



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

Email: permitcenter@matsugov.us

RECEIVED
NOV 29 2022

Mat-Su Borough
Development Services

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

NOTE: Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Borough staff will not process incomplete applications.

Application fee must be attached, check one:

☒ \$1,500 for Beverage Dispensary

☐ \$1,500 for Package Store

Required Attachments:

☒ Site plan as detailed on Page 3

☒ Narrative with operational details and all information required on Page 2

☒ State of Alaska Alcoholic Beverage License

Subject Property:

MSB Tax Account ID#(s): 57000B12L020-1

Street Address: 13625 E Main Street, Talkeetna, AK 99676

Facility/Business Name: Fairview Inn

Name of Property Owner

Ronja, LLC

Mailing: PO Box 71634

Fairbanks, AK 99707

Phone: Cell (907) 388-2645

Wk _____ Hm _____

E-mail: axelsson.hans@gmail.com

Name of Agent / Contact for application

Hans Axelsson

Mailing: PO Box 71634

Fairbanks, AK 99707

Phone: Cell (907) 388-2645

Wk _____ Hm _____

E-mail: axelsson.hans@gmail.com

Attach a narrative explaining, in detail, how the applicant will meet the following requirements of MSB 17.70.	Attached
How the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	✓
How the granting of the conditional use permit will not be harmful to the public health, safety, convenience and welfare?	✓
Are sufficient setbacks, lot area, buffers and other safeguards being provided?	✓
Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?	✓
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?	✓
What measures are being proposed to reduce any negative effect upon adjacent and nearby properties? (Example: visual 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) Where the surrounding area is predominantly residential in character, do site and building design features that contribute to the residential character of the development?	✓
Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?	✓
Will access to the premises create an unreasonable traffic hazard?	✓
Will a reasonably expected increase in traffic overtax the existing road system?	✓
Is the use compatible with the character of the surrounding neighborhood?	✓
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?	✓
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?	✓
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?	✓
What is the maximum occupancy capacity of facility as determined by Fire Marshall?	✓
What is the number of employees proposed to work on largest work shift?	✓
How many regular parking spaces will the use provide?	✓
How many handicapped parking spaces will the use provide?	✓
Is the use a sole occupant in a building or a tenant in a building?	✓
How much square footage will the proposed use occupy in the building?	✓
What are the proposed hours of operation?	✓
What noise mitigation measures are proposed?	✓

Submit a detailed site plan, <u>drawn to scale</u>. Drawings under the seal of an engineer or surveyor are recommended but not required.	Attached
Show 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.	✓
Show the dimensions of all structures.	✓
Show signage, existing and proposed.	✓
Provide interior floor plans specifying the location of the use or uses to be made of the development. Provide dimensions on the interior floor plan.	✓
Provide the location and dimensions for all access points to and from the site to public rights-of-way.	✓
Indicate any existing or proposed land contouring.	
Indicate any existing or proposed vegetation or other landscaping.	✓
Indicate any existing or proposed buffering – fences, trees, or berms.	✓
Provide a drainage plan.	
Provide vehicular and pedestrian circulation patterns.	
Indicate exterior lighting plans.	
Show the distance(s) to the nearest road intersection in all directions from proposed permit site along roads adjacent to the site.	✓
Provide the location and dimensions of proposed or existing parking areas.	✓
Indicate a scale and north arrow.	✓

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

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

MSB Tax Account ID #(s) 57000B12L020 - 1 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, and 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 authorizations 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 changes from the approved conditional use permit may require further authorization by the Borough Planning Commission.

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.



HANS AXELSSON / RUNJA, LLC

11/22/2022

Signature: Property Owner

Printed Name

Date

Signature: Agent

Printed Name

Date

13625 E Main St, Talkeetna

A10250

PERMIT CENTER – FEE RECEIPT FORM

Property Location: 7000 B12 L020-1Applicant: Fairview Inn

	USE PERMITS {100.000.000.341.300}	Fee
<input type="checkbox"/>	8.35 Public Display of Fireworks	\$25.00
<input type="checkbox"/>	8.40.010 Liquor License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
<input type="checkbox"/>	8.41.010 Marijuana License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
<input type="checkbox"/>	8.52 Temporary Noise Permit	\$1000.00
<input type="checkbox"/>	8.55 Special Events Permit 500 – 1000 Attendees	\$500.00
<input type="checkbox"/>	1000+ Attendees	\$1,000.00
<input type="checkbox"/>	8.55 Special Events Permit Site Monitor Fee / Per Day	\$300.00
<input type="checkbox"/>	17.02 Mandatory Land Use Permits- Residential Non-habitable	\$25.00
	Commercial/Industrial	\$150.00
<input type="checkbox"/>	17.04 Nancy Lake Special Land Use District CUP	\$1,500.00
<input type="checkbox"/>	17.06 Electrical Generating & Delivery Facility Application	\$500.00
<input type="checkbox"/>	17.08 Hay Flats Special Land Use District Exception Application	\$1000.00
<input type="checkbox"/>	17.17 Denali State Park Conditional Use Permit	\$1500.00
<input type="checkbox"/>	17.18 Chickaloon Special Land Use District CUP	\$1500.00
<input type="checkbox"/>	17.19 Glacier View Special Land Use District CUP	\$1500.00
<input type="checkbox"/>	17.23 Port MacKenzie Development Permit	\$1000.00
<input type="checkbox"/>	17.25 Talkeetna Conditional Use Permit	\$1500.00
<input type="checkbox"/>	17.25 Talkeetna Conditional Use Permit – Variance	\$1500.00
<input type="checkbox"/>	17.27 Sutton Special Land Use District CUP	\$1500.00
<input type="checkbox"/>	17.29 Flood Damage Prevention Development Permit	\$100.00
<input type="checkbox"/>	17.29 Flood Damage Prevention Development Permit –Variance	\$500.00
<input type="checkbox"/>	17.30.040 Earth Materials Extraction Admin. Permit	\$1000.00
<input type="checkbox"/>	17.30.050 Earth Materials Extraction CUP	\$1500.00
	17.36 Residential Planned Unit Development Application – Concept Plan – up to 50 Lots	\$500.00
	Additional Lots or tracts being created – Per Lot	\$100.00
<input type="checkbox"/>	17.48 Mobile Home Park Permit Application	\$500.00
<input type="checkbox"/>	17.52 Residential Land Use District App (Rezone)	\$1,000.00
<input type="checkbox"/>	17.52 Conditional Use Permit Application CUP	\$1,500.00
<input type="checkbox"/>	17.55 Shoreline Setback Exception Application	\$300.00
<input type="checkbox"/>	17.60 Conditional Use Permit Application	\$1500.00
<input type="checkbox"/>	17.61 Commercial/Industrial Core Area Conditional Use Permit	\$1500.00

<input type="checkbox"/>	17.62 Coal Bed Methane		\$1500.00
<input type="checkbox"/>	17.63 Conditional Use Permit for Racetracks		\$1500.00
<input type="checkbox"/>	17.65 Variance		\$1500.00
<input type="checkbox"/>	17.67 Tall Structures -	Network Improvement Permit Nonconforming Use Administrative Permit Conditional Use Permit	\$100.00 \$200.00 \$500.00 \$1500.00
<input checked="" type="checkbox"/>	17.70 Regulation of Alcoholic Beverage Use Permit Application		\$1500.00
<input type="checkbox"/>	17.73 Multi-Family Land Use Permit – add :		\$500.00
<input type="checkbox"/>	17.75 Single-Family Residential Land Use I		\$500.00
<input type="checkbox"/>	17.76 Large Lot Single-Family Residential I Conditional Use Permit Application		\$1000.00
<input type="checkbox"/>	17.80 Nonconforming Structures (Amnesty) Pre-Existing Legal Nonconforming (C	Matanuska Susitna Borough Payment Date Thursday, December 1, 2022 Deposit Number 47261 Operator buck1936	\$300.00
<input type="checkbox"/>	17.90 Regulation of Adult Businesses – Co		\$300.00
<input type="checkbox"/>	28.60 Timber Transport Permit	Real 2022 (Total) \$0.00 MCR (Planning/Platting) \$1,500.00 Misc Rec Tax Map # 2MISC	\$1500.00 \$300.00

	RIGHT-OF-WAY FEES:		
<input type="checkbox"/>	Driveway	Total Paid \$1,500.00	\$50.00
<input type="checkbox"/>	Driveway Deposit {100.226.100}	Check \$1,500.00	\$150.00
<input type="checkbox"/>	Construction	Change \$0.00	\$200.00
<input type="checkbox"/>	Utility (Application Fee = \$100 ~ Distance F		
<input type="checkbox"/>	Encroachment	Receipt Number msb91828783 12/1/2022 8:41:28 AM	\$150.00
<input type="checkbox"/>	Construction Bond {100.227.000}	Paid By FAIRVIEW INN LLC Cashier Id. buck1936	

	PLATTING PRE-APPLICATION CONFER		
<input type="checkbox"/>	Pre-Application Fee		\$50.00

	FEES:		
<input type="checkbox"/>	Flood Plain Development Survey CD		\$10.00
<input type="checkbox"/>	CD/DVD/DVD-R		\$7.50
<input type="checkbox"/>	Construction Manual/Title 43		\$5.00
<input type="checkbox"/>	Plat Map/Tax Map Copies/Mylar		\$5.00
<input type="checkbox"/>	Color Maps		\$12.00
<input type="checkbox"/>	Xerox Copies (B/W = \$0.25 ~ Color \$1.00/		
<input type="checkbox"/>	Advertising Fees		
<input type="checkbox"/>	Cultural Resources Books or Maps		
<input type="checkbox"/>	Citation Payment (If sent to collections – use total due from Courtview)		
<input type="checkbox"/>	Thumb Drive 2GB = \$5, 4GB = \$8, 8GB = \$10; 16GB = \$15; 32GB = \$20		

\$ 1500.00 Amount Paid Date: 12.01.22 Receipt # 91828783 By: AB

How the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?

This permit application is a modification of the existing conditional use permit for the beer garden which was first permitted in 1995 and revised in 2013. The annexed area would entail the area west of the Fairview Inn fronting Main Street. The surrounding land uses consist of private residences, lodging, retail shops, tourist services, food vendors, bars and restaurants. The use is cohesive with the surrounding use and there is no indication that the use would have a negative effect on the surrounding area.

How the granting of the conditional use permit will not be harmful to the public health, safety, convenience and welfare?

The permit modification is consistent with the goals and policies of the Talkeetna & the Matanuska – Susitna's Comprehensive Plans.

Are sufficient setbacks, lot area, buffers and other safeguards being provided?
Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

The annexed beer garden area would have a deck, seasonal covered area and a fence with flower boxes compatible with other businesses along Main Street.

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?

The annexed beer garden's foot print would eliminate the parking west of the Fairview Inn which would reduce seasonal traffic congestion and interference with the pedestrian traffic along Main Street. Parking is being offered at 22152 S. D Street, located adjacent and directly north of the Fairview Inn and also west along the original beer garden's fence. There is also abundant public parking along D Street and around the Talkeetna Village Park.

What measures are being proposed to reduce any negative effect upon adjacent and nearby properties? (Example: visual 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) Where the surrounding area is predominantly residential in character, do site and building design features that contribute to the residential character of the development?

The entire beer garden's foot print is filled with crushed rock, eliminating any dust and the perimeter will be lined with a fence and flower boxes. There will one entry point from Main Street into the beer garden as well as one entrance from D Street and one through the bar.

Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?

No increased traffic is expected. Most of the seasonal visitors tend to be pedestrians arriving on trains and busses. Parking is being offered at 22152 S. D Street, located adjacent and directly north of the Fairview Inn and also west along the original beer garden's fence. There is abundant public parking along D Street and around the Talkeetna Village Park.

Will access to the premises create an unreasonable traffic hazard?

By removing the parking off Main Street will reduce traffic hazard and increase public safety as Main Street is mainly a pedestrian pathway during the summer season.

Will a reasonably expected increase in traffic overtax the existing road system?

No, please see the answers in the two previous questions.

Is the use compatible with the character of the surrounding neighborhood?

Yes, the surrounding land uses consist of private residences, lodging, retail shops, tourist services, food vendors, bars and restaurants. The annexation would be compatible and cohesive with the character of the surrounding neighborhood. The annexed area is also within the approved area for serving alcohol in the newly provided AMCO license issued in October 2022.

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?

There is no indication that the beer garden would result a higher crime rate or a high incidence of alcohol-related accidents in the area. The dedicated staff at the Fairview Inn will manage the beer garden and monitor consumption. All of the servers are TAPS certified. Fairview Inn's top priority continues in providing safety for all guests regarding the service of alcoholic beverages. For further information regarding Fairview Inn's safety precautions, please see the attached Fairview Inn's Security Plan.

