

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on June 8, 2020, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 pm 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. Sassan Mossanen, Assembly District #7

Planning Commission members absent and excused were:

- Mr. Stafford Glashan, Assembly District #6

Staff in attendance:

- Ms. Eileen Probasco, Planning Department Director
- Mr. Alex Strawn, Development Services Manager
- Ms. Susie Lemon, Assistant Borough Attorney
- Ms. Denise Michalske, Assistant Borough Attorney
- Ms. Leslie Neu, Law Intern
- Mr. Mark Whisenhunt, Planner II
- Mr. Joseph Metzger, Planner II
- Mr. Emerson Krueger, Land Management Specialist
- Ms. Karol Riese, Acting 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 Emerson Krueger.

IV. CONSENT AGENDA

A. Minutes

1. May 18, 2020, regular meeting minutes

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

(There were no introductions for quasi-judicial matters.)

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

(There were no introductions for legislative matters.)

Chair Vague read the consent agenda into record.

GENERAL CONSENT: The consent agenda was approved 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.)

The following person spoke regarding concerns with public process and wearing masks in public:
Mr. Eugene Carl Haberman.

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS *(Public Hearings not to begin before 6:15 pm)*

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 20-08**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian (*Applicant: Michael Gallagher, on behalf of Bubba Greens, 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:

(There were no questions of staff.)

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

Mr. Mike Gallagher, applicant, provided an overview of their application.

Commissioners questioned the applicant regarding:

- wastewater on the property and use of herbicides and pesticides
- odor mitigation techniques

Chair Vague opened the public hearing.

There were no persons to comment on Resolution PC 20-08.

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

MOTION: Commissioner Anderson moved to approve Resolution PC 20-08. The motion was seconded.

VOTE: The main motion passed without objection.

B. Resolution PC 20-09, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 5675 E. Blue Lupine Drive (Tax ID# 1807B01L011); within Township 17 North, Range 1 East, Section 17, Seward Meridian (*Applicant: Chad Ragsdale, on behalf of MCC Flight, 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:
(There were no questions of staff.)

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

Mr. Chad Ragsdale, applicant, provided an overview of their application.

Commissioners questioned the applicant regarding:

- driveway location and permits
- signage and lighting impacts

Chair Vague opened the public hearing.

The following person spoke regarding concerns with the public process: Ms. Susie Lemon asked the Commissioner to restate the call in number.

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

MOTION: Commissioner Mossanen moved to approve Resolution PC 20-09. The motion was seconded.

Discussion ensued regarding:

- Commissioner Mossanen stated that the application appears to be in order.

VOTE: The main motion passed without objection.

C. **Resolution PC 20-13**, a Conditional Use Permit in accordance with MSB 17.70 – Regulation of Alcoholic Beverage Uses; allowing the operation of an alcoholic beverage dispensary (bar), located at 2141 S. Church Road (Tax ID# 17N01E16C012); within Township 17 North, Range 1 East, Section 16, Seward Meridian. (*Applicant: Michelle Church, dba Moonstone Farm, Staff: Mark Whisenhunt*)

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. Whisenhunt provided a staff report:

- staff recommended approval of the resolution with conditions.

Commissioners had no questions for staff.

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

Ms. Michelle Church, applicant, provided an overview of their application and offered to answer questions.

Commissioners questioned the applicant regarding:

- beer garden association with tours

Chair Vague opened the public hearing.

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

MOTION: Commissioner Anderson moved to approve Resolution PC 20-13. The motion was seconded.

Discussion ensued regarding:

- well put together packet
- highlight of Alaskan made products is what we need right now

VOTE: The motion passed without objection.

D. **Resolution PC 20-16**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020); within Township 17 North, Range 1 East, Section 11, Seward Meridian. (*Applicant: Sandra Millhouse, on behalf of Canna Get Happy, 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:

- square footage increase

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

Mr. Sandra Millhouse, applicant, provided an overview of the application and would answer questions.

No Commissioners questioned the applicant regarding:

Chair Vague opened the public hearing.

No audience questioned the applicant regarding

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

MOTION: Commissioner Elder moved to approve Resolution PC 20-16. The motion was seconded.

Discussion ensued regarding:

- brightens the drive
- landscaping

VOTE: The main motion passed without objection.

X. PUBLIC HEARING LEGISLATIVE MATTERS

A. Resolution PC 20-15, recommending Assembly approval of an ordinance amending the Definition of Encroachment in MSB 11.10.010(A)(1) and amending MSB 17.23.150 Port Development Permit Required. (*Staff: Alex Strawn and Emerson Krueger*)

Chair Vague read the resolution title into the record.

Mr. Emerson Krueger provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- public process
- process of permit
- Port Commission's role
- taking MSB land out of Title 11 – where will it be handled?
- Encroachment is taken out of Title 11
- To stop redundancy to streamline the process

Chair Vague opened the public hearing.

The following person spoke regarding concerns with public process: Mr. Eugene Carl Haberman.

Chair Vague invited staff to respond to questions and statements from the audience.

Commissioner Anderson opined that she felt the commission should extend the public hearing to a time certain, to allow the Port Commission time to meet and comment on the ordinance.

MOTION: Commissioner Anderson moved to extend the public hearing to time certain, July 6, 2020 meeting, of Resolution PC 20-15. The motion was seconded.

Discussion ensued regarding:
No discussion

VOTE: The motion passed without objection.

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. Upcoming Planning Commission Agenda Items

Mr. Strawn provided a brief update on projects that will be coming before the Planning Commission.

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

XV. DIRECTOR AND COMMISSIONER COMMENTS

Eileen Probasco:

- Presentations during the Agency/Staff Report next week.
- COVID money and social distancing of staff.

Alex Strawn:

- A lot of changes – new territory – be patient with us.

Commissioner: Elder:

- Pleasure being here. No comments

Commissioner Ortiz:

- No comments

Commissioner Mossanan:

- Thanks to Mr. Metzger and Mr. Whisenhunt on their well-prepared staff reports.
- Patience of applicants having to do mailing twice.
- Nice to get back to work and serve the community the best we can.

Commissioner Chesbro:

- Ditto
- one of the reasons things move so smoothly is because staff provides well-prepared packets

Commissioner Anderson:

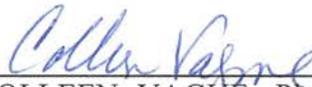
- ditto
- impressed that packet is already out
- Thank you for all the work you did to keep us going.

Commissioner Vague:

- There is another retirement on the horizon
- I appreciate the lengths that the staff is taking for the commission meetings and the public.

XVI. ADJOURNMENT

The regular meeting adjourned at 7:29pm.



COLLEEN VAGUE, Planning Commission
Chair

ATTEST:



KAROL RIESE, Planning Commission Clerk

Minutes approved: 7