

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Vern Halter, Mayor

PLANNING COMMISSION
Mary Anderson, Vice-Chair, District 1
Jason Ortiz, District 2
Patricia Chesbro, District 3
Colleen Vague, Chair, District 4
Chris Elder, District 5
Stafford Glashan, District 6
Sassan Mossanen, District 7



Michael Brown, Borough Manager

PLANNING & LAND USE
DEPARTMENT
Alex Strawn, Director of Planning & Land Use
Kim Sollien, Planning Services Manager
Mark Whisenhunt, Acting Development Services Manager
Fred Wagner, Platting Officer
Karol Riese, Planning Clerk

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

May 3, 2021
REGULAR MEETING
6:00 p.m.

Ways to participate in Planning Commission meetings:

IN PERSON. Should you wish to testify in person, please adhere to the 6-foot distance between yourself and others.

IN WRITING: You can submit written comments to the Planning Commission Clerk at planning@matsugov.us.

TELEPHONIC TESTIMONY:

- Dial 1-855-290-3803; You will hear “Joining conference” when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press *3; you will hear, “Your hand has been raised.”
- When it is your turn to testify, you will hear, “Your line has been unmuted.”
- State your name for the record, spell your last name, and provide your testimony.

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. April 19, 2021, Regular Meeting Minutes.

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

1. **Resolution PC 21-10**, A Conditional Use Permit In Accordance With MSB 17.60 - Conditional Uses; Allowing For The Operation Of A Marijuana Cultivation Facility, Located Along The North Shore Of Big Lake (No Site Address); Tax ID #17N04W25D005; Within Township 17 North, Range 4 West, Section 25, Seward Meridian. Public Hearing: May 17, 2021 (Applicant: Casey Wilkins for Northern Alliance; Staff: Peggy Horton).

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

(None)

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 or request more information to the Planning Commission Clerk concerning the following matters at the time of 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 PC 21-08**, A Request To Modify A Conditional Use Permit In Accordance With MSB 17.70 - Regulation Of Alcoholic Beverages Uses, For The Expansion Of An Existing Alcoholic Beverage Dispensary (Talkeetna Restaurant), Located At 13605 E. Main Street; Tax ID #8088B12L014A-1; Within Township

26 North, Range 5 West, Section 24, Seward Meridian (Applicant: Sassan Mossanen, dba Talkeetna Restaurant; Staff: Mark Whisenhunt).

- B. **Resolution PC 21-09**, A Request To Modify A Conditional Use Permit In Accordance with MSB 17.25 – Talkeetna Special Land Use District, For The Expansion Of An Existing Commercial Use (Talkeetna Restaurant) Greater Than 4,000 Square Feet In Size, Located At 13605 E. Main Street; Tax ID #8088B12L014A-1; Within Township 26 North, Range 5 West, Section 24, Seward Meridian (Applicant: Sassan Mossanen, dba Talkeetna Restaurant; Staff: Mark Whisenhunt).

X. PUBLIC HEARING: LEGISLATIVE MATTERS

- A. **Resolution PC 21-07**, A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Assembly Adoption Of An Ordinance Adopting MSB 17.31 - Supplemental Wetlands Mitigation Provisions For Large-Scale Projects Requiring United States Army Corps Of Engineers Individual Permits Under Section 404 Of The Clean Water Act; And Amending MSB 1.45.100 Schedule Of Fines For Infractions (Staff: Ted Eischeid).

XI. CORRESPONDENCE & INFORMATION

- A. Due to Elections, the November 1, 2021, Planning Commission meeting will need to be canceled.

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

- A. Adjudicatory (*if needed*)
B. Upcoming Planning Commission Agenda Items

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 the definition of "Interested Party." The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, available on the Borough website, www.matsugov.us, Borough Clerk's office, or at various libraries within the Borough.

Disabled persons needing reasonable accommodation in order to participate at a Planning Commission Meeting should contact the borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.

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MINUTES

April 19, 2021

MINUTES

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 19, 2021**

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on April 19, 2021, 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, Planning & Land Use Director
Ms. Shannon Bodolay, Assistant Borough Attorney
Mr. Mark Whisenhunt, Acting Development Services Manager/Planner II
Ms. Kim Sollien, Planning Services Manager
Ms. Kelsey Anderson, Planner II
Ms. Karol Riese, Planning Commission Clerk

*Indicates that the individual attended telephonically due to COVID safety protocols.

II. APPROVAL OF AGENDA

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

Commissioner Anderson made a motion to postpone Resolutions PC 21-08 and PC 21-09 to May 3, 2021 meeting. Motion Seconded. Seconded by Commissioner Chesbro.

GENERAL CONSENT: The agenda was approved as corrected without objection.
Commissioner Mossanen recused.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Kelsey Anderson.

IV. CONSENT AGENDA

A. Minutes

1. April 5, 2021, regular meeting minutes

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 19, 2021**

- B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
(None)
- C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

- 1. **Resolution PC 21-07**, A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Assembly Adoption Of An Ordinance Adopting Msb 17.31 - Supplemental Wetlands Mitigation Provisions For Large-Scale Projects Requiring United States Army Corps Of Engineers Individual Permits Under Section 404 Of The Clean Water Act; And Amending MSB 1.45.100 Schedule Of Fines For Infractions. Public Hearing: May 3, 2021 (Staff: Ted Eischeid).

GENERAL CONSENT: The consent agenda was approved without objection.

- V. **COMMITTEE REPORTS**
(There were no committee reports.)

VI. AGENCY/STAFF REPORTS

- A. Lake Mangement Plan Update (Staff: Kelsey Anderson)
Ms. Anderson provided a brief presentation of the Lake Management Plan process.

- 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: Mr. Eugene Carl Haberman.

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS

- A. **Resolution PC 21-08**, A Request to modify a conditional use permit in accordance with MSB 17.70 – Regulation of Aloholic Beverages Uses, for the expansion of an existing alcoholic beverage dispensary (Talkeetna Restaurant), Located at 13605 E. Main Street; Tax ID #8088B12L014A-1; within township 26 north, range 5 West, Section 24, Seward Meridian. (This item was moved to Planning Commission meeting dated May 3, 2021).
- B. **Resolution PC 21-09**, A Request to modify a conditional use permit in accordance with MSB 17.25 – Special Land Use District, For the Expansion of an existing commercial use (Talkeetna Restaurant) Greater than 4,000 square feet in size, located at 13605 E. Main Street; Tax ID #8088B12L014A-1; within township 26 north, range 5 West, Section 24, Seward Meridian. (This item was moved to Planning Commission meeting dated May 3, 2021).

- X. **PUBLIC HEARING LEGISLATIVE MATTERS**
(There were no legislative public hearings.)

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 19, 2021**

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

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

Mr. Strawn gave an overview regarding Comsat site in Talkeetna. Advised Commissioners that this may become a Conditional Use Permit matter so refrain from research or discussions related to Comsat. Canceling the November 1 meeting. The Borough Manager has lifted the mask mandate in borough buildings for May 1st, so the May 3rd meeting, no masks are required.

XV. DIRECTOR AND COMMISSIONER COMMENTS

Commissioner Anderson: Commissioner Anderson provided an overview of the School Site Selection Committee meetings and process. Next meeting is in June. Looking for a good transition since her Planning Commission term ends this December. Thank you for the map and could you send out the link.

Commissioner Ortiz: To the Planning Department, the video on Wetlands was really good.

Commissioner Glashan: I understand the LMP is complicated and I get the reason to streamline the process; but there is a lot of details to figure out and unintended consequences that may come about it so, I hope we can get it right.

Commissioner Mossanan: Thank you to Commissioner Anderson for the update on the School Site Selection Committee it is nice to have representation on there. And thank you to staff for the report.

Commissioner Vague: Thank you for the LMP report; I remember when there was a flurry of LMP. I appreciate all the work that you do. I am so glad to see the nice weather.

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
April 19, 2021**

XVI. ADJOURNMENT

The regular meeting adjourned at 6:44 p.m.

COLLEEN VAGUE, Planning Commission
Chair

ATTEST:

KAROL RIESE, Planning Commission Clerk

Minutes approved: _____

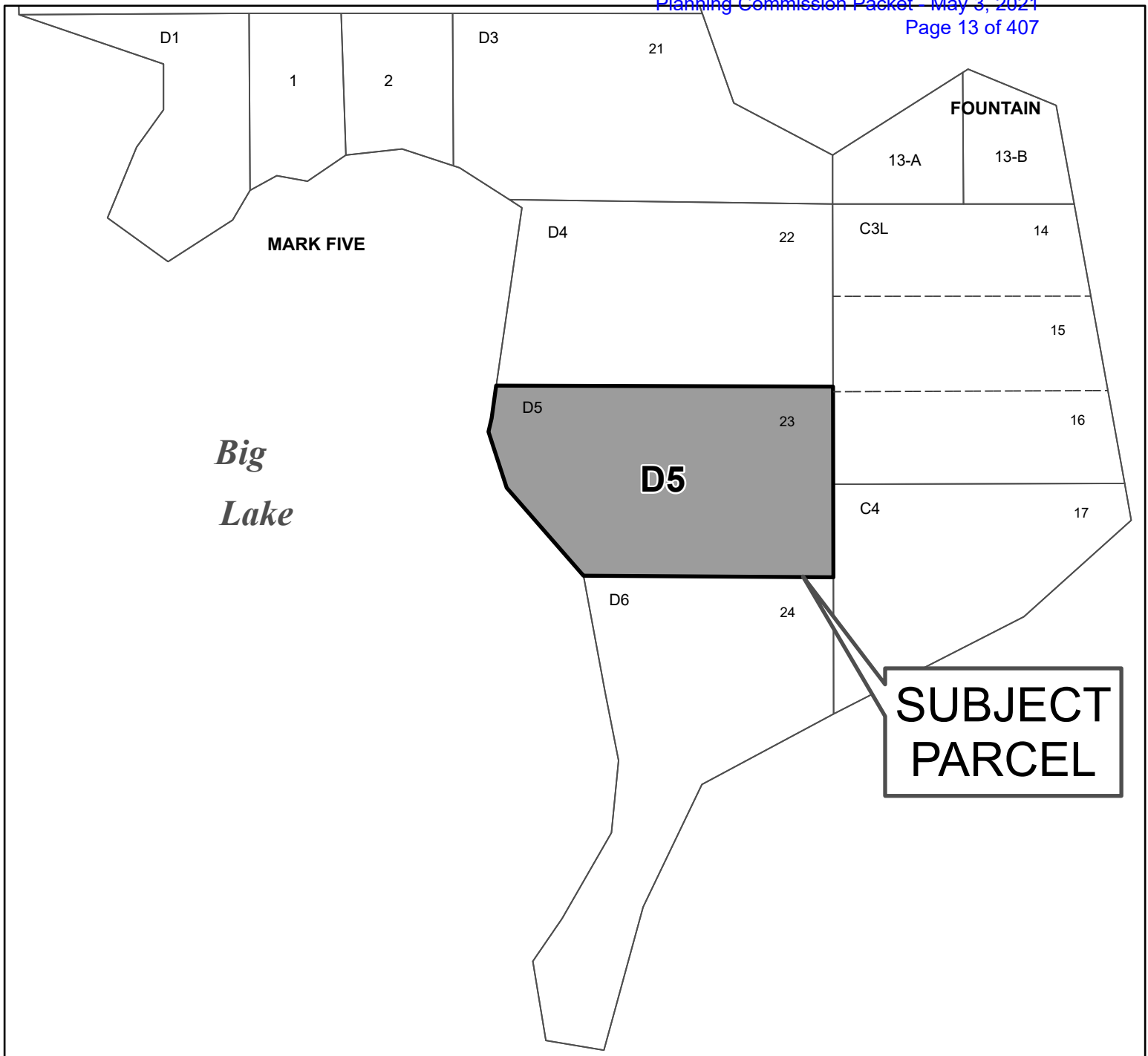
INTRODUCTION FOR PUBLIC HEARING QUASI-JUDICIAL

Resolution No. PC 21-10

Casey Wilkins for Northern Alliance

Pages 11-38

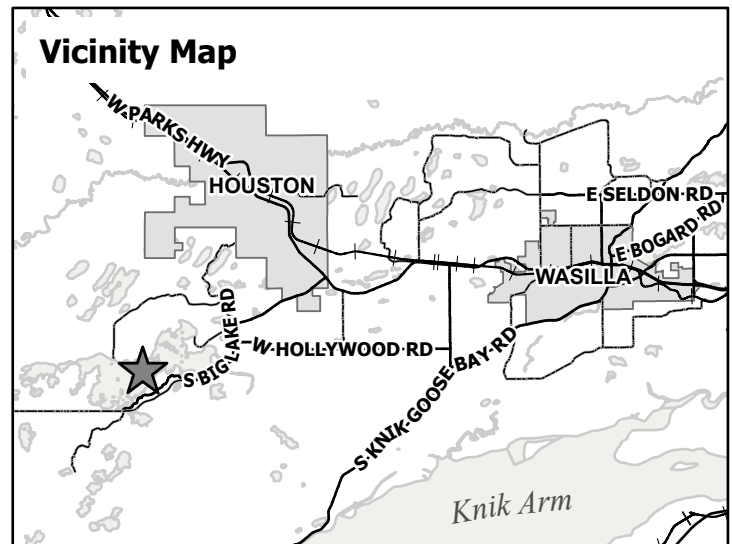
INTRODUCTION FOR PUBLIC HEARING



17N04W25D005



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.





MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-8158

Email: permitcenter@matsugov.us

CONDITIONAL USE PERMIT FOR MARIJUANA RELATED FACILITIES – MSB 17.60

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 Marijuana Retail Facility
☒ \$1,000 for Marijuana Cultivation Facility

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.

Required Attachments for a Marijuana Cultivation Facility:

- ☒ Wastewater and Waste Material Disposal Plan – 17.60.160 (A)
☒ Odor Mitigation and Ventilation Plan – 17.60.160 (B)
☒ Hazardous Chemicals Information – 17.60.160 (C)
☒ Security plan – 17.60.160 (D)

(see CUP application narrative)

Required Attachments for Both Retail and Cultivation Facilities:

- Documentation demonstrating full compliance with applicable fire code – 17.60.150 (D) (2)

Subject Property: Township: 17N, Range: 4W, Section: 25, Meridian: S
MSB Tax ID# 17N04W25D005
SUBDIVISION: Mark Five BLOCK(S): _____ LOT(S): 23
STREET ADDRESS: 0005 Big No Road Big Lake, AK 99652
FACILITY / BUSINESS NAME: Northern Alliance

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? ☐ Yes ☐ No ☐ N/A

Name of Property Owner

Dan Matschner

Name of Agent / Contact for application

Casey Wilkins

Mailing: 9275 SW Club Meadow Lane
Portland, OR 97225

Mailing: PO Box 270122
Douglas, AK 99824

Phone: Hm _____ Fax _____

Phone: Hm _____ Fax _____

Wk _____ Cell 503 793 2932

Wk _____ Cell 907 957 3877

E-mail djm454@yahoo.com

E-mail alwaysredeyellc@gmail.com

Site Plan – Attach a detailed, to scale, site plan clearly showing the following information:	Attached
Proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the proposed use. Dimensions and locations of all existing and proposed structures on the site in relationship to all property lines.	Attachment B
Signage – Existing and Proposed.	narrative
Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	✓ narrative
Buffering – Fences, vegetation, topography, berms, and any landscaping	Attachments B, A, D
Drainage	narrative
Vehicular and pedestrian circulation patterns.	narrative
Exterior site lighting.	attachment B
Location and dimensions of parking areas to be provided	narrative
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	✓

Map – Attach a detailed, to scale, vicinity map clearly showing the following information:	Attached
Identify all existing land uses within 1,000 feet.	attachment C
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	✓

In order to grant a conditional use permit under MSB 17.60, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:	Attached
Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	narrative
Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?	"
Are sufficient setbacks, lot area, buffers and other safeguards being provided?	"
Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use in this section?	"
Describe measures taken to prevent any potential negative effect upon other properties in the area due to such factors as noise and odor.	"
Describe measures taken to reduce negative effects upon adjacent properties by: <ul style="list-style-type: none"> Increased property line and right-of-way buffers Planted berms and landscaping Site and building design features which contribute to the character of the surrounding area 	"
Describe how this use is compatible with the character of the surrounding area.	"
Current status of State License application process – 17.60.150 (D) (1)	"

17.60.170 Standards for Marijuana Retail Facilities:	Attached
Describe how the subject parcel is appropriate for the proposed conditional use. Include information detailing: <ul style="list-style-type: none"> • The proximity of the proposed use to existing businesses; • The proximity of parcels developed with residential uses; • Whether the roads associated with the proposed use have been, or will be, appropriate for commercial use; and • Proposed hours of operations. 	
Provide information showing minimum parking standards have been met as required by MSB 17.60.170 (B) and (C).	