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?

No

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?

No

What is the maximum occupancy capacity of facility as determined by Fire Marshall?

Fairview Inn's inside capacity is 58.

What is the number of employees proposed to work on largest work shift?

6

How many regular parking spaces will the use provide?

As required by MSB 17.25.050, two off street parking spaces (measuring at least 9' x '18') will be provided at the rear of business at 22152 S. D Street. In addition to these parking spaces there are two additional parking places along the west side of the original beer garden's fence.

How many handicapped parking spaces will the use provide?

The two parking spaces at 22152 S. D Street are handicapped accessible.

Is the use a sole occupant in a building or a tenant in a building?

The use is the sole occupant in the beer garden.

How much square footage will the proposed use occupy in the building?

The total square footage of the outside beer garden, including the annexed area is approximately 6,700 square feet.

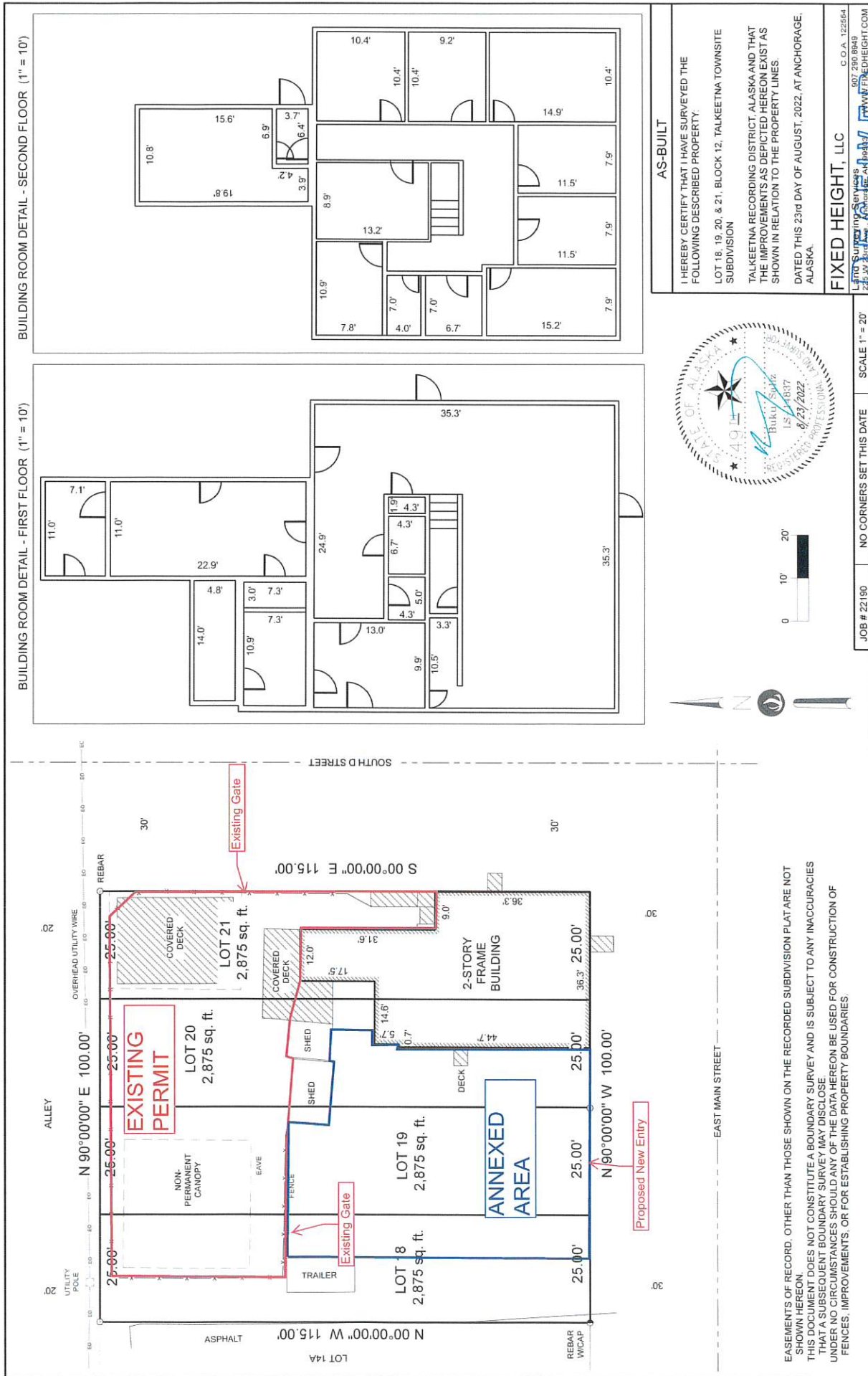
What are the proposed hours of operation?

The proposed hours of the annexed area is 10 am – 10 pm, May - September, while the original beer garden's footprint will be open from 10 am until 3 am, year around. The existing permit allows the beer garden to be open between May – September, however by making the original beer garden's footprint to be open year would allow patrons to enjoy the covered deck during the shoulder seasons and at special events such as the Bachelor Ball, Oosik Ski Classic, etc.

What noise mitigation measures are proposed?

No additional noise is expected in the annexed area. The operation will comply with the requirements of MSB 8.52 – Noise, Amplified Sounds and Vibrations.

MEMORANDUM





Matanuska-Susitna Borough



0.1 0 0.04 0.07 Miles

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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 907-661-7656.

Reported on 11/22/2022 11:21 AM

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Matanuska-Susitna Borough



- Legend**
- Road Mileposts
 - Roads**
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - Ramp
 - Primitive Road
 - Private Road
 - Not Constructed
 - Alaska Railroad
 - ▭ Mat-Su Borough Boundary
 - ▭ Incorporated Cities
 - Address Numbers
 - ▭ Parcels
 - Government Lot Lines
 - ROW and Easements
 - ROW Road
 - ROW RR
 - ROW Easement
 - Section line easement
 - ▭ Lakes and Rivers
 - ▭ Streams
 - ▭ Section Lines

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Mat-Su Borough
Development Services

1:2,257



Notes

This map was automatically generated using Geocortex Essentials.

Fairview Inn LLC Security Plan

Fairview Inn LLC, DBA Fairview Inn LLC will be utilizing the outdoor space. The outdoor space will be approximately 6,701.16 square feet. The outdoor area will allow for seating, open space, and a canopy area that is 30'x30' for rain and sun shielding so that patrons can enjoy their beverages outside in any weather. There is 6' cedar fencing with large wooden posts every 10' around the perimeter of the outdoor servicing area (which is on the North and East sides of the property). Along the western boundaries of the property and along the front main street entrance, there will also be a 36-inch-high picketed fence, with flower boxes, that will run along the front (Main Street side) of the property and long the West side of the property. Proper egress from the outdoor service area will always remain unobstructed.

All safety related operations for Fairview Inn LLC's current liquor service will additionally be enforced in the new service area. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages. Servers will be present in the outdoor area to monitor consumption.

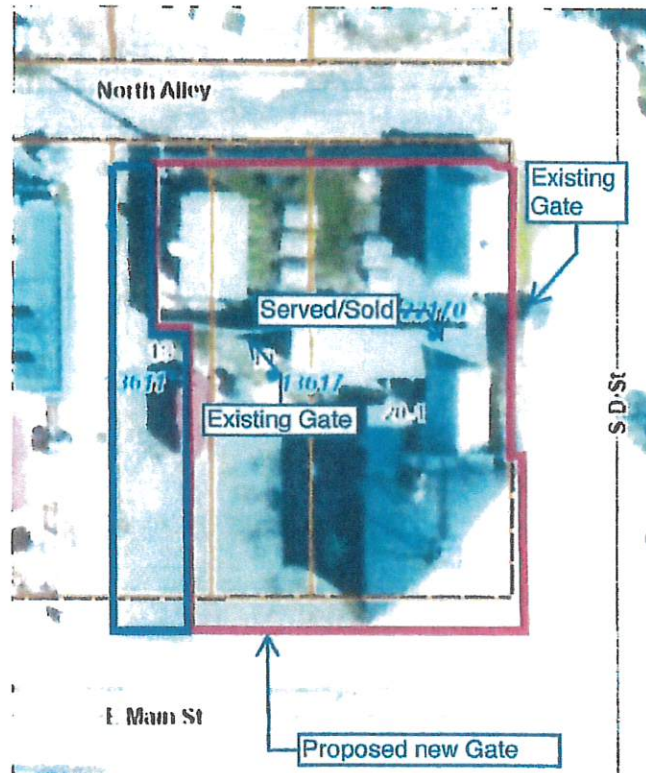
The staff of Fairview Inn LLC will manage each section of the outdoor area which includes; an open space fenced in on the North and East side of the property, a covered 30'x30' canopy covered area in the same fenced in area on the North and East side of property; and a small front area, with tables and chairs, fenced in by the above described 36" picket fence with flower boxes along the fence. Management will assign staff to each specific outdoor area to make sure that there are designated staff to monitor the areas outside and within the fenced in barrier. The assigned staff shall monitor their assigned area, greet guests, monitor guests' consumption, ensure there are no persons under 21 years of age that are not supervised by a parent or guardian, and shall also be responsible to remove any abandoned drinks, empty glasses, and any glass left unattended that has alcoholic beverages within it to ensure minors do not gain access to unattended glasses that contain alcoholic beverages. Any outdoor area that is not in use or if there is not enough staff on shift to monitor that outdoor area will be closed off and staff will be assigned to monitor the roped off area, so guests do not wander into areas that are temporarily restricted due to lack of staff on shift to monitor those areas.

In addition, Fairview Inn LLC will ensure that no alcohol is consumed or accessed by a minor in the establishment. All of Fairview Inn LLC's servers are TAPS certified. All minors must be accompanied by a parent or legal guardian (over age 21) while in the restricted area when any alcohol is being served, sold, or consumed. Underaged persons will be monitored closely by our professionally trained alcohol servers. Servers will check the identification of all patrons ordering an alcoholic beverage. Proper signage at points of entry indicating no minors without a parent or legal guardian are posted.

All staff is trained in the identification of fake ID's. Keeping the outdoor seating area viable without any increased risk to minors exposed to alcohol will continue to be part of our training for our staff. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.

ABC Mandated posters as required by law are posted inside Fairview Inn LLC and at the entrances of the outdoor seating area. All entrances and exits will provide clear notice that NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.

License # 383
Overview of Premises



- - Amco Licensed premises
- - Parking



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9822 • Fax (907) 745-9876

Email: PermitCenter@matsugov.us

REGULATION OF ALCOHOLIC BEVERAGE USES CONDITIONAL USE PERMIT

PERMIT#: 1717020130003

ACTION: In accordance with Matanuska-Susitna Borough Code 17.70, a conditional use permit to allow amplified music in the Fairview Inn beer garden is hereby granted as referenced within this document.

EFFECTIVE DATE: August 19, 2013

PERMITTED SITE: Talkeetna Townsite, Block 12, Lots 18, 19, & 20-1; within Township 26 North, Range 5 West, Section 24, Seward Meridian

PERMITTEE: Phillip P. Weidner Family Limited Partnership
330 L Street, #200
Anchorage, AK 99501

PROPERTY OWNER: Phillip P. Weidner Family Limited Partnership
330 L Street, #200
Anchorage, AK 99501

General Requirements and Conditions:

All development and use of the permitted site shall occur as described in the approved application submitted and as further specified by the conditions listed herein. Any deviation from the requirements or conditions of this permit or from borough code may be grounds for penalties as authorized by borough code.


This permit does not constitute a license from the State of Alaska, Alcoholic Beverage Control Board. The permittee is required to comply with all applicable Alaska Statute provisions and all conditions of any license issued there under.

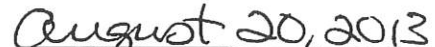
Specific Conditions of the Permit:

1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. Thirteen (13) parking spaces shall be maintained.
3. The applicant shall maintain the fence in good repair and free of graffiti.

4. If the operation expands or alters, an amendment to the conditional use permit shall be required.
5. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sounds, and Vibration. (A copy of MSB 8.52 is attached to this permit)
6. The beer garden shall only be operated annually during the months of May through September.
7. Dust shall be controlled in the beer garden.
8. Signage shall be erected to delineate the Fairview Inn parking area and shall indicate that the alley way cannot be blocked.
9. The conditional use permit issued in 1995 shall become null and void and replaced with this conditional use permit.

