:43 PM  
**To:** Susan Lee  
**Subject:** FW: Three Bears Alaska Liquor Package Store CUP  
**Attachments:** Three Bears Big Lake Application Material.pdf

Big Lake Library and associated trail around Jordan Lake is located across the road on parcel C009, though I don't believe this presents a problem with the CUP request..

Nancy

---

**From:** Elizabeth Weiant  
**Sent:** Tuesday, April 19, 2016 1:14 PM  
**To:** Doug Shepherd; Emerson Krueger; George Hoden; Glenda Smith; Lisa Gray; Nancy Cameron; Raymond Nix; Ryan Johnston; Eric Phillips  
**Subject:** FW: Three Bears Alaska Liquor Package Store CUP

FYI  
Elizabeth

---

**From:** Susan Lee  
**Sent:** Tuesday, April 19, 2016 1:00 PM  
**To:** [allen.kemplen@alaska.gov](mailto:allen.kemplen@alaska.gov); [kevin.vakalis@alaska.gov](mailto:kevin.vakalis@alaska.gov); [melanie.nichols@alaska.gov](mailto:melanie.nichols@alaska.gov); [mearow@matanuska.com](mailto:mearow@matanuska.com); [rglenn@mta-telco.com](mailto:rglenn@mta-telco.com); Richard Boothby; Michelle Wagner; Elizabeth Weiant; Capital Projects; Art Godin; Theresa Taranto; Eileen Probasco; Jessica Smith; Andy Dean; Dan Mayfield  
**Subject:** Three Bears Alaska Liquor Package Store CUP

Three Bears Alaska, Inc. has submitted a conditional use permit application under MSB 17.70 – Regulation of Alcoholic Beverage Uses, for the operation of a liquor package store within a proposed convenience store. The Planning Commission will conduct a public hearing on this request on June 6, 2016.

Please review and submit any comments you may have to me by **May 20, 2016**.

Susan Lee  
Planner II  
Matanuska-Susitna Borough  
907-861-7862 (Direct Line)  
907-861-7876 (FAX)

**Susan Lee**

---

**From:** Theresa Taranto  
**Sent:** Wednesday, May 04, 2016 11:38 AM  
**To:** Susan Lee  
**Subject:** RE: Three Bears Alaska Liquor Package Store CUP

FIRM 8015, X Zone  
No other comment.

Theresa Taranto  
Development Services  
Administrative Specialist

Mat-Su Borough  
350 E Dahlia Ave.  
Palmer, Alaska 99645  
907-861-8574

---

**From:** Susan Lee  
**Sent:** Tuesday, April 19, 2016 1:00 PM  
**To:** [allen.kemplen@alaska.gov](mailto:allen.kemplen@alaska.gov); [kevin.vakalis@alaska.gov](mailto:kevin.vakalis@alaska.gov); [melanie.nichols@alaska.gov](mailto:melanie.nichols@alaska.gov); [mearow@matanuska.com](mailto:mearow@matanuska.com); [rglenn@mta-telco.com](mailto:rglenn@mta-telco.com); Richard Boothby; Michelle Wagner; Elizabeth Weiant; Capital Projects; Art Godin; Theresa Taranto; Eileen Probasco; Jessica Smith; Andy Dean; Dan Mayfield  
**Subject:** Three Bears Alaska Liquor Package Store CUP

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Susan Lee  
Planner II  
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# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department  
Development Services

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

Email: [PermitCenter@matsugov.us](mailto:PermitCenter@matsugov.us)

Matanuska - Susitna Borough  
Development Services

APR 27 2016

Received

## MEMORANDUM

DATE: April 19, 2016

FROM: Susan Lee, Planner II *Susan*

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: **Conditional Use Permit for a liquor package store**

PARCEL ID: Hollywood Heights, Lot 11 (5271000L011)

TAX MAP: HO 13

LOCATION: Township 17 North, Range 3 West, Section 21, Seward Meridian

APPLICANT: Three Bears Alaska, Inc.

A conditional use permit application under MSB 17.70 – Regulation of Alcoholic Beverage Uses, has been submitted for the operation of a liquor package store within a proposed convenience store. The Planning Commission will conduct a public hearing on this request on June 6, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

Distribution:

- Capital Projects
- Borough Manager (info only)
- Community Development
- Collections
- Public Works Director
- Assessment
- Right-of-Way Coordinator
- Planning Division
- Emergency Services Director
- Environmental Planning
- Code Compliance
- Platting Division
- Cultural Resources

Comments: Return written comments by **May 20, 2016**. Thank you for your review.

*Advisory only*

*Please have design considerations for protection of the propane tank adjacent to the intersection of this minor Arterial and major collector. Structural (vehicle) as well as gun shots from passerby's. I worry.*

*SoA Row's of Br/Lake Rd & Hollywood Rd.*

*No formal comments.*

*A. D. 4/26/16*

**Susan Lee**

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**From:** Michelle Olsen on behalf of Permit Center  
**Sent:** Tuesday, May 17, 2016 11:31 AM  
**To:** Susan Lee  
**Subject:** FW: Attention Susan Lee, Planner II Return Receipt Requested  
**Attachments:** MSB.Planning.BLCC.Three.Bears 5.17.16.pdf

Michelle Olsen, CFM  
Permit Technician  
Matanuska-Susitna Borough  
350 E Dahlia Ave  
Palmer, AK 99645  
(907) 861-7871

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

Received

**From:** Carol G. Kane [<mailto:hrkane@gmail.com>]  
**Sent:** Tuesday, May 17, 2016 10:16 AM  
**To:** Permit Center  
**Subject:** Attention Susan Lee, Planner II Return Receipt Requested

Good morning Susan,

Please find attached the Big Lake Community Council's comment regarding the Conditional Permit for Three Bears Alaska, Inc. as decided at the 5/10/16 Community Council Meeting.

Should you have any additional questions please feel free to contact me.

Carol G Kane  
President, Big Lake Community Council

--  
Carol G. Kane  
PO Box 520502  
Big Lake, AK 99652-0502  
Cell: (907) 355-2467

*"Coming together is a beginning;  
Keeping together is progress;  
Working together is success."  
Henry Ford*



# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department  
Development Services

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

Email: [PermitCenter@matnugov.us](mailto:PermitCenter@matnugov.us)

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

Received

## MEMORANDUM

DATE: April 19, 2016

FROM: Susan Lee, Planner II *Susan*

SUBJECT: REQUEST FOR REVIEW AND COMMENTS

PROJECT: Conditional Use Permit for a liquor package store

PARCEL ID: Hollywood Heights, Lot 11 (5271000L011)

TAX MAP: HO 13

LOCATION: Township 17 North, Range 3 West, Section 21, Seward Meridian

APPLICANT: Three Bears Alaska, Inc.

A conditional use permit application under MSB 17.70 – Regulation of Alcoholic Beverage Uses, has been submitted for the operation of a liquor package store within a proposed convenience store. The Planning Commission will conduct a public hearing on this request on June 6, 2016. If we do not receive comments from you we will assume you have no objections to the proposed project.

- Distribution:
- |  |  |
|--|--|
| <input type="checkbox"/> Borough Manager (info only) | <input type="checkbox"/> Capital Projects            |
| <input type="checkbox"/> Collections                 | <input type="checkbox"/> Community Development       |
| <input type="checkbox"/> Assessment                  | <input type="checkbox"/> Public Works Director       |
| <input type="checkbox"/> Planning Division           | <input type="checkbox"/> Right-of-Way Coordinator    |
| <input type="checkbox"/> Environmental Planning      | <input type="checkbox"/> Emergency Services Director |
| <input type="checkbox"/> Planning Division           | <input type="checkbox"/> Code Compliance             |
|  | <input type="checkbox"/> Cultural Resources          |

Comments: Return written comments by May 20, 2016. Thank you for your review.

At the 5/10/16 Big Lake Community Council, the Conditional Use Permit for the Three Bears Alaska, Inc. was presented and discussed.

Following the presentation and discussion, a vote by the Big Lake Community Council, voted to remain silent with no response regarding this Conditional Use Permit for Three Bears Alaska, Inc.

**Susan Lee**

---

**From:** caseyinalaska . <caseysteinou@gmail.com>  
**Sent:** Friday, May 20, 2016 10:42 AM  
**To:** Susan Lee  
**Subject:** Public Comment on 3 Bears Alaska, Inc. Application -

To the Mat-Su Borough Planning Commission,

We live on the hillside behind the proposed location for the new 3 Bears location proposed for Lot 11, Hollywood Heights in Big Lake. Currently one of the parking lot lights of the existing mall across the street are angled so that they shine directly into our home and light it up each evening, all evening as long as they are on.

We would ask that the new exterior and parking lot lighting installed for the 3 Bears location take into account not only the neighbors but the Big Lake Comprehension Plan which encourages lighting that is directed downward in an attempt to reduce light pollution.

Thank you for your consideration.

Tim Dickman and Casey Steinou  
14063 Halston Avenue, Big Lake

Susan Lee

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**From:** J Parson <jparson@mtaonline.net>  
**Sent:** Tuesday, May 17, 2016 7:15 PM  
**To:** Susan Lee  
**Subject:** Planning Commission public hearing on conditional use for operation of package liquor store in Big Lake  
**Attachments:** IMG\_20160517\_0001.pdf

Matanuska - Susitna Borough  
Development Services

MAY 18 2016

Received



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 18 2016

Received

FIRST CLASS MAIL

The Matanuska-Susitna Borough Planning Commission will consider the following:  
**Application or Item:** Application for a conditional use permit for a liquor package store  
**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses  
**Applicant:** Three Bears Alaska, Inc.  
**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store  
**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

The Planning Commission will conduct a public hearing in the Borough Assembly Chambers, Palmer, Alaska, on this item on June 6, 2016. The meeting begins at 6:00 p.m. **Public hearings begin at 6:15 p.m.** This may be the only presentation of this item before the Planning Commission and you are invited to attend.

This conditional use permit application will be introduced for public hearing at the **May 16, 2016** Planning Commission meeting. The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request for more information from the applicant at the time of the introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing.

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

Application material may be viewed online at [www.matsugov.us](http://www.matsugov.us) and clicking on 'Public Notices'. Application material may also be reviewed in the Borough Permit Center. If you have any questions or, would like to send us comments, concerning the proposed action, this form may be used for your convenience by filling in the information below and mailing it to the Matanuska-Susitna Borough, Development Services Division, Planning Department, 350 East Dahlia, Palmer, Alaska 99645. You may fax comments to 861-7876 or e-mail to [slee@matsugov.us](mailto:slee@matsugov.us). For additional information please contact Susan Lee, Planner II, at 861-7862. Comments received prior to May 20, 2016 will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission but will be provided as hand-outs to the Commission. If there is not enough room below, please attach this sheet to another piece of paper. In order to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.35 for the definition of "Interested Party". The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough internet home page, (<http://www.matsugov.us>), in the Borough Clerk's office, or at various libraries within the borough.

Name: JILL PARSON Address: PO BOX 521315 BIG LAKE 99652  
Location/Legal Description of your property: 682 N BEAVER LAKE RD/BIG LAKE  
Comments: LOT 26 BLDG BEAVER LAKES

BIG LAKE DOES NOT NEED A FOURTH LIQUOR STORE.  
PLEASE APPROVE THIS ONLY IF THE APPLICANT  
PURCHASES / MOVES ONE OF THE EXISTING THREE  
LIQUOR STORES WITHIN THE BIG LAKE TOWNSITE (TESORO,  
MOONSHINE, BY ARCTIC CAT)  
Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
 Planning & Land Use Department  
 Development Services Division  
 350 East Dahlia Avenue  
 Palmer, Alaska 99645

Matanuska - Susitna Borough  
 Development Services

MAY 13 2016

FIRST CLASS MAIL

Received

The Matanuska-Susitna Borough Planning Commission will consider the following:

**Application or Item:** Application for a conditional use permit for a liquor package store  
**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store

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Name: Robert J. & Judith A. Silva <sup>MAIK</sup> Address: 3800 S. MUSK OX, WASILLA, AK 99623

Location/Legal Description of your property: BUTLER ADD #4, BLK 3, LOT 12, Big LAKE

Comments: Big Lake already has "3" liquor stores within a very small area: Tesoro Super store, Big Lake Liquor, Moonshine Liquor in the East Lake Mall - a few steps away from the proposed 3 Bears which includes ANOTHER liquor store. Somewhat excessive & not warranted. Also very "unfair" to our local small business owners!! Not really needed or wanted! Robert Silva / Judith A. Silva 05/07/2016

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

Received

FIRST CLASS MAIL

The Matanuska-Susitna Borough Planning Commission will consider the following:  
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Name: RICHARD JOHNSON Address: P.O. Box 520524

Location/Legal Description of your property: \_\_\_\_\_

Comments: BIA LAKE, AK DOES NOT NEED ANOTHER LIQUOR STORE

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

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Name: Michelle Jones Address: POB 521451 Big Lake, AK 99652

Location/Legal Description of your property: 1459 S Elizabeth Wasilla AK 99623

Comments: Big Lake does not need another retail sales license for liquor. The community has enough small business owners with a license. Three Bears does not need to take over with the industry in this small town and force these hard working people to lose their livelihoods.

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

FIRST CLASS MAIL

Received

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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

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Name: Jacob Smith Address: 520, S Glenn Hwy Palmer

Location/Legal Description of your property: \_\_\_\_\_

Comments: More liquor stores would be redundant!



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Kaitlin Dunn  
PO Box 521132  
Big Lake, AK 99652

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

FIRST CLASS MAIL

Received

The Matanuska-Susitna Borough Planning Commission will consider the following:

**Application or Item:** Application for a conditional use permit for a liquor package store

**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store

**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

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Name: Kaitlin Dunn Address: 14377 W. Aero Ln. Biglake AK, 99652

Location/Legal Description of your property: \_\_\_\_\_

Comments: I don't approve of the transfer that 3 Bears has requested because we have 3 liquor store and a bar within a little less than a mile of each other. We do not need another one.

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

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Shannon Yonck

The Matanuska-Susitna Borough Planning Commission will consider the following:

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Name: Shannon Yonck Address: po box 520597

Location/Legal Description of your property: Big Lake

Comments: We dont need another liquor store in Big Lake AK!!!



Matanuska-Susitna Borough  
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Development Services Division  
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Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

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*Handi Teel*

The Matanuska-Susitna Borough Planning Commission will consider the following:

**Application or Item:** *Application for a conditional use permit for a liquor package store*

**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

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**Name:** *[Signature]* **Address:** *7408 S. Big Lake wasilla, AK 99623*

**Location/Legal Description of your property:** *Homestead*

**Comments:** *we do not need another liquor store in big lake. 3 is enough, & we love our local small businesses here in big lake. It is not need nor wanted.*

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Lacey Bass

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

FIRST CLASS MAIL

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Name: Lacey Bass Address: 3670 muskox Rd Big lake AK 99651

Location/Legal Description of your property: \_\_\_\_\_

Comments: I Dont Approve of Adding another Liquore Store to Big lake 3 is Enough

Please Dont Approve the ~~the~~ 3 Bears Has Requested



Matanuska-Susitna Borough  
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Development Services

MAY 17 2016

Victoria Laporte

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Name: Victoria Laporte Address: 14779 Apryl In Big Lake AK

Location/Legal Description of your property: \_\_\_\_\_

Comments: We already have enough home town liquor stores out here, it would be non-sense to put another one



Matanuska-Susitna Borough  
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Matanuska - Susitna Borough  
Development Services

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FIRST CLASS MAIL

Nathaniel Rouse

The Matanuska-Susitna Borough Planning Commission will consider the following:  
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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses  
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Name: Nathaniel Rouse Address: Po Box 520462

Location/Legal Description of your property: Settlers Bay Wasilla

Comments: 4 liquor stores in a 1/4 mile strip is to many. The small local businesses shouldn't have to struggle with the competition that already stands.

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
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Name: Herley Mills Address: 13871 W. Sunrise Dr. Big Lake

Location/Legal Description of your property: \_\_\_\_\_

Comments: WE do not need 4 liquor stores in a mile Radius



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Name: T Taylor Address: PO Box 857 Willow AK

Location/Legal Description of your property: \_\_\_\_\_

Comments: Big LAKE already HAS more than enough liquor stores in a small area, OR can buy an existing store.

Note: Vicinity Map Located on Reverse Side



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Name: DEAN Kelly hyle Address: 2830 South Rapid ST WASILLA, AK 99654

Location/Legal Description of your property: Lot 21 BK 3 Suburban Country Estates, WASILLA, AK

Comments: It seems over kill for another liquor store in this community. Possible they could place activities business much like that by the WALMART in WASILLA. Adult & Youth can take advantage of activities to use together.



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

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Received

FIRST CLASS MAIL

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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses  
**Applicant:** Three Bears Alaska, Inc.  
**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store  
**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

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Name: Michael Humes Address: 1559 S. Wolf Rd.  
Location/Legal Description of your property: BIG BEAVER LAKE  
Comments: We do not need another bar, in Big Lake! Especially a Big Box store!