Floor Plan for Marijuana Retail Facilities – Attach a detailed, to scale, floor plan clearly showing the following information:	Attached
Dimensions of all structures.	
Interior floor plans (specific location of the use or uses to be made of the development).	
Net floor area square footage calculations.	

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

MSB Tax account #(s) 17N04W25D005 and, I hereby apply for approval of a conditional use permit to operate a marijuana related facility on the property as described in this application.


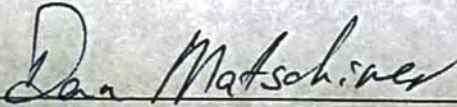
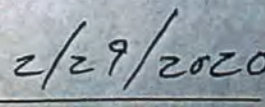
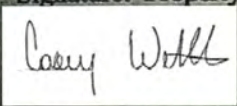
I understand all activity must be conducted in compliance with all applicable standards of MSB 17.60 and with all other applicable borough and state.

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 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, and at other times necessary to monitor compliance.

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

		
Signature: Property Owner	Printed Name	Date
	Casey Wilkins	3/1/2020
Signature: Agent	Printed Name	Date

Matanuska Susitna Borough Conditional Use Permit (CUP) Narrative

For a Standard Marijuana Cultivation Facility

Located at D005 No Road, Big Lake, Alaska 99652

Operated by Northern Alliance LLC dba Northern Alliance



Wastewater and Waste Material Disposal Plan – 17.60.160 (A)

A nutrient enriched solution may be applied to the outdoor growing beds. The watering solution will be delivered at the levels required by the plants, so there will be little waste water by design. Any resulting waste water will be non-hazardous and will be absorbed into the ground. Per a conversation with the Alaska Department of Environmental Conservation (DEC), since no wastewater is being discharged into or onto waters of the state, and this is standard agricultural watering, no DEC permit is required. While no water runoff is expected, straw bale baffles or other runoff prevention devices will be installed to prevent runoff from entering the lake.

There was some concern that the property and proposed area for development included wetlands. The Army Corps of Engineers (ACOE) have been contacted and are in the process of a site visit and a jurisdictional determination. However, the applicant believes that since there is no surface water connection between the wetlands indicated on this site and the nearest waterbody (Big Lake), that the ACOE will find that they do not have jurisdiction over this area.

Northern Alliance LLC will be disposing of: (1) marijuana that is identified as contaminated, infected or is otherwise rejected for quality or fails to meet quality testing, (2) waste from marijuana flower, plant material and trimmings, (3) any other materials or containers in contact with marijuana that risks contamination, and (4) any other marijuana deemed as waste by the Marijuana Control Board (MCB) or director. Marijuana waste will be stored away from all other marijuana, be secured in the licensed premises, and be under continual video surveillance. Disposal will follow state law and regulations, but will include notifying Alcohol and Marijuana Control Office (AMCO), rendering marijuana unusable by grinding and then mixing with other compostable material such as, food waste, yard waste, cardboard, paper, soil or growing medium until the resulting mixture is no more than fifty percent (50%) marijuana waste, and logging all marijuana waste, tracking the type, date of disposal, reason for disposal, date it was rendered unusable, and final destination. The marijuana waste mixture will be composted on-site. Northern Alliance LLC does not anticipate much liquid waste as they will be monitoring watering of plants; any runoff will be non-hazardous and will simply be absorbed into the ground.

Odor Mitigation and Ventilation Plan – 17.60.160 (B)

The geography, surrounding vegetation, and lack of public access to the site will prevent odor detection by the public. The nearest residences are over 600' away from the growing area, a distance suitable, when combined with the geography and vegetation of the site, to prevent odor detection. The outdoor cultivation area is around 40' higher than any neighboring structure and residence. Carbon filters in each greenhouse will reduce odor. Exhaust fans in the greenhouses will direct air in a direction away from the closest residential neighbors. Carbon filters and exhaust fans will be maintained in accordance with the manufacturer's recommendations.

Hazardous Chemicals Information – 17.60.160 (C)

Northern Alliance LLC will not use hazardous chemicals at the cultivation facility. Any fungicide or insecticide will be EPA-approved. No CO₂ will be used during cultivation. Cleaning products will be similarly non-toxic. Fungicides, insecticides, herbicides, cleaning products, and other chemicals will be used, stored, and disposed of in accordance with their respective manufacturer's recommendations, and comply with all local, state, and federal laws. Small amounts of chemicals will be kept in the greenhouses during use. Larger containers will be kept in the secured mini house.

Security plan – 17.60.160 (D)

There are significant features regarding security and safety required by state law. Since the site is not accessible by road (it is accessible only by water and air), access will be difficult for most, heavily limit who is able to access the area. Licensed outdoor premises will prevent viewing by the public with a sight obscuring greenhouse walls. Marijuana, video records, and other sensitive and valuable items will be kept in a locked and secured mini house on the licensed premises.

A security system will be continuously active to ensure no unauthorized access is left unnoticed. Required signage stating "Restricted access area. Visitors must be escorted." will be posted on the exterior doors of the mini house and greenhouses. All visitors must be escorted by either a licensee or designated employee at all times during their visit to the restricted access areas.

All doors leading to restricted access areas, including entrances to greenhouses, will have commercial grade locks. Doors to greenhouses will be locked whenever someone is not actively

working in the greenhouse. Video surveillance will monitor all doors accessing restricted access areas.

Greenhouses will each have a secured door at the north end, sight-obscuring and robust plastic walls at least 6' high on the east and west sides, and a secure south end made of metal siding.

Exterior lighting will be present near the doors to the secured mini house and greenhouses. The outdoor lighting will be positioned in such a way to ensure surveillance cameras can record a clear image of any individual within 20 feet of any entrance to the licensed premises or anyone working within the greenhouses. The outdoor lighting system will be LED, mounted approximately 10 feet high, and will facilitate surveillance. Lighting will be directed downwards and will include proper lenses to prevent light spillage off the property. The position of the residence, the geography and topography of the property, and the forested nature of the property will further prevent light spillage off the property.

Motion sensors for lighting and the video surveillance system will ensure that suitable video footage is captured whenever motion is detected. The long daylight hours during the growing season will help provide lighting to facilitate surveillance.

The greenhouses and mini house will be equipped with ample lighting and video surveillance cameras to provide recordings of any area where marijuana is grown, cured, processed, and packaged, or where marijuana waste is destroyed. Exterior cameras will be positioned to provide a clear view adequate to identify any individual within 20 feet any exterior entrance.

A caretaker will live on-site and provide around the clock security and monitoring of the site. Suspicious activity will be investigated and law enforcement contacted as necessary. All employees will be given training and education on all security measures and processes, including testing of security system and video surveillance system, arming and disarming the security system, when to contact authorities, and protocols in the event of a security breach.

Additional Narrative Regarding Site Plan & Map Documents

- There will be no advertising signage for the facility. "No Trespassing" signs may be placed as needed;
- The only public access points to the property are the lakefront, primarily via the dock;
- Drainage patterns can be inferred from the topographical map (attached) and will likely drain away from the lake;

- No vehicular or pedestrian circulation patterns are shown as there is no public access to the site and cultivation facility;
- There will be one or two employees in addition to the owner/operator;
- No parking areas are shown since there is no road access to the site;
- Commercially-manufactured greenhouses are 30' x 96'.

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

The cultivation facility will be located in the central part of the 4 acre parcel. Geography (the outdoor cultivation area is around 40' higher than any neighboring structure and residence), surrounding vegetation (there are significant forested areas on-site), and required sight-obscuring greenhouse walls will prevent visual notice of the cultivation facility by the public. The cultivation area will be positioned to be as far away as functionally possibly from the one possible public access point (the lake). The nearest residences are over 600' away from the growing area, a distance suitable, when combined with the geography and vegetation of the site, to prevent noise and odor detection. Carbon filters in all greenhouses will reduce the magnitude of any odor significantly. Noise produced is expected to be minimal (similar to vegetable and flower production), so will not materially detract from the surrounding area. Traffic to the facility is expected to be very minimal (1-2 boat or air plane trips per week) and will not detract from the surrounding area, especially considering the current level of watercraft activity in the area.

Photos attached as Attachment A show the vegetation and geography of the property, reinforcing that these natural features reduce many impacts on neighboring properties or the publicly-accessible lake.

Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?

No. Significant security measures are required by the state and will be operating at the site. These include security cameras, exterior lighting, alarm systems, visitor access restrictions, secured doors, policies and procedures regarding loitering, unauthorized access, marijuana tracking and transportation, marijuana diversion, and much more. The remoteness and low accessibility of the site will make unauthorized access to the site extremely difficult.

There will be no health impacts to the public, as only non-hazardous fertilizers and pesticides will be used. Soil amendments and other products will be organic where possible and used in the lowest possible amounts, to reduce any impacts on soil, water and air. The distance from the cultivation site to the lake is such that the likelihood of any type of contamination is extremely

unlikely. The cultivation of marijuana outdoors requires very little electricity and some water, but neither in quantities expected to negatively affect the area or the ability of neighboring properties to meet their current needs.

Are sufficient setbacks, lot area, buffers and other safeguards being provided?

Yes. The cultivation site will be located on the 4 acre property and any cultivation facilities will be set back 50 feet from public rights-of-way and 100 feet from lot lines per MSB 17.60.160(E). The nearest neighboring residence is over 600' away from the cultivation area. A recent professional survey (attachment E) shows the greenhouses meet required setbacks.

Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use in this section?

Yes. The conditional use fulfills other requirements of MSB 17.60 (Conditional Uses). Documentation and explanation of this is found throughout the CUP application.

Describe measures taken to prevent any potential negative effect upon other properties in the area due to such factors as noise and odor.

Siting of the cultivation facilities, odor filtration in all cultivation facilities, and the low level of noise impact associated with outdoor marijuana cultivation (e.g. no heavy machinery) will reduce and prevent negative effects on surround properties. Most activity will occur during daytime working hours. Activities causing significant noise, while not expected, will be confined to daytime hours whenever possible. Long daylight hours and controlled outdoor lighting will reduce any possible light pollution or disturbance. Site geography and vegetation, along with naturally-occurring factors (e.g. warm air rising from site, taking odor with it), will lead to minimal impacts on other properties.

Describe measures taken to reduce negative effects upon adjacent properties by:

- Increased property line and right-of-way buffers

All property line and ROW buffers will be observed. Forested/vegetated areas will provide additional odor and sight obstruction.

- Planted berms and landscaping

The natural geography of the site prevents outside observation and required sight-obscuring greenhouse walls will prevent visual notice of the cultivation facility by the public.

- Site and building design features which contribute to the character of the surrounding area

The commercially manufactured greenhouses or hoop houses are commonly viewed in rural areas and contribute to a farm-like feel. Again, these will not be easily viewable by the public, but should they be seen, from the air for example, they will not be considered offensive by a reasonable individual.

Describe how this use is compatible with the character of the surrounding area.

The surrounding area is comprised entirely of residential uses (with one adjacent property currently vacant) on large (multi acre) lots. The adjacent lake is used heavily for recreation activities, with significant amounts of traffic during the summer months.

Due to the large lot size and rural/limited access of the area, it is expected that similar low-impact activities such as outdoor gardening, farming, or animal husbandry occur on nearby properties. The proposed use is low-impact, non-industrial, with little associated traffic, and completely unobservable from adjacent or public areas; for these reasons it should be compatible with the character of the surrounding area. Outdoor cultivation facilities in much more highly-trafficked areas, and with closer neighboring uses than this facility have been approved by the State of Alaska and MSB.

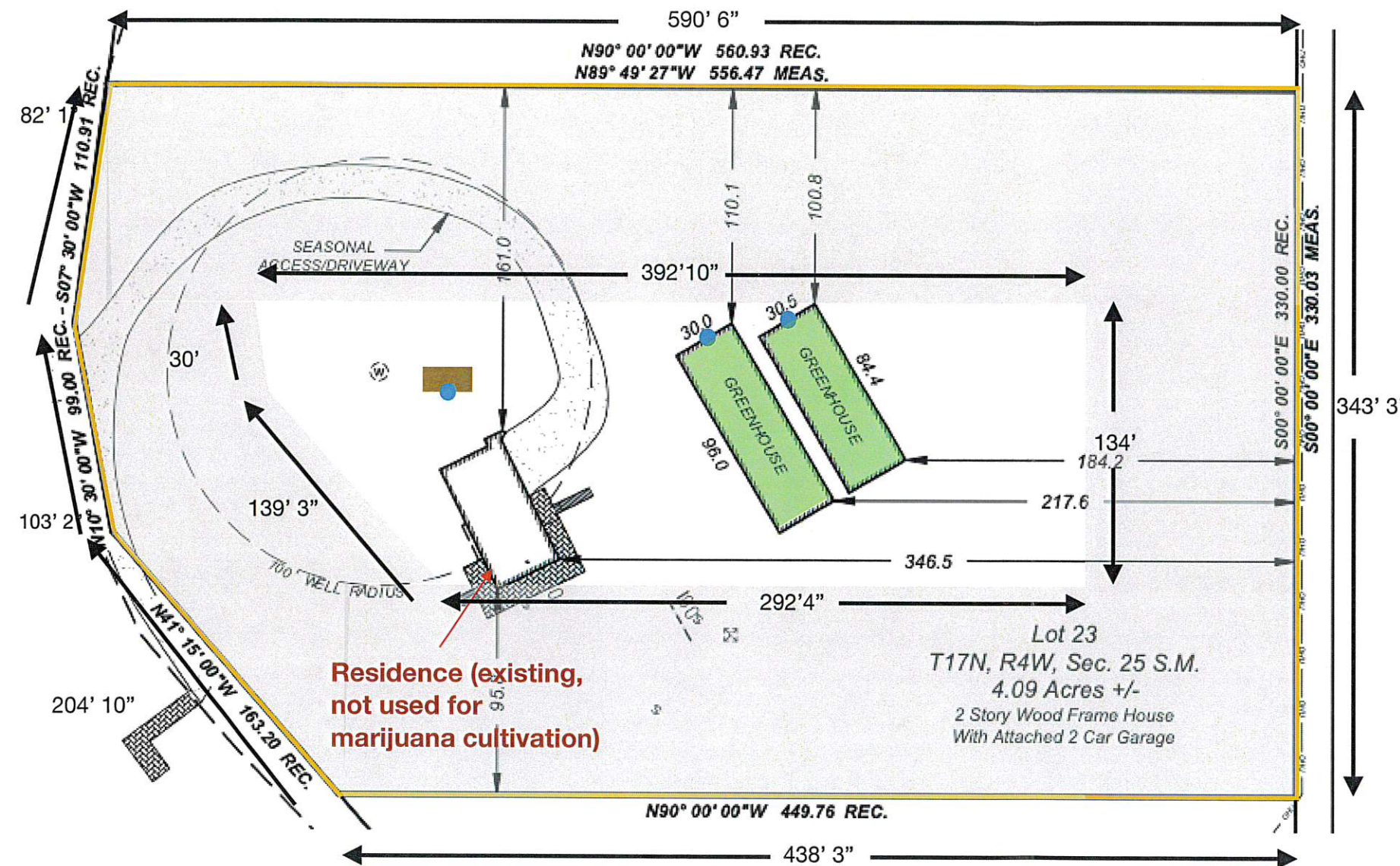
Current status of State License application process – 17.60.150 (D) (1)

Northern Alliance LLC submitted state application documents to the Marijuana Control Board (MCB) on February 21, 2020. At the April 2-3, 2020 MCB meeting, the board voted to approve the application with delegation, meaning the board has authorized AMCO staff to issue the license once all outstanding approvals are received. A critical approval is the Mat-Su Borough conditional use permit.



