

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on January 6, 2020, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair Colleen Vague.

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

Planning Commission members present and establishing a quorum:

- Ms. Mary Anderson, Assembly District #1, Vice-Chair
- Mr. Jason Ortiz, Assembly District #2
- Ms. Patricia Chesbro, Assembly District #3
- Ms. Colleen Vague, Assembly District #4, Chair
- Mr. Chris Elder, Assembly District #5
- Mr. Stafford Glashan, Assembly District #6
- Mr. Sassan Mossanen, Assembly District #7

Staff in attendance:

- Mr. Alex Strawn, Development Services Manager
- Ms. Trina Sears, Assistant Borough Attorney
- Mr. Joseph Metzger, Planner II
- Ms. Mary Brodigan, Planning Commission Clerk

II. APPROVAL OF AGENDA

Chair Vague inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Ortiz.

IV. CONSENT AGENDA

A. Minutes

1. December 16, 2019, regular meeting minutes

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

1. **Resolution PC 20-03**, a conditional use permit in accordance with MSB 17.60 – Conditional Uses; for the operation of a marijuana retail facility, located at 173 N. Rosie Circle (Tax ID# 17N01W11A011/91911000U001); within Township 17 North, Range 1 West, Section 11, Seward Meridian. Public Hearing: February 3, 2020. (*Applicant: Kyle Lutz, on behalf of Laughing Salmon; Staff: Mark Whisenhunt*)
2. **Resolution PC 20-04**, a conditional use permit in accordance with MSB 17.30 – Conditional Use Permit for Earth Material Extraction, located at 3429 N. Pittman Road (Tax ID# 18N02WB002 and 18B02W23A002); within Township 18 North, Range 2 West, Section 23, Seward Meridian. A CUP would allow for the removal of approximately

400,000 cubic yards of earth materials through 2059. Public Hearing: February 3, 2020.
(Applicant: Dan Steiner, on behalf of Foremost Construction, Staff: Joe Metzger)

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

(There were no introductions for legislative matters.)

Chair Vague read the consent agenda into the record.

Chair Vague inquired if there were any changes to the consent agenda.

Mr. Metzger:

- identified a typo in the first Tax ID# for Resolution 20-04; and
- the correct Tax ID# is 18N02W23B002.

Mr. Strawn:

- identified a typo in the second Tax ID# for Resolution 20-04; and
- the correct Tax ID# is 18N02W23A002.

Mr. Metzger stated that the Tax ID numbers will be corrected on the February 3, 2020, PC Agenda.

GENERAL CONSENT: The consent agenda was approved as amended without objection.

V. COMMITTEE REPORTS

(There were no committee reports.)

VI. AGENCY/STAFF REPORTS

(There were no agency/staff reports.)

VII. LAND USE CLASSIFICATIONS

(There were no land use classifications.)

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)

(There were no persons to be heard.)

(The meeting recessed at 6:06 p.m., and reconvened at 6:15 p.m.)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (Public Hearings not to 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.

- A. **Resolution PC 20-01**, a Conditional Use Permit in Accordance with MSB 17.60 – Conditional Uses; for the operation of a marijuana retail facility, located at 5320 W. Parks Highway (Tax ID# 17N02W11A013); within Township 17 North, Range 2 West, Section 11, Seward Meridian. (*Applicant: Charles Pasco, on behalf of Green Raven, LLC; Staff: Joe Metzger*)

Chair Vague read the resolution title into the record.

Chair Vague:

- read the memorandum regarding quasi-judicial actions into the record;
- queried commissioners to determine if any of them have a financial interest in the proposed Conditional Use Permit (CUP);
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed CUP; and
- if all commissioners are able to be impartial in a decision.

Mr. Metzger provided a staff report:

- staff recommended approval of the resolution with conditions.

Commissioners questioned staff regarding:

- whether the charter school and the learning centers that are in the area are located within the minimum setback distance; and
- were there any additional attempts to contact the Meadow Lakes Community Council.

Chair Vague invited the applicant or their representative to provide an overview of their application.

Ms. Amy Pasco, on behalf of Mr. Charles Pasco, provided an overview of their application.