Note: Vicinity Map Located on Reverse Side



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**Name:** Cherry Mills **Address:** 13871 W. Sunrise Dr. Big Lake

**Location/Legal Description of your property:** And Rd on Hollywood

**Comments:** I do not feel that Big Lake needs 4 liquor stores & a bar in a mile radius. Lets keep big lake small business in business! I was born & raised in Big Lake. Small business need to survive.

Note: Vicinity Map Located on Reverse Side



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Name: Philip T Phillips Address: 7362 Ave Parks #391

Location/Legal Description of your property: Crooked Lake

Comments: I do not approve adding another liquor store to Big Lake we have 3 already!



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Name: Jan Prulle Address: 12523 BASTON RD

Location/Legal Description of your property: \_\_\_\_\_

Comments: use for food products store  
144 get it wrong



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Name: [Signature] Address: P.O. BOX 521784

Location/Legal Description of your property: BIG LAKE AK 99652

Comments: I dont want another liquor store At All in Big Lake



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Name: Dillon Merican Address: 10117 Thimbleberry

Location/Legal Description of your property: Anchorage

Comments: three bears does not need a liquor store!!! Keep no more than 3.



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ROBERT DICKINSON

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Name: Robert Dickinson Address: 3801 S. MINK ST, BIG LAKE

Location/Legal Description of your property: ~~3801~~

Comments: I believe that there is no need for another liquor store in Big Lake. There is enough. Please do not approve the transfer 3 Bears has requested.

Note: Vicinity Map Located on Reverse Side



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Name: *Gordon South & Knj TT* Address: *Po Box 298593*

Location/Legal Description of your property: *Hester*

Comments: *why? we got three!*



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FIRST CLASS MAIL

*Verdine Hendrickson*

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**Name:** *Verdine Hendrickson* **Address:** *Box 521038 Big Lake, AK 99652*

**Location/Legal Description of your property:** \_\_\_\_\_

**Comments:** *I disagree with a liquor store in Big Lake. Too close to the school.*



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Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

FIRST CLASS MAIL

Received

Deborah M. Butney

The Matanuska-Susitna Borough Planning Commission will consider the following:

**Application or Item:** Application for a conditional use permit for a liquor package store

**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store

**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

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Name: Deborah Butney Address: PO Box 52107

Location/Legal Description of your property: Big Lake AK

Comments: 3 liquor stores in Big Lake is sufficient - no need for a 4th



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**Name:** Shannen C Dodd **Address:** PO Box 521921, Big Lake, AK 99652  
**Location/Legal Description of your property:** On Big Beaver Lake, Big Lake AK 99652  
**Comments:** We do **not** need another liquor store in our community.

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
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Name: Thomas Knox Address: 2261 S Big Lake Rd Big Lake AK

Location/Legal Description of your property: LOT 6 OWN ROAD Single unit house

Comments: We do not need another liquor store in Big Lake, Alaska

Note: Vicinity Map Located on Reverse Side



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**Name:** Juanita C Know **Address:** Big Lake, AK

**Location/Legal Description of your property:** \_\_\_\_\_

**Comments:** There are enough liquor stores in Big Lake. I do not feel we need another one.



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

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Floyd MARGESON  
PO Box 520452  
Big Lake AK  
99652

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#  
Ph 907-715-7027

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Name: Floyd MARGESON Address: P  
Location/Legal Description of your property: 6845 Rain's DR  
Comments: I do not approve another Liquor in the Big Lake Area 3 is enough. please Do not approve the transfer

Note: Vicinity Map Located on Reverse Side



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Shirley Margeson  
PO Box 520452  
Big Lake AK 99652

PH# 907-830-7502

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Name: Shirley Margeson Address: 6845 Rain's Dr

Location/Legal Description of your property:

Comments: 3 Liquor Stores are enough in the Big Lake Area (Please do not approve the Transfer



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Name: David Childers Address: PO BOX 521023 BIG LAKE

Location/Legal Description of your property: \_\_\_\_\_

Comments: WE HAVE ENOUGH LIQUOR STORES IN BIG LAKE  
ALREADY

Note: Vicinity Map Located on Reverse Side



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Name: Robert H. H. Address: PO Box 112203 Anch AK 99511

Location/Legal Description of your property: Flat Lake Island 294

Comments: No liquor stores added in this ARCA.



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Mary J. Oberg

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Name: Mary J Oberg Address: 2701 S Knollwood Dr Wasilla 99623

Location/Legal Description of your property: L+ B1K 3 Knollwood Rd Big Lake AK 99613

Comments: I have lived at Big Lake since 1976. Three Bears has been here less than a year, does not support the community and does not meet the shopping needs of the people. Perhaps they should practice their groceries skills before they deliberately destroy a local owned and staffed liquor store we all love and shop at.

Mary J. Oberg



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Development Services Division  
350 East Dahlia Avenue  
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KELLEY H BILLINGS

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Name: Kelley H. Billings Address: 4731 S HYDROPLANE

Location/Legal Description of your property: STARBOARD COVE SBDVN BIG LAKE

Comments: We do NOT need yet another liquor store in our small community!!



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

Received

Donald Halsted

PO Box 520102

Big Lake, AK 99652

FIRST CLASS MAIL

The Matanuska-Susitna Borough Planning Commission will consider the following:

**Application or Item:** Application for a conditional use permit for a liquor package store

**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store

**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

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Name: Donald Halsted Address: 21480 Leclerc Boulevard - Big Lake

Location/Legal Description of your property: Lot 11 Bk 1 Tr 14 Hills 510 Big Lake AK

Comments: There are presently 3 liquor stores in Big Lake. There is no reason to add more. The addition of a liquor store at 3 Bears is completely unnecessary. I oppose the planning Commission approving any additional package liquor licenses to downtown Big Lake.

*Halsted*

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

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Name: Jeanie Lellatt Address: Box 521132 Big Lake

Location/Legal Description of your property: 14377 W. Gero Ln. Big Lake.

Comments: We have enough - don't need anymore business taken away from Big Lake's long time small businesses.



Matanuska-Susitna Borough  
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Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
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*Lanny Barnett for*

The Matanuska-Susitna Borough Planning Commission will consider the following:

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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

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**Name:** *Lanny Barnett for* **Address:** *13576 W. Hughes Highway Palmer*

**Location/Legal Description of your property:** \_\_\_\_\_

**Comments:** *3 Signs stores in Big Lake is enough for our community*

Note: Vicinity Map Located on Reverse Side



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FIRST CLASS MAIL

Received

*Amber Leachman*

The Matanuska-Susitna Borough Planning Commission will consider the following:

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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

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**Name:** *Amber Leachman* **Address:** *13693 Holly Loop Apt #7*

**Location/Legal Description of your property:** *4-plex*

**Comments:** *I do not approve of adding another liquor store to Big Lake 3 is enough. Please do not approve the transfer 3 bears is as requested.*



Matanuska-Susitna Borough  
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350 East Dahlia Avenue  
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*Clark Robeson*

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Name: Clark Robeson Address: 8432 W Angel dr

Location/Legal Description of your property: \_\_\_\_\_

Comments: We have enough already



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
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Matanuska - Susitna Borough  
Development Services

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*Heidi Snyder*

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Name: Heidi Snyder Address: West Lakes Blvd

Location/Legal Description of your property: Big Lake, AK

Comments: NO - do not need another liquor store - 3 is enough!



Matanuska-Susitna Borough  
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Development Services Division  
350 East Dahlia Avenue  
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Name: Jess Ramirez Address: 5960 South Clearview Loop *this is Martinez*  
Location/Legal Description of your property: I Live down big Lake lodge Road down *Anderson*  
Comments: I dont approve of Adding Another liquor store in Big lake how many do we need Next to my sons Elementary School  
NO WAY!

There is no reason  
 to have 4 liquor  
 stores in Big Lake.  
 There are not that  
 many year round  
 residents here.

Matanuska - Susitna Borough  
 Development Services

MAY 17 2016

Received

Ron & Celice Ashery  
 13852 West Sunrise Dr.  
 PO Box 521001 Big Lake,  
 991652



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
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Name: Kim Core Address: 12170 W Cheri DR Houston 99694

Location/Legal Description of your property: \_\_\_\_\_

Comments: 3 Liquor stores in the CORE AREA of BIG LAKE ARE ENOUGH. IT WOULD BE OVERKILL. IT IS HARD ENOUGH FOR THE LITTLE BUSINESS TO EARN A LIVING. PLEASE DO NOT APPROVE THE TRANSFER THREE BEARS IS ASKING FOR.



Matanuska - Susitna Borough  
Development Services

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Name: Della McGuire Address: 521465 B.L. Ave

Location/Legal Description of your property: Knowlwood Heights

Comments: We already have 3 liquor stores in downtown Big Lake  
even though it is a come along w/ 3 Bears they could use the space better  
3 Bears at Pitman 3 Bears on K&B are shopable for liquor

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses  
**Applicant:** Three Bears Alaska, Inc.  
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**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

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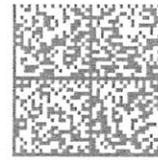
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Name: Jill Pock Address: PO Box 520102 Big Lake

Location/Legal Description of your property: LSB1 TRSH Hills 9D

Comments: The addition of a 4th liquor store to downtown Big Lake is wholly unnecessary. This puts 4 stores in about 1/4 of a mile of road. Please do not pass the requested transfer of a Palmer license to Big Lake as requested by 3 Bears.

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
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Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

54774B02L004  
HICKLING GUY L & KAREN A  
14723 W MARTEN AVE  
WASILLA AK 99623-4822

Matanuska - Susitna Borough  
44 Development Services

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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store

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Name: Karen Hickling Address: 14723 W. Marten Wasilla AK  
Location/Legal Description of your property: 14860 W. Fireweed Lane Big Lake

Comments:  
There are currently 3 liquor stores within a half mile stretch of downtown Big Lake. Why didn't 3 Bears approach owners to buy out existing license? We don't need a fourth one.

Note: Vicinity Map Located on Reverse Side



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KRISTA L. COPE  
P.O. BOX 521746  
BIG LAKE AK 99652

Received

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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

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Name: KRISTA L. COPE Address: 12134 W. CHERI LK DR

Location/Legal Description of your property: HOUSTON AK 99694

Comments: We do not need yet ANOTHER liquor store in Big Lake Alaska!!!



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Name: Stephen Nelson Address: 14768 W. Fox Wasilla AK, 99665  
Location/Legal Description of your property: patents house 14768 W Fox Big Lake AK, 99655  
Comments: we dont need another liquor store



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Name: Samantha J. Tomasi Address: 3826 S. Wokerning Dr. Big Lake  
Location/Legal Description of your property: Lot 117 Landcell Subdwn.  
Comments: There are already three (3) liquor stores in less than a mile. This would make (4). The current stores are owned by local Big Lake residents. A large corporation moving in will hurt local stores. How much alcohol can Big Lake residents pay? This would be over kill! Very opposed!!!

Note: Vicinity Map Located on Reverse Side

(907) 232-6630



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Name: Vincent Tomasi Address: 38214 S. Wolverine  
Location/Legal Description of your property: Randall Sub lot 6A  
Comments: (4) Liquor stores in one mile and within 1/2 mile of a school is overkill!  
The population of Big Lake cannot support another liquor distributor.  
OPPOSED!

Note: Vicinity Map Located on Reverse Side

(907) 982-9952



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**Name:** Lisa Lambert **Address:** 14247 Masonic Ct., Big Lake,

**Location/Legal Description of your property:**

**Comments:** Big Lake is a nice family community. What are we teaching kids if we have 4 liquor stores? The small family business's already don't need the competition either.

*Lisa Lambert*



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Name: Gay Howe Address: P.O. Box 520555  
Location/Legal Description of your property: Rocky Lake Drive Big Lake, AK  
Comments: We do not need another liquor store here at Big Lake. We have three and I like doing business with the local ones that have been here a long time.

Note: Vicinity Map Located on Reverse Side



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**Name:** Waltraud R. Bessels **Address:** 8601 So Bessels Ct. Big Lake Ak 99652

**Location/Legal Description of your property:** Stephan Lake; Section II, Township 16N,

**Comments:** Range 4 W Seward Meridian

Big Lake has sufficient liquor stores at present.



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

FIRST CLASS MAIL

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**Application or Item:** Application for a conditional use permit for a liquor package store

**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store

**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

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Name: Jule R. Peterson Address: Box 646 Big Lake AK 99652

Location/Legal Description of your property: BL 1 Lot 8 KayAnn Willow/Houston

Comments: By Approving this Application you would have 4 Liquor stores less than a 1/2 mile from each other! I think the Big Lake Area is already saturated as compared with the population. By adding another liquor store you would over-saturate the community, and, create economic instability for those stores already here.

Note: Vicinity Map Located on Reverse Side

*J.P.*



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Name: JACKIE WELLBORN MAILING P.O. BOX 520071 BIG LAKE AK 99652  
Address: 13638 W. MAPLEWOOD DR - BIG LAKE

Location/Legal Description of your property: Knollwood Heights Sub - 13638 W. MAPLEWOOD DR

Comments: would like to see a few new businesses out here.  
We don't need ANOTHER liquor store, that would be H  
within blocks of each other

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
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Name: Rebecca McGuire Address: Box 521465

Location/Legal Description of your property: 13505 W. Maplewood Dr.

Comments: We have enough liquor stores and don't need anymore.



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Name: Michale Naumann Address: Box 521465

Location/Legal Description of your property: 13508 W. Maplewood Dr.

Comments: We dont need anymore liquor store's in Big Lake.



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Name: F. J. ROBERT Address: P.O. P 520 524 B.C. AK

Location/Legal Description of your property: BIG LAKE, MEADOWLAKES

Comments: THE 3RD LIQUOR STORE WAS MARGINAL  
A 4TH STORE BEING PERMITTED IS OUT OF BOUNDS  
A 4TH IS TOO MUCH FOR THIS COMMUNITY REGARDLESS OF ITS  
ATTACHMENT TO A WELCOMED 3 BEARS MINI MEGA STORE



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Name: Craig Pock Address: 21480 Loc Lakeland Dr

Location/Legal Description of your property: 195 Big Lake AK

Comments: Please do NOT allow transfer of additional liquor stores to Big Lake - 3 is plenty for the community. Say NO to 3 Bears Request

Note: Vicinity Map Located on Reverse Side

Craig O. Pock



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Name: JO "Bud" Smyth Address: PO Box 521362 Big Lake AK 99652  
Location/Legal Description of your property: 1880 Smyth Drive  
Comments: see attached.

Note: Vicinity Map Located on Reverse Side

There are already two small businesses and one moderately-sized corporation selling booze within a hefty stone's throw of each other. All are just making it, and the proposal of Three Bears would put another within the same radius, thus increasing the economic hardship disproportionately on the two actually small business owners who have proven records of responsible service to our community. They truly know and responsibly care for their customers. Having additional multiple corporately-supported purveyors of spirits further enabling the community of Big Lake-- which is pretty well known as the party area of the Valley--actually makes less sense than choosing to build a mid-town roundabout at the center of the tipsiest and most heavily armed population in Alaska, instead of installing crosswalks or an overpass for our innocent elementary schoolchildren to get to school safely.

J.C. "Bud" Smyth

Big Lake



Matanuska - Susitna Borough  
Development Services

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Name: Kathleen Harms Address: PO Box 521362 Big Lake AK

Location/Legal Description of your property: 1880 Smyth Drive Big Lake 99652

Comments: \_\_\_\_\_

Please see attached

Please don't authorize Three Bears to include a liquor store at the planned Big Lake location.

There are already 3 liquor stores in Big Lake's ½ mile long town center: a liquor store attached to the gas station, a liquor store across from the post office, and a liquor store next to the grocery store. Would this possible 4<sup>th</sup> liquor store, then, be necessary to supply the patrons of the Big Lake Library or the staff of the Big Lake Elementary School which don't yet have liquor stores attached? Should we expect a 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> liquor store so that every building and business in the community could have its very own liquor store nearby?

This would be, obviously, ridiculous.

It is the duty of the Planning and Land Use Department of our borough to make thoughtful and reasonable decisions for our borough communities based on community values and auspicious community development. Big Lake as a community is most assuredly *not* campaigning to become the tiniest non-incorporated town in the state with the most liquor stores per square inch. Absent such a campaign, the Planning and Land Use Department must base its decision on what is thought, by the State of Alaska and reasonable people, to be best for communities in general, no more than 3 liquor stores per 3,000 population. We have 3 liquor stores and that is enough.

Three Bears itself should be the good citizen to recognize and respect this fact, but fortunately we have a Planning and Land Use Department which cares more.