Attachment A - Site pictures

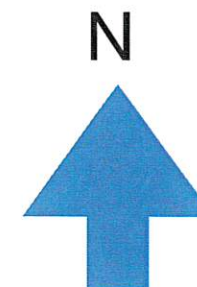
RECEIVED
FEB 24 2021
MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES



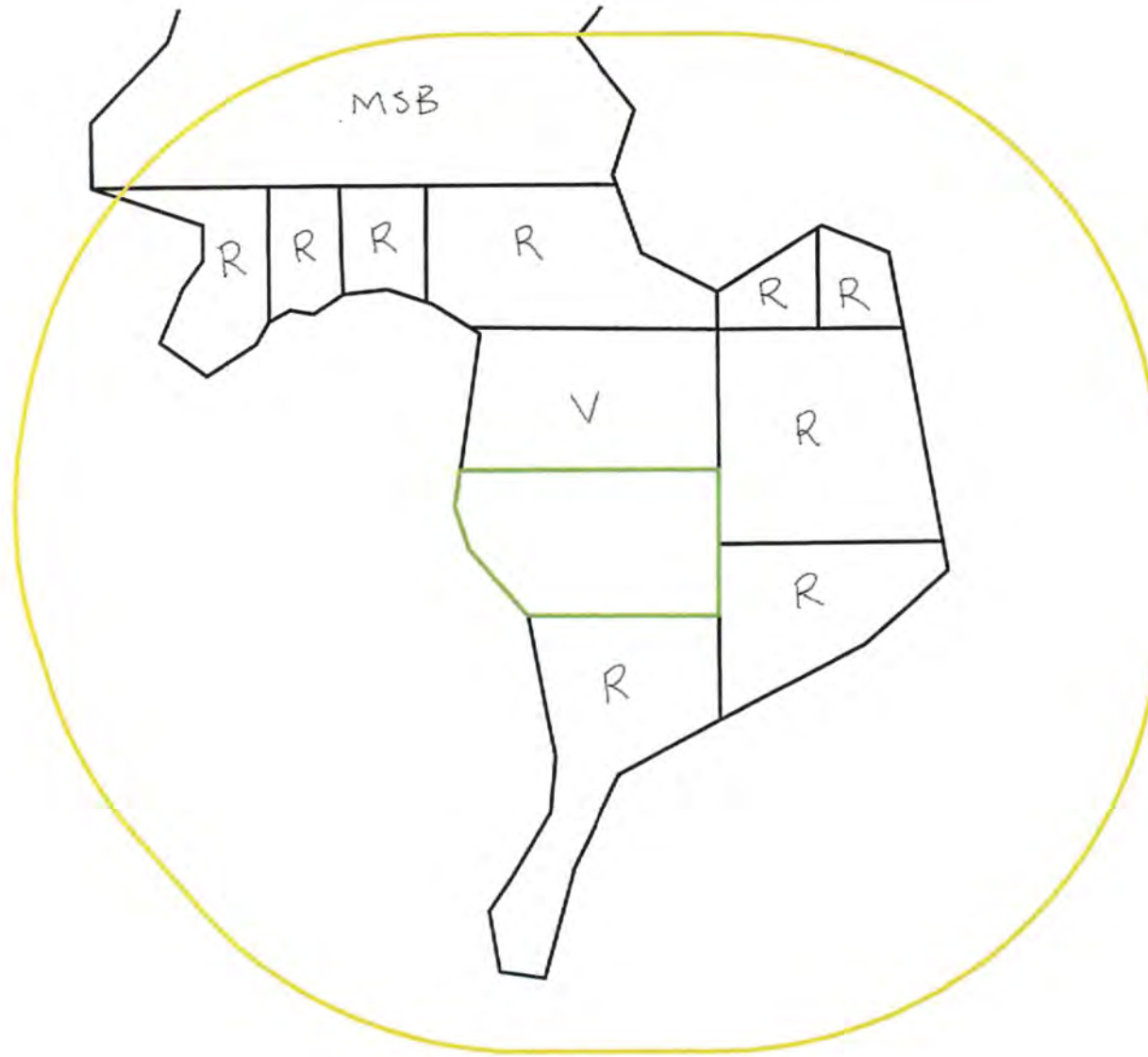
Legend

- Exterior lighting ●
- Lot line —
- Secured mini house (Restricted access area) ■
- Greenhouse location (Restricted access area) ■
- Borough required 100' set-back ■

Scale: $\frac{100'}{1" = 89'}$



Attachment B - Site Plan



Legend

- Roads
- 1,000' Buffer
- 17N04W25D005
- Parcels
- R Residential
- V Vacant

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 Mahanaska-Susquehanna Borough GIS Division at 907-561-7801.

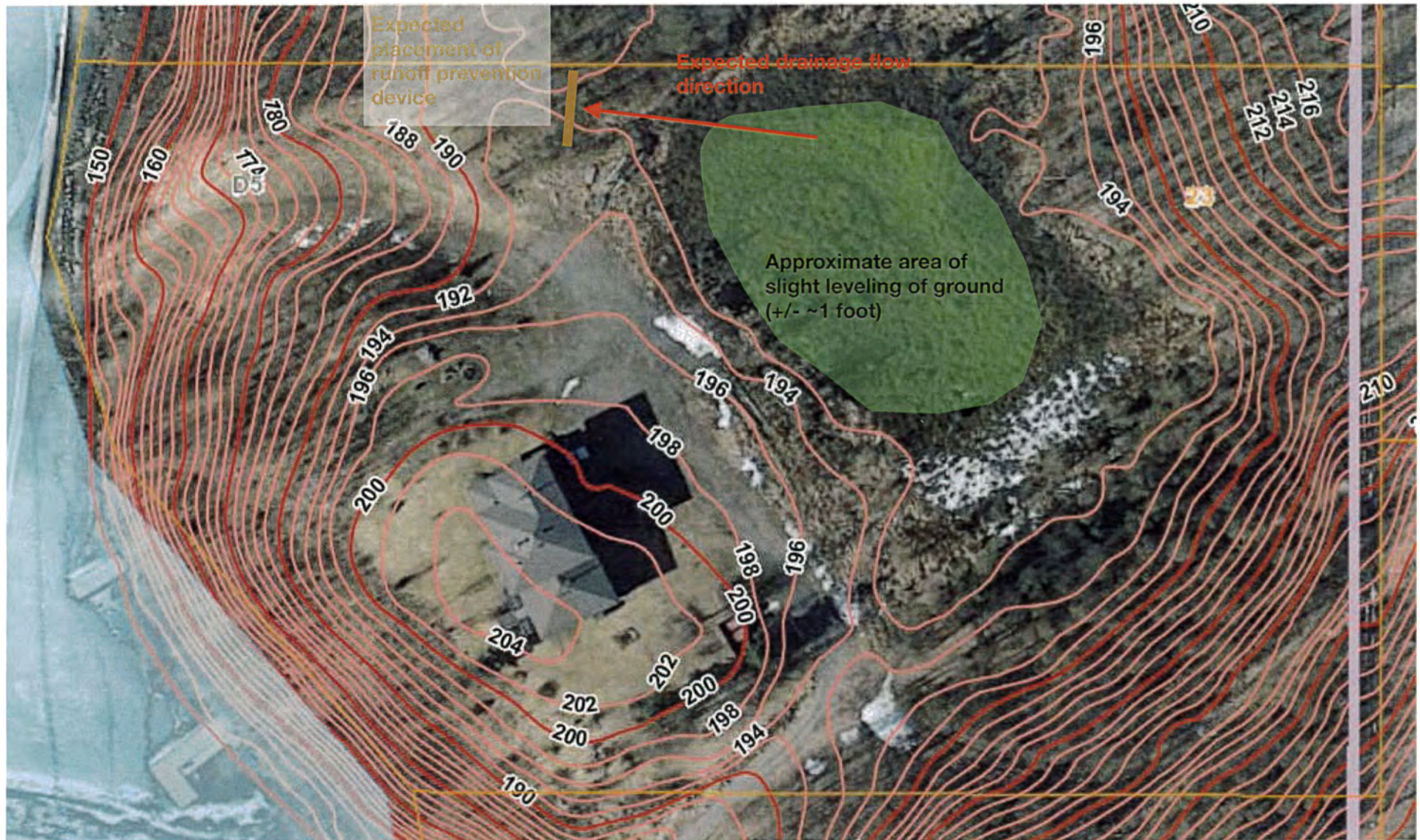
Date: 2/24/2020

1 inch = 350 feet

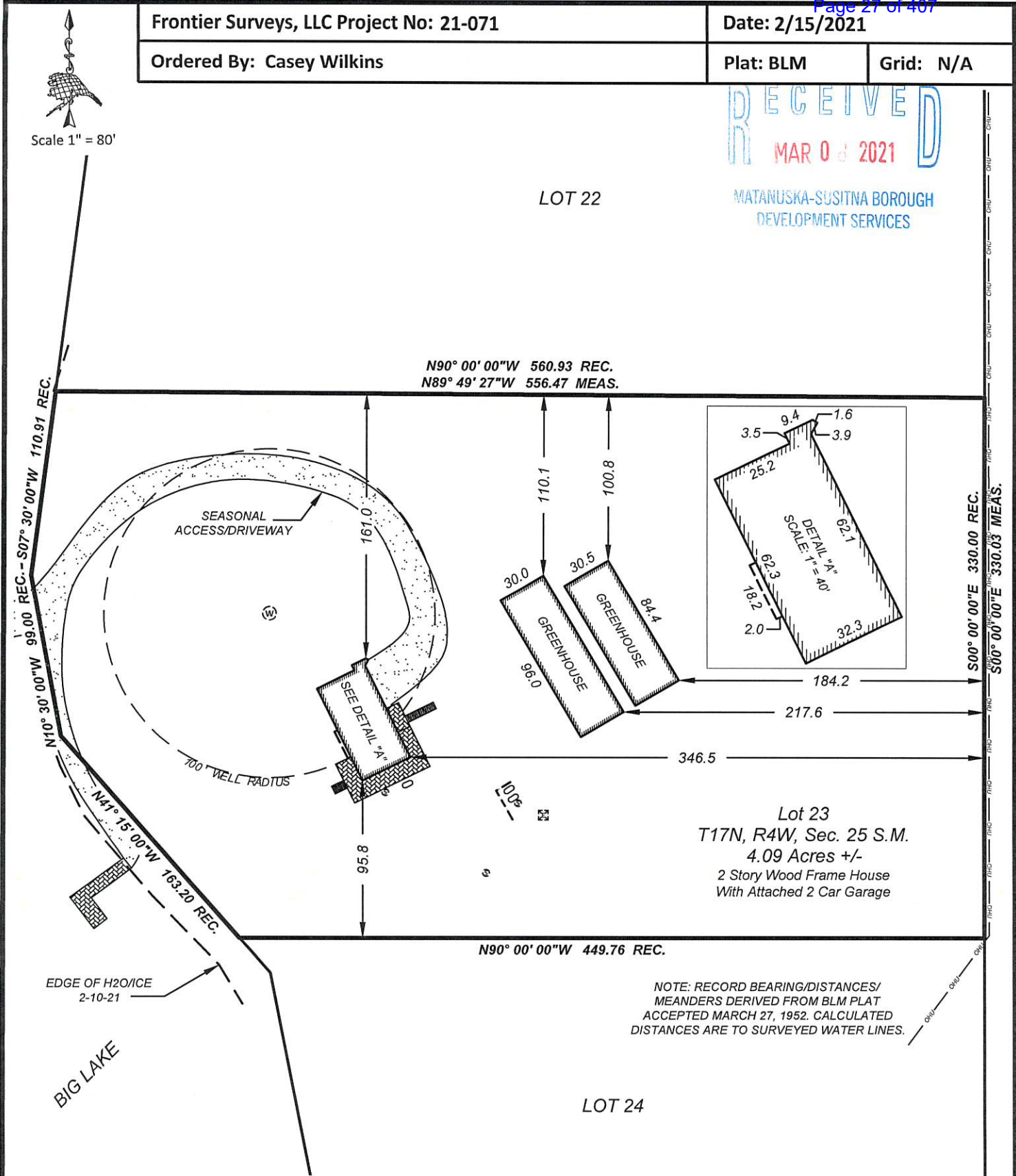
0 350 700 Feet



Attachment C - Existing uses within 1000'



Attachment D - Topography

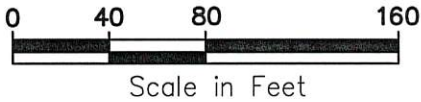


Legend:

- Electric Meter/Outside Power
- Fuel Tank
- Septic
- Overhead Utility
- Deck
- Water Well
- Fence

General Notes:

1. This document is created for the purpose of a single property transaction and is subject to Federal Copyright Laws.
2. Excepting for gross negligence, the liability for this survey shall not exceed the cost of preparing this survey.
3. All measurements/setbacks are to the visual/apparent building footprint.
4. All dimensions to property lines are plus/minus 0.1ft.



PROFESSIONAL SEAL

This survey complies with the ASPLS Mortgage Location Standards. The survey represents visible improvements and conditions at the time of the survey. This document does not constitute a boundary survey and is subject to any inaccuracies that a subsequent boundary survey may reveal. It is the responsibility of the Owner to determine the existence of any easements, covenants, or restriction which do not appear on the record plat. Under no circumstances should this document be used for construction or for establishing a boundary or fence line.

As-Built Survey of:
Lot 23, T17N, R4W, Sec. 25 S.M.

I, Pierre Stragier, hereby certify that this Mortgage Inspection Survey was performed by me, or under my direct supervision on February 10th, 2021.

Frontier Surveys, LLC
650 W. 58th Ave. Suite E Anchorage, Alaska 99518
907.460.1686 - info@frontiersurveys.com
www.frontiersurveys.com

Attachment E



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

May 15, 2020

Northern Alliance LLC
DBA: Northern Alliance
Via: alwaysredevelc@gmail.com

Re: Northern Alliance #23902

Dear Northern Alliance LLC:

At the April 2 - 3, 2020, meeting of the Marijuana Control Board in Anchorage, Alaska, the board voted to approve your new standard marijuana cultivation facility application with delegation to the director. Delegation means that the board has authorized me to issue the license once all outstanding approvals are received.

Attached are post-approval instructions and the pre-inspection checklist, which provide information on your next steps. Please note that the pre-inspection checklist is informational. You will be provided with an individualized checklist at the appropriate time.

Please contact marijuana.licensing@alaska.gov with any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carrie Craig".

Carrie Craig
Records and Licensing Supervisor

For
Glen Klinkhart,
Interim Director

cc: License File
Matanuska – Susitna Borough

Matanuska-Susitna Borough
Development Services

JUL 08 2020

Received

State of Alaska
Office of the State Fire Marshal
Plan Review

This is to certify that the plans for this building were reviewed by the *State Fire Marshal*
on July 06, 2020 for conformance with AS 18.70.010 -- 100; 13 AAC 50.027.

This certificate shall be posted in a conspicuous place on the premises named
Northern Alliance (D005 No. Rd.) and shall remain
posted until construction is completed.

NOTICE: Any changes or modifications to the approved plans **must** be resubmitted for
review by the *State Fire Marshal*.

Plan Review #: 2020Anch1219

By: 

Authority: AS 18.70.080

Form: 12-741

(6/01)

Full Plan Review

Steven Josten
Plans Examiner



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF FIRE AND LIFE SAFETY
Plan Review Bureau - Anchorage

5700 East Tudor Road
Anchorage, Alaska 99507-1225
Main: 907.269.2004
Fax: 907.269.0098

Matanuska-Susitna Borough
Development Services

July 06, 2020

Casey Wilkins
PO Box 240122
Douglas, AK 99824

JUL 08 2020

Received

SUBJECT: Northern Alliance (D005 No. Rd.) - Full Plan
Review
CITY: Big Lake
PLAN REVIEW: 2020Anch1219
TYPE OF CONSTRUCTION: VB
OCCUPANCY: F1
2012 INTERNATIONAL BUILDING AND FIRE CODE

Dear Casey Wilkins:

Plans for the subject facility have been reviewed by this office for conformity with the State Fire Safety Regulations and are hereby approved as submitted. Enclosed is a certificate of approval that must be posted on the premises until completion of the above facility. You are prohibited to occupy this building until construction is completed as approved. Any changes to the approved plans must be submitted to this office for review and approval.

Approval of submitted plans is not approval of omissions or oversights by this office or noncompliance with any applicable regulations of the Municipal Government. The plans have not been reviewed for compliance with the federal Americans with Disabilities Act or structural requirements.

It must be understood that the inclusion of and compliance with State Fire Safety Regulations does not preclude the necessity of compliance with the requirements of local codes and ordinances.

If we can be of further assistance in this matter, please feel free to contact us at the address above.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Josten".