This permit is approved by Matanuska-Susitna Borough Planning Commission Resolution No. 13-33(AM), passed on August 19, 2013. A copy of the resolution and site plan are attached. This permit may be appealed within 21 days of approval in accordance with MSB 15.39 Board of Adjustment and Appeals.


Eileen Probasco, Director
Planning and Land Use Department


Date of Issuance

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 13-33 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A MODIFICATION TO THE FAIRVIEW INN BEER GARDEN BEVERAGE DISPENSARY CONDITIONAL USE PERMIT UNDER MSB 17.70, LOCATED ON BLOCK 12, LOTS 18, 19, & 20-1, TALKEETNA TOWNSITE; WITHIN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTION 24, SEWARD MERIDIAN

WHEREAS, an application has been received from Phillip Weidner for a modification to the Fairview Inn beer garden conditional use permit under MSB 17.70 to remove the condition "No amplified music outside in the beer garden"; and

WHEREAS, a conditional use permit is required for the modification of an existing conditional use in accordance with the terms of the existing permit; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.70.100 and 17.70.110; and

WHEREAS, the Fairview Inn has been in existence since 1921 and the beer garden was permitted in 1995; and

WHEREAS, the beer garden was permitted for operation during the months of May through September; and

WHEREAS, the Fairview Inn is located on the corner of Main Street and D Street in downtown Talkeetna; and

WHEREAS, the surrounding land uses consist of private residences, lodging, retail shops, tourist services, food vendors, and dining establishments; and

WHEREAS, the permit modification is consistent with the goals and policies of the Talkeetna Comprehensive Plan and the Matanuska-Susitna Borough Comprehensive Plan; and

WHEREAS, the applicant does not want to specify the number of events with amplified music that would be held in the beer garden; and

WHEREAS, there will not be any routinely schedule amplified music in the beer garden; and

WHEREAS, comments submitted state there should either be no amplified music or there should be limited hours; and

WHEREAS, the Borough has not received any noise complaints regarding amplified music at the Fairview Inn; and

WHEREAS, modifications to the conditional use permit will be compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area if there are conditions placed on the permit limiting the hours of operation and number of events that can be held in the beer garden with amplified music; and

WHEREAS, the owner and/or operator of the Fairview Inn will be required to comply with the maximum permissible sound level limits of MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, the nearest church and school are located more than one-quarter of a mile from the Fairview Inn; and

WHEREAS, eliminating the condition of "No amplified music

outside in the beer garden" could be harmful to the public health, safety, convenience and welfare if safeguards are not put into place; and

WHEREAS, as a condition of approval, amplified music could be allowed in the beer garden with conditions for starting and ending times and number of events that allow amplified music; and

WHEREAS, with conditions in place, the modification to the conditional use permit should not be harmful to the public health, safety, convenience and welfare; and

WHEREAS, the beer garden is fenced and the only public access into the garden is through the Fairview Inn building; and

WHEREAS, no new structures are proposed with this permit modification; and

WHEREAS, conditions of approval address setbacks, lot area, buffers and other safeguards; and

WHEREAS, no new signage or lighting is proposed; and

WHEREAS, most of the beer garden area is covered in grass, however, a portion of it is covered with gravel, which may create some dust which will have to be controlled; and

WHEREAS, there are several residences and lodging facilities in the vicinity of the Fairview Inn that could be affected by the potential noise problems from the music in the beer garden; and

WHEREAS, the Talkeetna Townsite lots are small and very close together and amplified music from the beer garden could create a nuisance for the residents and guests at the lodging facilities; and

WHEREAS, there should not be any negative affects upon the properties in the area due to such factors as dust, obtrusive advertising and glare. With conditions, properties in the area should be protected from negative effects from amplified music in the beer garden; and

WHEREAS, traffic congestion occurs in the downtown area because of the narrow streets and because there is no perceived route to and through the downtown area or to parking areas; and

WHEREAS, traffic impacts should be limited because the amplified music will not be occurring on a daily basis and the beer garden is only permitted to operate during the months of May through September; and

WHEREAS, 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; and

WHEREAS, measures are in place to reduce any negative effect upon adjacent and nearby properties, as the beer garden is fenced and locked; no new structures are being constructed; and the Fairview Inn is an established business; and

WHEREAS, there are 13 parking spaces being provided; and

WHEREAS, the parking spaces will be utilized year round, whereas, the beer garden is only allowed to operate seasonally during the months of May through September; and

WHEREAS, MSB 17.25.050 - Main Street Talkeetna District only requires two off-street parking spaces at the rear of the business fronting on Main Street; and

WHEREAS, comments were received regarding patrons parking and blocking the alley way; and

WHEREAS, adequate parking is being provided; and

WHEREAS, the immediate vicinity has low speed. Any increase in traffic that may be caused by this permit modification is not expected to create any traffic hazards; and

WHEREAS, access to the premises should not create an unreasonable traffic hazard; and

WHEREAS, removal of the amplified music condition should not overtax the existing road systems; and

WHEREAS, not all patrons of the Fairview inn arrive by vehicle. Some patrons arrive by foot from surrounding residences and lodging facilities; and

WHEREAS, traffic should not overtax existing road systems;
and

WHEREAS, other establishments on Main Street have had outdoor music for special events, but not on a routine basis;
and

WHEREAS, with conditions in place, the permit modification will be in character with the surrounding neighborhood; and

WHEREAS, staff collected accident data for one square mile around the site for the years 2008 - 2009 and during that time period there were two accidents in the area, of which one was alcohol-related; and

WHEREAS, the Alcoholic Beverage Control Board (ABC) has no record of violations by the Fairview Inn; and

WHEREAS, the applicant has not had a liquor license suspended or revoked in the 12 months preceding the application;
and

WHEREAS, the applicant currently operates a beverage dispensary at this location; and

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission finds this application does meet the

standards of MSB 17.70.100 and 17.70.110 and does hereby approve the conditional use for the removal of the condition "No amplified music outside in the beer garden" with the following original conditions and additional conditions to address the permit modification:

1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. Thirteen (13) parking spaces shall be maintained.
3. The applicant shall maintain the fence in good repair and free of graffiti.
4. If the operation expands or alters, an amendment to the conditional use permit shall be required.
5. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration.
6. The beer garden shall only be operated annually during the months of May through September.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 19th day of August, 2013.


JOHN KLAPPERICH, Chair

ATTEST:


MARY BRODIGAN, Planning Clerk

(SEAL)

YES: *Healy, Klapperich, Walder, Haller, Adams, and
Rauchenstein*
NO:

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD LICENSE NUMBER
FORM CONTROL

1067

ISSUED **LIQUOR LICENSE** **383**
10/24/2022 **2022 - 2023**
ABC BOARD

LICENSE RENEWAL APPLICATION DUE
DECEMBER 31, 2023 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2024 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispensary

LICENSE FEE: \$2,500.00
1104

CITY / BOROUGH: Outside City Limits
Matanuska-Susitna Borough

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board
[] Special restriction - see reverse side

D/B/A: Fairview Inn LLC
22170 South D Street (Talkeetna)
Mail Address:
Fairview Inn, LLC
P.O. Box 701
Talkeetna, AK 99676

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD

Jean M. Wilson

DIRECTOR

From: [Hans Axelsson](#)
To: [Peggy Horton](#)
Subject: Re: Fairview Inn CUP Modification
Date: Friday, December 30, 2022 9:23:32 AM
Attachments: [#7 - Fire Marshal determination - Fairview Inn, Talkeetna.pdf](#)
[#1a - To Scale Site Plan.pdf](#)
[#1d - Pedestrian Circulation Patterns.pdf](#)
[#8 - Fairview Inn CUP Modification - Lease Acceptance.pdf](#)
[#1b & e - Signage and Parking.pdf](#)
[#1c - Entrances & Exits.pdf](#)
[#8 - Lease for Lots 18 & 19.pdf](#)
[MSB Letter 12.20.22.pdf](#)

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Good morning Peggy,

Below are the answers to your questions. I've also attached corresponding documents to this email, please let me know if you have any questions.

Thank you and Happy New Year!

Hans

1. a. See attached copy.
- b. See attached map of sign locations. The Fairview Inn also has all the required posting as required by the State of Alaska Alcoholic Beverage Control Board and was most recently inspected and approved in December 2022 for compliance.
- c. See attached map. The two doors on the Fairview Inn's western side are locked. The two existing gates to the original beer garden are locked when the beer garden is closed.
- d. See attached map.
- e. As required by MSB 17.25.050, two off street parking spaces (measuring at least 9' x '18') will be provided. Two spaces measuring 10' x 25' at the rear of business at 22152 S. D Street. In addition to these parking spaces there are two additional parking spaces along the west side of the original beer garden's fence, measuring about 10' x 20' each. See attached map.
- f. The covered canopy deck measures 20' x 28'. The smaller deck is actually part of the outside bar for storage and serving and not a place customers sit, it contains approximately 220 square feet.
- g. Yes
2. The covered deck has lots of downward lights in the ceiling and there is a string of lights along the fence from the covered deck to the main building. The annexed area will not be open after dark and no lights are deemed necessary.
3. 3'
4. Wooden picket fence with flower boxes, see attached photo of similar fence.
5. No, there is an existing gate between the original and annexed beer garden that can be locked when the annexed beer garden closes.

6. No
7. See attached Fire Marshal's determination.
8. See, attached lease assignment to validate site control for Ronja, LLC and prior email correspondence.

On Wed, Dec 21, 2022 at 11:16 AM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Good Morning,

Yes, I believe this will be satisfactory.

Thank you,

Peggy Horton

Matanuska-Susitna Borough

Development Services Division

Planner II

907-861-7862

From: Hans Axelsson <axelsson.hans@gmail.com>

Sent: Wednesday, December 21, 2022 10:34 AM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Fairview Inn CUP Modification

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hi Peggy,

Thanks for sending us the comments, we're working on getting you a complete response. In

regards to item number 8, we would prefer not having to bother Phillip about signing another deed at this time, however we have another mechanism of site control by a lease assignment, see attached. Does this satisfy your concerns for item number 8?

Thank you,

Hans

On Tue, Dec 20, 2022 at 4:28 PM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Good Afternoon,

Please see the attached request for information letter.