  
Kathleen Harms

Big Lake Resident

841-2019

Matanuska - Susitna Borough  
Development Services

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**Application or Item:** Application for a conditional use permit for a liquor package store

**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store

**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

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Name: Carol Tyler Address: 1880 Smyth Dr Big Lake AK

Location/Legal Description of your property: Big Lake resident

Comments: Our Community does NOT need 4 liquor stores -  
4 gas stations - 4 strip malls. We are a community with plans  
for a community feel not a "stop on the highway" like so  
many small towns have become. Please deny this plan that has the  
ability to change the dynamic of the entire community

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

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**Name:** Suntrana Smyth **Address:** thetranone@yahoo.com

**Location/Legal Description of your property:** Big Lake resident

**Comments:** No more liquor stores in Big Lake, please!!  
In keeping with Alaskan frontier-era laws, we need to maintain at least a high ratio of community organizations - churches, community centers & gathering places, family-accessible restaurants - to alcohol, gasoline, and other purely corporate interests, thus using the limited real estate of our community to the benefit of that community.  
Note: Vicinity Map Located on Reverse Side



Matanuska - Susitna Borough  
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Name: Corinne Zuercher Address: Mile 2.5 Pappoose Twin Road, Big Lake, AK 99652

Location/Legal Description of your property: Big Lake Resident

Comments: I do not want you to approve the transfer of the liquor license that Three Bears has requested. We already have three (3) liquor stores in Big Lake and we do not need another one.

Note: Vicinity Map Located on Reverse Side



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Name: JAMES MARTIN WOODS Address: P.O. BOX 521496 BIG LAKE, ALASKA

Location/Legal Description of your property: \_\_\_\_\_

Comments: I DO NOT APPROVE OF ADDING ANOTHER LIQUOR STORE IN BIG LAKE. THREE IS ENOUGH. PLEASE DO NOT APPROVE THE TRANSFER THREE BEARS HAS REQUESTED.

A RECOVERY CLINIC REHAB CENTER WOULD BE FAR MORE APPROPRIATE!

Note: Vicinity Map Located on Reverse Side



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**Name:** Candace Kruse **Address:** PO Box 521274 Big Lake, AK

**Location/Legal Description of your property:** \_\_\_\_\_

**Comments:** We have enough quality liquor store here in the area. The area doesnt need another liquor store. Three Bears should only worry about groceries not excel in the alcholic business.  
Candace Kruse



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**Name:** Kim Johnson **Address:** 12074 W. Birch Rd, Houston, AK  
**Location/Legal Description of your property:** Lot 3A Long Lake - Twin Lake  
**Comments:** Big Lake/Houston does not need another liquor store. Three is enough, four is excessive. Please do not approve the transfer 3 Bears has requested.

Note: Vicinity Map Located on Reverse Side



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Name: James Belcher Address: P.O. Box 520994, Big Lake  
Location/Legal Description of your property: 2390 South Park Rd. (Residence)  
Comments: What?! yet another liquor store in 'Tiny' Big Lake? I thought it was over-kill when Tesoro Super store put in a third one. Now Three Bears wants another? Four liquor stores all within a quarter of a mile?! What does that say about Big Lake? Really?  
James Belcher

Note: Vicinity Map Located on Reverse Side



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Name: Heather Beebe Address: Po. Box 520926 Big Lake, AK 99652  
Location/Legal Description of your property: 14101 W. Sunrise dr Big Lake  
Comments: AK 99652

I do not approve of adding another liquor store to Big Lake. Please do not approve the transfer

Note: Vicinity Map Located on Reverse Side



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Name: Adam Beebe Address: PO Box 520926 Big Lake, Ak  
Location/Legal Description of your property: 14101 W. Sunrise dr. Big Lake Ak  
Comments: 99652

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Name: Richard Bruce Address: P.O. Box 521274 Big Lake, AK

Location/Legal Description of your property: \_\_\_\_\_

Comments: We Don't need another Liquor Store.

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

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Name: MARLENE WESTLAND Address: P.O. BOX 520702 BIG LAKE AK 99652

Location/Legal Description of your property: W. SUSITNA PARKWAY + TIMBERLING DR

Comments: WE DO NOT NEED 4 LIQUOR STORES IN LESS THAN 1 MILE.

Note: Vicinity Map Located on Reverse Side



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Name: Barb Smith Address: 11733 W. Meadowood Dr., Houston

Location/Legal Description of your property: Woody Lakes C3 B3

Comments: We have enough liquor stores in Big Lake. Really overkill. Licenses are limited by population. 3400 people don't need 4 within a mile of each other.

Thank you.

Note: Vicinity Map Located on Reverse Side



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Name: Yvonne Lindblom Address: 429 N. Beaver Lake Road, Big Lake

Location/Legal Description of your property: 429 N. Beaver Lake Road (mail Wasilla AK 99623)

Comments: We have enough liquor stores already!



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Name: Joanna Walch Address: 21023 W. Daisy Ln  
Location/Legal Description of your property: Near Purinton & Call of Wild  
Comments: I feel having another liquor store within the small area of Big Lake is unnecessary and I think would encourage more abuse. This is also very close to a elementary school.  
JWalch

Note: Vicinity Map Located on Reverse Side



Matanuska - Susitna Borough  
Development Services

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**Name:** Linda Harman **Address:** P.O. BOX 521920, Big LAKE, AK 99652

**Location/Legal Description of your property:** Lot 2, LAZELLE Island, Big LAKE

**Comments:** NO MORE LIQ STORES!

Note: Vicinity Map Located on Reverse Side



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Name: MIKE BARGAROS Address: 4610 S. RUNABOUT CIRCLE

Location/Legal Description of your property: \_\_\_\_\_

Comments: I DON'T WANT TO SEE ANOTHER LIQUOR STORE IN BIG LAKE 3 IS ENOUGH

*[Signature]*



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Name: GARY DEEGAN Address: 5745 SO. MARSHALL DR.  
Location/Legal Description of your property: BIG LAKE, AK 99652

Comments: THREE LIQUOR STORES ARE MORE THAN ENOUGH FOR THIS SIZE COMMUNITY.

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
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*\* Since this has repercussions on all citizens of Big Lake, this should have been mailed out to a larger database.*

Matanuska - Susitna Borough  
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Name: BETTY L. DEEGAN Address: 5745 So. MARSHALL DR  
Location/Legal Description of your property: San BIG LAKE AK 99652  
Comments: \_\_\_\_\_

I AM OPPOSED TO THE ADDITION OF ANY MORE LIQUOR STORES in BIG LAKE. ESPECIALLY ONE LOCATED ACROSS THE STREET FROM ANOTHER THE CURRENT ONE, which is locally-owned operation operated.

Note: Vicinity Map Located on Reverse Side

*\* see add'l comment above.*



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Name: Janise Hansen Address: 4610 S Rumbout Cir  
Location/Legal Description of your property: BLK 15 Starboard Cove Subdivision  
Comments: 414  
413

I truly believe 3 liquor stores in  
the small community of Big Lake is  
sufficient!

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

FIRST CLASS MAIL

Received

*Brandon Bannon*

The Matanuska-Susitna Borough Planning Commission will consider the following:

**Application or Item:** Application for a conditional use permit for a liquor package store

**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

**Request:** An application has been submitted for the operation of a liquor package store within a proposed convenience store

**Location:** Lot 11, Hollywood Heights Subdivision; 14468 W. Hollywood Road; within Township 17 North, Range 3 West, Section 21

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Name: *B. Bannon* Address: *5564 S Uatic way*

Location/Legal Description of your property: *Big Lake*

Comments: *I Do not approve of Addy Another Liquor store to the community 3 is enough*



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

Received

FIRST CLASS MAIL

MICHAEL PHILLIPS

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**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

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Name: Michael C. Phillips Address: 7485 Big Lake Rd Wasilla, AK  
Location/Legal Description of your property: M 7.5 S Big Lake Rd 99623  
Comments: We don't need another liquor store or gas station in Big Lake

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

FIRST CLASS MAIL

Received

The Matanuska-Susitna Borough Planning Commission will consider the following:

**Application or Item:** Application for a conditional use permit for a liquor package store

**Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses

**Applicant:** Three Bears Alaska, Inc.

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Name: THOMAS A. THOMAS, Address: 3826 SOUTH WOLVERINE WESILLIA 99662

Location/Legal Description of your property: randall sub. LOT 6, 7 Banger LOT 30B

Comments: Do, NOT need a NOTHER LIQUOR STORE. We need a  
Hardware Store



Matanuska-Susitna Borough
Planning & Land Use Department
Development Services Division
350 East Dahlia Avenue
Palmer, Alaska 99645

Matanuska - Susitna Borough
Development Services

MAY 17 2016

FIRST CLASS M/

Received

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Name: Thomas Lee Address: 14169 Mason Ct

Location/Legal Description of your property:

Comments: This Town Does NOT Require Another Liquor Store

Note: Vicinity Map Located on Reverse Side



**PLANNING COMMISSION**

Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

**JUNE 6, 2016**

**Page 211**

*Vern Cherneski  
5398 S. Echo LK Dr*

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

FIRST CLASS MAIL

**Received**

The Matanuska-Susitna Borough Planning Commission will consider the following:

- Application or Item:** *Application for a conditional use permit for a liquor package store*
- Matanuska-Susitna Borough Code Section:** MSB 17.70- Regulation of Alcoholic Beverage Uses
- Applicant:** Three Bears Alaska, Inc.
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Name: *Vern Cherneski* Address: *5398 S Echo LK Dr*

Location/Legal Description of your property: \_\_\_\_\_

Comments: *WE HAVE ENOUGH LIQUOR STORES IN BIG LAKE !!*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

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Name: G. R. H. Address: 4705 Hubbard Ln Big Lake

Location/Legal Description of your property: South Big Lake and Hubbard Ln

Comments: We have enough liquor stores.



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

MAY 17 2016

Received

FIRST CLASS MAIL

Sue Kaul  
P.O. Box 52118  
Big Lake, AK 99657

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Name: Sue Kaul Address: 23475 W. Goldstreak Dr

Location/Legal Description of your property: Block 2 lot 18 Goldstreak Subdiv. B.C.

Comments: As a longtime resident of Big Lake myself, and many others, feel that three liquor stores in Big Lake Alaska is enough. Four liquor stores within 1/2 a mile headed for our elementary school is excessive and potentially dangerous.

Note: Vicinity Map Located on Reverse Side



Matanuska-Susitna Borough  
Planning & Land Use Department  
Development Services Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Matanuska - Susitna Borough  
Development Services

Dana Stewart  
P.O. Box 521746

MAY 17 2016

Big Lake AK 99652

Received FIRST CLASS MAIL

The Matanuska-Susitna Borough Planning Commission will consider the following:  
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*Matanuska-Susitna Borough Code Section:* MSB 17.70- Regulation of Alcoholic Beverage Uses

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Name: [Signature] Address: 12170 W. Cheri Lake drive

Location/Legal Description of your property: Houston AK 99694

Comments: we already have 3 liquor stores in less than a mile of Road. we also have 2 Bars in that area. I think adding another one so close to the others and an Elementary school would not be wise. we need to think about the community as a whole not just about some company + them making money. We have enough we dont need any more!!

Note: Vicinity Map Located on Reverse Side

# **SITE PHOTOGRAPHS**













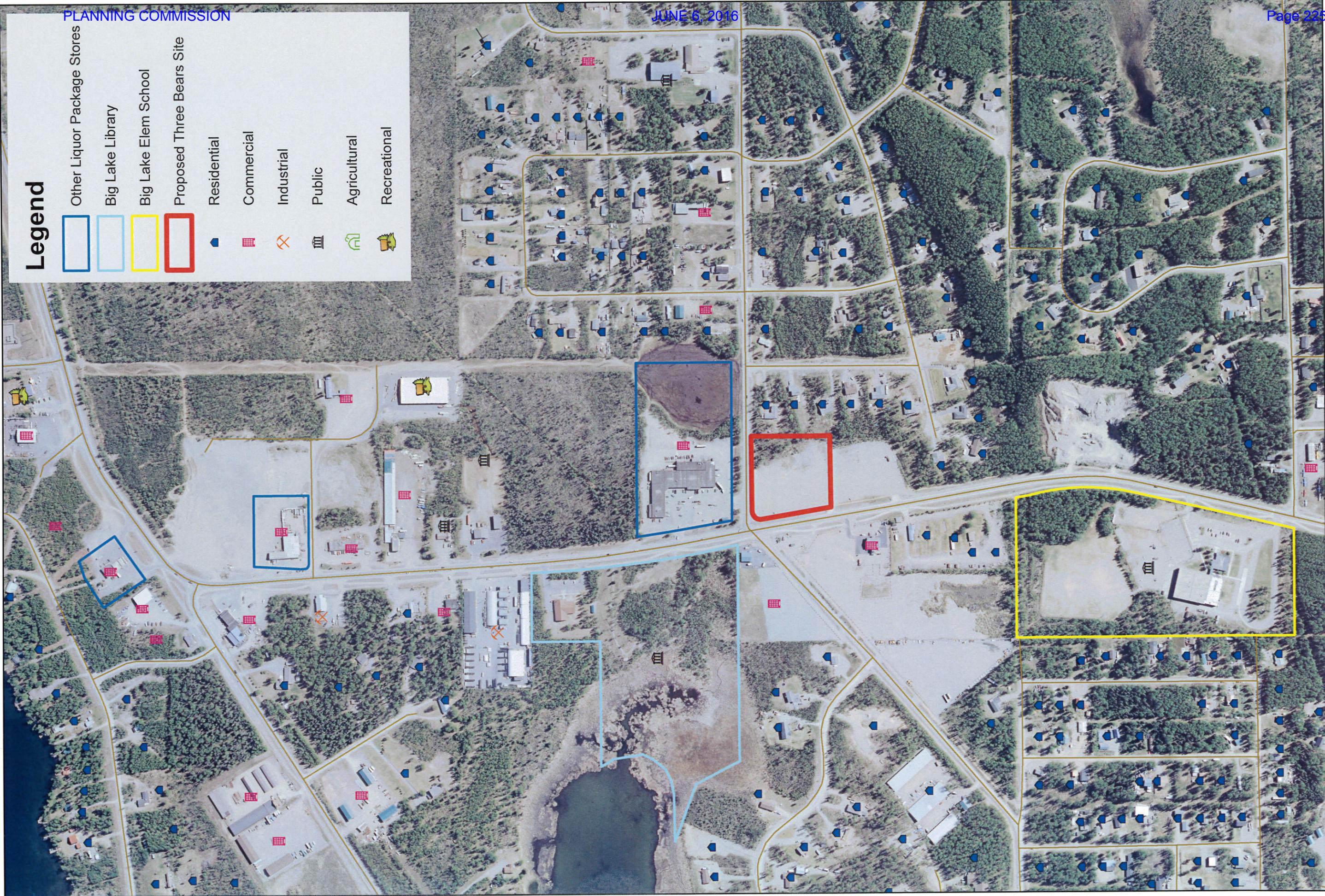
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# MAPS



# Legend

-  Other Liquor Package Stores
-  Big Lake Library
-  Big Lake Elem School
-  Proposed Three Bears Site
-  Residential
-  Commercial
-  Industrial
-  Public
-  Agricultural
-  Recreational



1 inch = 400 feet



This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7801.



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**PLANNING COMMISSION  
RESOLUTION**



By: Susan Lee  
Introduced: May 16, 2016  
Public Hearing: June 6, 2016  
Action:

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 16-20**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A LIQUOR PACKAGE STORE AT THREE BEARS, LOCATED ON Lot 11, HOLLYWOOD HEIGHTS, 14468 W. HOLLYWOOD ROAD, WITHIN TOWNSHIP 17 NORTH, RANGE 3 WEST, SECTION 21, SEWARD MERIDIAN.

WHEREAS, an application for a conditional use permit under the requirements of MSB 17.70 was submitted by Three Bears Alaska, Inc. for the operation of a liquor package store on Lot 11, Hollywood Heights, 14468 W. Hollywood Road, within Township 17 North, Range 3 West, Section 21, Seward Meridian; and

WHEREAS, a liquor package store is only permitted upon the issuance of a conditional use permit; and

WHEREAS, the Planning Commission conducted a public hearing on June 6, 2016 on this matter; and

WHEREAS, the Planning Commission reviewed the application, associated materials, and the staff report containing findings of fact and conclusions of law; and

WHEREAS, the proposed 1,907 square foot liquor store will be located within a 4,572 square foot building that also includes a 2,177 square foot convenience store; and

WHEREAS, there will also be a convenience store and fuel station operating on the same property as the proposed liquor package store; and

WHEREAS, the property is located at the intersection of Hollywood Road, Big Lake Road, and Big Lake Lodge Road; and

WHEREAS, developed properties in the vicinity on Big Lake Road are mostly commercial; however, the area is not zoned commercial; and

WHEREAS, the Big Lake Library, post, office, and fire station are north of the proposed facility and the adjacent lots on the east side of the proposed facility are developed with residences; and

WHEREAS, there are three other liquor stores located within one mile of this site; and

WHEREAS, the property is located within the Big Lake Comprehensive Plan (2009) planning area, which does not specifically address commercial liquor uses; and

WHEREAS, the Big Lake Comprehensive Plan Guide Map shows this as the "Town Center", which is defined as "walkable, mixed-use development"; and

WHEREAS, the comprehensive plan states the "Town Center" area is intended to be the center of Big Lake life and desired characteristics include: mixed use shops, food, retail goods, and services, housing, including higher density housing, within

walking distance of shops and services. A central area for library, schools, fire station, community center, parks, etc. Pedestrian friendly, walking access. An alternative to strip commercial development.