Steven Josten
Plans Examiner

Enclosure: Approval Certificate



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

July 16, 2020

Regulatory Division
POA-2020-00225

Northern Alliance LLC
Attention: Mr. Casey Wilkins
Post Office Box 230588
Douglas, Alaska 99824

Dear Mr. Wilkins:

This is in response to your June 25, 2020 request for an Approved Jurisdictional Determination (AJD) for a parcel of land located at Latitude 61.53236° N., Longitude 149.90517° W.; in Big Lake, Alaska.

Based on our review of the information available to us, and an on-site assessment on July 10, 2020, we have determined that the subject parcel contains non-jurisdictional wetlands. The wetlands on your property are isolated. Therefore, a Department of the Army (DA) permit is not required. A copy of the AJD form is available at: www.poa.usace.army.mil/Missions/Regulatory/JurisdictionalDeterminations under the above file number.

This jurisdictional determination does not establish any precedent with respect to any other jurisdictional determination under Section 404 of the Clean Water Act.

For regulatory purposes, the Corps of Engineers defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

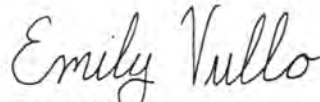
This approved jurisdictional determination is valid for a period of five years from the date of this letter, unless new information supporting a revision is provided to us before the expiration date. Also, enclosed is a Notification of Administrative Appeals Options and Process and Request for Appeal form regarding this approved jurisdictional determination (see section labeled "Approved Jurisdictional Determination").

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

-2-

Please contact me via email at: Emily.N.Vullo@usace.army.mil, by mail at the address above, by phone at (907) 753-2704, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at: www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

A handwritten signature in black ink that reads "Emily Vullo". The signature is written in a cursive, flowing style.

Emily Vullo
Regulatory Specialist

Enclosures



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 7/13/2020

ORM Number: POA-2020-00225

Associated JDs: N/A

Review Area Location¹: State/Territory: AK City: Big Lake County/Parish/Borough: Mat-Su Borough

Center Coordinates of Review Area: Latitude 61.53236 Longitude -149.90517

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list **MUST** be selected. Complete the corresponding sections/tables and summarize data sources.

- ☐ The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A
- ☐ There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- ☐ There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- ☒ There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):			
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
Wetland	0.7	acre(s)	(b)(1) Non-adjacent wetland.	There is no direct surface water connection to an (a)(1), (a)(2), or (a)(3) water.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- ☐ Information submitted by, or on behalf of, the applicant/consultant: *N/A*
This information is *not* sufficient for purposes of this AJD.
Rationale: *N/A* or describe rationale for insufficiency (including partial insufficiency).
- ☐ Data sheets prepared by the Corps: *N/A*
- ☒ Photographs: *Aerial and Other: Google Earth '18; Mat-Su Parcel Viewer '19, '20; Onsite '20*
- ☒ Corps site visit(s) conducted on: *07/10/2020*
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*
- ☒ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- ☒ USDA NRCS Soil Survey: *<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> 07/2020*
- ☒ USFWS NWI maps: *<https://www.fws.gov/wetlands/data/Mapper.html> 07/2020*
- ☒ USGS topographic maps: *Mat-Su Parcel Viewer 2011 topo maps and contours*

Other data sources used to aid in this determination:

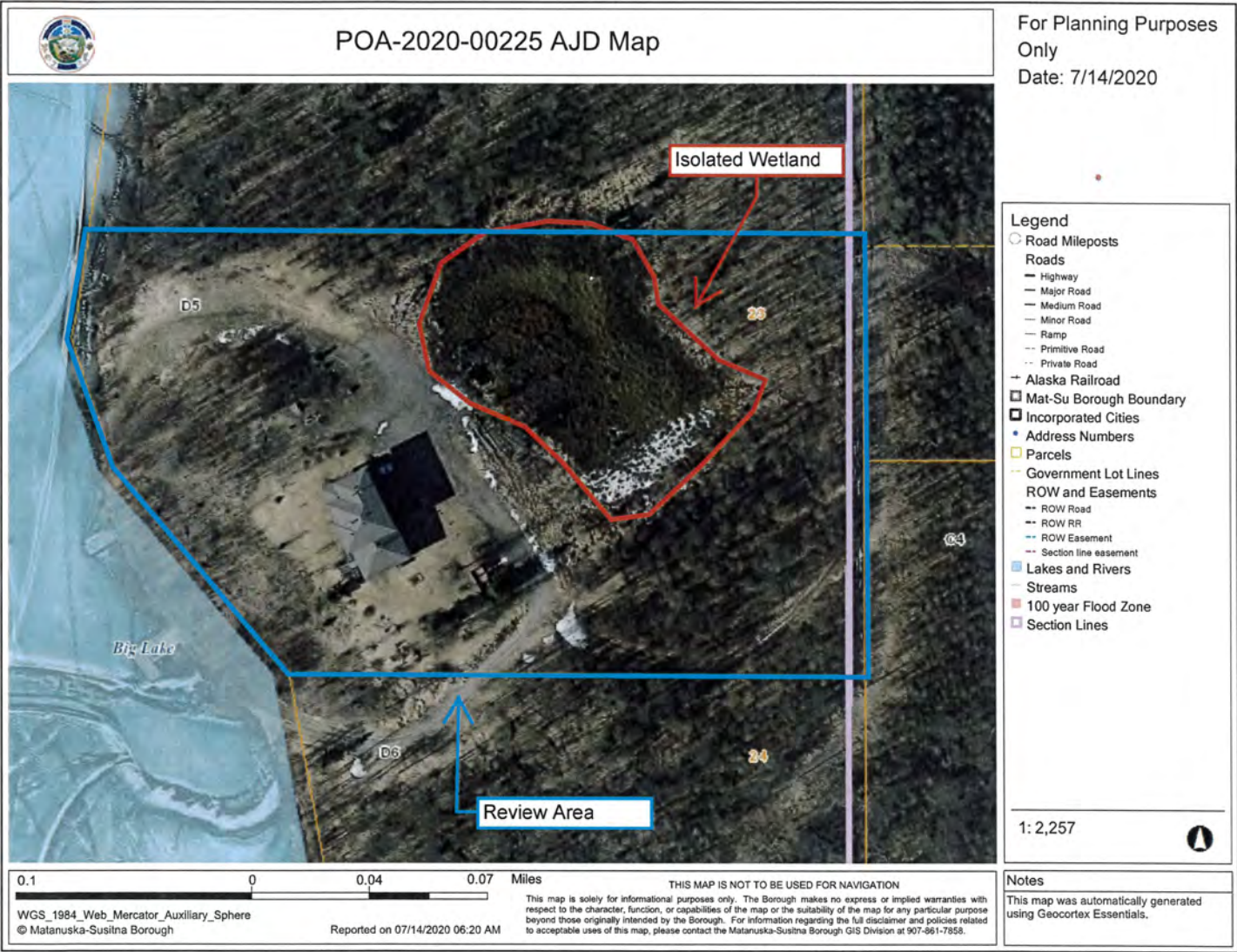
Data Source (select)	Name and/or date and other relevant information
USGS Sources	<i>N/A.</i>
USDA Sources	<i>N/A.</i>
NOAA Sources	<i>N/A.</i>
USACE Sources	<i>N/A.</i>
State/Local/Tribal Sources	<i>Cook Inlet Wetlands Mapper 07/2020</i>
Other Sources	<i>N/A</i>

B. Typical year assessment(s): The APT tool was used and created a graph and table called the "Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network." The first observation date was for the date of the site visit, 07/10/20. The periodic range was the 30-day period preceeding the observation date. The geographic range included weather stations within 30 miles of where the wetland is located. The wetness condition on the site date, July 10, 2020, was determined to be normal, in May, it was determined to be dry, and in April, it was determined to be dry. Overall, the conditions were determined to be drier than normal for the site.

C. Additional comments to support AJD: Even though the site conditions were drier than normal, there were no signs of past water flow as a connection on site or in aerial imagery.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Casey Wilkins		File Number: POA-2020-00225	Date: 07/16/2020
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at

http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Emily Vullo, RS
Alaska District Corps of Engineers
CEPOA-RD-S
P.O. Box 6898
JBER, AK 99506-0898
(907) 753-2704

If you only have questions regarding the appeal process you may also contact:

Regulatory Program Manager
U.S. Army Corps of Engineers, Pacific Ocean Division
CEPOD-PDC, Bldg 525
Fort Shafter, HI 96858-5440

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

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PUBLIC HEARING QUASI-JUDICIAL

Resolution No. PC 21-08

**Talkeetna Restaurant - Modify A CUP - Expansion of
Existing Alcoholic Beverage Dispensary**

Pages 39-184

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) 861-8158

www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

Date: April 21, 2021

File Number: 177020190003


**Applicant/
Property Owner:** Sassan Mossanen
(Nu Aspen, LLC dba Talkeetna Restaurant)

Request: Planning Commission Resolution 21-08

Request for a modification of an existing conditional use permit to expand operation of an alcoholic beverage dispensary (bar) in accordance with MSB Chapter 17.70 – Regulation of Alcoholic Beverage Uses

Location: 13605 E. Main Street; MSB Tax ID #8088B12L014A-1; within Township 26 North, Range 5 West, Section 24, Seward Meridian

Size of Property: .30 acres

Reviewed by: Alex Strawn, Planning & Land Use Director 

Staff: Mark Whisenhunt, Planner II 

Staff Recommendation: Approval with conditions

EXECUTIVE SUMMARY

A conditional use permit application has been submitted to expand the operation of an alcoholic beverage dispensary, known as Talkeetna Restaurant. The applicant is proposing to expand the service area to include the entire commercial use as shown on the site plans.

A separate conditional use permit application has been submitted under MSB 17.25 – Talkeetna Special Land Use District to allow Talkeetna Restaurant to expand the total square footage of a commercial use greater than 4,000 square feet in size within the Main Street Talkeetna District.

The new commercial area on the second floor includes the use of an outdoor deck and an office. There is a separate staff report and public hearing for that request.

MSB 17.70.030 allows a property owner or their agent to request a modification to an existing conditional use permit.

HISTORY

Development on this site occurred in several phases. During the 1960's the original log structure was built. Between 1974 and 1992 additions to the original building were constructed. In 2002, a setback variance was approved for the building's setback to the alley. In 2003, a plat combining Lots 14, 15, 16, and 17, of Block 12 recorded, eliminating all setback violations.

In 2003, the Talkeetna Special Land Use District (MSB Chapter 17.25) was adopted. The Talkeetna Restaurant (formerly known as Twister Creek Restaurant) is located within the Main Street Talkeetna (MST) District.

Talkeetna Restaurant and Denali Brewing Company began operating at subject property in 2009; however, Denali Brewing no longer operates at this location.

In 2013, the applicant obtained two Conditional Use Permits. One permit (#172520130001) was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit (#177020130004) was to operate an alcoholic beverage dispensary at the restaurant.

In 2016, the applicant changed the roof of the structure to address existing issues and utilities. The project also changed an existing unusable area into an outdoor deck. MSB Staff conducted an initial review prior to the project, and later conducted a thorough review during the project. MSB Staff ultimately concluded that the project and the operation as a whole were (and currently are) in full compliance with MSB code.

In 2020, the west side lot line was moved approximately 8.74 feet westward through a platting action. The lot area is now 12,941 square feet in size.

LAND USE

Existing Land Use:

Talkeetna Restaurant is currently operating at this location.

Surrounding Land Uses:

Talkeetna Restaurant is located on Main Street in downtown Talkeetna. The surrounding land uses consist of private residences, lodging (Talkeetna Roadhouse, hostels, bed and breakfasts, and rental cabins), retail shops, tourist services, food vendors, and dining establishments. Fairview Inn is on the adjacent property to the east. A bed and breakfast is on the adjacent property to the west. The Village Park, Alaska Railroad, and Talkeetna Spur Road are further east.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

Notices were mailed to all property owners within 600 feet of the subject property and to the Talkeetna Community Council. A total of 48 notices were mailed on March 3, 2021. The public hearing notice was published in the March 3, 2021 *Frontiersman* newspaper. The application material was posted on the Borough's website on March 3, 2021. The public notice, application material, and a request for comments were emailed to the Talkeetna Community Council on March 5, 2021.

Staff received one comment from the public in support of the proposed commercial expansion. The Talkeetna Historical Society & Museum submitted a letter outlining some of the general challenges in downtown Talkeetna (traffic, parking, and pedestrians). They requested the historic district designation to be taken into consideration. The letter did not state a position of support or opposition to the proposed commercial expansion. Talkeetna Community Council Chair, Jon Korta, submitted a letter on behalf of the Council detailing the conversation pertaining to the proposed commercial expansion at their April 5, 2021 meeting. Ultimately, the Council did not take a position of support or opposition to the proposed commercial expansion.

Section 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.*

Findings of Fact:

1. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
2. Downtown Talkeetna is a mix of commercial and residential uses.
3. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint, changing signage, or lighting.
4. Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District.
5. According to the application material, an interior remodel project will improve the usability of areas on the second floor of the building.
6. According to the application material, an interior remodel project will allow for the second floor, including a deck on the east side of the building, to be used for serving customers.
7. The subject building was in existence prior to adoption of the Talkeetna Special Land Use District.
8. According to the application material, an interior remodel project will create an office on the second floor where there is currently an open stairwell area.

9. According to the application material, a new entry roof will be constructed on the east side of the cabin portion of the structure.
10. The operation currently has an outdoor service area on ground level decking.
11. The operation must comply with the maximum permissible sound level limits allowed in MSB 8.52 – Noise, Amplified Sound, and Vibration.
12. In 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant.
13. MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code.

Conclusions of Law: Based on the above findings, the proposed commercial expansion 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.

Findings of Fact:

1. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
2. In 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant.
3. MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code.
4. A Matanuska-Susitna Borough Driveway Permit was issued for the property in 2013.
5. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint, changing signage, or lighting.
6. Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District.
7. The operation is in full compliance with the State of Alaska Fire Code.
8. Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons.
14. According to the application material, the hours of operation are 11:00 a.m. to 12:00 a.m., daily.

Conclusions of Law: Based on the above findings, the proposed commercial expansion 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.

Findings of Fact:

1. The subject building was in existence prior to adoption of the Talkeetna Special Land Use District.
2. The building is set back approximately 26 feet from the front (south) lot line, 14.1 feet from the east side lot line, 11.8 feet from the west side lot line, and 11.15 feet from the rear (north) lot line.
3. The subject lot has double frontage.
4. A variance was approved in 2002 by Planning Commission Resolution 02-22(AM), allowing the structure to be 11.15 feet from the rear (north) lot line.
5. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint.
6. According to the site plan, two off-street parking spaces measuring 9 feet wide and 20 feet long are provided for employees at the rear of the building.
7. According to the site plan, a total of eight parking spaces are provided at the subject property.
8. A Matanuska-Susitna Borough Driveway Permit was issued for the property in 2013.
9. Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District.
10. The subject property is 12,941 square feet in size.

Conclusions of Law: Based on the above findings, and with conditions, 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.

Findings of Fact:

1. The parking areas in the front and side of the building are paved.
2. Live music and entertainment are not routinely scheduled.
3. The operation must comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sound, and Vibration.
4. There is one building mounted sign on the front side of the building. There is a pole sign in the southwest corner of the lot and another pole sign located in the planter on the front side of the lot.

5. According to the application material, the proposed commercial expansion does not involve changing any signage.
6. According to the application material, the proposed commercial expansion does not involve changing any lighting.
7. According to the application material, existing lighting is downward directional and shielded.
8. According to the application material, the hours of operation are 11:00 a.m. to 12:00 a.m., daily.

Conclusions of Law: Based on the above findings, and with conditions, 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.

Findings of Fact:

1. Talkeetna Restaurant is located on Main Street in downtown Talkeetna.
2. 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.
3. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
4. According to the application material, the proposed commercial expansion does not involve changing any access points to the subject property.
5. According to the applicant, the proposed commercial expansion is intended to better serve an existing customer base during the tourist season.
6. A significant number of customers arrive in Talkeetna by tour bus or train.

Conclusions of Law: Based on the above findings, the proposed commercial expansion will not negatively affect 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.