Commissioners questioned the applicant regarding:

- clarification of how 24-hour access to the RV storage will affect security for the retail store; and
- how will the applicant manage potential loitering knowing that the RV storage is accessible 24 hours a day.

Chair Vague opened the public hearing.

There being no persons to be heard, Chair Vague closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Anderson moved to approve Resolution PC 20-01. The motion was seconded.

VOTE: The main motion passed without objection.

- A. **Resolution PC 20-02**, A Conditional Use Permit in accordance with MSB 17.70 – Regulation of Alcoholic Beverage Uses, for the operation of a beverage dispensary; located at Mile 68 of the Denali Highway (Tax ID# U05278000L00); within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian. (*Applicant: Claude and Jennifer Bondy, on behalf of Alpine Creek Lodge; Staff: Joe Metzger*)

Chair Vague read the resolution title into the record.

Chair Vague:

- read the memorandum regarding quasi-judicial actions into the record;
- queried commissioners to determine if any of them have a financial interest in the proposed Conditional Use Permit (CUP);
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed CUP; and
- if all commissioners are able to be impartial in a decision.

Mr. Metzger provided a staff report:

- staff recommended deleting the eighth whereas statement on page 318 of the packet as it is a duplicate; and
- staff recommended approval of the resolution with conditions.

Chair Vague invited the applicant or their representative to provide an overview of their application.

Mr. and Mrs. Claude and Jennifer Bondy, Applicants, stated that they had nothing further to add and would answer questions.

Chair Vague opened the public hearing.

There being no persons to be heard, Chair Vague closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Mossanen moved to approve Resolution PC 20-02. The motion was seconded.

Commissioners Glashan and Elder spoke in favor of the resolution.

MOTION: Commissioner Mossanen moved a primary amendment to strike the eighth WHEREAS statement on page two of eight of the resolution. The motion was seconded.

VOTE: The primary amendment passed without objection.

VOTE: The main motion passed as amended without objection.

X. PUBLIC HEARING LEGISLATIVE MATTERS

(There were no legislative public hearings.)

XI. CORRESPONDENCE AND INFORMATION

(There was no correspondence and information.)

XII. UNFINISHED BUSINESS

(There was no unfinished business.)

XIII. NEW BUSINESS

(There was no new business.)

XIV. COMMISSION BUSINESS

A. Adjudicatory *(if needed)*

B. Election of Planning Commission Chair and Vice-Chair

MOTION: Commissioner Anderson moved to nominate Commissioner Vague for Chair. The motion was seconded.

VOTE: The motion passed without objection.

MOTION: Commissioner Vague moved to nominate Commissioner Anderson for Vice-Chair. The motion was seconded.

VOTE: The motion passed without objection.

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

(Commission Business was presented and no comments were noted.)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Chair Vague stated that there are no agenda items on the January 20, 2020, PC Agenda, and asked for a motion to cancel the meeting.

MOTION: Commissioner Mossanen moved to cancel the January 20, 2020, meeting. The motion was seconded.

VOTE: The motion passed without objection.

Commissioner Glashan opined that Planning Commission meetings are easy when staff does such a thorough job.

Commissioner Chesbro stated her agreement with Commissioner Glashan and thanked staff for their hard work.

Commissioner Elder welcomed Commissioner Ortiz and wished him a long and successful career as a Planning Commissioner.

Commissioner Mossanen:

- wished everyone a happy and healthy new year;
- thanked staff for their thorough packets; and
- stated his appreciation that the commission got through everything so quickly tonight.

Commissioner Ortiz stated his appreciation for the findings of fact and conclusions of law provided by staff, and how well they were organized.

Chair Vague:

- stated that staff always does a great job preparing the packets; and
- meetings aren't always this short, but they are always this much fun.

Commissioner Anderson:

- thanked staff for a great job;
- stated her appreciation for commissioners submitting their questions ahead of time which provided clarification to everyone;
- noted that she will not be at the February 3rd meeting unless there isn't a quorum without her.

XVI. ADJOURNMENT

The regular meeting adjourned at 6:47 p.m.



COLLEEN VAGUE, Planning Commission
Chair

ATTEST:



MARY BRODIGAN, Planning Commission
Clerk

Minutes approved: February 3, 2020