WHEREAS, the proposed liquor package store is consistent with the Big Lake Comprehensive Plan as the property is located within an area that is already developed with commercial uses. Other land uses in the area are a mix of commercial (retail sales and services), residential and undeveloped properties, the library, fire station, and post office; and

WHEREAS, the property is also located within the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) planning area, which does not specifically address alcoholic beverage uses; and

WHEREAS, the proposed liquor package store is consistent with the following land use goals and policies: Goal LU-1: Protect and enhance the public safety, health, and welfare of Borough residents. Policy LU1-2: Provide for consistent, compatible, effective and efficient development within the Borough. Goal LU-2: Protect residential neighborhoods and associated property values. Policy LU2-1: Development and implement regulations that protect residential development by separating incompatible uses, while encouraging uses that support such residential uses including office, commercial and other mixed-use development that are shown to have positive

cumulative impacts to the neighborhood. Goal LU-3: Encourage commercial and industrial development that is compatible with residential development and local community desires. Policy LU3-1: Development and implement regulations that provide for non-residential development.

WHEREAS, the proposed liquor package store meets the goals and recommendations of the Borough-wide comprehensive plan, as it is consistent with the existing development patterns; and

WHEREAS, the developed properties along South Big Lake Road are predominantly commercial; and

WHEREAS, the nearest other operating package store in the Big Lake area is located across Hollywood Road from this proposed facility and there are two other liquor package store located within one mile of this proposed facility; and

WHEREAS, the adjacent properties to the east of this lot are developed with residences, which may be visible from this site; and

WHEREAS, written comments that were submitted stating that a fourth liquor store should not be allowed in the Big Lake area; and

WHEREAS, the site is in an area where uses are continuing an established trend of a commercial center development along the South Big Lake Road; and

WHEREAS, commercial uses along Big Lake Road serve a broad market that is not limited to the immediate area; and

WHEREAS, the proposed 1,907 square foot package store will be located within a 4,572 square foot building that also includes a 2,177 square foot convenience store; and

WHEREAS, the borough does not limit the number of these types of liquor licenses in a given area; and

WHEREAS, Three Bears Alaska, Inc. operates three other liquor package stores in the borough; and

WHEREAS, the borough has no record of complaints filed under MSB 8.40 Liquor License Referrals, against any of the other Three Bears liquor store operations; and

WHEREAS, the nearest school is Big Lake Elementary which is about 1,000 feet south of the site; and

WHEREAS, the nearest church is about 1,500 feet east of the site; and

WHEREAS, state regulations preclude package store licenses within 200 feet of a school or church; and

WHEREAS, the bike path does not run by this site; and

WHEREAS, the lot is 3.71 acres in size; and

WHEREAS, the building will be located in the northeast corner of the lot, closer to Hollywood Road and the fuel station will be behind the store, closer to Big Lake Road; and

WHEREAS, the proposed building will be set back over 100 feet from the east side yard lot line, which is where the adjacent residences are located; and

WHEREAS, the site will be landscaped on the north and west sides, adjacent to Hollywood Road and Big Lake Road; and

WHEREAS, liquor store patrons will have to enter the convenience store, then go through a separate entrance into the liquor store; and

WHEREAS, the liquor store will have a pull down gate and is a store within a store; and

WHEREAS, there will be separate cashier counters for the liquor store and the convenience store; and

WHEREAS, the applicant has stated that the hours of operation for the proposed liquor store may be 9 a.m. to midnight during summer/high season and potentially shorter hours during the rest of the year. The convenience store will open earlier than the liquor store and both stores will likely close at the same time; and

WHEREAS, the applicant has submitted driveway permit applications to the State of Alaska, Department of Transportation; and

WHEREAS, the site plan depicts the area around the convenience store and fuel station will be paved, which should control the dust; and

WHEREAS, there will be lighted building mounted signs; and

WHEREAS, there will be a pole sign for the fuel station, which will advertise fuel prices; and

WHEREAS, there will not be any advertising for the package store on the fuel station sign; and

WHEREAS, there will be building mounted exterior lights around the store. In addition, the fuel canopy will provide lighting for the site. There will be a pole light at each driveway entrance; and

WHEREAS, exterior lighting will not shine onto adjacent properties or roadways; and

WHEREAS, the operation must comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound and Vibration; and

WHEREAS, access to the site will be via one driveway off of Hollywood Road and one off of Big Lake Road; and

WHEREAS, there are not any turn lanes on Hollywood Road or Big Lake Road into this site; and

WHEREAS, the package store should not greatly increase the traffic in the area. Traffic will be similar to retail sales establishments generally permitted in the area; and

WHEREAS, most of the traffic associated with this property will likely be generated from the convenience store and fuel station; and

WHEREAS, according to the ITE Trip Generation Manual, 7<sup>th</sup> Edition, the convenience store and gas station would generate 137 trips during the peak P.M. hour and the addition of the package store would generate 10 additional trips during the peak P.M. hour, for a total of 147 trips during the peak P.M. hour. This prediction of traffic generation is likely in excess of the reality of traffic generation for this business at this location based on the size of the community; and

WHEREAS, there will be 14 regular parking spaces and one handicapped accessible space; and

WHEREAS, there will be one parking space for every 327 square feet of floor area for the entire building; and

WHEREAS, nothing within the record indicates that the operation of package store at this location will greatly increase traffic in the area; and

WHEREAS, most of the vegetation on the site has previously been cleared and the remaining strip of vegetation on the east side of the lot has also been cleared for this construction; and

WHEREAS, staff obtained accident data for one square mile around the site for the years 2011 - 2012 and during that time period there were 23 accidents in the area of which two were alcohol-related; and

WHEREAS, there is no information available to determine where the individuals involved in the alcohol-related accidents obtained the alcoholic beverages; and

WHEREAS, a package store does not serve liquor on the premises; and

WHEREAS, the Alcoholic Beverage Control Board (ABC) has no record of violations by Three Bears Alaska, Inc.; and

WHEREAS, staff has no information indicating the applicant is untrustworthy or unfit to conduct business in the borough or that the applicant is a potential source of harm to the public.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution No. 16-20:

1. The conditional use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area (MSB 17.70.100(A)(1)(a)).
2. No evidence has been submitted indicating that this conditional use will be harmful to the public health, safety, convenience and welfare (MSB 17.70.100(A)(1)(b)).

3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.70.100(A)(1)(c)).
4. There will not be any negative effects upon the properties in the area due to such factors as dust, noise, obtrusive advertising and glare (MSB 17.70.100(A)(2)(a)).
5. There should not be any negative effect on the safety, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained (MSB 17.70.100(A)(2)(b)).
6. Measures are in place to reduce any negative effect upon adjacent and nearby properties, as the package store will be located within a convenience store, driveway permits have been submitted to the Alaska Department of Transportation for approval, signs will be building mounted, and there will be landscaping adjacent to Hollywood Road and Big Lake Road (MSB 17.70.100(A)(2)(c)).
7. Adequate parking is being provided (MSB 17.70.100(A)(2)(d)).
8. Access to the premise should not create an unreasonable traffic hazard (17.70.100(A)(2)(e)).

9. Traffic should not overtax existing road systems (MSB 17.70.100(A)2)(f)).
10. The proposed liquor package store is compatible with the character of the surrounding neighborhood (MSB 17.70.100(A)(2)(g)).
11. There is no evidence that the operation of a package store at this location will increase the crime rate in the area or increase alcohol-related accidents (MSB 17.70.110(B)(1)).
12. The applicant has not had a liquor license suspended or revoked in the 12 months preceding the application (MSB 17.70.110(B)(2)).
13. There has been no information submitted indicating that the applicant is untrustworthy or unfit to conduct business in the borough or that the applicant is a potential source of harm to the public (MSB 17.70.110(B)(3)).

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby finds this application does meet the standards of MSB 17.70.100 and 17.70.110 and hereby approve the conditional use permit for the operation of a liquor package store with the following conditions:

1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. If the operation expands or alters from the information submitted in the application, an amendment to the conditional use permit shall be required.
3. Signage and lighting shall be limited to that which does not directly shine onto the adjacent properties or thoroughfares.
4. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound and Vibration.
5. The landscaping and lawn as indicated on the site plan, shall be maintained.
6. Three Bears Alaska, Inc. shall obtain driveway permits from the State of Alaska, Department of Transportation.

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ADOPTED by the Matanuska-Susitna Borough Planning Commission this \_\_\_ day of \_\_\_, 2016.

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JOHN KLAPPERICH, Chair

ATTEST

---

MARY BRODIGAN, Planning Clerk

(SEAL)

DRAFT

YES:

NO:

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**PUBLIC HEARING  
LEGISLATIVE**

**Resolution No. 16-22**

Amendments to Ordinance 16-003  
Amending MSB 17.60  
Standards for Marijuana Related Facilities

(Page 243 - 306)

**PUBLIC HEARING**



# Ordinance Serial No. 16-003 Marijuana Regulations



**MATANUSKA-SUSITNA BOROUGH**  
 Planning and Land Use Department  
 200 East Pipeline Avenue, Suite 100  
 Anchorage, Alaska 99503  
 Phone: (907) 562-7822 • Fax: (907) 562-7821  
 www.matsusitna.gov



**MEMORANDUM**

**TO:** Planning and Land Use Commission

**FROM:** Planning and Land Use Department

**SUBJECT:** Marijuana Regulations

On May 1, 2016, the Planning and Land Use Commission met to discuss the proposed Marijuana Regulations. The Commission discussed the regulations and the proposed amendments to the Zoning Ordinance. The Commission discussed the regulations and the proposed amendments to the Zoning Ordinance. The Commission discussed the regulations and the proposed amendments to the Zoning Ordinance.

**\* "Use floor area" means the total of all floor areas of a building or part thereof, including stairs and elevator shafts, equipment rooms, storage, warehouse, parking, loading**

**\* "Recreational facility" means a place designed and equipped for the conduct of uses of recreational use. Recreational facilities do not include the following:**

Page 1 of 4



Matanuska-Susitna Borough  
 Planning Commission  
 May 2, 2016

| State License Types  | Ord. 16-003 |
|--|-------------|
| Limited Cultivation Facility (<500 ft <sup>2</sup> )<br><small>*Planning Commission recommended exemption for this size facility</small> | ✓           |
| Standard Cultivation Facility  | ✓           |
| Retail Marijuana Store   | ✓           |
| Product Manufacturing Facility   |             |
| Concentrate Manufacturing Facility   |             |
| Testing Facility   |             |

# Cultivation Facilities



# Cultivation Facilities



# Limited Cultivation Facilities

<500 square feet

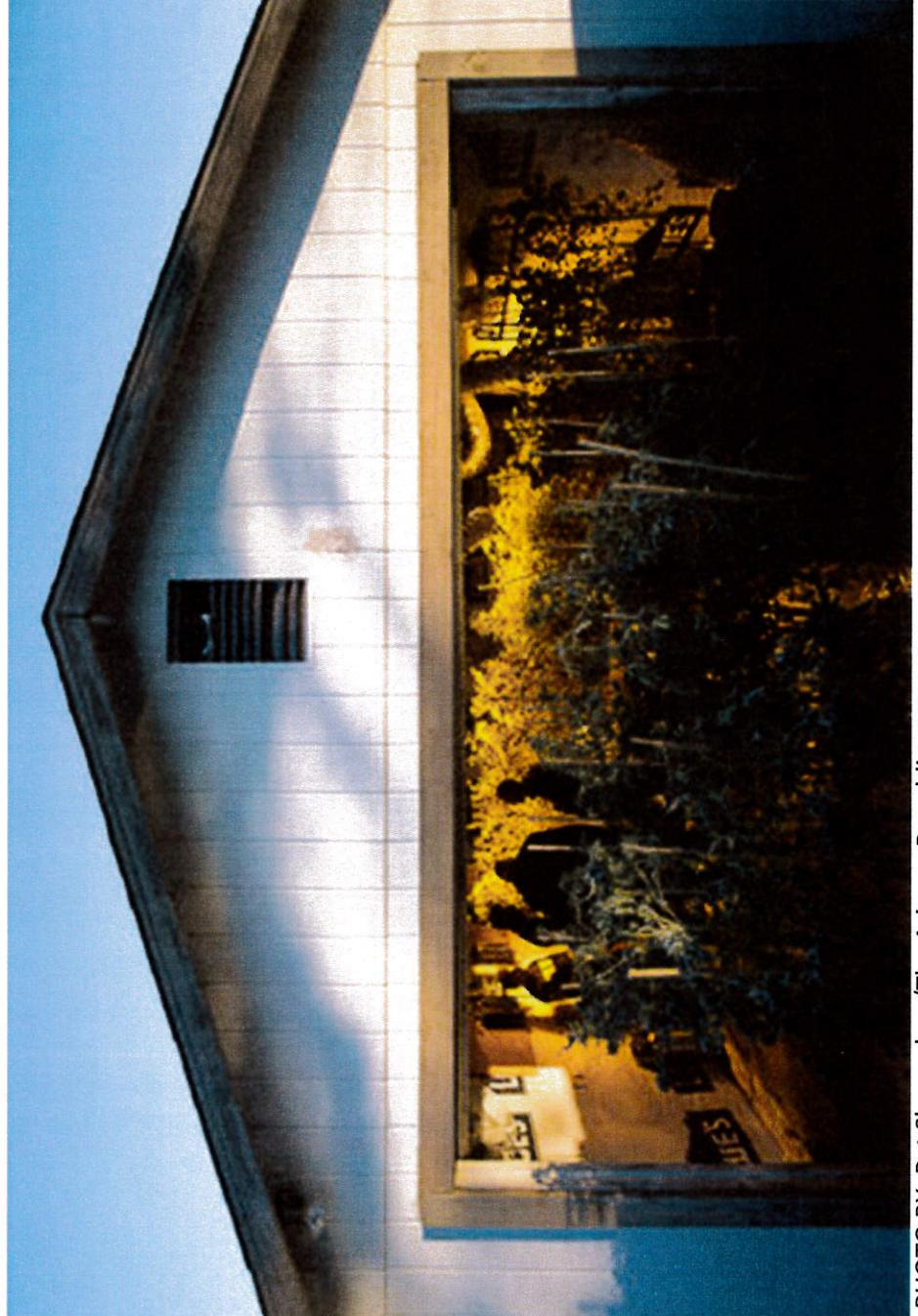


PHOTO BY: Pat Shannahan/The Arizona Republic



# Cultivation Facilities



## Cultivation Facilities – State Law

- Cannot sell or transfer directly to consumers
- No consumption within 20 feet of premises
- No adulteration
- Packaging standards
- Handler's permit required
- Security standards

## Cultivation Facilities – State Law Continued...

- Video surveillance required
  - ↳ Footage must be preserved for 40 days
- Strict tracking system
- Sanitation standards
- Product must be laboratory tested for mold, pesticides, etc.

# Cultivation Facilities – State Law

## Continued...

### 3 AAC 306.430 (C)

[A Marijuana Facility shall] not emit an odor that is detectable by the public from outside the cultivation facility except as allowed by a local government conditional use permit process.

# Cultivation Facilities

|  |  |
|--|--|
| <b>Land Use Impact</b>                     | <b>16-003</b>  |
| <b>Odor</b>                                | <ul style="list-style-type: none"> <li>- Odor mitigation and ventilation Plan</li> <li>- Buffers</li> </ul>                            |
| <b>Water quality/Environmental</b>         | <ul style="list-style-type: none"> <li>- Wastewater and waste material disposal plan</li> </ul>  |
| <b>Safety/Security</b>                     | <ul style="list-style-type: none"> <li>- Security plan</li> </ul>  |
| <b>Compatibility with surrounding area</b> | <ul style="list-style-type: none"> <li>- Approval standards, public process</li> <li>- Buffer distances</li> <li>- Setbacks</li> </ul> |



# Option 1

✓ Adopt MSB 17.60.160 (F)

**(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.**



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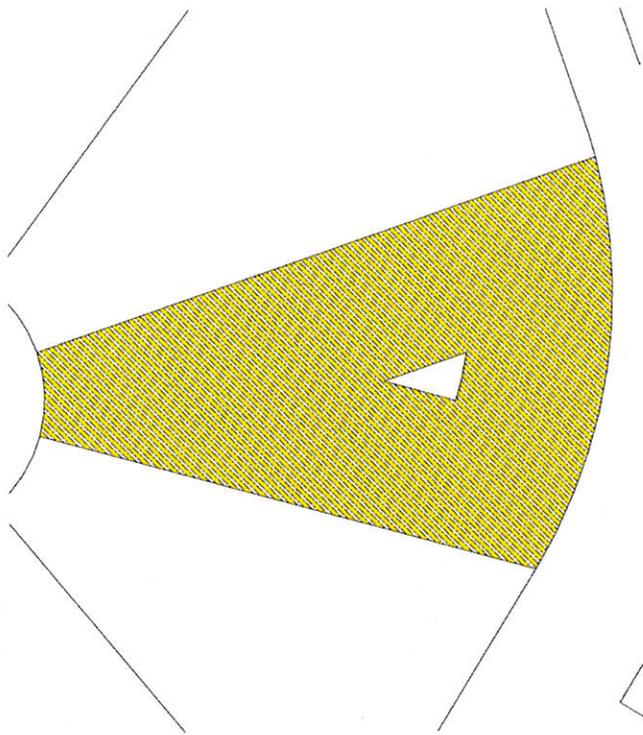
**(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.**



# Option 1

✓ Adopt MSB 17.60.160 (F)

(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.