Findings of Fact:

1. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
2. Downtown Talkeetna is a mix of commercial and residential uses.
3. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint, changing signage, or lighting.
4. According to the application material, an interior remodel project will improve the usability of areas on the second floor of the building.
5. According to the application material, an interior remodel project will allow for the second floor, including a deck on the east side of the building, to be used for serving customers.
6. The subject building was in existence prior to adoption of the Talkeetna Special Land Use District.
7. According to the application material, an interior remodel project will create an office on the second floor where there is currently an open stairwell area.
8. According to the application material, a new entry roof will be constructed on the east side of the cabin portion of the structure.
9. According to the application material, the eave for the new entry roof will be approximately nine feet from the east side lot line.
10. The operation currently has an outdoor service area on ground level decking.
11. The operation must comply with the maximum permissible sound level limits allowed in MSB 8.52 – Noise, Amplified Sound, and Vibration.
12. In 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant.
13. MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code.
14. Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District.

Conclusions of Law: Based on the above findings, measures will be in place to reduce any negative effect upon adjacent and nearby properties (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.

Finding of Fact:

1. According to the site plan, two off-street parking spaces measuring 9 feet wide and 20 feet long are provided for employees at the rear of the building.
2. According to the site plan, a total of eight parking spaces are provided at the subject property.

3. According to the application material, one customer parking space designated for persons with disabilities is provided.

Conclusion of Law: Based on the above findings, adequate parking is provided (MSB 17.70.100(A)(2)(d)).

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

Findings of Fact:

1. A Matanuska-Susitna Borough Driveway Permit was issued for the property in 2013.
2. 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.
3. The speed limit for Main Street is listed as 10 miles per hour (MPH).
4. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
5. According to the application material, the proposed commercial expansion does not involve changing any access points to the subject property.
6. According to the applicant, the proposed commercial expansion is intended to better serve an existing customer base during the tourist season.
7. A significant number of customers arrive in Talkeetna by tour bus or train.

Conclusion of Law: Based on the above findings, access to the premises will 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.

Findings of Fact:

1. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
2. According to the applicant, the proposed commercial expansion is intended to better serve an existing customer base during the tourist season.
3. A significant number of customers arrive in Talkeetna by tour bus or train.

Conclusion of Law: Based on the above findings, traffic will 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.

Findings of Fact:

1. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.

2. Downtown Talkeetna is a mix of commercial and residential uses.
3. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint, changing signage, or lighting.
4. According to the application material, an interior remodel project will improve the usability of areas on the second floor of the building.
5. According to the application material, an interior remodel project will allow for the second floor, including a deck on the east side of the building, to be used for serving customers.
6. According to the application material, an interior remodel project will create an office on the second floor where there is currently an open stairwell area.
7. According to the application material, a new entry roof will be constructed on the east side of the cabin portion of the structure.
8. The subject building was in existence prior to adoption of the Talkeetna Special Land Use District.
9. The operation currently has an outdoor service area on ground level decking.
10. The operation must comply with the maximum permissible sound level limits allowed in MSB 8.52 – Noise, Amplified Sound, and Vibration.
11. In 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant.
12. MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code.

Conclusion of Law: Based on the above findings, and with conditions, the proposed commercial expansion is compatible with the character of the surrounding area (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.*

Findings of Fact:

1. According to the application material, the hours of operation are 11:00 a.m. to 12:00 a.m., daily.
2. The Alcohol & Marijuana Control Office (AMCO) has no record of violations by the applicants within the last 12 months.

3. The operator of the proposed commercial expansion is required to operate in accordance with Alaska laws and statutes, which include but are not limited to, mandatory alcohol server education.
4. Persons under the age of 21 are prohibited from being served alcoholic beverages.
5. Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons.

Conclusion of Law: Based on the above findings, the proposed commercial expansion will not 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.*

Finding of Fact:

1. The Alcohol & Marijuana Control Office (AMCO) has no record of violations by the applicants within the last 12 months.

Conclusion of Law: Based on the above finding, 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.*

Finding of Fact:

1. There has been no information submitted indicating the applicant, Sassan Mossanen of the Talkeetna Restaurant, is untrustworthy or unfit to conduct business in the borough or that the applicant is a potential source of harm to the public.
2. The Alcohol & Marijuana Control Office (AMCO) has no record of violations by the applicants within the last 12 months.

Conclusion of Law: Based on the above findings, the applicant is trustworthy and fit to conduct business in the borough and the applicant is not a potential source of harm to the public (MSB 17.70.110(B)(3)).

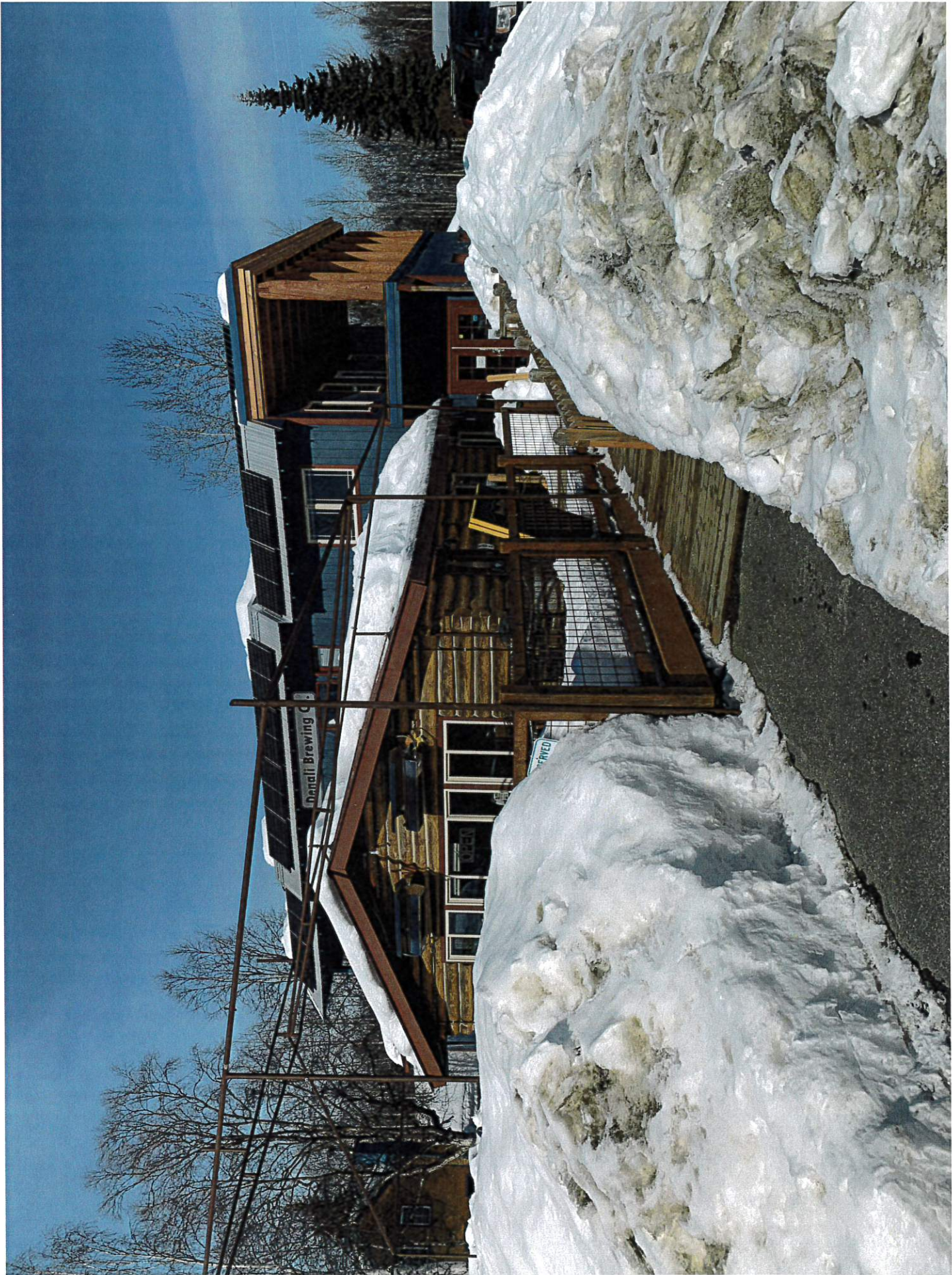
STAFF RECOMMENDATIONS

Staff recommends approval of the modification of conditional use permit #177020130004 to expand the service area at 13605 E. Main Street (Tax ID #8088B12L014A-1). The proposed commercial expansion meets all the standards of MSB 17.70.100 and 17.70.110. Staff also recommends the following conditions:

1. The operation shall comply with all applicable federal, state, and local regulations.

2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 – Noise, Amplified Sound, and Vibration.
4. The conditions of Conditional Use Permit #177020130004 shall remain in effect.
5. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at a minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.

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





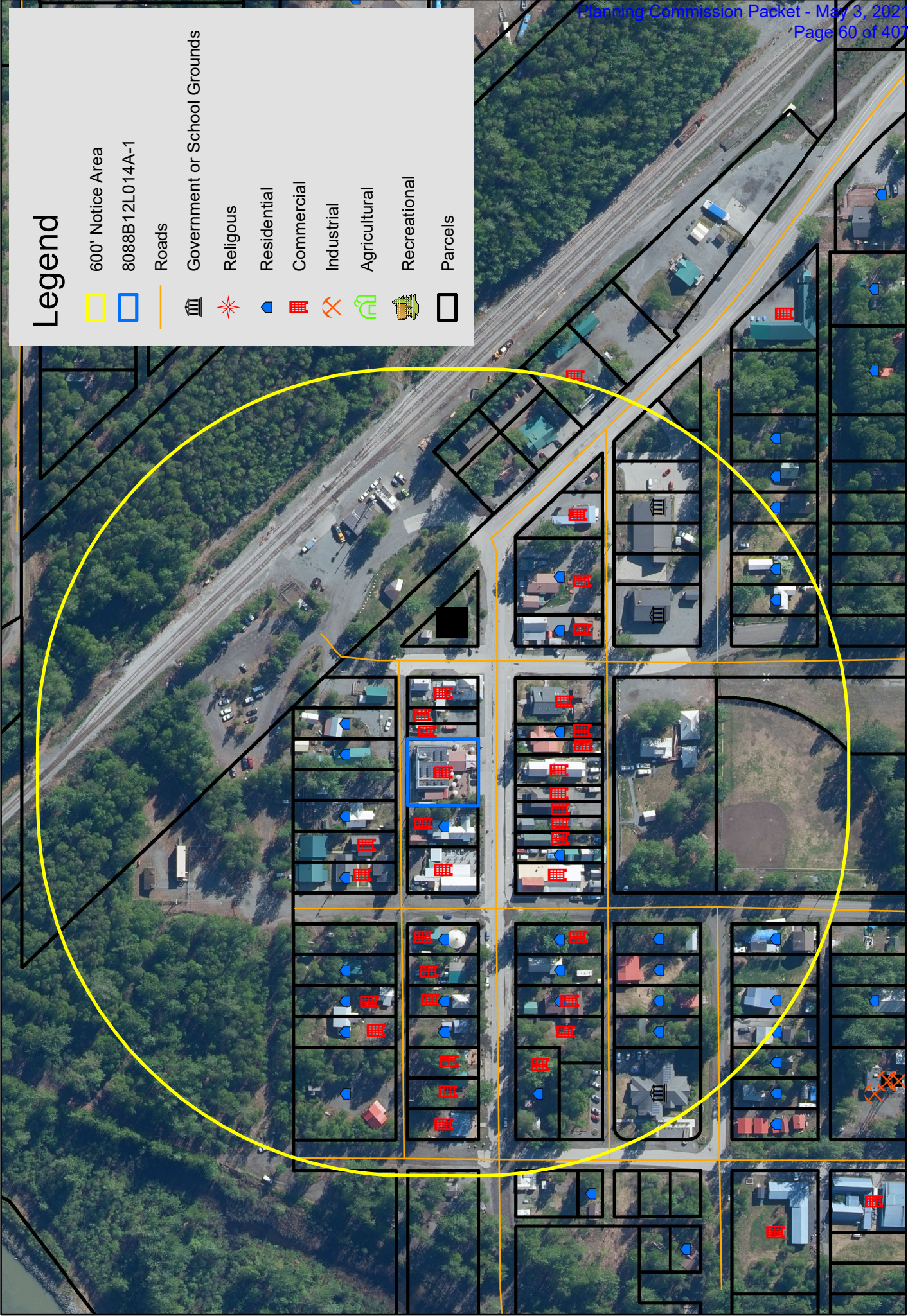




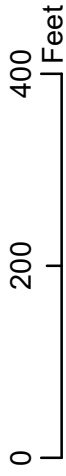








1 inch = 200 feet



Date: 4/22/2021

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Mark Whisenhunt

From: Mark Whisenhunt
Sent: Friday, March 5, 2021 3:48 PM
To: 'contact@talkeetnacouncil.org'; 'korta@mac.com'; 'odirodwell@gmail.com';
'dougseabird@gmail.com'; 'kathy.trump@yahoo.com'; 'thedailyweekend@yahoo.com'
Subject: FW: Request for Review and Comments: Talkeetna Restaurant CUP Modifications
Attachments: Talkeetna Restaurant - Mailing.pdf

Greetings,

Our records indicate that your next meeting will be on April 5, 2021 at 7:00pm. If the Community Council would like to submit written comments related to the applications referenced below, please submit the comments by **April 6, 2021 @ 5:00pm**. If you have any questions please feel free to call me at the number listed below. Thank you for your time and consideration on this matter.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

DATE: March 5, 2021
TO: Various Governmental Agencies
FROM: Mark Whisenhunt, Planner II
SUBJECT: Request for Review and Comments Governmental Agencies
PROJECT: Modification of two existing Conditional Use Permit's for the expansion of the Talkeetna Restaurant
LOCATION: 13605 E. Main Street (Tax ID# 8088B12L014A-1);
within Township 26 North, Range 5 West, Section 24, Seward Meridian
APPLICANT: Sassan Mossanen (dba Talkeetna Restaurant)

An application to modify a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses and an application to modify a conditional use permit under MSB 17.25 Talkeetna Special Land Use District have been submitted for the expansion of the Talkeetna Restaurant. The Planning Commission will conduct two public hearings for the requests on April 19, 2021.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material may also be reviewed at the Borough Permit Center. A direct link to the application material is here:

<https://matsugov.us/publicnotice/talkeetna-restaurant-conditional-use-permits>

Comments are due on or before **March 26, 2021** and 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, but will be provided to the Commission at the meeting. Thank you for your review.

MATANUSKA-SUSITNA BOROUGH DIRECTORY OF ORGANIZATIONS

Community Council - Talkeetna

Board Exp

Talkeetna Community			Board Position	Correspondence - Talkeetna CC
Company Representing			Term	to
PO Box 608			Type of Term	
Talkeetna	AK	99676	Member	
Home		Work	Cell	E-mail contact@talkeetnacouncil.org

Korta	Jon		Board Position	Member 1 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Chair
Home		Work	Cell (907) 203-2532	E-mail korta@mac.com

Rodwell	Jodi		Board Position	Member 2 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Vice Chair
Home		Work	Cell (907) 388-6217	E-mail jodirodwell@gmail.com

Smith	Doug		Board Position	Member 3 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Treasurer
Home		Work	Cell (907) 414-9850	E-mail dougseabird@gmail.com

Trump	Kathy		Board Position	Member 4 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Board Member
Home		Work	Cell (907) 315-8775	E-mail kathy.trump@yahoo.com

MATANUSKA-SUSITNA BOROUGH DIRECTORY OF ORGANIZATIONS

Community Council - Talkeetna

Board Exp

Ruth	Cortni		Board Position	Member 5 - Talkeetna CC
Company Representing				Term to
			Type of Term	
			Member	Secretary
Home	(907) 733-5660	Work		E-mail thedailyweekend@yahoo.com

Kingery	Kristi		Board Position	Member 6 - Talkeetna CC
Company Representing				Term to
			Type of Term	
			Member	Board Member
Home		Work		E-mail

Nelson	Lora		Board Position	Member 7 - Talkeetna CC
Company Representing				Term to
			Type of Term	
			Member	Board Member
Home	(907) 733-5672	Work		E-mail

Information Contact

Total Board Members

Meeting Schedule

Meeting Location

Board Notes:

7 Members

Meetings 1st Monday of each month, except September and other months where a major public holiday falls on the first Monday, in which case the monthly meeting is held on the following day. Meeting time is 7 p.m. at the Talkeetna Public Library. (Please check the Calendar of Events)

Talkeetna Public Library

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

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

Applicant: Sassan Mossanen (dba Talkeetna Restaurant)

Location: 13605 E. Main Street (Tax ID# 8088B12L014A-1);
within Township 26 North, Range 5 West, Section 24, Seward Meridian

Request: An application to modify an existing conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses and an application to modify an existing conditional use permit under MSB 17.25 Talkeetna Special Land Use District have been submitted for the expansion of the Talkeetna Restaurant.