Thank you,

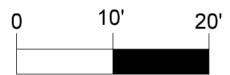
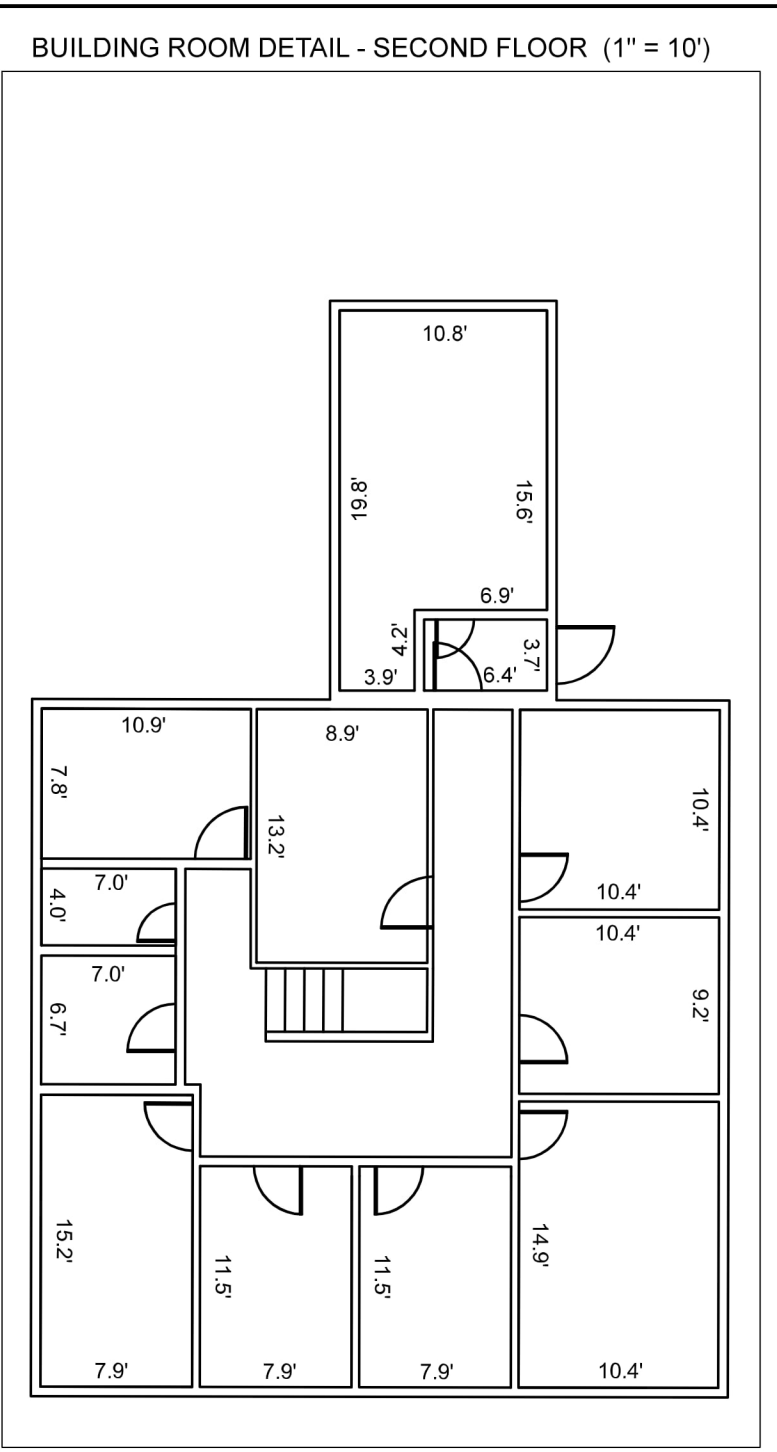
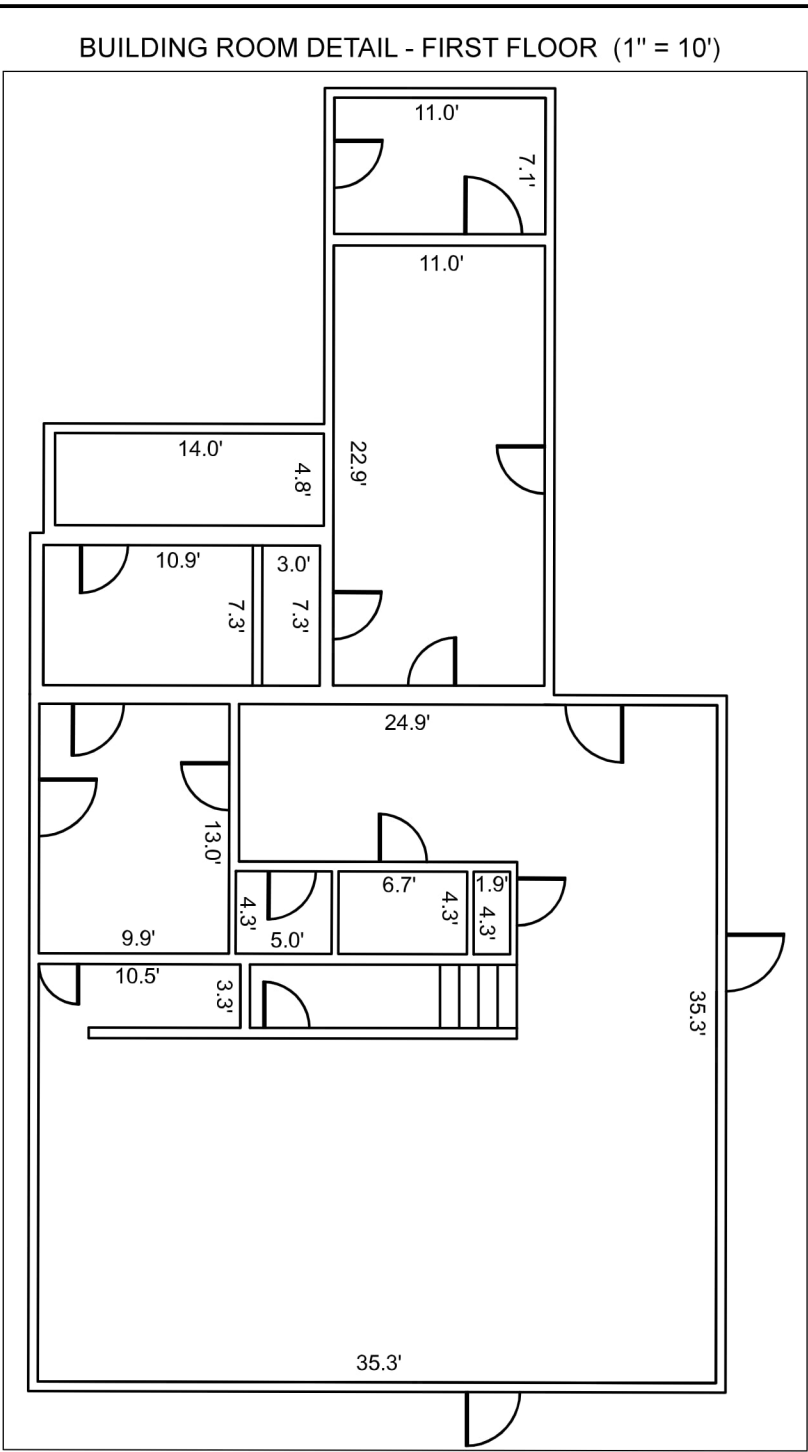
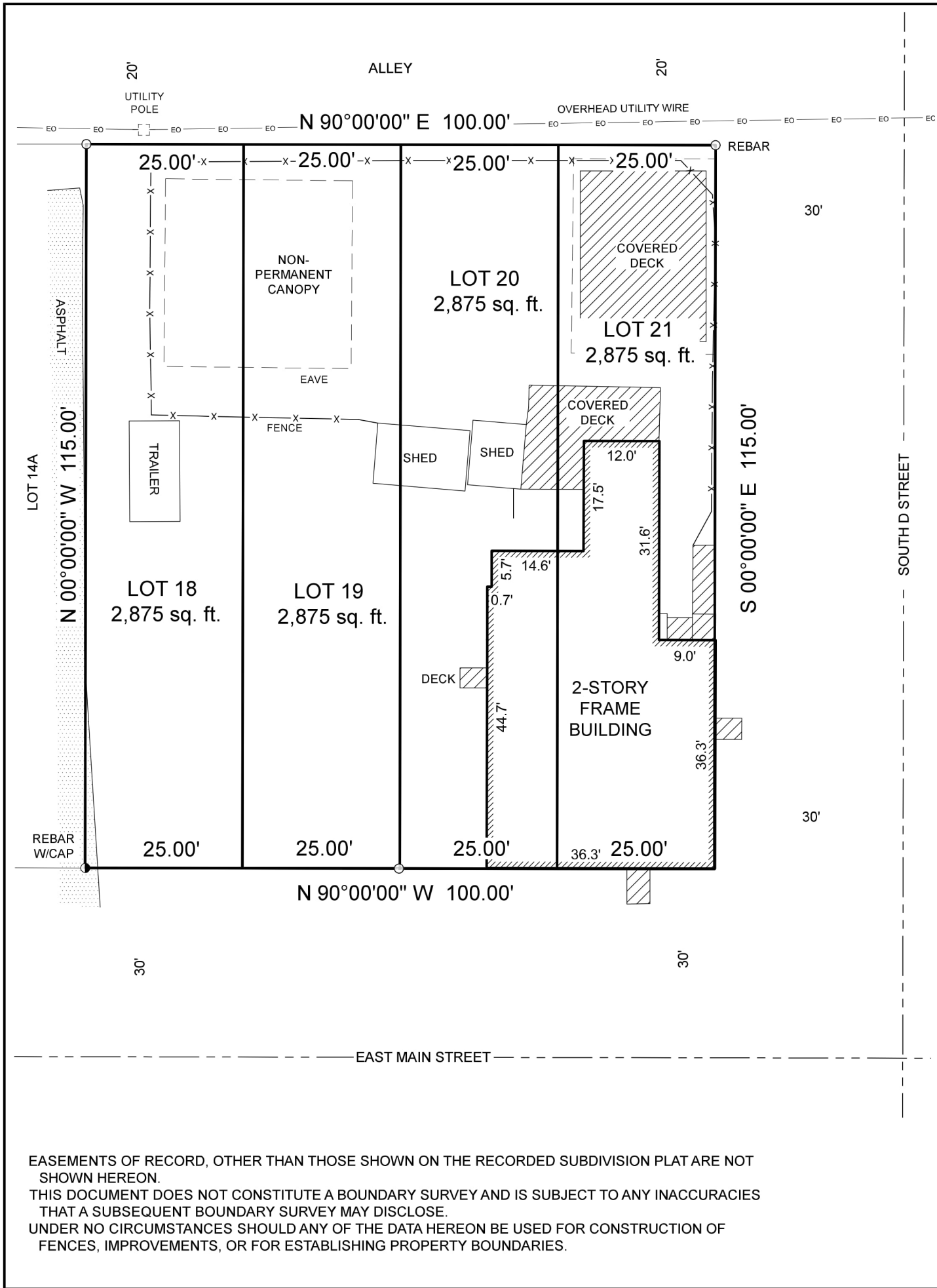
Peggy Horton

Matanuska-Susitna Borough

Development Services Division

Planner II

907-861-7862



EASEMENTS OF RECORD, OTHER THAN THOSE SHOWN ON THE RECORDED SUBDIVISION PLAT ARE NOT SHOWN HEREON.
THIS DOCUMENT DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE.
UNDER NO CIRCUMSTANCES SHOULD ANY OF THE DATA HEREON BE USED FOR CONSTRUCTION OF FENCES, IMPROVEMENTS, OR FOR ESTABLISHING PROPERTY BOUNDARIES.

AS-BUILT

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY:

LOT 18, 19, 20, & 21, BLOCK 12, TALKEETNA TOWNSITE SUBDIVISION

TALKEETNA RECORDING DISTRICT, ALASKA AND THAT THE IMPROVEMENTS AS DEPICTED HEREON EXIST AS SHOWN IN RELATION TO THE PROPERTY LINES.

DATED THIS 23rd DAY OF AUGUST, 2022, AT ANCHORAGE, ALASKA.