**1.62 Acres**

**Buildable area ~915 sq. ft.**

# Option 1

✓ Adopt MSB 17.60.160 (F)

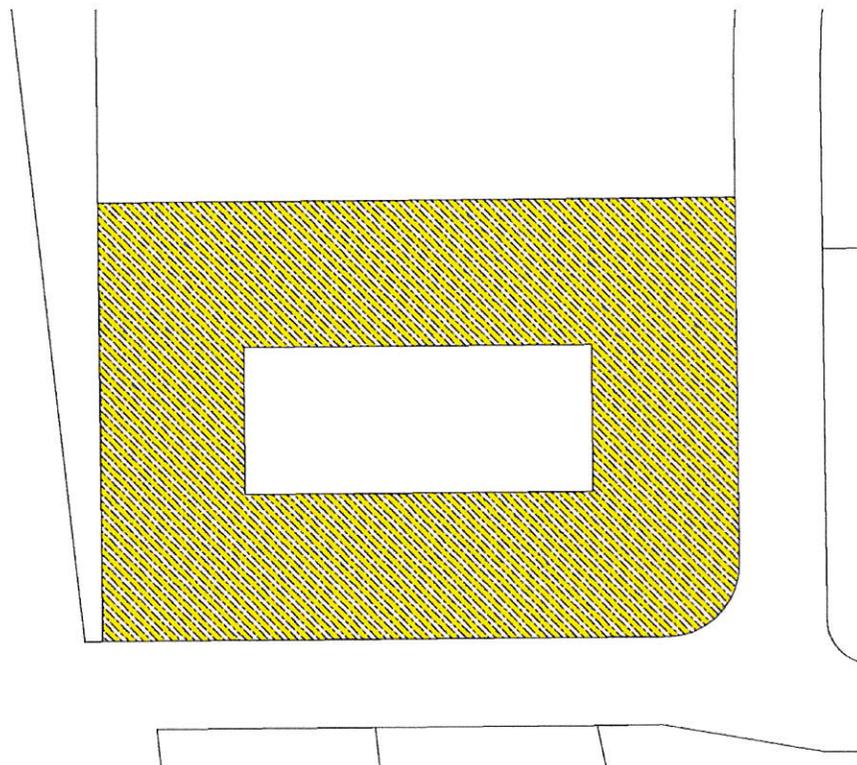
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# Option 1

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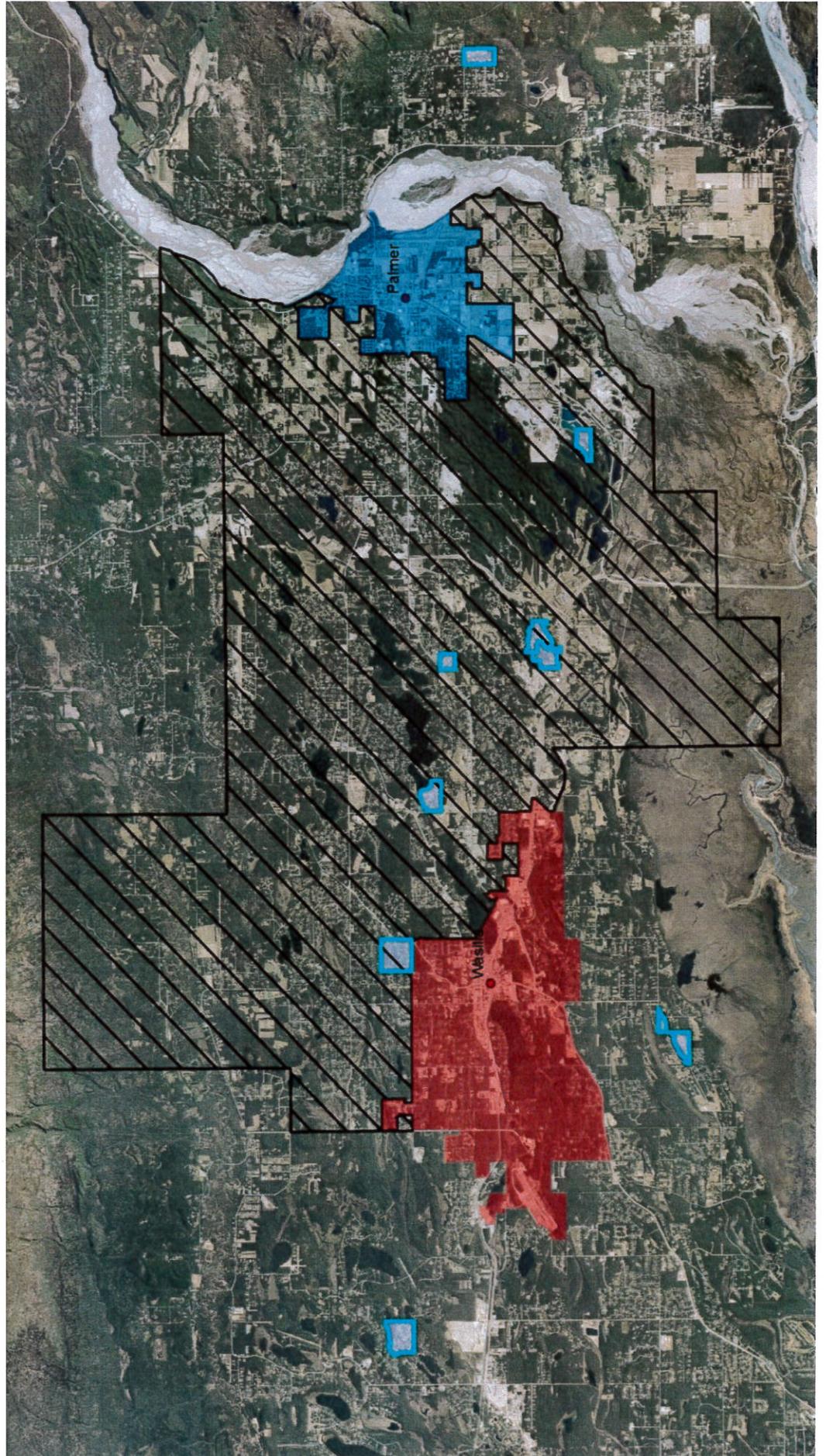


**3.03 Acres**

**Buildable area ~24,237sq. ft.**



# Option 2





# Option 3



144 Residential of 203  
~ 71%

# Option 3

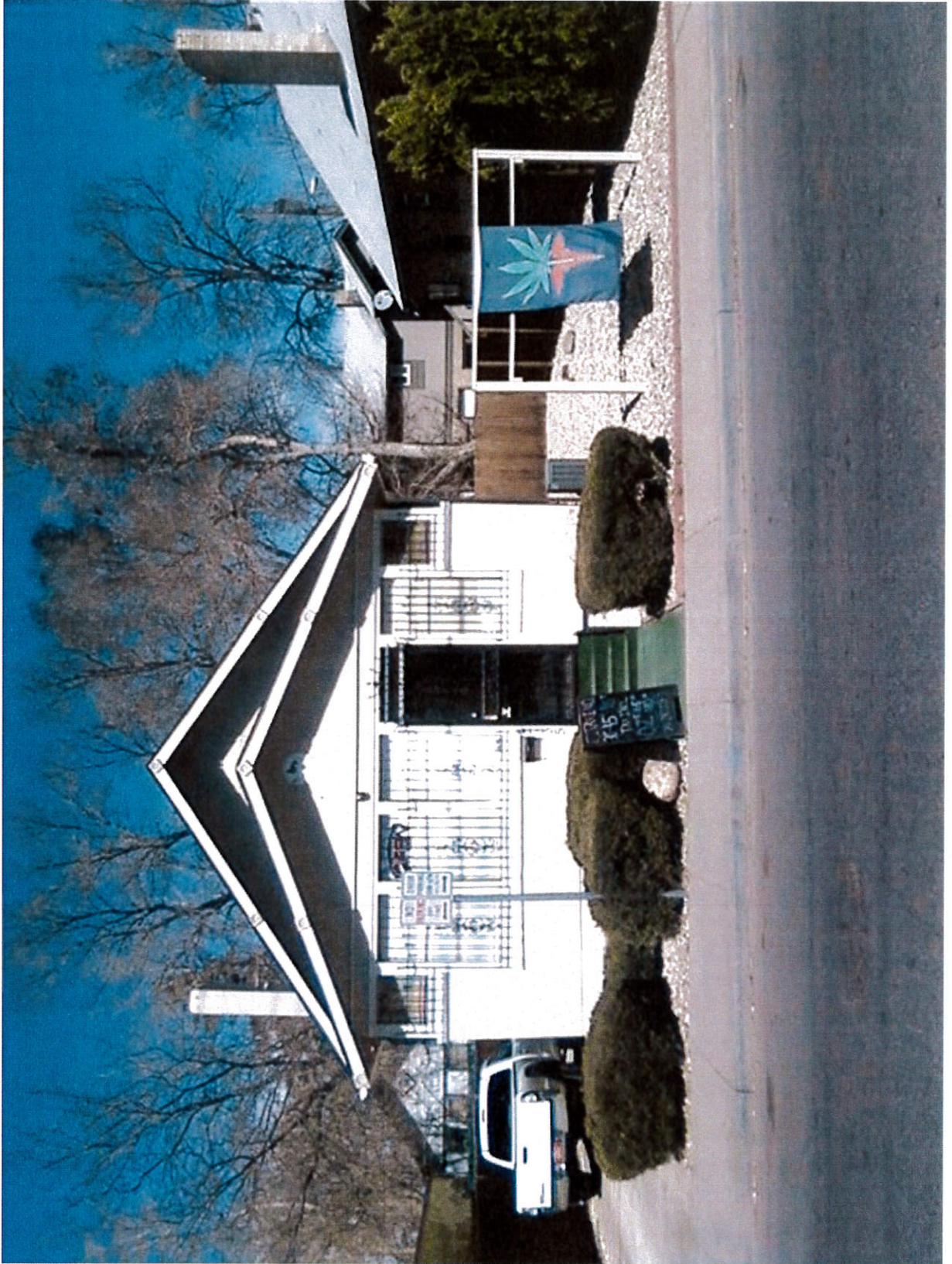


19 Residential of 23  
~ 83%

# Retail Facilities



# Retail Facilities



# Retail Facilities



## Retail Facilities – State Law

- Cannot sell to person who are:
  - ↳ Under 21
  - ↳ Intoxicated
- Quantity limits
- Cannot deliver, sell over internet
- Cannot sell between 5am – 8am

## Retail Facilities – State Law Continued...

- No giveaways
- Cannot sell alcohol
- Packaging & Labeling standards
- Strict inventory tracking system
- Products must be laboratory tested
- Can only buy from licensed facilities
- Extensive signage standards

# Prohibit retail facilities from residential areas

|  |   |   |  |  |  |
|--|---|---|--|--|--|
| <p><b>Adopt 16-003 with no changes</b></p> <ul style="list-style-type: none"> <li>- Higher setback standards compared to state</li> <li>- 500 feet from drug alcohol rehab facilities, halfway houses, correctional facilities</li> <li>- 1,000 feet from schools (state requires 500 feet)</li> <li>- 1,000 feet from child care facilities</li> <li>- 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities</li> <li>- Lacks critical definitions</li> <li>- Marijuana products</li> <li>- Marijuana product manufacturing facility</li> <li>- Lacks specific standards for retail facilities</li> <li>- Exclusion from residential neighborhoods</li> <li>- Does not require demonstration of compliance with Fire Marshal</li> </ul> | <p><b>Remove standards for traffic impacts</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.150(A)(3)</b></li> <li>(2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is obtained</li> <li>✓ <b>Article MSB 17.60.150(A)(4)</b></li> <li>(4) whether it reasonably is expected to increase or decrease traffic volume to a degree that is not consistent with the existing traffic volume</li> </ul> <p><b>Reduce setback standards to match state</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.150(B)</b></li> <li>(1) within 500 feet of a school, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility; (2) within 50 feet of any residence located on an adjacent property; (3) within 500 feet of any drug or alcohol rehabilitation facility; (4) within 1,000 feet of any child care facility; (5) within 1,000 feet of any public park, playground, boat ramp, or other similar recreational facility open to the public;</li> </ul> | <p><b>Remove sign standards</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.150(A)(1)</b></li> <li>(1) any potential negative effect upon other properties in the area due to such factors as noise, and other adverse effects;</li> <li>✓ <b>Article MSB 17.60.150(A)(3)(c)</b></li> <li>(c) reduction or elimination of advertising or other signage;</li> </ul> <p><b>Exempt "limited" grow operations</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.030(A)(5)(a)</b></li> <li>(a) Cultivation facilities with less than 500 square feet under cultivation are exempt under this chapter.</li> </ul> | <p><b>Prohibit cultivation facilities from residential areas</b></p> <p><b>Option 1</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.160(F)</b></li> <li>(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way and 100 feet from side or rear lot lines.</li> </ul> <p><b>Option 2</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.160(F)</b></li> <li>(F) Marijuana cultivation facilities are prohibited from locating within: (1) the core area as described in the official Core Area Comprehensive Plan and its amendments; (2) Residential Land Use Districts established by MSB 17.52; (3) Single-Family Residential Land Use Districts as defined by MSB 17.75; (4) Large Lot Single-Family Residential Land Use Districts established by MSB 17.76; (5) Residential Planned Unit Developments established by MSB 17.36.</li> </ul> <p><b>Option 3</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.125.010</b></li> <li>- "Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single-family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes.</li> <li>✓ <b>Article MSB 17.60.160(F)</b></li> <li>(F) Marijuana cultivation facilities shall not be located within residential areas.</li> </ul> | <p><b>Prohibit retail facilities from residential areas</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.170(A)</b></li> <li>(A) Marijuana retail facilities shall not be located within a residential area unless the lot is used by a frontage road or other major thoroughfare that is conducive to commercial use.</li> <li>✓ <b>Article MSB 17.60.170(B)</b></li> <li>(B) Adopt definition of "Residential Area" from Option 3 above.</li> </ul> <p><b>Require demonstration of compliance with state law</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.150(D)</b></li> <li>(D) Prior to final approval of the permit the applicant shall provide written documentation: (1) all applicable licenses have been obtained as required by AAC 306.005; (2) from the Fire Marshal having jurisdiction, that proposed conditional use is in full compliance with all applicable fire code including but not limited to AS 18.70.010, 160 FIRE PROTECTION, and 13 AAC 50.05-50 FIRE CODE.</li> </ul> <p><b>Other changes recommended by staff</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES</b></li> <li>✓ <b>Article MSB 17.60.150(A)</b></li> <li>(1) whether the use is incompatible with the character of the surrounding area.</li> <li>✓ <b>Article MSB 17.60.160(F)</b></li> <li>Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures.</li> <li>✓ "Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with Federal law.</li> </ul> | <p><b>Eliminate 5,000 sq. ft. cap on cultivation facilities</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.60.160(E)</b></li> <li>(E) Minimum cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square-foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space.</li> </ul> <p><b>Parking standards</b></p> <ul style="list-style-type: none"> <li>✓ <b>Article MSB 17.125.010</b></li> <li>- "Net floor area" means the total of all floor areas of a building or lease area, excluding stairs, elevators, shafts, equipment rooms, interior vehicular parking or loading.</li> <li>✓ <b>Article MSB 17.60.150(A)(4)</b></li> <li>(4) subject to these area adequate parking facilities to accommodate a reasonably expected increased demand for parking created by locating the permit.</li> <li>✓ <b>Article MSB 17.60.170</b></li> <li>(B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet.</li> <li>(C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet.</li> </ul> |
|--|---|---|--|--|--|

\* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.