The Planning Commission will conduct two public hearings concerning the above noted applications on Monday, **April 19, 2021 at 6:00 p.m.** in the Borough Assembly Chambers, 350 E. Dahlia Avenue, in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. 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 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 interested parties in the application, or members of the public concerning the application or issues presented in the application.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough website. The public is encouraged to check the Borough website prior to attending the public hearing for any changes to the meeting schedule or method.**

In Person Participation: Should you wish to attend in person, please adhere to a 6-foot distance between yourself and others; Masks are not required but are encouraged. **Telephonic Testimony:** Dial 1-855-290-3803; You will hear “Joining Conference” when you are admitted to the meeting. You will be muted and able to listen to the meeting. When the Chairperson announces audience participation or a public hearing you would like to speak to, press *3; you will hear “Your hand has been raised.” When it is your turn to testify you will hear “Your line has been unmuted.” State your name for the record, spell your last name, and provide your testimony.

Application materials may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Mark Whisenhunt, Planner II, at 861-8527. Written comments can be mailed to: MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to mark.whisenhunt@matsugov.us. In order to be eligible to file an appeal for a decision of the Planning Commission, a person must be designated an “interested party.” See MSB 15.39.010 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 home page: www.matsugov.us, in the Borough Clerk’s office, and at various libraries within the borough. Written comments are due on or before **March 12, 2021** and 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, but will be provided to the Commission at the meeting.

Name: _____ **Mailing Address:** _____

Location/Legal Description of your property: _____

Comments: _____

Mark Whisenhunt

From: Mark Whisenhunt
Sent: Friday, March 5, 2021 3:36 PM
To: 'allen.kempen@alaska.gov'; 'tucker.hurn@alaska.gov'; 'melanie.nichols@alaska.gov'; 'mearow@matanuska.com'; 'row@enstarnaturalgas.com'; 'row@mtasolutions.com'; 'ospdesign@gci.com'; Fire Code; Jill Irsik; Eric Phillips; Cindy Corey; Terry Dolan (Terry.Dolan@matsugov.us); Jim Jenson; Jamie Taylor; Charlyn Spannagel; Leda Borys; Taunnie Boothby; Theresa Taranto; Andy Dean; John Aschenbrenner (John.Aschenbrenner@matsugov.us); 'Tam Boeve'; 'contact@talkeetnacouncil.org'
Subject: Request for Review and Comments: Talkeetna Restaurant CUP Modifications
Attachments: Talkeetna Restaurant - Mailing.pdf

DATE: March 5, 2021
TO: Various Governmental Agencies
FROM: Mark Whisenhunt, Planner II
SUBJECT: Request for Review and Comments Governmental Agencies
PROJECT: Modification of two existing Conditional Use Permit's for the expansion of the Talkeetna Restaurant
LOCATION: 13605 E. Main Street (Tax ID# 8088B12L014A-1);
within Township 26 North, Range 5 West, Section 24, Seward Meridian

APPLICANT: Sassan Mossanen (dba Talkeetna Restaurant)

An application to modify a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses and an application to modify a conditional use permit under MSB 17.25 Talkeetna Special Land Use District have been submitted for the expansion of the Talkeetna Restaurant. The Planning Commission will conduct two public hearings for the requests on April 19, 2021.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material may also be reviewed at the Borough Permit Center. A direct link to the application material is here:

<https://matsugov.us/publicnotice/talkeetna-restaurant-conditional-use-permits>

Comments are due on or before March 26, 2021 and 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, but will be provided to the Commission at the meeting. Thank you for your review.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us



Certificate of Bulk Mailing – Domestic

Fee for Certificate

Up to 1,000 pieces (1 certificate for total number)

For each additional 1,000 pieces, or fraction thereof

Duplicate Copy ☐

Use
Current
Price List
(Notice 123)

Number of Identical Weight Pieces 48	Class of Mail 1st	Postage for Each Mailpiece Paid <input type="checkbox"/> Verified	Number of Pieces to the Pound 50
Total Number of Pounds 15.402	Total Postage Paid for Mailpieces 24.48	Fee Paid 8.80	

Mailed For
Dev. Services

Mailed By
[Signature]

Postmaster's Certification

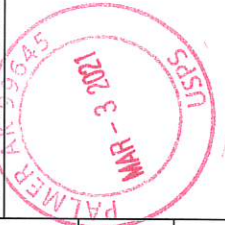
It is hereby certified that the number of mailpieces presented and the associated postage and fee were verified. This certificate does not provide evidence that a piece was mailed to a particular address.

[Signature]
(Postmaster or Designee)

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Acceptance employee must cancel affixed (by round-date) at the time

If payment of total fee due is being paid by Permit Imprint, include the Postal/One/® Transaction Number here: _____



57000B10L002 31
STEVENS MAC A
PO BOX 395
TALKEETNA AK 99676

54437B14L003A 32
TALKEETNA AIRMEN'S ASSOC
PO BOX 177
TALKEETNA AK 99676-0177

57000B10L014 33
TALKEETNA HISTORICAL SOC
PO BOX 76
TALKEETNA, AK 99676-0076

57439000L001 34
TFB LLC
4101 PATRICIA LN
ANCHORAGE AK 99504

54139B12L002A 35
THOMPSON ROCHELE
1238 COLORADO ST
SALT LAKE CITY UT 84116-1663

57000B19L002 36
TWIGG DURONDA L
PO BOX 13312
TRAPPER CREEK AK 99683-3312

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U S POSTAL SERVICE
2700 CAMPUS DR
SAN MATEO, CA 94497-9470

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6881 ABBOT LOOP RD
ANCHORAGE, AK 99507

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DEPT OF INTERIOR NAT'L PARK SERVICE
PO BOX 9
DENALI NAT'L PK, AK 99755-0009

55168000L001 40
UNITED STATES OF AMERICA
DEPT OF INTERIOR NATIONAL PARK
SERVICE
107
2525 GAMBELL ST
54139B11L002A 43
VOS MARGARET E
PO BOX 953
TALKEETNA, AK 99676-0953

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DEPT OF TRANSPORTATION
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WAITE THOS E
MACAULY-WAITE MARGIE
PO BOX 330
TALKEETNA, AK 99676-0330

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UPPER SUSITNA SOFTBALL
ASSOC INC
PO BOX 472
TALKEETNA, AK 99676-0472

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WAITE THOS E
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TALKEETNA, AK 99676-0330

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WEIDNER PHILLIP P FAMILY L P
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WOODS WILLIAM H & MARGARET E
3131 DEMOCRAT RD
MEMPHIS TN 38118-1516

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TALKEETNA COMMUNITY COUNCIL
PO BOX 608
TALKEETNA, AK 99676

57000B10L002 31
STEVENS MAC A
PO BOX 395
TALKEETNA AK 99676

54437B14L003A 32
TALKEETNA AIRMEN'S ASSOC
PO BOX 177
TALKEETNA AK 99676-0177

57000B10L014 33
TALKEETNA HISTORICAL SOC
PO BOX 76
TALKEETNA, AK 99676-0076

57439000L001 34
TFB LLC
4101 PATRICIA LN
ANCHORAGE AK 99504

54139B12L002A 35
THOMPSON ROCHELE
1238 COLORADO ST
SALT LAKE CITY UT 84116-1663

57000B19L002 36
TWIGG DURONDA L
PO BOX 13312
TRAPPER CREEK AK 99683-3312

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MEMPHIS TN 38118-1516

48
TALKEETNA COMMUNITY COUNCIL
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TALKEETNA, AK 99676

APR 08 2021

CLERKS OFFICE

Frontiersman

Growing with the Valley since 1947.

ACCOUNT PAYABLE
PAID

APR 05 2021

5751 E. MAYFLOWER CT.
Wasilla, AK 99654

(907) 352-2250 ph
(907) 352-2277 fax

AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA, STATE OF ALASKA, THIRD DIVISION
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, THIS DAY
PERSONALLY APPEARED BEFORE **BENJAMIN BORG** WHO, BEING
FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT HE IS THE
LEGAL AD CLERK OF THE **FRONTIERSMAN**
PUBLISHED AT WASILLA AND CIRCULATED THROUGH OUT MATANUSKA
SUSITNA BOROUGH, IN SAID DIVISION THREE AND STATE OF ALASKA
AND THAT THE ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE
COPY, WAS PUBLISHED ON THE FOLLOWING DAYS:

03/03/2021

AND THAT THE RATE CHARGED THEREIN IS NOT IN EXCESS OF
THE RATE CHARGED PRIVATE INDIVIDUALS.

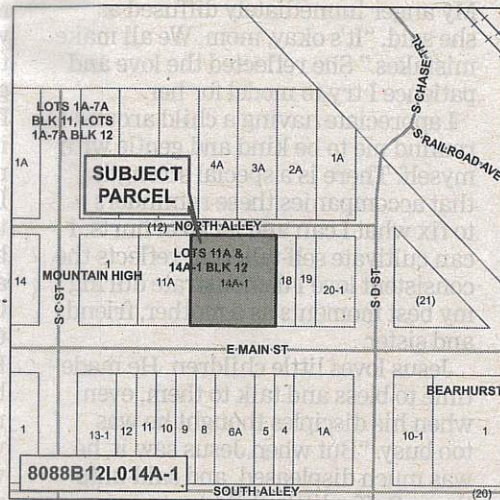

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 3rd DAY OF March, 2021.


NOTARY PUBLIC FOR STATE OF ALASKA

NANCY E. DOWNS
Notary Public
State of Alaska
My Commission Expires
August 25, 2023

MAT-SU BOROUGH/PAGE
3.3
ACCOUNT NUMBER 405249

MATANUSKA-SUSITNA BOROUGH PUBLIC HEARINGS



The Matanuska-Susitna Borough Planning Commission will conduct two public hearings concerning the following applications to modify two conditional use permits on Monday, **April 19, 2021**, at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

An application to modify an existing conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses **and** an application to modify an existing conditional use permit under MSB 17.25 Talkeetna Special Land Use District, have been submitted by Sassan Mossanen (dba Talkeetna Restaurant) for the

expansion of the restaurant at 13605 E. Main Street (Tax ID# 8088B12L014A-1); within Township 26 North, Range 5 West, Section 24, Seward Meridian.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough website. The public is encouraged to check the Borough website prior to attending the public hearing for any changes to the meeting schedule or method.**

In Person Participation: Should you wish to attend in person, please adhere to a 6-foot distance between yourself and others. **Telephonic Testimony:** Dial 1-855-290-3803; You will hear "Joining Conference" when you are admitted to the meeting. You will be muted and able to listen to the meeting. When the Chairperson announces audience participation or a public hearing and you would like to speak to, press *3; you will hear "Your hand has been raised." When it is your turn to testify you will hear "Your line has been unmuted." State your name for the record, spell your last name, and provide your testimony.

The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request for more information through the Clerk, from the applicant at the time of 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. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties 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 by clicking on "All Public Notices & Announcements." Application material may also be reviewed at the Borough Permit Center. For additional information, you may contact Mark Whisenhunt, Planner II, at 861-8527. Written comments can be mailed to: MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to mark.whisenhunt@matsugov.us. 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 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 home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Written comments are due on or before **March 26, 2021** and 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, but will be provided to the Commission at the meeting.

Publish Date: March 3, 2021

03-02-21

NPS Form 10-900
(Rev. 10-90)

OMB No. 1024-0018

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
REGISTRATION FORM

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in How to Complete the National Register of Historic Places Registration Form (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

=====

1. Name of Property

=====

historic name Talkeetna Historic District

other names/site number AHRS Site No. TAL-033

=====

2. Location

=====

street & number N/A

not for publication N/A

city or town Talkeetna vicinity N/A

state Alaska code AK county Matanuska-Susitna code 170

zip code 99676

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Talkeetna Historic District
Matanuska-Susitna, Alaska

Page 2

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3. State/Federal Agency Certification

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As the designated authority under the National Historic Preservation Act of 1986, as amended, I hereby certify that this X nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property X meets does not meet the National Register Criteria. I recommend that this property be considered significant nationally statewide X locally. (See continuation sheet for additional comments.)

Judith E. Bettner
Signature of certifying official

March 16, 1993
Date

Alaska
State or Federal agency and bureau

=====

In my opinion, the property meets does not meet the National Register criteria. (See continuation sheet for additional comments.)

Signature of commenting or other official

Date

State or Federal agency and bureau

=====

4. National Park Service Certification

=====

I, hereby certify that this property is:

 ✓ entered in the National Register
 See continuation sheet.
 determined eligible for the
 National Register
 See continuation sheet.
 determined not eligible for the
 National Register
 removed from the National Register
 other (explain): _____

Robert J. Lee 4/26/93

Signature of Keeper Date
 of Action

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Talkeetna Historic District
Matanuska-Susitna, Alaska

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5. Classification

=====

Ownership of Property (Check as many boxes as apply)

☒ private
☒ public-local
☐ public-State
☐ public-Federal

Category of Property (Check only one box)

☐ building(s)
☒ district
☐ site
☐ structure
☐ object

Number of Resources within Property

Contributing	Noncontributing	
<u>13</u>	<u>13</u>	buildings
<u> </u>	<u> </u>	sites
<u> </u>	<u> </u>	structures
<u> </u>	<u> </u>	objects
<u>13</u>	<u>13</u>	Total

Number of contributing resources previously listed in the National Register 1

Name of related multiple property listing (Enter "N/A" if property is not part of a multiple property listing.) N/A

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6. Function or Use

Historic Functions (Enter categories from instructions)

Cat: Domestic	Sub: Single dwelling
Commerce/Trade	Restaurant
Education	School

Current Functions (Enter categories from instructions)

Cat: Domestic	Sub: Single dwelling
Commerce/Trade	Restaurant
Recreation and Culture	Museum

7. Description

Architectural Classification (Enter categories from instructions)

No style

Materials (Enter categories from instructions)

foundation	sill logs, concrete
roof	metal
walls	log
	wood
other	N/A

Narrative Description (Describe the historic and current condition of the property on one or more continuation sheets.)

Talkeetna is an unincorporated community of 250 residents in southcentral Alaska approximately 115 miles north of the city of Anchorage. Because of its convenient location near the confluence of the Talkeetna, Susitna, and Chulitna rivers, Talkeetna became a supply station for prospectors who found gold in nearby Cache Creek in 1906. In part because of the river access, the Alaska Engineering Commission (AEC) selected Talkeetna in 1916 for a railroad construction camp. The AEC surveyed a townsite in 1918 and held an auction to sell lots in 1919. Talkeetna did not grow as large or as fast as other towns platted by the AEC such as Anchorage, Wasilla, or Nenana. Talkeetna never formally incorporated.

After railroad construction, Talkeetna, 226 miles from the southern terminus at Seward and 259 miles from the northern terminus at Fairbanks, had a railroad station as opposed to a section house meaning that it was a regular stop. Over the years, a number of miners built their winter residences, most of them small log cabins, in Talkeetna. The Fairview Inn and Nagley's Store opened in 1920. The community had no church buildings, social halls, or public buildings aside from the railroad station, and until the mid-1930s there was no school. Talkeetna had a post office, U.S. Commissioner, and Deputy Marshal, but none in its own building. Because of miners' pressure for access to their mines, the Alaska Road Commission (ARC) had an office in Talkeetna.

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Talkeetna Historic District
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8. Statement of Significance

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Applicable National Register Criteria (Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing)

- ☒ **A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ **B** Property is associated with the lives of persons significant in our past.
- ☐ **C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ **D** Property has yielded, or is likely to yield information important in prehistory or history.

Criteria Considerations (Mark "X" in all the boxes that apply.)