FIXED HEIGHT, LLC

C.O.A. 122554

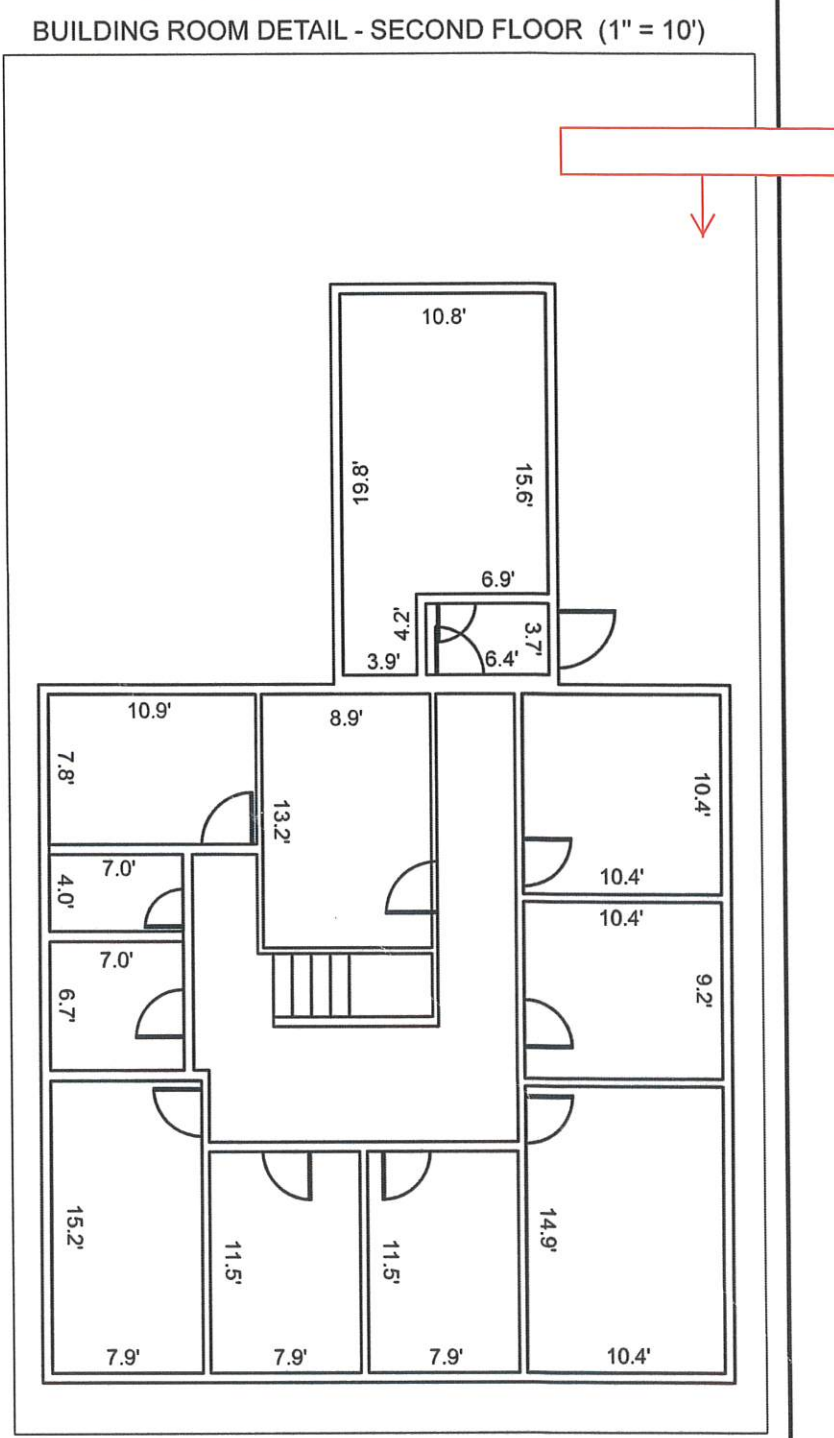
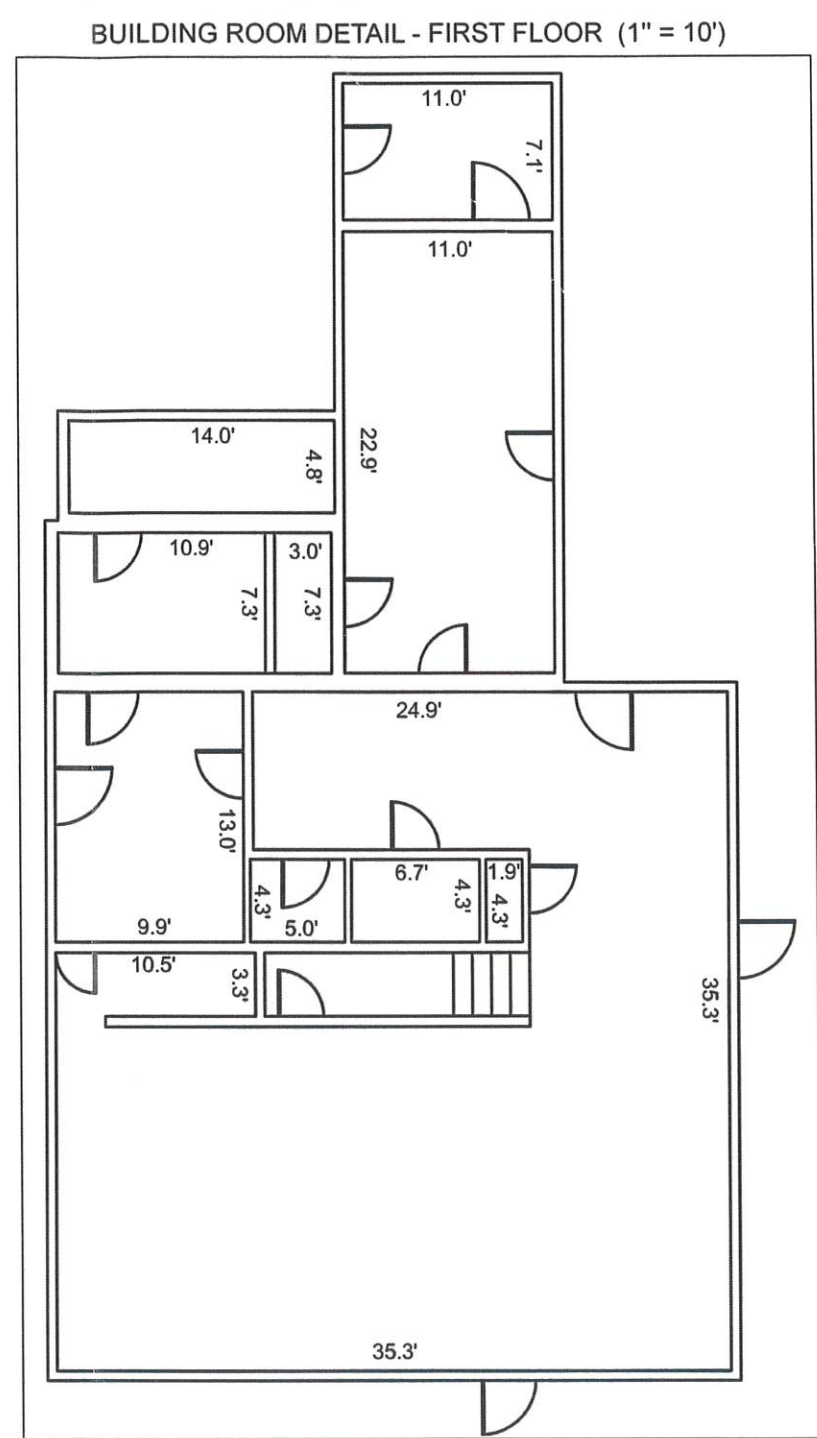
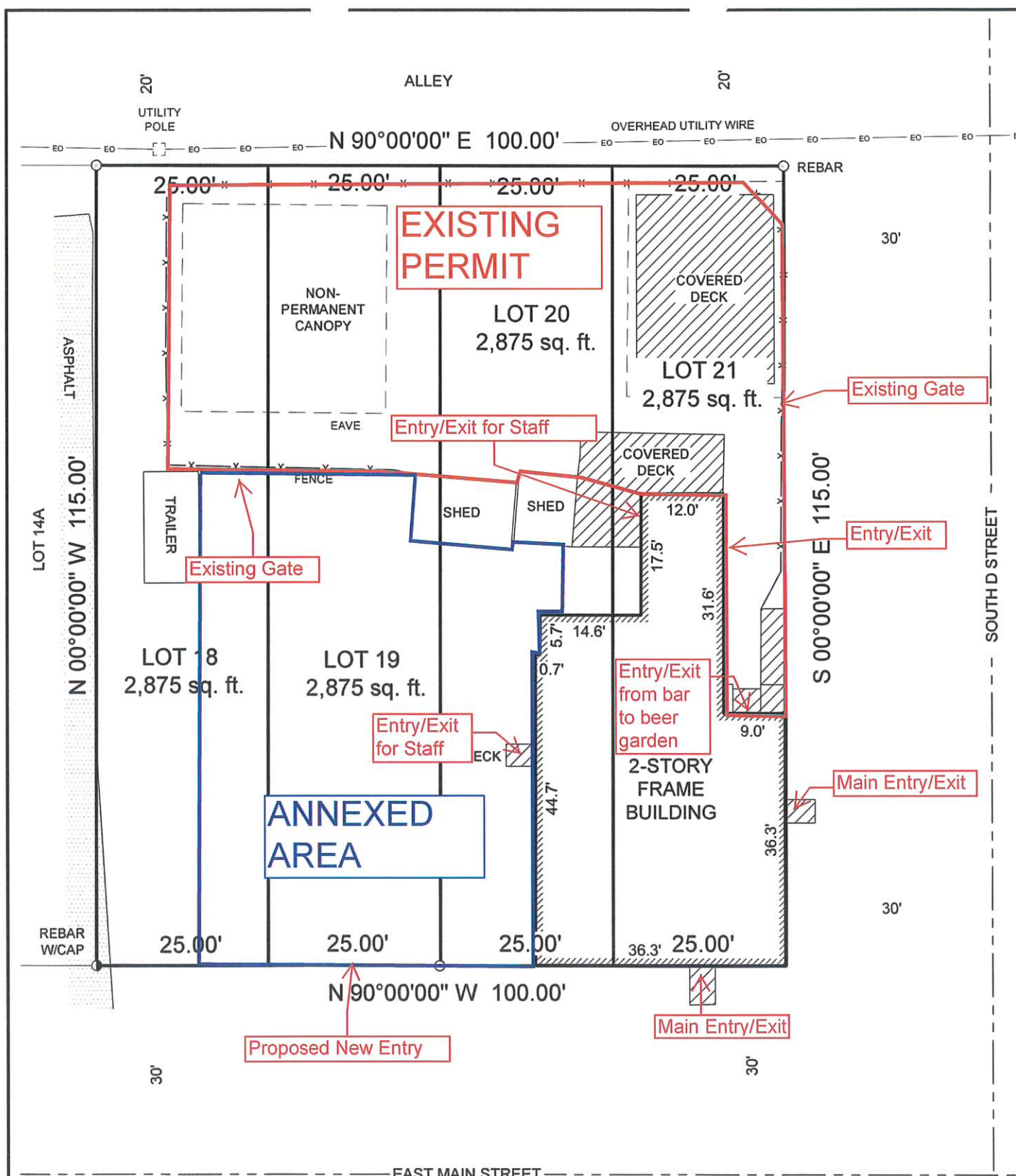
Land Surveying Services
225 W 23rd Ave., Anchorage, AK 99503

907.290.8949
WWW.FIXEDHEIGHT.COM

JOB # 22190

NO CORNERS SET THIS DATE

SCALE 1" = 20'



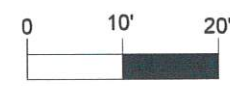
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RECEIVED
DEC 30 2022
Mat-Su Borough
Development Services



AS-BUILT

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY:

LOT 18, 19, 20, & 21, BLOCK 12, TALKEETNA TOWNSITE SUBDIVISION

TALKEETNA RECORDING DISTRICT, ALASKA AND THAT THE IMPROVEMENTS AS DEPICTED HEREON EXIST AS SHOWN IN RELATION TO THE PROPERTY LINES.

DATED THIS 23rd DAY OF AUGUST, 2022, AT ANCHORAGE, ALASKA.

FIXED HEIGHT, LLC

C.O.A. 122554

Land Surveying Services 907.290.8949
225 W 23rd Ave., Anchorage, AK 99503 WWW.FIXEDHEIGHT.COM



Matanuska-Susitna Borough



Legend

- Road Mileposts
- Roads
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - Ramp
 - Primitive Road
 - Private Road
 - Not Constructed
- + Alaska Railroad
- Mat-Su Borough Boundary
- Incorporated Cities
- Address Numbers
- Parcels
- Government Lot Lines
- ROW and Easements
 - ROW Road
 - ROW RR
 - ROW Easement
 - Section line easement
- Lakes and Rivers
- Streams
- Section Lines

1:2,257



Notes

This map was automatically generated using Geocortex Essentials.



0.1 0 0.04 0.07 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Matanuska-Susitna Borough

Reported on 11/22/2022 11:21 AM

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Matanuska-Susitna Borough



Legend

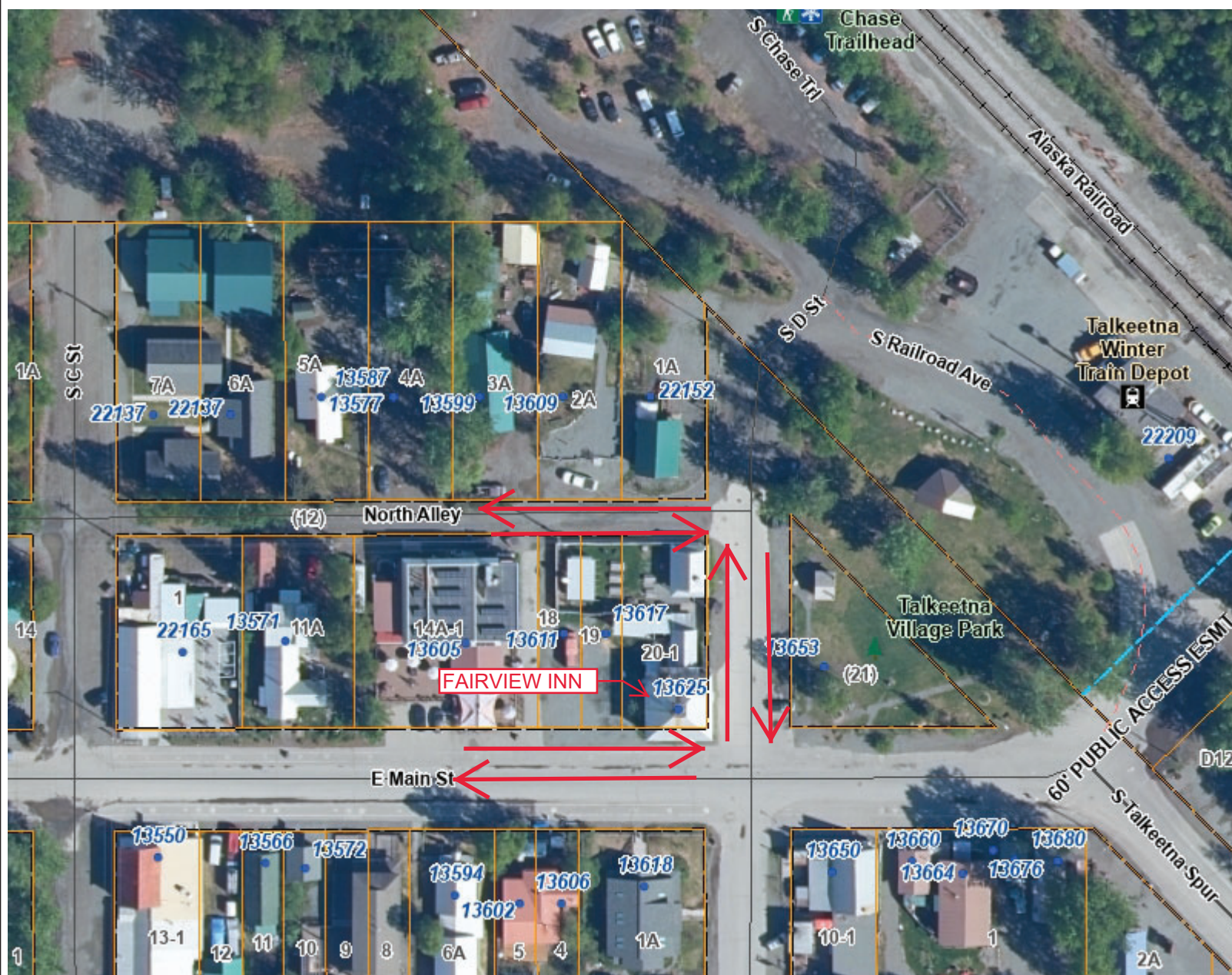
- Road Mileposts
- Roads
 - Highway
 - Major Road
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 - Minor Road
 - Ramp
 - Primitive Road
 - - Private Road
 - - Not Constructed
- + Alaska Railroad
- ▬ Mat-Su Borough Boundary
- ▬ Incorporated Cities
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- ▬ Section Lines