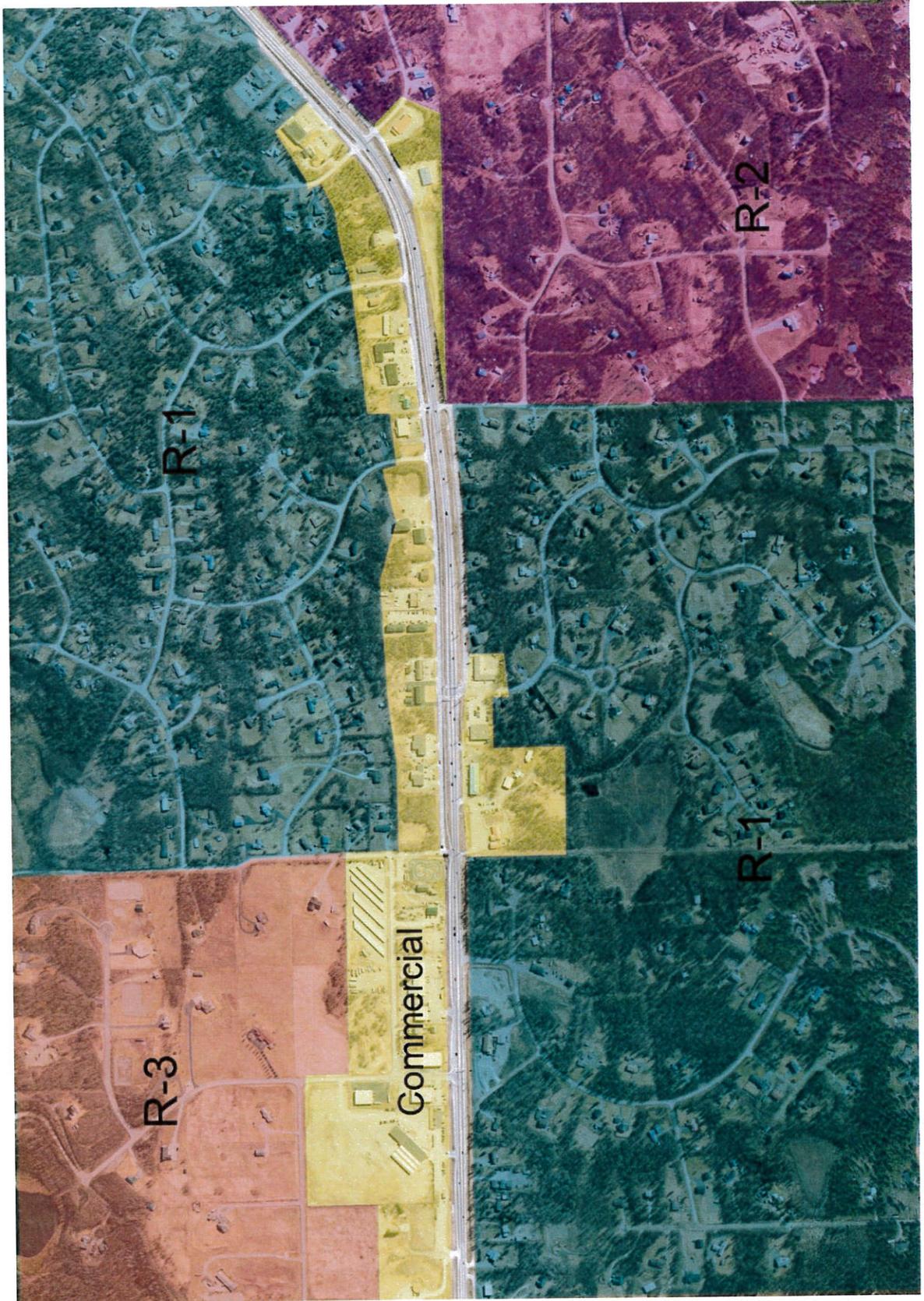
# Prohibit retail facilities from residential areas

✓ Adopt MSB 17.60.170 (A) \*

**(A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.**



# Another approach....





# Eliminate 5,000 sq. ft. cap on cultivation facilities

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|---|---|--|
| <p><b>Adopt 16-003 with no changes</b></p> <ul style="list-style-type: none"> <li>- Higher setback standards compared to state</li> <li>- 500 feet from drug/alcohol rehab facilities, halfway houses, correctional facilities</li> <li>- 1,000 feet from schools (state requires 500 feet)</li> <li>- 1,000 feet from child care facilities</li> <li>- 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities</li> <li>- Lacks critical definitions             <ul style="list-style-type: none"> <li>• Marijuana products</li> <li>• Marijuana product manufacturing facility</li> </ul> </li> <li>- Lacks specific standards for retail facilities             <ul style="list-style-type: none"> <li>• Parking standards</li> </ul> </li> <li>- Exclusion from residential neighborhoods</li> <li>- Does not require demonstration of compliance with Fire Marshall</li> </ul>  | <p><b>Remove standards for traffic impacts</b></p> <ul style="list-style-type: none"> <li>✓ <b>Strike MSB 17.60.150(A) (2)</b></li> <li>(2) any potential negative effect on the safe efficient flow of traffic on any highway, street, collector or street from which access to and from the establishment is required;</li> <li>✓ <b>Strike MSB 17.60.150(A) (3) (d)</b></li> <li>(d) the number of vehicles that enter, exit, or pass through the site and adjacent roads</li> <li>✓ <b>Amend MSB 17.60.150(A)</b></li> <li>(5) whether access to the premises will create an unreasonable traffic hazard;</li> <li>(6) whether a reasonably expected increase in traffic will adversely affect existing road systems;</li> </ul>  | <p><b>Prohibit cultivation facilities from residential areas</b></p> <p><b>Option 1</b></p> <ul style="list-style-type: none"> <li>✓ <b>Adopt MSB 17.60.160 (F)</b></li> <li>(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way and 100 feet from side or rear lot lines.</li> </ul> <p><b>Option 2</b></p> <ul style="list-style-type: none"> <li>✓ <b>Adopt MSB 17.60.160 (F)</b></li> <li>(F) Marijuana cultivation facilities are prohibited from locating within:             <ol style="list-style-type: none"> <li>(1) the core area as described in the official Core Area Comprehensive Plan and its amendments;</li> <li>(2) Residential Land Use Districts established by MSB 17.52;</li> <li>(3) Single-Family Residential Land Use Districts as defined by MSB 17.25;</li> <li>(4) Large Lot Single-Family Residential Land Use Districts established by MSB 17.76;</li> <li>(5) Residential Planned Unit Developments established by MSB 17.36.</li> </ol> </li> </ul> <p><b>Option 3</b></p> <ul style="list-style-type: none"> <li>✓ <b>Amend MSB 17.125.010</b></li> <li>"Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes.</li> <li>✓ <b>Adopt MSB 17.60.160 (F)</b></li> <li>(F) Marijuana cultivation facilities shall not be located within residential areas.</li> </ul> |
| <p><b>Reduce setback standards to match state</b></p> <ul style="list-style-type: none"> <li>✓ <b>Amend MSB 17.60.150 (B)</b></li> <li>(1) within 500 feet of a school, grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility;</li> <li>(2) within 1,000 feet of any residential building or improvement property that contains residential units that are located within the subject property;</li> <li>(3) within 500 feet of any day care or child care facility;</li> <li>(4) within 1,000 feet of any elementary school, middle school, high school, college, or university;</li> <li>(5) within 500 feet of any public child care facility;</li> <li>(6) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public;</li> </ul> <p>(C) Separation distances referred in (B) of this section are measured from a direct line between the closest point of the facility within which the marijuana facility is located and the closest point on the lot or parcel of land upon which any of the above-named uses are located, by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school, recreation or youth center, or the main public entrance of the building in which religious services are regularly conducted, or the correctional facility.</p> | <p><b>Prohibit retail facilities from residential areas</b></p> <ul style="list-style-type: none"> <li>✓ <b>Adopt MSB 17.60.170 (A)</b></li> <li>(A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.</li> <li>✓ <b>Adopt definition of "Residential Area" from Option 3 above.</b></li> </ul>   | <p><b>Require demonstration of compliance with state law</b></p> <ul style="list-style-type: none"> <li>✓ <b>Adopt MSB 17.60.150 (D)</b></li> <li>(D) Prior to final approval of the permit the applicant shall provide written documentation:             <ol style="list-style-type: none"> <li>1. all applicable licenses have been obtained as required by 3 AAC 306.005.</li> </ol> </li> <li>2. from the Fire Marshal having jurisdiction that proposed conditional use is in full compliance with all applicable fire code, including but not limited to AS 18.70.010, 160 FIRE PROTECTION, and 13 AAC 50.025.0-80 FIRE CODE.</li> </ul> <p><b>Other changes recommended by staff</b></p> <ul style="list-style-type: none"> <li>✓ <b>Adopt New Subsection MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES</b></li> <li>✓ <b>Amend MSB 17.60.150 (A)</b></li> <li>(7) whether the use is <u>incompatible</u> with the character of the surrounding area;</li> <li>✓ <b>Amend MSB 17.60.160 (E)</b></li> <li>(E) Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures</li> <li>✓ <b>Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with federal law</b></li> </ul>  |
| <p><b>Eliminate 5,000 sq. ft. cap on cultivation facilities</b></p> <ul style="list-style-type: none"> <li>✓ <b>Strike MSB 17.60.160 (B)</b></li> <li>Marijuana cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathroom, or storage space.</li> </ul>   | <p><b>Parking standards</b></p> <ul style="list-style-type: none"> <li>✓ <b>Amend MSB 17.125.010</b></li> <li>"Net floor area" means the total of all floor areas of a building or lease area, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading</li> <li>✓ <b>Strike MSB 17.60.150(A) (4)</b></li> <li>(4) whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by locating the permit;</li> <li>✓ <b>Amend MSB 17.60.170</b></li> <li>(B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet.</li> <li>(C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet.</li> </ul>   | <p><b>Reduce setback standards to match state</b></p> <ul style="list-style-type: none"> <li>✓ <b>Amend MSB 17.60.150 (B)</b></li> <li>(1) within 500 feet of a school, grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility;</li> <li>(2) within 1,000 feet of any residential building or improvement property that contains residential units that are located within the subject property;</li> <li>(3) within 500 feet of any day care or child care facility;</li> <li>(4) within 1,000 feet of any elementary school, middle school, high school, college, or university;</li> <li>(5) within 500 feet of any public child care facility;</li> <li>(6) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public;</li> </ul> <p>(C) Separation distances referred in (B) of this section are measured from a direct line between the closest point of the facility within which the marijuana facility is located and the closest point on the lot or parcel of land upon which any of the above-named uses are located, by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school, recreation or youth center, or the main public entrance of the building in which religious services are regularly conducted, or the correctional facility.</p>  |
| <p><b>Parking standards</b></p> <ul style="list-style-type: none"> <li>✓ <b>Amend MSB 17.125.010</b></li> <li>"Net floor area" means the total of all floor areas of a building or lease area, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading</li> <li>✓ <b>Strike MSB 17.60.150(A) (4)</b></li> <li>(4) whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by locating the permit;</li> <li>✓ <b>Amend MSB 17.60.170</b></li> <li>(B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet.</li> <li>(C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet.</li> </ul>   | <p><b>Reduce setback standards to match state</b></p> <ul style="list-style-type: none"> <li>✓ <b>Amend MSB 17.60.150 (B)</b></li> <li>(1) within 500 feet of a school, grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility;</li> <li>(2) within 1,000 feet of any residential building or improvement property that contains residential units that are located within the subject property;</li> <li>(3) within 500 feet of any day care or child care facility;</li> <li>(4) within 1,000 feet of any elementary school, middle school, high school, college, or university;</li> <li>(5) within 500 feet of any public child care facility;</li> <li>(6) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public;</li> </ul> <p>(C) Separation distances referred in (B) of this section are measured from a direct line between the closest point of the facility within which the marijuana facility is located and the closest point on the lot or parcel of land upon which any of the above-named uses are located, by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school, recreation or youth center, or the main public entrance of the building in which religious services are regularly conducted, or the correctional facility.</p> | <p><b>Reduce setback standards to match state</b></p> <ul style="list-style-type: none"> <li>✓ <b>Amend MSB 17.60.150 (B)</b></li> <li>(1) within 500 feet of a school, grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility;</li> <li>(2) within 1,000 feet of any residential building or improvement property that contains residential units that are located within the subject property;</li> <li>(3) within 500 feet of any day care or child care facility;</li> <li>(4) within 1,000 feet of any elementary school, middle school, high school, college, or university;</li> <li>(5) within 500 feet of any public child care facility;</li> <li>(6) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public;</li> </ul> <p>(C) Separation distances referred in (B) of this section are measured from a direct line between the closest point of the facility within which the marijuana facility is located and the closest point on the lot or parcel of land upon which any of the above-named uses are located, by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school, recreation or youth center, or the main public entrance of the building in which religious services are regularly conducted, or the correctional facility.</p>  |

\* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.



# Remove standards for traffic impacts

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| <p><b>Adopt 16-003 with no changes</b></p> <ul style="list-style-type: none"> <li>- Higher setback standards compared to state</li> <li>- 50 feet from drug alcohol rehab facilities, halfway houses, correctional facilities</li> <li>- 1,000 feet from schools (state requires 500 feet)</li> <li>- 1,000 feet from child care facilities</li> <li>- 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities</li> <li>- Lacks critical definitions             <ul style="list-style-type: none"> <li>• Marijuana products</li> <li>• Marijuana product manufacturing facility</li> </ul> </li> <li>- Lacks specific standards for retail facilities</li> <li>- Does not require demonstration of compliance with Fire Marshall</li> </ul> | <p><b>Remove standards for traffic impacts</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>               | <p><b>Prohibit cultivation facilities from residential areas</b></p> <p>Option 1</p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul> <p>Option 2</p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul> <p>Option 3</p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul> |
| <p><b>Reduce setback standards to match state</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>   | <p><b>Prohibit retail facilities from residential areas</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>  | <p><b>Require demonstration of compliance with state law</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>   |
| <p><b>Eliminate 5,000 sq. ft. cap on cultivation facilities</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>   | <p><b>Other changes recommended by staff</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>                 | <p><b>Require demonstration of compliance with state law</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>   |
| <p><b>Parking standards</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>   | <p><b>Require demonstration of compliance with state law</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul> | <p><b>Require demonstration of compliance with state law</b></p> <ul style="list-style-type: none"> <li>AS 18.70.010 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)</li> </ul>   |

\* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.



# Reduce setbacks to match state

## State

## 16-003

Cannot be located within 500 feet from:

- School grounds
- Recreation or youth center
- Building in which religious services are regular conducted
- Correctional facility

Cannot be located within 50 feet of residence

Cannot be located within 500 feet of:

- Drug or alcohol rehab facilities
- Halfway house or correctional facility
- Public park, playground, boat ramp, or other similar recreational amenity open to the public

Cannot be located within 1000 feet of:

- Schools
- Child care facilities

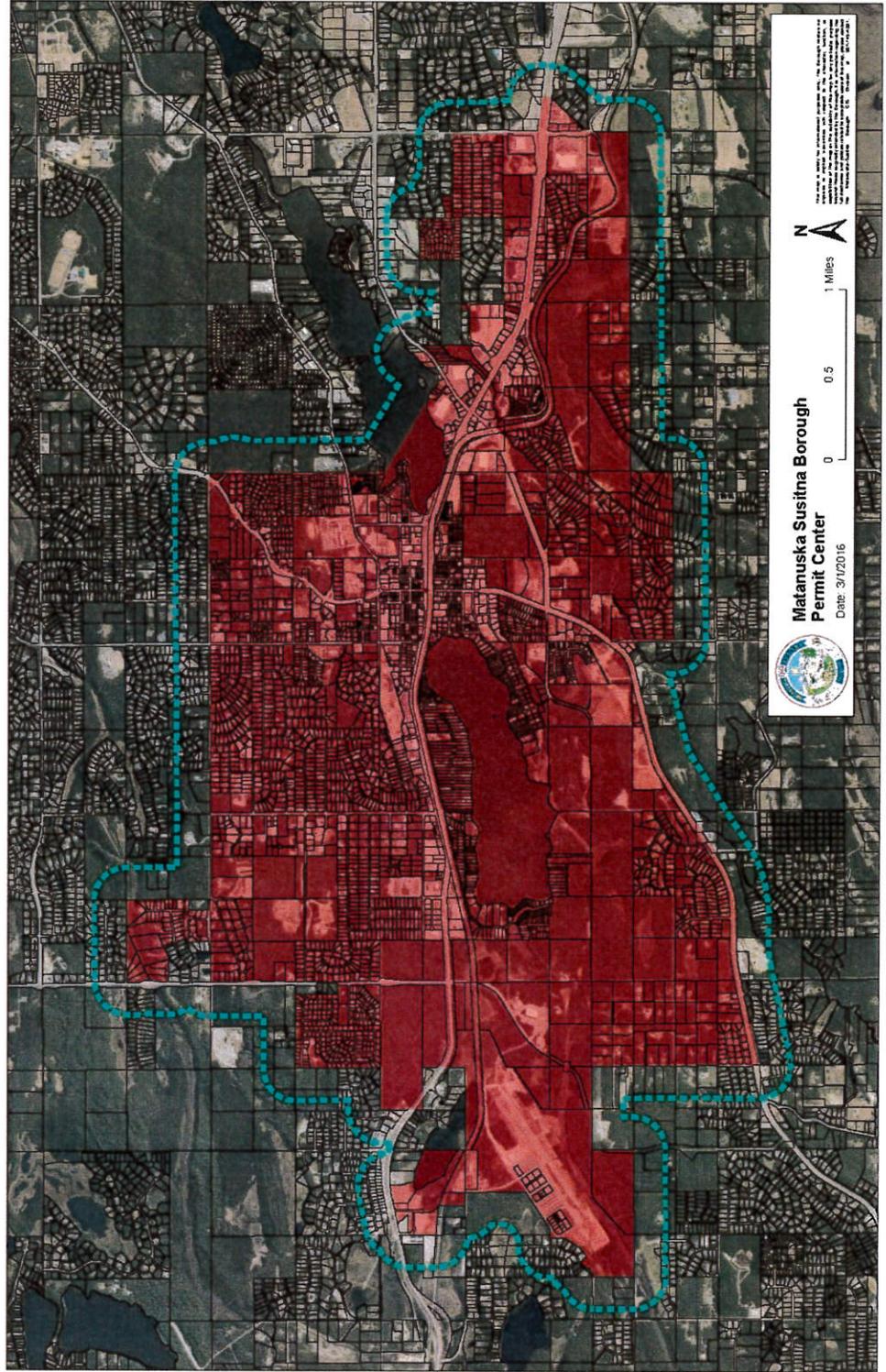






# Other considerations

1,000 foot buffer around Wasilla



By: Alex Strawn  
Introduced: January 4, 2016  
Public Hearing: January 18, 2016  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 16-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.60 TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR MARIJUANA RELATED FACILITIES; AND REPEALING INAPPLICABLE DEFINITIONS.