- ☐ **A** owned by a religious institution or used for religious purposes.
- ☒ **B** removed from its original location.
- ☐ **C** a birthplace or a grave.
- ☐ **D** a cemetery.
- ☐ **E** a reconstructed building, object, or structure.
- ☐ **F** a commemorative property.
- ☐ **G** less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance (Enter categories from instructions)

Exploration/Settlement

Period of Significance 1917-1942

Significant Dates 1917

Significant Person (Complete if Criterion B is marked above)

N/A

Cultural Affiliation N/A

Architect/Builder N/A

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Talkeetna Historic District
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9. Major Bibliographical References

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(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS) N/A

___ preliminary determination of individual listing (36 CFR 67) has been requested.

___ previously listed in the National Register

___ previously determined eligible by the National Register

___ designated a National Historic Landmark

___ recorded by Historic American Buildings Survey # _____

___ recorded by Historic American Engineering Record # _____

Primary Location of Additional Data

___ State Historic Preservation Office

___ Other State agency

___ Federal agency

X Local government

___ University

___ Other

Name of repository:

=====

10. Geographical Data

=====

Acreage of Property 6.4 acres

UTM References (Place additional UTM references on a continuation sheet)

	Zone	Easting	Northing		Zone	Easting	Northing
1	05	649530	6913455	2	05	649740	6913455
3	05	649740	6913260	4	05	649530	6913260

See continuation sheet.

Verbal Boundary Description (Describe the boundaries of the property.)

The Talkeetna Historic District is shown as the dotted line on the accompanying site map dated August 27, 1992. It includes portions of blocks 2, 3, 10, 11, 12, and 13 in Township 26, Range 5 West within Section 24, Seward Meridian.

Boundary Justification (Explain why the boundaries were selected.)

The boundaries include all of the residences and commercial buildings with historic integrity that reflect the early settlement of Talkeetna.

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Talkeetna Historic District
Matanuska-Susitna, Alaska

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11. Form Prepared By

=====

name/title	<u>Fran Seager-Boss, Archaeologist</u>		
	<u>Lawrence Roberts, Historian</u>		
organization	<u>Matanuska-Susitna Borough</u>	date	<u>August 31, 1992</u>
street & number	<u>350 E. Dahlia Ave.</u>	telephone	<u>(907) 745-9859</u>
city or town	<u>Palmer</u>	state	<u>Alaska</u>
		zip code	<u>99645</u>

Assisted by Connie Conley-Harding, Student Intern, Office of History and Archaeology, Alaska Division of Parks and Outdoor Recreation, P.O. Box 107001, Anchorage, Alaska 99510, 907-762-2622

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Talkeetna Historic District

Matanuska-Susitna, Alaska

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The historic district includes thirteen contributing buildings. These properties reflect Talkeetna's history as a small village. The most prominent buildings are the Fairview Inn (listed in the National Register in 1982), Nagley's Store, Talkeetna Schoolhouse, and Frank Lee Cabin. Three of the contributing properties date from the late 1910s, five from the 1920s, and five from the 1930s. Severe river bank erosion in 1949 took twelve acres of the Talkeetna townsite including two blocks of Main Street. Several buildings near the boat landing, one of them Nagley's Store, had to be relocated.

All of the buildings in Talkeetna are architecturally plain, representing no recognized architectural style. The residences in the historic district are small, most with one or two rooms. The buildings, along with the district's setting, are representative of early twentieth century rural Alaskan building types and town planning.

Thirteen non-contributing buildings are within the district boundaries. They are consistent in design, material, and scale, and are compatible with the contributing buildings. Several of the non-contributing buildings are more than fifty years old, but do not have an association with their present location during the period of significance.

Contributing Structures:

1. **Fairview Inn** (AHRS Site No. TAL-006, listed in the National Register May 7, 1982). Ben Nauman built this two-story, undecorated, frame hotel between 1920 and 1923. The original building is 36' x 36'. A one story 24' x 12' addition on the building's north side replaced a smaller one built in 1939 as private living quarters by the owners, John and Nola Campbell. A second addition, 16' x 8', is on the west end of the north side. The building has painted drop siding.

The south and east elevations, the main facades, each have a single wood door flanked by a pair of 1/1 double hung sash windows with plain trim on the first floor. The east elevation's door is protected by a gable overhang supported by brackets; the south elevation's door is protected by a gable porch. The second floor of the east elevation has three evenly spaced 1/1 double hung sash windows. The south elevation's second floor has four 1/1 double hung sash windows evenly spaced. The building's west elevation has a small horizontally-sliding single light window that has replaced an original window, and an boarded entry.

The north elevation has two additions. The 1939 addition extends from the left side of the elevation approximately 24 feet. This addition's gable roof covers one of the original 1/1 double hung sash windows in the north elevation of the main building. Original 1/1 double hung sash windows flank each side of the addition's roof. This addition's east elevation has two separate doors centrally placed with 1/1 double hung sash windows on either side. A plain gable opening exists in the north elevation.

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Talkeetna Historic District
Matanuska-Susitna, Alaska

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The medium-hipped pyramid roof has a flat area at the ridge where the chimney stack protrudes. In 1991, the owners replaced the rolled roofing with corrugated metal roofing.

A sign, similar to the original one, hangs on the east facade centered between the two stories. Printed in large block letters is "Fairview Inn" with "Bar" and "Rooms" printed in smaller letters underneath.

2. Nagley's Store (B&K Trading Post) (AHRS Site No. TAL-017). Horace W. Nagley disassembled a building constructed around 1912 at Susitna Station, barged it to Talkeetna and reassembled it around 1920. The original full log building measures 25' x 35'. It has mortise and tenon construction. At an unknown date, Nagley added a one story 20' x 25' log addition with a shed roof on the rear for more store space. Later, a second one-story log extension 29' x 25' was added to the rear of the first addition for storage.

In 1945, Nagley moved the store from the west end of town to its present location because of river bank erosion. Upon relocation, Nagley built a frame addition measuring 14' x 35' on the west side. In recent years, owners have built two smaller frame additions onto the west addition, each with drop siding and shed roofs. The addition that fronts on Main Street measures 11' x 8', the one behind it measures 8' x 6'. Corner boards on all additions complement the original building. All roofs have sheet metal coverings. The northwest addition completes the main (north) facade facing Main Street. The smaller addition to the southwest side of the west addition provides a closed-in entrance. The front porch with decking area extends the full width of the north elevation.

The north elevation of the original building has a centrally located two panel, six light door flanked by paired two light single sash fixed windows. The upper lights of these windows are divided by mullions in a diamond pattern. The north gable of the original building has two 2/2 double hung sash windows evenly spaced. The north elevation of the western shed addition has a two panel, four light door on the left with a double light single sash horizontally-sliding window centrally placed. The addition to the right of this shed addition mirrors the shed's fenestration on a smaller scale.

The east elevation of the original building has a boarded up window at each end and a boarded up door in the center. The east elevations of both of the south additions are plain. The original building's south gable contains a 2/2 double hung sash window. The addition's south elevation has a double door on the left side. The addition's west elevation has a door in the right side and a central boarded up window to the right.

When Nagley sold his store in 1951 to Barrett and Kennedy, they changed the name of the store to B&K Trading Post.

3. Frank Lee Cabin (Talkeetna Roadhouse) (AHRS Site No. TAL-008). In 1917, Frank Lee, a freighter, built a two and one-half story gabled log

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cabin with boxed corners for his personal residence. In 1944 it became a roadhouse. The original structure measures 21' x 32'. The building's main facade faces north onto Main Street. This facade has a full porch protecting the central entry. Four light single sash windows flank the entry. Above the porch roof, the second floor has two single light sash windows. The gable wall is sheathed with board and batten siding. The only fenestration on the building's west elevation is a 6/6 double hung sash window in the left side of the first floor.

A 26' x 48' frame shed addition with drop siding and a corrugated metal roof is on the building's east side. This addition extends the length of the original cabin. It has a nine light fixed single sash window and a door along the north elevation. The east elevation of this addition has three evenly spaced nine light fixed single sash windows and a door in the left corner.

There are two additions on the back of the original building. The first is a frame, one and one-half story, 20' x 34' building with shiplap siding. This building, built for the Civil Aeronautics Administration, was moved and attached to the roadhouse at an unknown date. The second rear addition measures 20' x 16' and matches the first addition in material and design. Along the east elevations of both additions are five evenly spaced six light awning windows. The west elevations of the additions have a sequence of a six light single sash window at the left end, a door, four single sash six light windows evenly spaced, and a door at the right end. The south elevation of the original building has a single light fixed sash window on the left side of the first and second floors. The south elevation of the addition has a boarded up gable opening and a single light, single sash, horizontally-sliding window in the center on the first floor.

4. **Frank Lee Barn** (AHRS Site No. TAL-056). Also in 1917, Frank Lee constructed a two and one half story, 16' x 22' barn. It has full logs and double saddle notched corners. Its gable walls are framed with vertical wood siding. The medium pitched gabled roof is covered with corrugated metal. On the north facade is a double-hinged wood barn door. The west elevation has two single sash four light horizontally-sliding windows in the center of the first floor. The second floor log joists penetrate the east and west elevations. The east and south elevations are plain. The barn has settled and the lower courses of logs are deteriorating. It is currently used for storage.

5. **Talkeetna Schoolhouse (Talkeetna Museum)** (AHRS Site No. TAL-025). The Territory of Alaska constructed the school in 1936. The one and one-half story, 30 x 37' structure had one large classroom on the first floor and living quarters for the teacher on the second. The main facade (north elevation) has a 4'2" x 5'3" covered porch at the left end that is accessed by exterior stairs. To the right of this entry are two fixed single sash six light windows evenly spaced. The gable has two 6/6 double hung sash windows evenly spaced. The east elevation has a six light single sash fixed window at the left end. Centrally placed in the right side of the east elevation is a sequence of one 6/6 double hung sash window, three 6/6

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double hung sash windows set side-by-side, and one 6/6 double hung sash window. A shed dormer with three single sash six light windows placed side-by-side extends from the gable roof ridge. Around 1939, the school got a 28' x 12' shed roof addition on the south end. This addition has two fixed single sash six light windows evenly spaced on its east elevation. The addition's west elevation has two large 6/6 double-hung sash windows and two smaller six light single sash windows. This elevation has an outside staircase to the second floor apartment and a second entrance to the classroom. A shed dormer containing two single sash six light windows extends from the gable ridgeline. On the south elevation of the original building, the upper floor has two 6/6 double hung windows. The addition's south elevation is plain.

In 1974 the Talkeetna Historical Society acquired the school for a museum.

6. **Ole Dahl Cabin (1)** (AHRS Site No. TAL-022). Built around 1918, this one story, 13' x 15' full log cabin has V notched corners and rolled roofing. In the 1970s, the Talkeetna Historical Society moved the cabin across the street from the back of Dahl's lot to its present location just west of the museum. The north facade is the main elevation and has a door just right of center. The ridge pole, purlins and wall plate logs extend three feet beyond the front wall providing an overhang over the entry. The east elevation is plain. A single light single sash fixed window is just left of center in the west elevation, and another is towards the right hand side of the south elevation.

7. **David St. Lawrence Cabin (Harry Robb Cabin)** (AHRS Site No. TAL-019). Built around 1920 by a freighter, David Lawrence, the building is a two and one-half story log cabin with squared V notching and covered box corners. The building measures 15' x 20' and has a gable roof covered with corrugated metal. Protected by a small gable overhang supported by brackets, a two panel door is on the right side of the east elevation. A six light single sash window is centrally placed in the east gable wall. Centered in the north elevation is a six light single sash horizontally sliding window. The south elevation is identical to the north. Ceiling joists extend through the north and south walls approximately two feet above the windows. After 1940 the new owner, Harry Robb, added a roughed sawed 15' x 11' one-and-a-half story frame shed addition on the rear. The addition has doors on the left and right sides and a six light single sash window in the center of the gable wall. The cabin has been empty since Robb's death in the 1970s.

8. **Helmer Ronning Cabin (Denali Dry Goods)** (AHRS Site No. TAL-029). Helmer Ronning, a Norwegian master carpenter, trapper, and miner, built this one-and-one-half story 31' x 18' medium pitched gabled log cabin around 1930. The cabin has dove-tailed corners locked with dowels and pegs and covered by cornerboards. The north or main facade fronts on Main Street. This elevation has a three panel, single light door on the left side protected by a small gabled porch. To the right of the door is an 1/1 double hung sash window. The gable wall has a double single light single sash horizontally-sliding window. The west and east elevations have

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Talkeetna Historic District
Matanuska-Susitna, Alaska

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windows at each end. The roof forms an open cornice on both these elevations. A 10' x 18' addition and 6' x 10' lean-to extend from the rear of the cabin. The cabin is now a store. In the southeast corner of the lot stands an outhouse also of log construction with dovetailed corners.

9. **Ole Dahl Cabin (2)** (AHRS Site No. TAL-027). Norwegian-born Ole Dahl, a railroad surveyor, miner, and trapper, built this cabin around 1920 after he got married. The one-and-one-half story cabin has square notched corners and measures 20' x 26'. It has an open porch across the north elevation that fronts on Main Street. The porch is railed, with an entrance in line with the cabin's front door. A small gable roof is centered over the center of the porch in contrast to the porch's main shed roof. Matching 8/1 sash windows are on either side of the north elevation's door. A smaller 8/1 double hung sash window is in the center of the gable wall. The ground floor west elevation has one 8/1 double hung sash window on the right. Matching windows are on the left and right sides of the east elevation. There is a 9' x 20' addition on the south side of the cabin. A detached 12' x 24' shed is off the southwest corner of the building. The cabin is still a private residence.

10. **Tom Weatherell Cabin** (AHRS Site No. TAL-030). Tom Weatherell, a miner and store employee of Horace Nagley, hired Helmer Ronning to help him build this cabin around 1921. It is a one- and-one-half story full log cabin. The logs are fastened with dowels and pegs and enclosed with boxed corners. The original cabin is 25'2" x 19'2" and has a hipped roof with a hipped dormer on the main facade. The original rolled roofing has been covered with metal roofing. A block chimney extends from the upper third of the western slope of the roof. The south elevation, the main facade, fronts on Main Street and has an enclosed porch cut into the right corner. To the left of this porch, just left of facade centerline, is an 8/1 double hung sash window. An eight light single sash window is in the dormer. The east elevation has a large twelve light single sash window defining the porch area and an 8/1 double hung sash window just right of the elevation's centerline. In 1939, the owner built a 10' x 14' frame addition with shiplap siding and half hipped gabled roof onto the cabin's north side. The east elevation of this addition has a five panel door. The west elevation has 8/1 double hung sash windows at each end of the main building; the addition's west elevation is plain. The north elevations of the original building and the addition are plain. A second addition on the north side has been removed. The cabin is unoccupied.

11. **Mike Trepte House** (AHRS Site No. TAL-053). In 1937, Mike Trepte, a placer miner, built this one and one-half story building. The original frame house is 18' x 26'6" with shiplap siding and cornerboards. Its main facade faces south to Main Street. It has a small open gabled porch to the right of center of the original building, with two new nine light single horizontally-sliding sash windows to the left. The opening in the gable is boarded up. A small 4' x 8' shed roof addition extends off the north side. A 17' x 14' addition, built about 1967 on the east elevation, created an "L" shaped building. The east and south elevations of this addition have pairs of new sixteen light single sash windows. The opening in the

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Talkeetna Historic District
Matanuska-Susitna, Alaska

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addition's gable is boarded up. North and west elevations are plain. A detached shed stands on the northwest corner of the property. The house continues to be a private residence.

12. **Red John Cuculich Cabin** (AHRS Site No. TAL-054). Red John, a Czechoslovakian immigrant and area miner, built this cabin in 1938. It is a one story 16' x 20'6" hand-hewn square notched log cabin with a gable roof. The front facade, which faces south, has a wood door on the right with a nine light fixed sash window on the left. A four light fixed sash window is centrally placed in the east elevation. There is a 7' x 16' addition on the north elevation. The addition has a single light fixed sash window in its west elevation. In 1992 corrugated metal roofing was put over the gabled roof's original rolled roofing. A small open wood shed with metal roofing is on the west elevation. The cabin is now used as a shed.

13. **Black John Zulich Cabin (B&B Office/Twister Creek Fuel)** (AHRS Site No. TAL-048). John Zulich, a Czechoslovakian immigrant who mined the Cache Creek district, built a one and one-half story full log cabin with square notched corners around 1930. It measured 16' x 20'6". Originally, a porch extended out from the cabin's main facade (east elevation), formed by the gabled roof extending beyond the facade and supported by four evenly spaced log columns. The porch has recently been enclosed, but the additions are in keeping with the general architecture of the cabin and could be removed. The cabin's south elevation has a new double horizontally-sliding single light single sash window centrally placed. The west elevation has an original four light single sash window in the gable wall. The north elevation is covered by an eight inch wide T-111 sided frame shed addition extending the length of the building. This addition's north elevation contains two single light horizontally-sliding sash windows placed at each end. A similar window is centrally placed in the addition's east elevation.