1: 2,257



Notes

This map was automatically generated using Geocortex Essentials.



Miles

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Reported on 11/22/2022 11:21 AM





Return to Ronja, LLC, Assignee #9.

FULL AND FINAL ASSIGNMENT AND ASSUMPTION OF GROUND LEASE

This Full and Final Assignment and Assumption of Ground Lease (this "**Agreement**") is made as of this 41st day of APRIL 2022 (the "**Effective Date**") by and between Phillip Paul Weidner, Weidner Family Limited Partnership, Denali Fairview Inn, Inc. an Alaska C-Corporation, and any entity that Phillip Paul Weidner owns or controls that has any interest or rights to the real and personal property identified herein (collectively referred to as the "Assignor") and Ronja, LLC, an Alaska limited liability company or its permitted assignee (the "Assignee").

Recitals

- A. Assignor represents that it can assign, in full, any and all rights and obligations it has in the certain 99 Year Bare Ground/Commercial Lease of Real Property,* dated April 13, 1998, (the "**Lease**") for real property and improvements within the real property known as Lot 18 & 19, Block 12, Talkeetna Townsite, and located respectively at 13611 & 13617 E. Main Street, Talkeetna, Alaska 99676 (the "Property") the Lease being for certain space and certain appurtenances as specifically described in the Lease.
* 1998-000786-0 TALKETNA REC. DIST.
- B. Assignor is selling its interest in certain assets of Assignor to Assignee pursuant to the terms of the Agreement of Purchase and Sale of Real Property; Liquor License No. 383; & Other Personal Property (the "**Sale Transaction**") entered into in connection with the execution and delivery of this Agreement. In connection with such Sale Transaction, Assignee has required that it receive the benefit of the tenancy granted to Assignor pursuant to the terms of the Lease.
- C. As part of the Sale Transaction, Assignor desires to assign to Assignee all of its right, title and interest as Tenant under the Lease and Assignee desires to accept such assignment and to agree to perform all of the obligations of the Tenant under the Lease, upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

Agreement

1. Recitals; Definitions. The recitals set forth above are incorporated herein by reference. Except as otherwise defined herein, all capitalized terms herein have the meanings ascribed to such terms in the Lease.

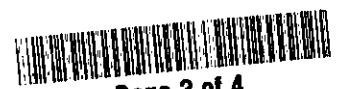
2. Assignment. Assignor hereby fully and permanently assigns and sets over to Assignee all of Assignor's right, title, interest, and claim in the Lease, including any Security Deposit delivered by Assignor under the Lease. Such assignment shall be effective on the Effective Date set forth above.
3. Assumption. Assignee hereby accepts the foregoing assignment, and hereby assumes Assignor's rights and obligations under the Lease.
4. Condition of Premises. Assignor represents and warrants that all rental payments are current. All agreements and terms as to conditions of property and premises and representations and warranties as to same are as set out in the initial Agreement of Purchase and Sale of Real Property; Liquor License No. 383.; And Other Personal Property of December 10, 2021 (Exhibit A) and remain in full force, effect and control.
5. Security Deposit. Assignor agrees that any security deposit, if any, required by the Lease shall be transferred to the benefit of Assignee.
6. Confirmation: Except as expressly modified by this Agreement, the Lease remains in full force and effect, and the parties hereby confirm the Lease as so modified. Capitalized terms used herein without definition shall have the meanings ascribed to them in the Lease.
7. No Defaults or Claims. The Assignor represents that there are no defaults or claims relating to the Property, the Lease, or in regard to any aspect of the Property.
8. Indemnity by Assignor. Assignor hereby agrees to indemnify, defend, and hold Assignee and the Property of Assignee harmless from and against any and all claims, demands, actions, causes of action, losses, liabilities, damages, costs and expenses suffered or incurred by or asserted against Assignee in connection with this Lease assignment. This indemnity is not intended to modify, limit, or diminish any indemnity obligations imposed upon Assignor under the terms of the purchase agreement governing the Sales Transaction.
9. Assignee's Address. Assignee's address for notice purposes under the Lease shall be as follows:

Ronja, LLC
PO Box 71634
Fairbanks, Alaska 99707
Email: axelsson.hans@gmail.com
10. Counterparts: This Agreement may be executed in one or more counterparts, and all such executed counterparts shall constitute the same agreement. Emailed or scanned signatures shall be binding on the parties.



11. Authority. The parties signing this Agreement individually represent and warrant that they have the authority to sign this Agreement on behalf of the party for whom they are executing this Agreement and to bind such party to this Agreement.
12. Miscellaneous. This Assignment is made and delivered in the State of Alaska and shall be construed under and governed by Alaska law. This Assignment may be executed in one or more counterparts, including by facsimile or other electronic form, and together the counterparts shall constitute one and the same agreement.

/s/Signatures to follow on next page.

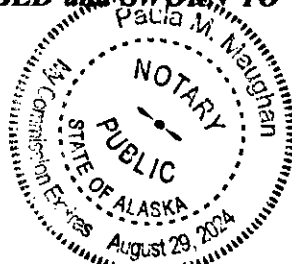


WITNESS WHEREOF, the parties have executed this Agreement as of the day referenced above.

ASSIGNOR:

By: Phillip P. Weidner 4/5/2022
Phillip P. Weidner

SUBSCRIBED and SWORN TO before me this 5th day of April 2022 by Phillip P. Weidner.



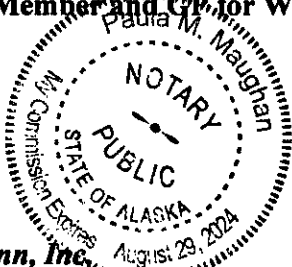
Paula M. Maughan
Notary Public for and in the State of Alaska
My Commission expires: 8.29.24

Weidner Family Limited Partnership

By: Aleutian Gander, LLC, GP

By: Phillip P. Weidner 4/5/2022
Phillip P. Weidner
Its: Sole-Member and GP

SUBSCRIBED and SWORN TO before me this 5th day of April 2022 by Phillip P. Weidner as Sole-Member and GP for Weidner Family Limited Partnership.

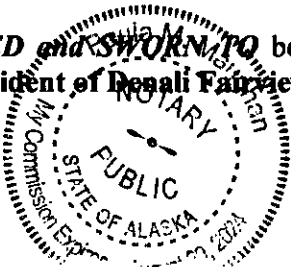


Paula M. Maughan
Notary Public for and in the State of Alaska
My Commission expires: 8.29.24