---

WHEREAS, on November 4, 2014, Ballot Measure 2 was approved statewide by the voters; and

WHEREAS, Ballot Measure 2 allows for the Borough to prohibit and/or implement regulations governing the number, time, place and manner of marijuana cultivation facilities, manufacturing facilities, retail stores, and testing facilities; and

WHEREAS, Assembly resolution 15-007 established a Marijuana Advisory Committee in part to advise the Assembly and Administration on how the Assembly and/or Administration should implement Alaska Statute 17.38 at the local level; and

WHEREAS, this legislation is coming forward at the request of the Marijuana Advisory Committee; and

WHEREAS, unregulated marijuana related facilities are potentially damaging to the property values and usefulness of adjacent properties, and have the potential to cause harm to the public health, safety, and welfare; and

WHEREAS, in the absence of Borough-wide zoning, such uses are best handled through a conditional use permit process; and

WHEREAS, on December 15, 2015, the Assembly referred proposed Ordinance Serial Number 16-003 to the Planning Commission for 45 days; and

WHEREAS, the Planning Commission held a public hearing for the proposed ordinance and Planning Commission Resolution 16-01 on January 18, 2016; and

WHEREAS, the Planning Commission finds that the draft ordinance and the suggested amendments listed below meet the intent of Ballot Measure 2 by allowing for the production and distribution of marijuana while ensuring it is done in a manner that will preserve and will not detract from the neighboring land uses; and

WHEREAS, after considering all available information in the limited timeframe available, the Planning Commission recommends the Assembly make the following changes to Ordinance Serial Number 16-003:

- A. remove language which regulates signage; and
- B. explicitly prohibit marijuana related facilities from residential areas; and
- C. eliminate the 5,000 square foot cap on marijuana cultivation facilities; and

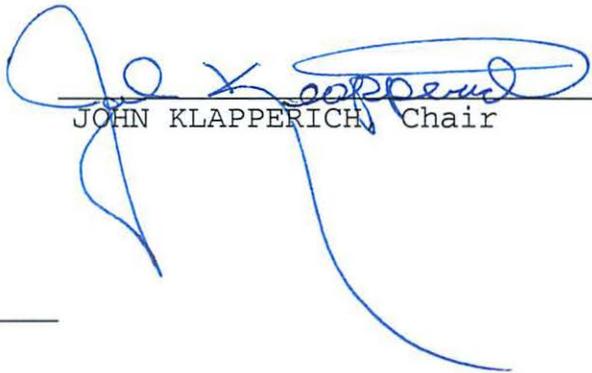
- D. exempt cultivation facilities less than 500 square feet;
- E. add objective parking and traffic standards; and
- F. adopt definitions for recreation facilities, marijuana product manufacturing facilities, and marijuana products; and
- G. eliminate setback requirements from boat ramps; and
- H. modify the setbacks within MSB 17.60.150(B) to be consistent with state standards; and
- I. consider removing standards for traffic impacts; and
- J. require the applicant to provide written documentation of compliance with:
  - 1. all applicable licenses as required by 3 AAC 306.005.
  - 2. fire code, including but not limited, to AS 18.70 FIRE PROTECTION, and 13 AAC 50.025 FIRE CODE; and
  - 3. not limit security to education measures.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Ordinance Serial Number 16-003 amending MSB 17.60 to include permit requirements and standards for marijuana related facilities; and repealing inapplicable definitions.

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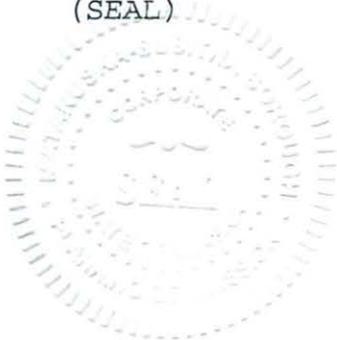
ADOPTED by the Matanuska-Susitna Borough Planning Commission this 18<sup>th</sup> day of January, 2016.

  
\_\_\_\_\_  
JOHN KLAPPERICH, Chair

ATTEST

  
\_\_\_\_\_  
MARY BRODIGAN, Planning Clerk

(SEAL)



APPROVED UNANIMOUSLY: Klapperich, Healy, Walden, Kendig,  
Adams, and Rauchenstein

CODE ORDINANCE

Sponsored by: Assemblymember Sykes

Introduced:

Public Hearing:

Action:

**PENDING**

To provide comments to the Mayor and the Assembly regarding this legislation click here

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 16-003**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.60 TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR MARIJUANA RELATED FACILITIES; AND REPEALING UNAPPLICABLE DEFINITIONS.

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BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 17.125.010 is hereby amended as follows:

- "Marijuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, derivative, mixture, or preparation of the plant, its seeds or its resin, including marijuana concentrate. "Marijuana" does not include fiber produced from the stalks, cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administration, food, drink or other products."

- "Marijuana Cultivation Facility" means an entity licensed to cultivate, prepare, package and sell marijuana to Marijuana dispensaries, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.
- "Marijuana retail facility means an entity licensed to purchase marijuana or a marijuana product from a marijuana cultivation facility or marijuana product manufacturing facility and to sell marijuana and any approved marijuana product to a consumer."
- ["MOTORIZED" MEANS POWERED OR PROPELLED BY A FORCE OTHER THAN HUMAN OR ANIMAL MUSCULAR POWER, GRAVITY, OR WIND.]
- ["RACE TRACK" MEANS A PREPARED ROUTE TRAVELED BY CONTESTANTS TO ACHIEVE GOALS OF SKILL, DURATION, OR SPEED, INCLUDING PRACTICE FOR SUCH EVENTS, ALSO KNOWN AS: RACEWAY, OR RACE COURSE.]

Section 3. Amendment of Paragraph. MSB 17.60.030(A) is hereby amended as follows:

(A) The following land uses are declared to be potentially damaging to the property values and usefulness of adjacent properties, or potentially harmful to the public health, safety, and welfare:

- (1) junkyards and refuse areas;
- (2) correctional community residential centers;
- [(3) RACE TRACKS USED BY MOTORIZED VEHICLES  
CARRYING PEOPLE ON LAND.]

**(4) Marijuana retail facility as licensed under  
3 AAC 306.005; and**

**(5) marijuana cultivation facility licensed under  
3 AAC 306.005.**

Section 4. Adoption of sections. MSB 17.60.150 and  
17.60.160 are hereby adopted as follows:

17.60.150 GENERAL STANDARDS FOR MARIJUANA RELATED  
FACILITIES

(A) In addition to the standards set forth by  
17.60.100, the Planning Commission shall weigh factors  
which contribute or detract from the development of a  
safe, convenient and attractive community, including,  
but not limited to:

(1) any potential negative effect upon other  
properties in the area due to such factors as noise,  
odor, or obtrusive advertising;

(2) any potential negative effect on the  
safe, efficient flow of traffic on any highway,  
arterial, collector, or street from which access to  
and from the establishment is obtained;

(3) the effectiveness of measures to reduce negative effects upon adjacent properties by:

(a) increased property line and right-of-way buffers;

(b) planted berms and landscaping;

(c) reduction or elimination of obtrusive or garish signage;

(d) clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors; and

(e) site and building design features which contribute to the character of the surrounding area.

(4) whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit;

(5) whether access to the premises will create an unreasonable traffic hazard;

(6) whether a reasonably expected increase in traffic will overtax existing road systems;

(7) whether the use is incompatible with the character of the surrounding area.

(B) At the time of their establishment, marijuana related conditional uses shall meet the following requirements and not be located:

(1) within 50-feet of any residence located on an adjacent property, but excluding residential units that are located within the subject property;

(2) 500-feet of any drug or alcohol rehabilitation facilities;

(3) 500-feet of any half way house or correctional facility;

(4) 1,000-feet of any elementary school, middle school, high school, college, or university, whether public or private;

(5) 1,000-feet of any licensed child care facility; or

(6) 500-feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public.

(C) Separation distances referenced in (B) of this section are measured in a direct line between the closest point of the facility within which the marijuana facility is located, and the closest point on the lot or parcel of land upon which any of the above itemized uses are located.

(D) Prior to final approval of the permit the applicant shall provide written documentation that all applicable licenses have been obtained as required by 3 AAC 306.005.

#### 17.60.160 STANDARDS FOR MARIJUANA CULTIVATION FACILITIES

(A) *Wastewater and waste material disposal plan.*

A wastewater and waste material disposal plan shall be submitted which demonstrates that wastewater and waste material associated with the cultivation facility is disposed of in compliance with the Alaska State Department of Environmental Conservation.

(B) *Odor Mitigation and Ventilation Plan.* The applicant shall provide an odor mitigation plan detailing the effective mitigation of any odors of the proposed uses. Such plan shall demonstrate that the design for the purification of air prevents odors from materially impacting adjoining properties.

(C) *Hazardous Chemicals.* Storage and disposal of fertilizers, pesticides, herbicides, and any other hazardous chemicals associated with the cultivation of marijuana shall comply with all local, state, and federal laws.

(D) *Security.* The applicant shall provide a security plan. The plan shall include education for employees on security measures.

(E) Marijuana cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space.

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2016.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

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## Adopt 16-003 with no changes

PLANNING COMMISSION  
- Higher setback standards compared to state

- 500 feet from drug/alcohol rehab facilities, halfway houses, correctional facilities
- 1,000 feet from schools (state requires 500 feet)
- 1,000 feet from child care facilities
- 500 feet from public parks, playgrounds, boat ramps, similar recreational amenities

- Lacks critical definitions

- Marijuana products
- Marijuana product manufacturing facility

- Lacks specific standards for retail facilities

- Parking standards
- Exclusion from residential neighborhoods

- Does not require demonstration of compliance with Fire Marshall

### 1. Remove sign standards

- Amend MSB 17.60.150 (A) (1) :  
(1) any potential negative effect upon other properties in the area due to such factors as noise, and odor, or obtrusive advertising;
- Amend MSB 17.60.150 (A) (3) (c)  
(c) reduction or elimination of obtrusive or garish signage;

### 2. Exempt "limited" grow operations

- Amend MSB 17.60.030 (A) (5) (a)  
(a) Cultivation facilities with less than 500 square feet under cultivation are exempt under this chapter.

### 3. Eliminate 5,000 sq. ft. cap on cultivation facilities

- Strike MSB 17.60.160 (E)  
Marijuana cultivation facilities may not exceed 5,000 square feet on any given parcel. The 5,000 square foot limit only applies to areas of plant cultivation and does not include administrative space, processing space, bathrooms, or storage space.

### 4. Parking standards

- Amend MSB 17.125.010  
"Net floor area" means the total of all floor areas of a building or lease area, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading
- Strike MSB 17.60.150 (A) (4)  
(4) whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit;
- Amend MSB 17.60.170\*  
(B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least: 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet.  
(C) One barrier-free parking stall shall be provided for every 25 required parking spaces. Each barrier-free parking stall shall be at least: 20 feet in length, ten feet wide with a five-foot adjacent access aisle, and have a vertical clearance of at least eight feet.

### 5. Remove standards for traffic impacts

- Strike MSB 17.60.150 (A) (2)  
(2) any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector, or street from which access to and from the establishment is obtained;
- Strike MSB 17.60.150 (A) (3) (d)  
(d) clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors; and
- Amend MSB 17.60.150 (A)  
(5) whether access to the premises will create an unreasonable traffic hazard;  
(6) whether a reasonably expected increase in traffic will overtax existing road systems;

### 6. Reduce setback standards to match state

- Amend MSB 17.60.150 (B)  
(1) within 500 feet of a school grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility; within 50 feet of any residence located on an adjacent property, but excluding residential units that are located within the subject property;
- (2) 500 feet of any drug or alcohol rehabilitation facilities;
- (3) 500 feet of any half way house or correctional facility;
- (4) 1,000 feet of any elementary school, middle school, high school, college, or university, whether public or private;
- (5) 1,000 feet of any licensed child care facility; or
- (6) 500 feet of any public park, playground, boat ramp, or other similar recreational amenity open to the public.];

- Amend MSB 17.60.150 (C)  
(C) Separation distances referenced in (B) of this section are measured [in a direct line between the closest point of the facility within which the marijuana facility is located, and the closest point on the lot or parcel of land upon which any of the above itemized uses are located] by the shortest pedestrian route from the public entrance of the building in which the licensed premises would be located to the outer boundaries of the school, recreation or youth center, or the main public entrance of the building in which religious services are regularly conducted, or the correctional facility.

- Amend MSB 17.125.010  
"Recreational facility" means a place designed and equipped for the conduct of sports or recreational uses. Recreational Facility does not include the following: water bodies, bike or walking paths constructed within a public or private right-of-way.

"Marijuana product manufacturing facility" means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

"Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

"recreation or youth center" means a building, structure, athletic playing field, or playground which is:

- (a) run or created by a local government or the state to provide athletic, recreational, or leisure activities for minors; or
- (b) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age.

### 7. Prohibit cultivation facilities from residential areas

#### Option 1

- Adopt MSB 17.60.160 (F)  
(F) Marijuana cultivation facilities shall be set back 100 feet from public rights-of-way, and 100 feet from side or rear lot lines.

#### Option 2

- Adopt MSB 17.60.160 (F)  
(F) Marijuana cultivation facilities are prohibited from locating within:  
(1) the core area as described in the official Core Area Comprehensive Plan and its amendments;  
(2) Residential Land Use Districts established by MSB 17.52;  
(3) Single-Family Residential Land Use Districts as defined by MSB 17.75;  
(4) Large Lot Single-Family Residential Land Use Districts established by MSB 17.76;  
(5) Residential Planned Unit Developments established by MSB 17.36.

#### Option 3

- Amend MSB 17.125.010  
"Residential Area" means any subdivision of four or more lots where at least 50 percent of the lots are improved with single-family or multifamily structures, or a subdivision of four or more lots where at least 75 percent of the lots are restricted by private covenants or zoning to residential purposes.
- Adopt MSB 17.60.160 (F)  
(F) Marijuana cultivation facilities shall not be located within residential areas.

### 8. Prohibit retail facilities from residential areas

- Adopt MSB 17.60.170 (A) \*  
(A) Marijuana retail facilities shall not be located within a residential area unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.
- Adopt definition of "Residential Area" from Option 3 above.

### 9. Require demonstration of compliance with state law

- Adopt MSB 17.60.150 (D)  
(D) Prior to final approval of the permit the applicant shall provide written documentation:  
1. all applicable licenses have been obtained as required by 3 AAC 306.005.  
2. from the Fire Marshal having jurisdiction, that proposed conditional use is in full compliance with all applicable fire code, including but not limited, to AS 18.70.010-160 FIRE PROTECTION, and 13 AAC 50.025-0.80 FIRE CODE.

### 10. Other changes recommended by staff

- \*Adopt New Subsection MSB 17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES
- Amend MSB 17.60.150 (A)  
(7) whether the use is incompatible compatible with the character of the surrounding area.
- Amend MSB 17.60.160 (D)  
Security. The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures.
- Consider increasing buffer from school grounds to 1,000 feet to ensure compliance with federal law.

\* MSB 17.60.170 is not currently within Ord. 16-003. The section of code would need to be added in order to implement any of the suggestions marked with an asterisk.

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**Mary Brodigan**

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**From:** Alex Strawn  
**Sent:** Tuesday, May 03, 2016 9:23 PM  
**To:** Mary Brodigan  
**Cc:** Eileen Probasco  
**Subject:** Please forward to members of the Planning Commission

Members of the Planning Commission,

This email is in reference to Planning Commission Resolution 16-22, a resolution recommending amendments to Assembly Ordinance 16-003, an ordinance establishing standards for marijuana related facilities. Reso 16-22 is advisory to the assembly on a legislative matter and is therefore not subject to the same rules restricting ex parte contact that apply to quasi-judicial items such as conditional use permits and variances.

I would like to express my willingness to assist with crafting or reviewing any amendments you would like to see to Reso 16-22 prior to the May 16 public hearing. Any of the legwork that can be done prior to the meeting will increase the efficiency of the meeting and will ultimately result in a better finished product.

This invitation applies to all matters that come before the commission that is not quasi-judicial.

**Alex Strawn**

Development Services Manager  
Matanuska-Susitna Borough  
350 E. Dahlia Palmer, AK 99645  
(907) 861-7854

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By: Alex Strawn  
Introduced: May 2, 2016  
Public Hearing: May 16, 2016  
Action:

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 16-22**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING AMENDMENTS TO ASSEMBLY ORDINANCE 16-003, AN ORDINANCE AMENDING MSB 17.60 TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR MARIJUANA RELATED FACILITIES.

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WHEREAS, the Planning Commission held a public hearing on Ordinance 16-003 on January 18, 2016; and

WHEREAS, the Planning Commission adopted resolution 16-01 recommending approval of Assembly Ordinance 16-003 with the following changes:

- A. remove language which regulates signage
- B. explicitly prohibit marijuana related facilities from residential areas
- C. eliminate the 5,000 square foot cap on marijuana cultivation facilities
- D. exempt cultivation facilities less than 500 square feet
- E. Add objective parking and traffic standards
- F. adopt definitions for recreation facilities, marijuana product manufacturing facilities, and marijuana products
- G. eliminate setback requirements from boat ramps

- H. modify the setbacks within MSB 17.60.150(B) to be consistent with state standards
- I. consider removing standards for traffic impacts; and
- J. require the applicant to provide written documentation of compliance with:
  - 1. all applicable licenses as required by 3 AAC 306.005.
  - 2. fire code, including but not limited, to AS 18.70 FIRE PROTECTION, and 13 AAC 50.025 FIRE CODE; and
  - 3. not limit security to education measures.

WHEREAS, staff prepared amendments to Assembly ordinance 16-003 to reflect the Planning Commission's recommendations; and

WHEREAS, the amendments prepared by staff satisfactorily implement the recommendations made by the Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby supports the amendments recommended by staff in the table attached hereto.

BE IT FURTHER RESOLVED, the Matanuska-Susitna Borough Planning Commission recommends adoption of a 100 foot setback for cultivation facilities as recommended in option one within the table attached hereto.

BE IT FURTHER RESOLVED, the Matanuska-Susitna Borough Planning Commission recommends the Assembly define "residential

area" and prohibiting retail facilities from locating within residential areas unless the lot is accessed by a frontage road or other major thoroughfare that is conducive to commercial use.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this \_\_\_ day of \_\_\_, 2016.

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JOHN KLAPPERICH, Chair

ATTEST

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MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

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**UNFINISHED BUSINESS**

**Resolution No. 16-23**

Recommending Denial of Adding Riparian Buffer Standards  
To Ordinance MSB 17.55

(Page 307 - 312)

**UNFINISHED BUSINESS**



**MATANUSKA-SUSITNA BOROUGH**

350 East Dahlia Avenue, Palmer, Alaska 99645-6488

Department of Planning and Land Use

Phone 861-7851

**MEMORANDUM**

DATE: May 26, 2016

TO: Planning Commission

THROUGH: Eileen Probasco, Director, Planning and Land Use Department *EP*THROUGH: Lauren Driscoll, Chief of Planning *LD for EP*FROM: Frankie Barker, Environmental Planner II *FB*

SUBJECT: PC Resolution 16-19 Riparian Buffer Standards on High Priority Salmon Streams

The Planning Commission held a public hearing on May 16, 2016 and deliberated on Resolution 16-19 recommending that the Assembly adopt an ordinance establishing riparian buffer standards on high priority salmon streams. Based on public comments and discussion, commissioners unanimously failed Resolution 16-19.

Resolution 16-23 is therefore being submitted to the commission summarizing findings on the failure of Resolution 16-19. The commission will discuss and finalize Resolution 16-23 at their next scheduled meeting on June 6, 2016.

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By: Frankie Barker  
Introduced: June 6, 2016  
Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 16-23**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING DENIAL OF AN ORDINANCE AMENDING 17.55 TO INCLUDE RIPARIAN BUFFER STANDARDS.

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WHEREAS, the Planning Commission held a public hearing on May 16, 2016 on Resolution 16-19 and proposed amendments to 17.55 and 17.125; and

WHEREAS, the Planning Commission voted unanimously to deny Resolution 16-19 and the proposed amendments based on public comments, testimony and materials provided; and

WHEREAS, the Planning Commission did not think that the amendments had sufficient public notice to potentially affected parties; and

WHEREAS, the public purpose and the necessity of the proposed amendments was not clearly stated in the legislative language; and

WHEREAS, the relationship of the proposed legislation to state and federal permitting processes was not evident; and

WHEREAS, certain designated streams in the legislation are within state regulated mining districts and should be exempted from this legislation.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends denial of the ordinance amending 17.55 to include riparian buffer standards.

BE IT FURTHER RESOLVED, that the commission recommends the Borough Assembly extend the referral time to October, and direct staff to initiate a public engagement process to ensure affected property owners are given the opportunity to provide input.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this \_\_\_ day of \_\_\_, 2016.

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JOHN KLAPPERICH, Chair

ATTEST

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MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

**COMMISSION BUSINESS**  
**Upcoming PC Agenda Items**

(Page 313 - 320)

**COMMISSION BUSINESS**



**MATANUSKA-SUSITNA BOROUGH****Planning and Land Use Department**

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

Email: [planning@matsugov.us](mailto:planning@matsugov.us)**MEMORANDUM**

DATE: May 26, 2016

TO: Planning Commissioners

FROM: Eileen Probasco, Director of Planning and Land Use

SUBJECT: Items tentatively scheduled for future PC Meetings or Administrative Actions and Updates on PC items sent to the Assembly

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**June 20, 2016** (*MSB Assembly Chambers*)**Introduction for Public Hearing Quasi-Judicial***(None)***Introduction for Public Hearing Legislative**

- **Resolution 16-26**, recommending the Assembly adopt the update to the Borough Recreational Trails Plan. Public Hearing: August 1, 2016. (*Staff: Emerson Krueger*)

**Agency/Staff Reports***(None)***Land Use Classifications***(None)***Public Hearing Quasi-Judicial***(None)***Public Hearing Legislative**

- **Resolution 16-24**, amending the comprehensive planning process as requested by the Chase Community Council. (*Staff: Taunnie Boothby*)
- **Resolution 16-25**, recommending the Assembly support the development of a Regional Transportation Planning Partnership Program. (*Staff: Jessica Smith*)

**Unfinished Business***(None)***New Business***(None)*

**Commission Business***(None)*

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**Upcoming PC Actions**Quasi-Judicial

- Victor Damyan junkyard CUP, 17N02W27B006. *(Staff: Susan Lee)*
- Rocky Lake Setback Variance. *(Applicant: Michael Solmonson, Staff: Mark Whisenhunt)*
- Earth Materials Extraction CUP, 18N02W27D009. *(Applicant: T&J Gravel, Staff: Susan Lee)*
- Tews Junkyard CUP, 17N03W09A019 and A007. *(Staff: Susan Lee)*
- Burnett Variance. *(Applicant: Stephen Spence, Staff: Susan Lee)*
- Knik Super Store Package Store Expansion CUP. *(Staff: Susan Lee)*
- 907 Club CUP. *(Staff: Susan Lee)*
- Knik Bar Beer Garden CUP. *(Staff: Susan Lee)*
- MTA Tall Structure CUP, 23N04W29C006, 18N04W11A001, and 20N04W06C003. *(Staff: TBD)*

Legislative

- Title 17 Consolidation. *(Staff: Eileen Probasco)*
- Denali Hwy, MP 99, IMD, T19N, R2W. Section 10 & 15, FM. *(Applicant: AKDOT, Staff: Susan Lee)*

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**Other Upcoming Administrative Actions (Not going to the PC)**

- Nash/Chijuk Creek NRMU Timber Transportation Permit. *(Staff: Susan Lee)*
- MEA Lazelle Substation into Herning Substation Public Participation Plan. *(Staff: Susan Lee)*
- Davis Legal Nonconforming Status Determination for a structure. *(Staff: Susan Lee)*
- Minnick Earth Materials Extraction Administrative Permit. *(Staff: TBD)*
- Yundt Multifamily Application; 2795B01L007. *(Staff: Mark Whisenhunt)*
- Fairview Inn Temporary Noise Permit. *(Staff: Susan Lee)*
- Anderson Temporary Noise Permit. *(Staff: Susan Lee)*
- Scenic Shores Legal Nonconforming Status Determination for a Structure. *(Staff: Susan Lee)*
- Tabernash Legal Nonconforming Status Determination for a Structure. *(Staff: Susan Lee)*

**PC Decisions Currently Under Appeal**

- **Resolution 15-01**, a resolution adopting findings of fact and conclusions of law to support the Planning Commissions failure to approve Resolution 14-33. (*CMS appeal of BOAA decision to Superior Court on March 31, 2015. Oral Arguments June 23, 2016.*)
- **Resolution 15-43**, a resolution adopting findings of fact and conclusions of law to support the Planning Commissions failure to approve Resolution 15-36, approving a set-back structure for a new building in Clester Extension. BOAA Appeal Hearing scheduled for April 25, 2016. BOAA affirmed the Planning Commission decision. (*Staff: Susan Lee, Applicant: Ivan and Lynne Schuening*)

**Updates/Presentations/Work Sessions**

- Planning Commission Powers (*Staff: Lauren Driscoll, Alex Strawn, and Assistant Borough Attorney*)

**Updates on PC items going to the Assembly (Pending)**

| Planning Commission  |   | Assembly     |             |
|--|---|--------------|-------------|
| Reso   |   | ORD/Reso #   | IM          |
| <b>Resolution 16-01</b> , A resolution recommending the Assembly approval of Ordinance Serial Number 16-003 Amending MSB 17.60 to include Permit Requirements and Standards for Marijuana Related Facilities, and Repealing Inapplicable Definitions. Referred to the Planning Commission on December 15, 2015, for 45 days. ( <i>Staff: Alex Strawn</i> ) |   | ORD # 16-003 | IM # 16-029 |
| Actions:   | 01/04/16 – PC Introduction<br>01/18/16 – PC Public Hearing – Amended/Approved<br>02/02/16 – Assembly New Business<br>03/01/16 – Assembly Public Hearing – Postponed until 03/15/16<br>03/15/16 – Assembly Public Hearing – Postponed until 04/05/16<br>04/05/16 – Unfinished Business – Referred back to MAC and PC For 90 days (07/04/16). |              |             |

| Planning Commission  |   | Assembly    |            |
|--|---|-------------|------------|
| Reso   |   | ORD/Reso #  | IM         |
| <b>Resolution 16-05</b> , A resolution recommending Assembly adoption of the Seldon Road Extension Corridor Access Management Plan. ( <i>Staff: Mike Campfield</i> ) |   | ORD # 16-__ | IM # 16-__ |
| Actions:   | 01/08/16 – PC Introduction<br>02/01/16 – PC Public Hearing – Approved |             |            |

| Planning Commission   |   | Assembly     |             |
|---|---|--------------|-------------|
| Reso  |   | ORD/Reso #   | IM          |
| <b>Resolution 16-13</b> , a resolution recommending the Assembly adopt MSB 8.41, Marijuana Related Facility License Referrals. Referred to the Planning Commission by the Assembly on February 16, 2016, and due back by May 16, 2016. (Staff: Alex Strawn) |   | ORD # 16-021 | IM # 16-027 |
| Actions:  | 03/07/16 – PC Introduction<br>03/21/16 – PC Public Hearing – Approved<br>05/17/16 – Assembly Introduction<br>06/07/16 – Assembly Public Hearing |              |             |

| Planning Commission  |   | Assembly    |            |
|--|---|-------------|------------|
| Reso   |   | ORD/Reso #  | IM         |
| <b>Resolution 16-14</b> , a resolution recommending Assembly approval to amend Ordinance MSB 15.24.030, adopting the MSB Metropolitan Planning Organization (MPO/) Self-Assessment Study. (Staff: Jessica Smith) |   | ORD # 16-__ | IM # 16-__ |
| Actions:   | 03/21/16 – PC Introduction<br>04/04/16 – PC Public Hearing – Approved<br>05/17/16 – Assembly Introduction<br>06/07/16 – Assembly Public Hearing |             |            |

| Planning Commission   |   | Assembly    |            |
|---|---|-------------|------------|
| Reso  |   | ORD/Reso #  | IM         |
| <b>Resolution 16-17</b> , a resolution recommending Assembly adoption of the Louise Susitna Tyone Lakes Comprehensive Plan Update previously known as the Lake Louise Comprehensive Plan. Public Hearing continued from April 4, 2016. (Staff: Sara Jansen) |   | ORD # 16-__ | IM # 16-__ |
| Actions:  | 03/21/16 – PC Introduction<br>04/18/16 – PC Public Hearing – Approved<br>06/07/16 – Assembly Introduction<br>06/21/16 – Assembly Public Hearing |             |            |

| Planning Commission  |   | Assembly    |            |
|--|---|-------------|------------|
| Reso   |   | ORD/Reso #  | IM         |
| <b>Resolution 16-19</b> , recommending Assembly adoption of an Ordinance establishing Riparian Buffer Standards on High Priority Salmon Streams. Referred by the Assembly to the PC on April 20, 2016, for 90 days. ( <i>Staff: Frankie Barker</i> ) |   | ORD # 16-__ | IM # 16-__ |
| Actions:   | 05/02/16 – PC Introduction<br>05/16/16 – PC Public Hearing – Failed |             |            |

| Planning Commission   |   | Assembly    |            |
|---|---|-------------|------------|
| Reso  |   | ORD/Reso #  | IM         |
| <b>Resolution 16-21</b> , recommending Assembly approval of an Interim Materials District (IMD) at the MSB Central Landfill in accordance with MSB 17.28 – Interim Materials District, for the extraction of 3,120,000 cubic yards of earth material from 45 acres within a 120-acre area, located within Township 17 North, Range 1 East, Section 1, Tax Parcel D5 (17N01E01D005). ( <i>Applicant: MSB Land Management, Staff: Mark Whisenhunt</i> ) |   | ORD # 16-__ | IM # 16-__ |
| Actions:  | 05/02/16 – PC Introduction<br>05/16/16 – PC Public Hearing – Amended/Approved<br>06/21/16 – Assembly Introduction<br>08/02/16 – Assembly Public Hearing |             |            |

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**Updates on PC items going to the Assembly (Complete)**

| Planning Commission  |   | Assembly     |             |
|--|---|--------------|-------------|
| Reso   |   | ORD/Reso #   | IM          |
| <b>Resolution 16-07</b> , A resolution recommending Assembly approval of an Interim Materials District (IMD), known as Alsop East; located on Tract A, Point MacKenzie Phase I Subdivision; within Township 15 North, Range 4 West, Section 27, Seward Meridian. ( <i>Staff: Susan Lee, Applicant: MSB Land Management</i> ) |   | ORD # 16-037 | IM # 16-056 |
| Actions:   | 02/01/16 – PC Introduction<br>03/07/16 – PC Public Hearing – Amended/Approved<br>04/05/16 – Assembly Introduction<br>04/19/16 – Assembly Public Hearing – Postponed to 05/17/16<br>05/17/16 – Assembly Unfinished Business – Amended/Approved |              |             |

| Planning Commission  |   | Assembly    |            |
|--|---|-------------|------------|
| Reso   |   | ORD/Reso #  | IM         |
| <b>Resolution 16-19</b> , recommending Assembly adoption of an Ordinance establishing Riparian Buffer Standards on High Priority Salmon Streams. Referred by the Assembly to the PC on April 20, 2016, for 90 days. ( <i>Staff: Frankie Barker</i> ) |   | ORD # 16-__ | IM # 16-__ |
| Actions:   | 05/02/16 – PC Introduction<br>05/16/16 – PC Public Hearing – Failed |             |            |