Denali Fairview Inn, Inc.
an Alaskan Corporation

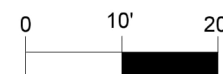
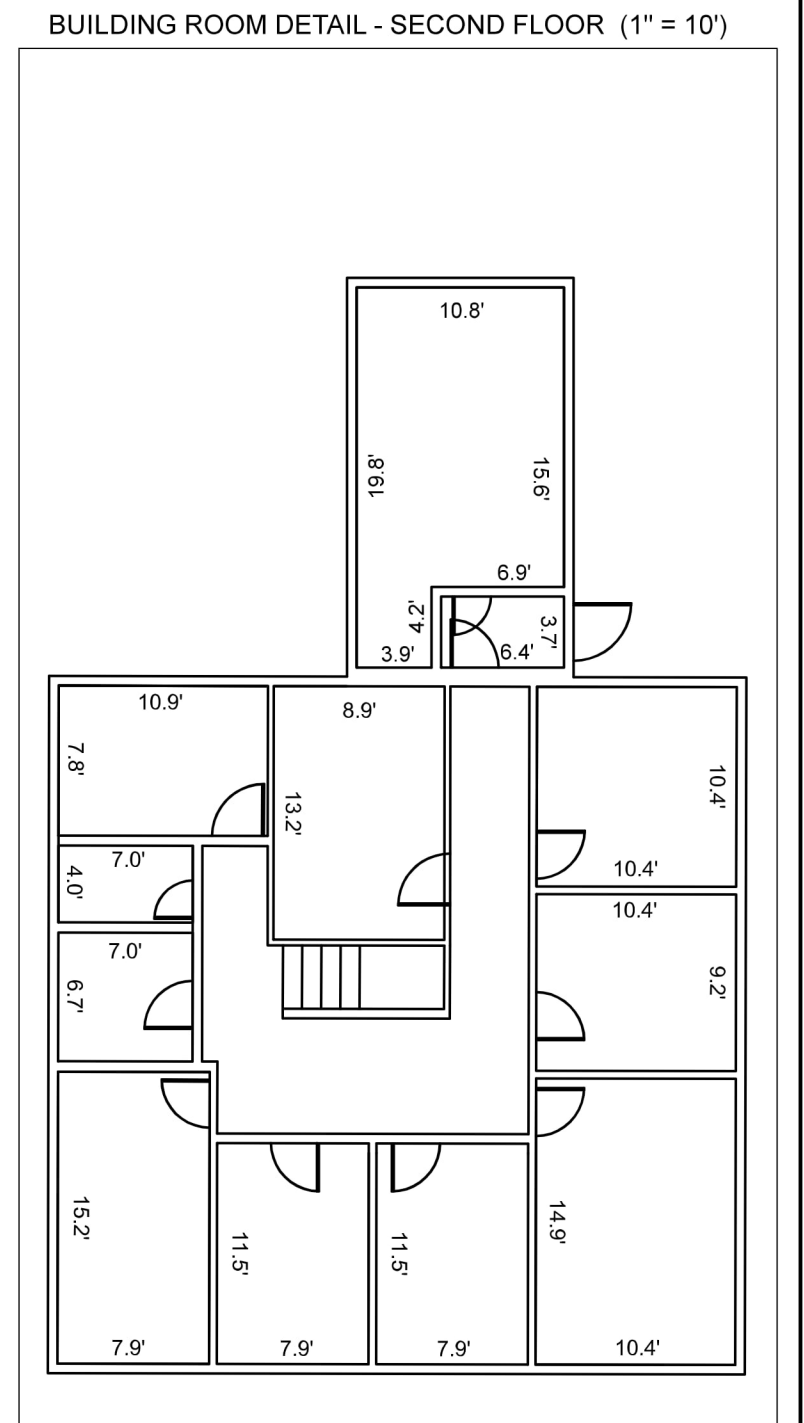
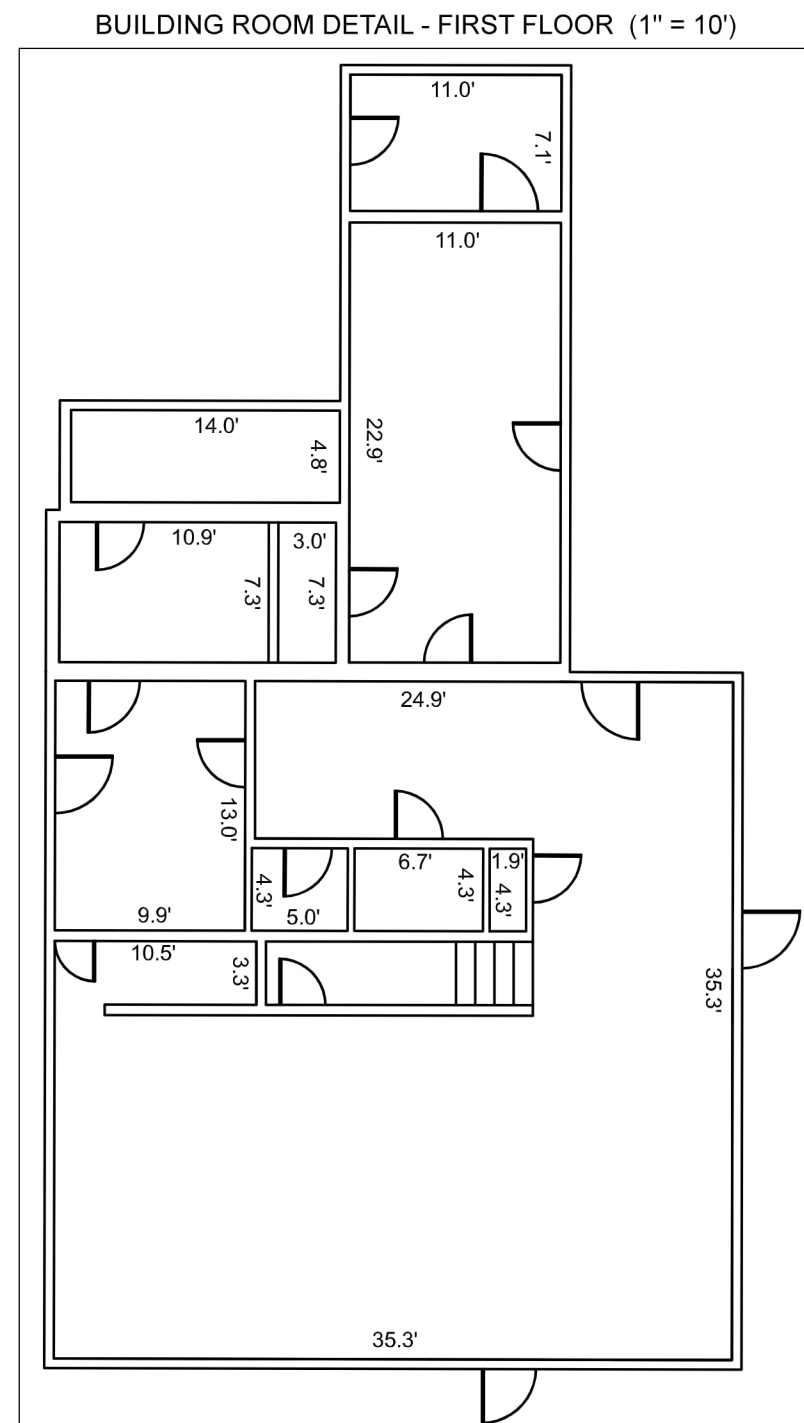
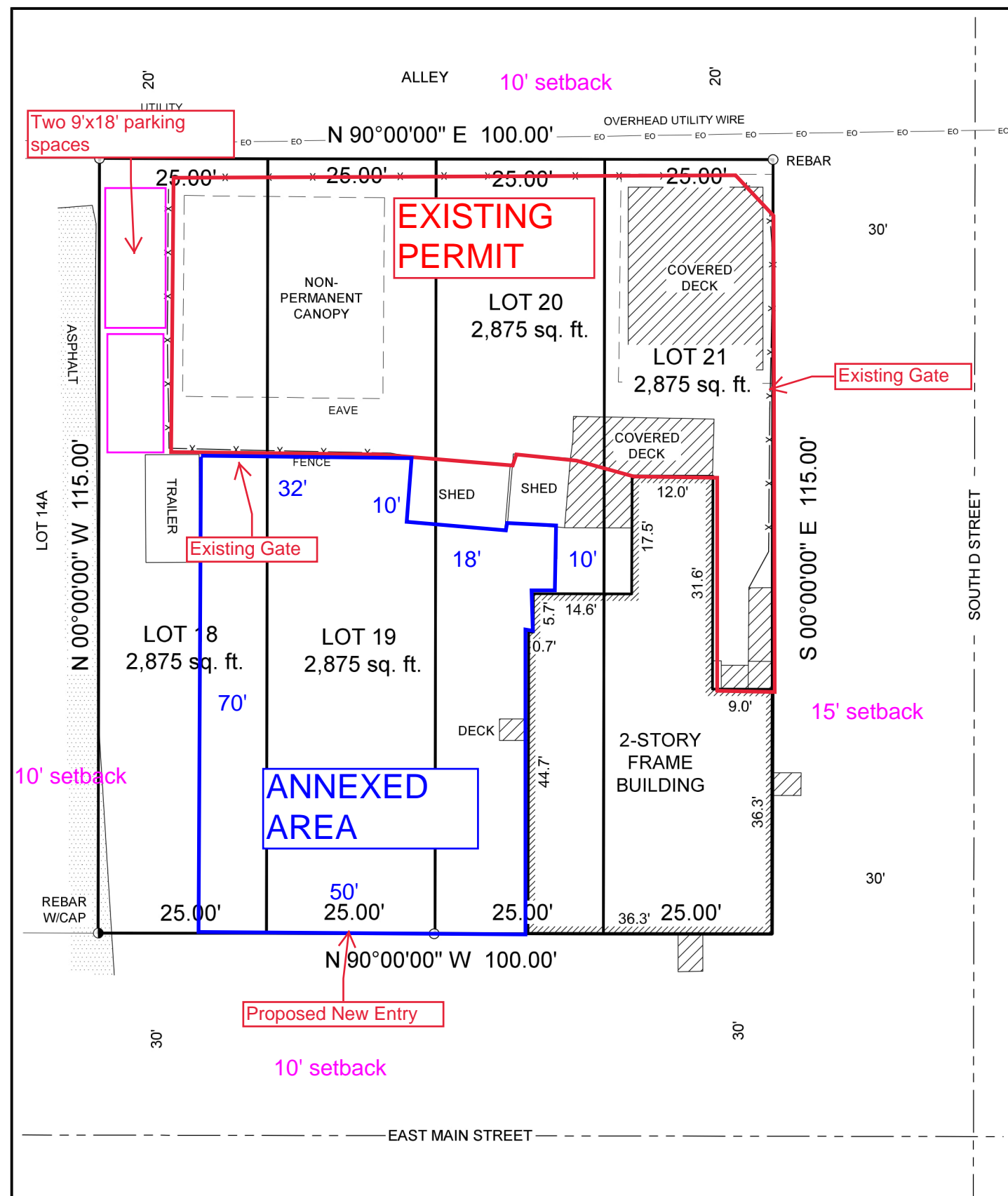
By: Phillip P. Weidner 4/5/2022
Phillip P. Weidner
Its: President

SUBSCRIBED and SWORN TO before me this 5th day of April 2022 by Phillip P. Weidner as President of Denali Fairview Inn, Inc.



Paula M. Maughan
Notary Public for and in the State of Alaska
My Commission expires: 8.29.24





EASEMENTS OF RECORD, OTHER THAN THOSE SHOWN ON THE RECORDED SUBDIVISION PLAT ARE NOT SHOWN HEREON.

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AS-BUILT

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY:

LOT 18, 19, 20, & 21, BLOCK 12, TALKEETNA TOWNSITE
SUBDIVISION

TALKEETNA RECORDING DISTRICT, ALASKA AND THAT THE IMPROVEMENTS AS DEPICTED HEREON EXIST AS SHOWN IN RELATION TO THE PROPERTY LINES.

DATED THIS 23rd DAY OF AUGUST, 2022, AT ANCHORAGE,
ALASKA.

FIXED HEIGHT, LLC

C.O.A. 122554

Land Surveying Services
225 W 23rd Ave., Anchorage, AK 99503

907 290 8949

WWW.FIXEDHEIGHT.COM

JOB # 22190

NO CORNERS SET THIS DATE

SCALE 1" = 20'

Rick Benedict

From: Hans Axelsson <axelsson.hans@gmail.com>
Sent: Wednesday, February 1, 2023 10:47 AM
To: Rick Benedict
Subject: Re: Fairview Inn CUP Modification
Attachments: Gmail - Fire Marshal determination - Fairview Inn, Talkeetna.pdf; 22152 S D Street - Additional Parking.pdf; Fairview Inn - outdoor seating chart.pdf; 13625 E. Main Street As-built with additional drawings.....Redacted.pdf; No Parking sign #2 located at 13625 E Main Street - on the fence north side.jpg; No Parking sign located at 13625 E Main Street - on the fence north side.jpg; Parking sign located at 13625 E Main Street - on the fence west side.jpg; Parking Sign located at 22152 S. D Street.PNG

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hello Rick,

It was nice talking to you the other day. Attached are the additional drawings indicating the increased number of parking spaces we discussed for a total of ten, two on 13625 E. Main Street and eight on 22152 S. D Street. Moving the parking away off Main Street should make things safer by reducing the conflict between vehicle traffic and the high numbers of pedestrians during the summer. The drawings also indicate the building setbacks on both properties and the dimensions of the annexed beer garden.

- Attached are photos of existing signs indicating available parking on 13625 E. Main Street and 22152 S. D Street, plus the No Parking signs on the fence along North Alley.

- Email and corresponding seating chart that the fire marshal reviewed is attached.

- The year-round use of the original beer garden will be in compliance with MSB 8.52 and we will apply for a temporary noise permit should it become necessary.

Thank you,

Hans

On Mon, Jan 30, 2023 at 10:06 AM Rick Benedict <Rick.Benedict@matsugov.us> wrote:

Good morning,

Please see the attached request for information letter.

Respectfully,

Rick Benedict – Planner II

Development Services Division

Matanuska-Susitna Borough

(907)861-8527 direct



Hans Axelsson <axelsson.hans@gmail.com>

Fire Marshal determination - Fairview Inn, Talkeetna

Rocheleau, Nathan L (DPS) <nathan.rocheleau@alaska.gov>

Thu, Dec 29, 2022 at 11:07 AM

To: Hans Axelsson <axelsson.hans@gmail.com>

Cc: "Harrop, Richard M (DPS)" <richard.harrop@alaska.gov>, "Josten, Steven H (DPS)" <steven.josten@alaska.gov>, "Mahoney, Isobelle L (DPS)" <isobelle.mahoney@alaska.gov>, "Nakano, Lloyd M (DPS)" <lloyd.nakano@alaska.gov>, "Morton, Jeff W (DPS)" <jeff.morton@alaska.gov>

Thank you for clarification. After reviewing your proposal and calculating the occupant load for both outdoor spaces your occupant loads would be as follows:

Fairview Inn Building (Bar Area Only) = 58 occupants**Annexed outdoor beer garden = 200 occupants****Existing outdoor beer garden = 246 occupants**

We will update our files for any future reference. If you have any further comments, questions or concerns please let us know.

Thank you,

Nathan L. Rocheleau, IAAI-CFI

Deputy Fire Marshal

Department of Public Safety

Division of Fire and Life Safety

5700 East Tudor Road

Anchorage, Alaska 99507

O: (907) 269-5506

F: (907) 269-5018

E: nathan.rocheleau@alaska.gov

From: Hans Axelsson <axelsson.hans@gmail.com>**Sent:** Thursday, December 29, 2022 10:10 AM**To:** Rocheleau, Nathan L (DPS) <nathan.rocheleau@alaska.gov>**Cc:** Harrop, Richard M (DPS) <richard.harrop@alaska.gov>; Josten, Steven H (DPS) <steven.josten@alaska.gov>; Mahoney, Isobelle L (DPS) <isobelle.mahoney@alaska.gov>; Nakano, Lloyd M (DPS) <lloyd.nakano@alaska.gov>; Morton, Jeff W (DPS) <jeff.morton@alaska.gov>**Subject:** Re: FW: Fire Marshal determination - Fairview Inn, Talkeetna

Hello Nathan,

Thank you for your quick response. Attached is a diagram of the proposed seating chart. The round and square tables would have 4 chairs each, while the two rectangular picnic tables seat six each. This figuaration would result in 128 seats in the original beer garden while the annexed area would have 96. We're leaving a wide walking path from the new proposed entry on Main Street through the existing gate to the original beer garden and out through the existing gate on D Street. Please let me know if you have any questions or concerns.

Thank you,

Hans

On Thu, Dec 29, 2022 at 9:30 AM Rocheleau, Nathan L (DPS) <nathan.rocheleau@alaska.gov> wrote:

Mr. Axelsson,

I was forwarded your question regarding occupant load calculations and have researched previous documentation in our files. An occupant load for the bar area was previously calculated back in March of 2015.

Fairview Inn Building (Bar Area Only) = 58 occupants

Annexed outdoor beer garden = More information required

Existing outdoor beer garden = More information required

We will need some additional information to complete occupant loads for the annexed and existing outdoor beer gardens. Please provide a diagram of proposed tables and chair seating and or let us know if this is standing room only.

Regards,

Nathan

Nathan L. Rocheleau, IAAI-CFI

Deputy Fire Marshal

Department of Public Safety

Division of Fire and Life Safety

[5700 East Tudor Road](#)

[Anchorage, Alaska 99507](#)

O: (907) 269-5506

F: (907) 269-5018

E: nathan.rocheleau@alaska.gov

From: Hans Axelsson <axelsson.hans@gmail.com>
Sent: Wednesday, December 28, 2022 12:30 PM
To: Nakano, Lloyd M (DPS) <lloyd.nakano@alaska.gov>
Subject: Fire Marshal determination - Fairview Inn, Talkeetna

You don't often get email from axelsson.hans@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Nakano,

I'm working with the Matanuska Susitna Borough on a conditional use permit, see attached MSB Letter. In #7 of the letter they are asking us to provide a Fire Marshal determination for maximum occupancy of the proposed annexed area, existing beer garden and the Fairview Inn. The Talkeetna Fire Department Chief, Mr. Eric Chappel informed us that this determination would have to be done by your office. Could your office please help us with this so we can move forward with the conditional use permit application.

The sizes of the three areas are as follows.

Fairview Inn building: 3,300 square feet

Annexed outdoor beer garden: 3,000 square feet

Existing outdoor beer garden: 3,700 square feet

I've also attached as-builts and other information I think will be helpful. Please let me know if you have any questions or concerns.

Best Regards,

Hans Axelsson, Fairview Inn



Hans Axelsson <axelsson.hans@gmail.com>

Fire Marshal determination - Fairview Inn, Talkeetna

Hans Axelsson <axelsson.hans@gmail.com>

Thu, Dec 29, 2022 at 10:10 AM

To: "Rocheleau, Nathan L (DPS)" <nathan.rocheleau@alaska.gov>

Cc: "Harrop, Richard M (DPS)" <richard.harrop@alaska.gov>, "Josten, Steven H (DPS)" <steven.josten@alaska.gov>, "Mahoney, Isobelle L (DPS)" <isobelle.mahoney@alaska.gov>, "Nakano, Lloyd M (DPS)" <lloyd.nakano@alaska.gov>, "Morton, Jeff W (DPS)" <jeff.morton@alaska.gov>

Hello Nathan,

Thank you for your quick response. Attached is a diagram of the proposed seating chart. The round and square tables would have 4 chairs each, while the two rectangular picnic tables seat six each. This figuration would result in 128 seats in the original beer garden while the annexed area would have 96. We're leaving a wide walking path from the new proposed entry on Main Street through the existing gate to the original beer garden and out through the existing gate on D Street. Please let me know if you have any questions or concerns.

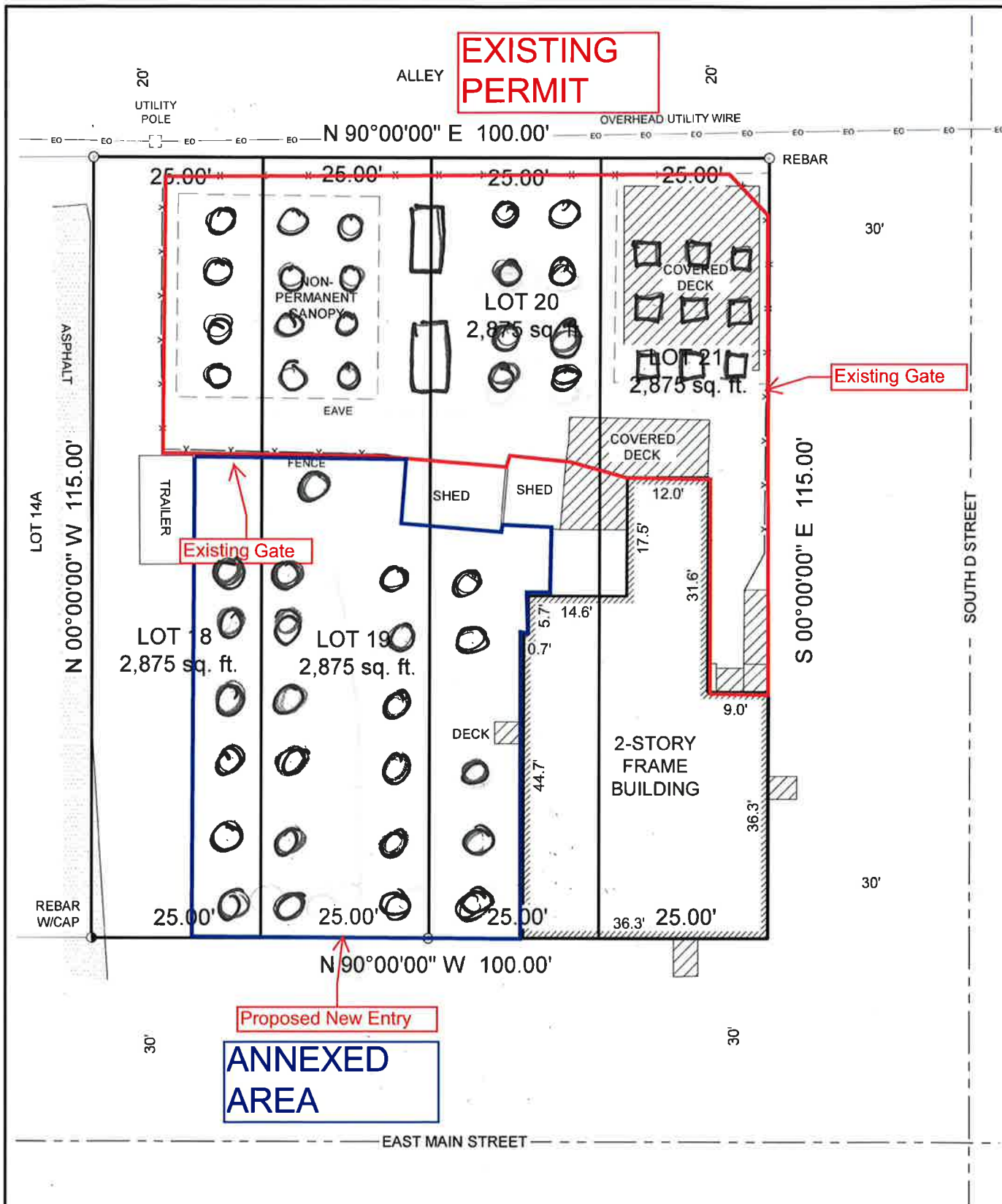
Thank you,

Hans

[Quoted text hidden]

**Fairview Inn - outdoor seating chart.pdf**

104K



EASEMENTS OF RECORD, OTHER THAN THOSE SHOWN ON THE RECORDED SUBDIVISION PLAT ARE NOT SHOWN HEREON.

THIS DOCUMENT DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE.

UNDER NO CIRCUMSTANCES SHOULD ANY OF THE DATA HEREON BE USED FOR CONSTRUCTION OF FENCES, IMPROVEMENTS, OR FOR ESTABLISHING PROPERTY BOUNDARIES.



NO
PARKING



NO
PARKING

NO PARKING
IN ALLEY WAY
VIOLATORS
WILL BE TOWED



FAIRVIEW
PARKING



**PARKING FOR
FAIRVIEW INN
PATRONS ONLY**

Thank you!

From: [Hans Axelsson](#)
To: [Rick Benedict](#)
Subject: Re: Fairview Inn
Date: Sunday, February 12, 2023 6:28:38 PM
Attachments: [22152 S D Street - Additional Parking.pdf](#)

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hi Rick,

Attached is the revised drawing where we changed one of the parking spaces at 22152 S. D Street to be an ADA compliant van accessible space.

Thank you,

Hans

On Fri, Feb 10, 2023 at 3:24 PM Rick Benedict <Rick.Benedict@matsugov.us> wrote:

Good afternoon Hans,

I will be preparing the packet and getting the public notification process started. There's approximately an 8-week period from the point an application is determined complete until its introduction onto the Planning Commission agenda. Based on this information, introduction of the resolution for your CUP application will be made on April 14, 2023. The public hearing date will be set for May 1, 2023.

In most situations the Planning Commission will vote on the resolution at the time of the hearing. However, code does allow the commission 30 days to decide. Should all go well, a vote by the Planning Commission to approve your CUP application will occur on May 1, 2023.

Borough staff is particular with applicants concerning their applications for this reason. Our goal is to gather all pertinent information prior to the meeting in hopes of avoiding delays caused by incomplete applications.

I will have more information to share in the upcoming weeks regarding the public notification process. If you have any further questions before then, please feel free to reach out to me.

Respectfully,

Rick Benedict – Planner II
Development Services Division
Matanuska-Susitna Borough
(907)861-8527 direct

-----Original Message-----

From: Hans Axelsson <axelsson.hans@gmail.com>
Sent: Friday, February 10, 2023 1:54 PM
To: Rick Benedict <Rick.Benedict@matsugov.us>
Subject: Fairview Inn

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Hi Rick,

I'll make one of the parking spaces big enough to be ADA approved and I'll send you the updated drawing on Monday. Did I understand you correctly that we could have the permit approved by May 1st? The season is short so time is of essence.

Thank you,

Hans

NOTES

1. THIS FIELD SURVEY WAS CONDUCTED ON SEPTEMBER 21 2020. ALL MONUMENTS HAVE BEEN FOUND OR SET AS DESCRIBED HEREON.

2. ALL DIRECTIONS SHOWN ARE TRUE BEARINGS, AS ORIENTED TO THE BASIS OF BEARINGS.

3. THIS SURVEY DOES NOT CONSTITUTE A SUBDIVISION AS DEFINED BY AS 40. 15. 900 (5) (A).

UNSUBDIVIDED

LEGEND

- RECOVERED GLO BRASS CAP MONUMENT
- RECOVERED ALUMINUM CAP ON 5/8" REBAR
- RECOVERED 5/8" REBAR
- SET PLASTIC CAP ON 5/8" x 30" REBAR
- MEASURED DATA
- RECORD PER PLAT (93-40)
- BLOCK 1



HANSON LAND SOLUTIONS
305 E. FIREWEED AVE.
PALMER, ALASKA 99645
(907) 746-7738
BUSINESS LICENSE #1525

RECORD OF SURVEY

A SURVEY OF
**LOT 1A,
BLOCK 12 OF
TALKEETNA
TOWNSITE
LOTS 1A-7A
BLOCK 11,
LOTS 1A-7A
BLOCK 12
(PLAT 93-40)**

TALKEETNA
RECORDING DISTRICT

LOCATED WITHIN
SE 1/4 SEC. 24,
T. 26N. R. 5W.
SM, AK

CONTAINING
0.16 ACRES
MORE OR LESS

SCALE: 1"=20' JOB: 20-273

DWN: SDN FILE: 20-273 RS

CK: CEH 09/24/20 01 OF 01

TALKEETNA TOWNSITE
LOTS 1A-7A BLOCK 11,
LOTS 1A-7A BLOCK 12
(PLAT 93-40)

12

4A

3A

2A

1A

0.16 ACRES±

10' setback

15' setback

Seven - 9' x 18' parking
spaces & one 8' x 18'
ADA approved van
accessible parking
space with a 8' wide
access isle



10 0 20 30 40
US SURVEY FEET

20' NORTH ALLEY

N90° 00' 00"E
(WEST)

BASIS OF BEARING

150.00' (150.00') 10' setback

20'

S. D ST.

S. RAILROAD AVE.

N74° 58' 11" W 255.65'
(WEST) (150.00')

1 BLOCK

ALASKA RAILROAD
RIGHT-OF-WAY
(U.S.S. 1260)

115.61'

(115.59')

68.60' (68.52')

S44° 11' 48"E
(N43° 51' W)

15' setback

165.03' (165.00')

50° 06' 25" W (NORTH)

50° 06' 33" W (NORTH)

MARKINGS ILLEGIBLE

100.00' (100.00')

50.00' (50.00')