Non-Contributing properties:

14. **Trailer.** Contemporary, non-historic appearance.

15. **Shed.** Frame; construction date unknown.

16. **Collapsed shed.** Log; construction date unknown; in ruins.

17. **Curry Building** (AHRS Site No. TAL-059). In the 1950s, the owners moved this single story frame building from Curry Station, on the Alaska Railroad about 40 miles north of Talkeetna, to its present location on Talkeetna's Main Street. Now a deli, relocation and remodeling have destroyed the building's historical integrity.

18. **River Trips Building.** This is a small frame building on a post foundation with a large front porch. It was built within the last five years. The building's appearance is sympathetic to the historic district.

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19. **Three River Gas Station.** This large two story log sided building is of recent construction. Its appearance is not sympathetic to the historic district.

20. **Log cabin.** This is a small, one room, full log cabin located behind the roadhouse. Constructed in the mid-1960s, the owners moved it to this location during the late 1970s. Its appearance is sympathetic to the historic district.

21. **Bikes, Flights, Etc.** This is a small one-story frame building constructed during the 1990s. Its appearance is sympathetic to the historic district.

22. **Roberta Sheldon House.** This is a small frame house built in the mid-1950s. It has a shed located behind it. The appearance of the two buildings is sympathetic to the historic district.

23. **National Park Service Ranger Station.** This is a small one room cabin of full log construction built during the 1980s. Its appearance is sympathetic to the historic district.

24. **Private residence.** This is a large two story full log cabin of recent construction. Its appearance is sympathetic to the historic district.

25. **Talkeetna Station** (AHRS Site No. TAL-014). This railroad station replaced one that burned in 1933. To avoid razing, the Talkeetna Historical Society moved the station from the railroad tracks south and west to its present location behind the museum. Although more than fifty years old and associated with the history of Talkeetna, the loss of direct association with the railroad tracks has destroyed the station's historic integrity.

26. **Talkeetna Station House** (AHRS Site No. TAL-058). To avoid razing, the Talkeetna Historical Society moved this house from its location adjacent to the railroad south and west to its present location behind the museum. Although more than fifty years old and associated with the history of Talkeetna, the loss of direct association with the railroad tracks has destroyed the building's historic integrity.

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Talkeetna Historic District

Matanuska-Susitna, Alaska

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Narrative Statement of Significance

Talkeetna, a small unincorporated community at the confluence of the Chulitna, Talkeetna, and Susitna rivers in southcentral Alaska began as a supply station for miners and trappers in 1910. Talkeetna means "River of Plenty" and comes from the Tanaina Indian language. In 1916, the Alaska Engineering Commission, constructing the Alaska Railroad, selected Talkeetna for a district construction headquarters. A post office opened that year, and the construction camp and first permanent buildings stood the next year. The Alaska Engineering Commission surveyed a townsite in 1918 and sold eighty lots in 1919. After the railroad was completed, the town continued to exist, but it did not grow as fast or as much as others surveyed by the Alaska Engineering Commission. During the 1920s and 1930s, Talkeetna was a small community of miners and trappers who built small cabins, many of them log, for their winter residences. The miners worked the Yentna District which included Cache Creek, Peters Creek, Dutch Hills, and Dollar Creek. Mining also took place east of Talkeetna in the Iron Creek-Talkeetna River area and northeast in Broad Pass. The town had several inns and general stores, but through the 1920s its only public building was the railroad station. Talkeetna had no churches, social halls, or fire department. A school was not opened until 1935. Thirteen buildings from Talkeetna's early years contribute to the district. The three oldest contributing buildings in the district date from 1917 when railroad construction started. Five of the properties date from the 1920s and five from the 1930s. One of these, the Fairview Inn was listed on the National Register on May 7, 1982. Together, the historic properties reflect a 1920s-1930s, small supply town in Alaska. The period of significance for the Talkeetna Historic District ends in 1942 when World War II directly impacted Alaska and President Franklin D. Roosevelt ordered gold mines, considered non-essential to the war effort, to close. Several buildings in the district have been relocated, because of riverbank erosion or threatened destruction, but they are within the townsite boundaries.

Prospectors discovered gold in Cache Creek in 1906, and within a couple of years miners frequented Talkeetna for supplies and winter shelter. In 1910, the Alaska Commercial Company opened a small supply station, "Talkeetna" at the confluence of the Chulitna, Talkeetna, and Susitna rivers for Cache Creek, Peters Creek, and Broad Pass miners and trappers. Boats with supplies from Susitna Station brought goods to the site, and a small village started. The supply station closed by 1912.

In 1915, President Woodrow Wilson's selection of the Susitna River and Broad Pass route for the Pacific-to-Tanana River railroad the federal government planned to build revived Talkeetna. The Alaska Engineering Commission, created to build the railroad, chose Talkeetna as a district construction headquarters and built warehouses, bunkhouses, and offices. Upon hearing the news, some people such as Frank Lee, a freighter, and H.W. Nagley, a merchant, hurried to the site and started businesses. A post office opened in 1916. At the request of the Talkeetna Commercial Club, the Alaska Engineering Commission surveyed a townsite in September 1918. Talkeetna residents purchased eighty townsite lots at an auction in October

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Talkeetna Historic District

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1919. Individuals claiming preference rights, because they had made permanent improvements to lots prior to the townsite survey, purchased nearly half of the lots. After railroad construction, the Alaska Railroad established a station, as opposed to a section house or flag stop, at Talkeetna. The station meant that Talkeetna was a regular, scheduled stop on the Alaska Railroad, supplies were available year-round, and seven men had regular employment.

Although it never legally incorporated as a town, Talkeetna was the town for miners who worked in the Yentna, Iron Creek, and Broad Pass districts during the 1920s and 1930s. Miners such as Helmer Ronning, Mike Trepte, and Red John Cuculich built cabins in Talkeetna, worked their claims in the summer months, and trapped for furs during the winter. In 1921 there were twenty-four mining operations in the Yentna district near Talkeetna, most with hydraulic plants. In 1933, twenty-nine mining camps operated. Eight tractors freighted out of Talkeetna "night and day" in 1936.

The 1920 U.S. Census reported Talkeetna's population as 70, 53 males and 17 females. Of the 53 men, 33 were single, 11 married, 2 divorced, 2 widowed, and 5 under age 16. The average adult male was 46 years old. Of the men, 19 were miners or prospectors, 5 were trappers, 7 worked for the railroad, and 22 worked in commercial occupations. Of the females, 11 were married women, 1 widowed, and 5 under age 16. The average age of the adult females was 35 years old. Occupations for women were not given. The 1930 census reported 89 residents in Talkeetna, and the 1940 census reported 136 residents.

In 1920, the Alaska Road Commission (ARC) opened an office in Talkeetna. The Talkeetna road crews built and maintained 22 miles of wagon road, 20 miles of sled road, and 16 timber bridges. For some ARC employees, such as the "Colonel" and Ole Dahl, Talkeetna continued to be home after the ARC office closed in 1932. The Alaska Railroad, Alaska Road Commission, U.S. Commissioner, Deputy U.S. Marshal, and Post Office were the only government entities with offices in Talkeetna. Not until 1935, did the Territory of Alaska open a school in Talkeetna. For the first two school years, classes were held in Frank Lee's cabin. In 1936, the \$6,000 schoolhouse opened.

Shortly after the U.S. entered World War II, President Franklin D. Roosevelt signed Executive Order L-208 closing all mines non-essential to the war effort. It was the end of an era for Talkeetna. Few mines reopened for any length of time after the war because of high labor costs and the low fixed price for gold. In the 1940s bush pilots moved to Talkeetna. The town became, and continues to be, the departure point for mountain climbers attempting to ascend Mount McKinley.

A road now reaches Talkeetna. A number of buildings in town, however, remain from the 1910s, 1920s, and 1930s that convey the sense of a small early twentieth century Alaskan village.

USDI/NPS NRHP Registration Form
Talkeetna Historic District
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Major Bibliographic References

Alaska Engineering Commission. Alaska Railroad Record. June 1917-November 19, 1919.

Alaska Magazine. January 1985, Vol. 51, No. 1, pp. 14-15.

Alaska Road Commission. Annual Reports. 1920-1939.

Browne, Belmore. The Conquest of Mt. McKinley. Boston: Houghton Mifflin Co., 1956.

Campbell, Nola H. Talkeetna Cronies. Privately printed, 1974.

----- Talkeetna Echoes. Privately printed, 1984.

Knik Matanuska Susitna: A Visual History Of The Valleys. Sutton, Alaska: Bentwood Press, 1985.

Rollins, Alden M. Census Alaska: Numbers Of Inhabitants, 1792-1970. Anchorage, Alaska: University of Alaska Anchorage Library, 1970.

Talkeetna Museum. Papers.

The Alaska Sportsman. May 1950, p. 22.

United States Geological Survey. Bulletin No. 534. The Venta District, Alaska. Washington, D.C.: Government Printing Office, 1913.

Wilson, William H. Railroad In The Clouds: The Alaska Railroad In The Age Of Steam, 1914. Boulder, Colorado: Pruett Publishing Co., 1977.

Wolfe, Dorothy Trepte. Papers. Talkeetna Museum.

Interviews:

Hampton, Paula. Talkeetna Roadhouse, Talkeetna, Alaska. September 13, 1990.

Leavitte, Ken. Talkeetna Leather Works, Talkeetna, Alaska. September 13, 1990.

Martin, Eleanor Trepte. Personal communication. 1991.

Sheldon, Roberta. Personal communication. 1991.

Stevens, Myron. Personal communication. 1991.

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Talkeetna Historic District

Matanuska-Susitna, Alaska

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Photograph identification:

1. Fairview Inn (AHRS Site No. TAL-006), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking west at east facade
2. Nagley's Store (AHRS Site No. TAL-017), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking southwest at front of building
3. Talkeetna Schoolhouse (AHRS Site No. TAL-025), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northwest at front of building
4. Frank Lee Cabin (AHRS Site No. TAL-008), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking southeast at front of building
5. Frank Lee Barn (AHRS Site No. TAL-056), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northeast at southwest corner of barn
6. David St. Lawrence Cabin (AHRS Site No. TAL-019), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northwest at south and east facades

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Talkeetna Historic District
Matanuska-Susitna, Alaska

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- =====
7. Tom Weatherell Cabin (AHR Site No. TAL-030), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking north at front facade
 8. Mike Trepte House (AHR Site No. TAL-053), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking north at front facade
 9. Mike Trepte House (AHR Site No. TAL-053), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking west at new east wing
 10. Ole Dahl Cabin (2) (AHR Site No. TAL-027), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking southeast at front and west sides of building
 11. Red John Cuculich Cabin (AHR Site No. TAL-054), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northeast at front of cabin
 12. Black John Zulich Cabin (AHR Site No. TAL-048), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northwest at front and south facades

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Talkeetna Historic District

Matanuska-Susitna, Alaska

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- =====
13. Fairview Inn (AHRs Site No. TAL-006), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia
Ave., Palmer, Alaska 99645
Looking west down Main Street
14. Talkeetna Historic District (AHRs Site No. TAL-033)
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia
Ave., Palmer, Alaska 99645
Looking southwest along Main Street
15. Talkeetna Historic District (AHRs Site No. TAL-033)
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia
Ave., Palmer, Alaska 99645
Looking northeast along Main Street, Tom Weatherell cabin at left
- =====

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Additional Documentation

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Submit the following items with the completed form:

Continuation Sheets

Maps

- A USGS map (7.5 or 15 minute series) indicating the property's location.
- A sketch map for historic districts and properties having large acreage or numerous resources.

Photographs

Representative black and white photographs of the property.

Additional items (Check with the SHPO or FPO for any additional items)

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United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number _____ Page _____

SUPPLEMENTARY LISTING RECORD

NRIS Reference Number: 93000321 Date Listed: 4/26/93

Talkeetna Historic District
Property Name

Matanuska-Susitna AK
County State

N/A
Multiple Name

This property is listed in the National Register of Historic Places in accordance with the attached nomination documentation subject to the following exceptions, exclusions, or amendments, notwithstanding the National Park Service certification included in the nomination documentation.

for Antonson of Bee
Signature of the Keeper

4/28/93
Date of Action

=====

Amended Items in Nomination:

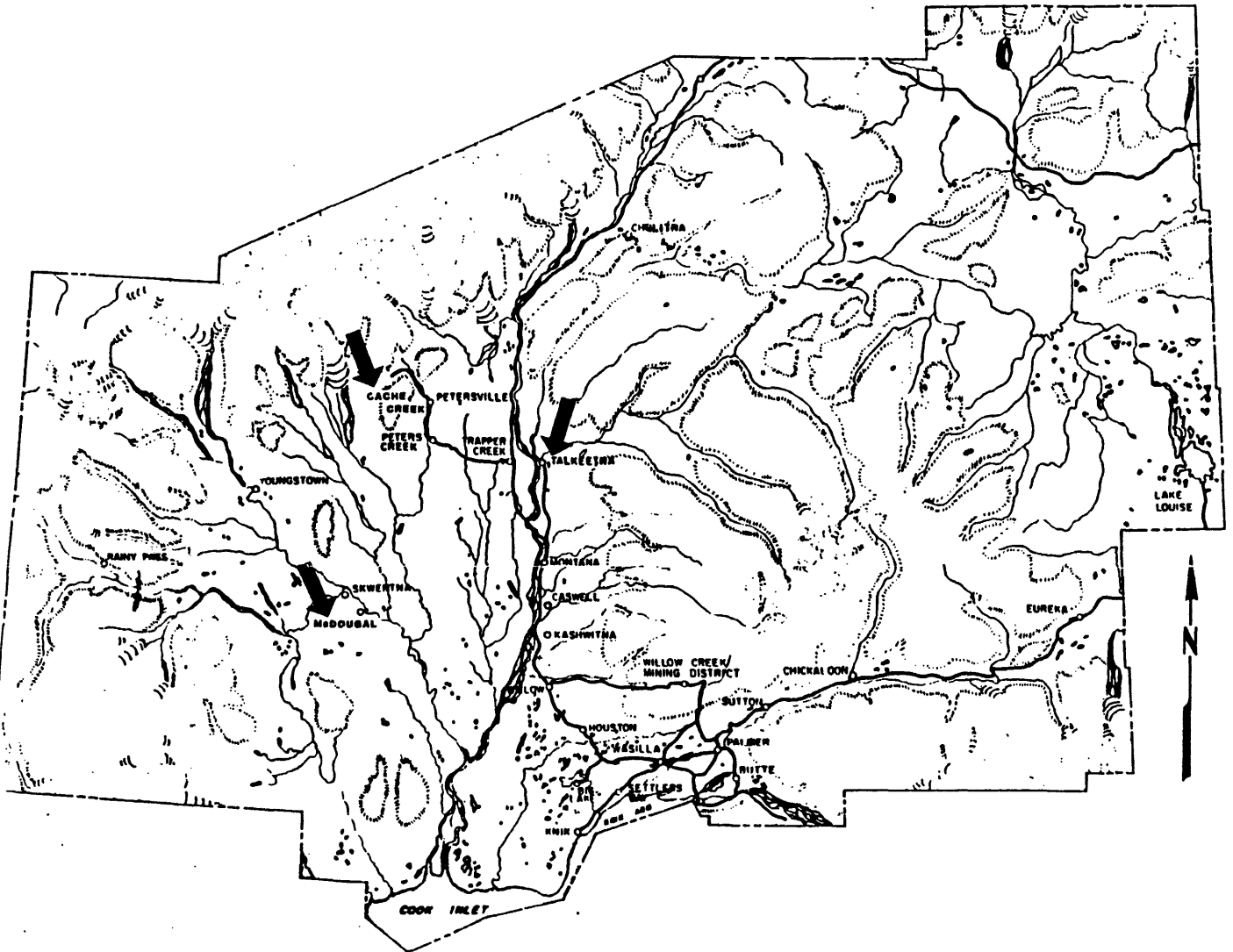
Statement of Significance: Criteria Consideration B is removed.

Additional Documentation: The scale for the sketch map is 1" = 235'.

This information was confirmed with Jo Antonson of the Alaska State historic preservation office.

DISTRIBUTION:
National Register property file

DISTRICTS

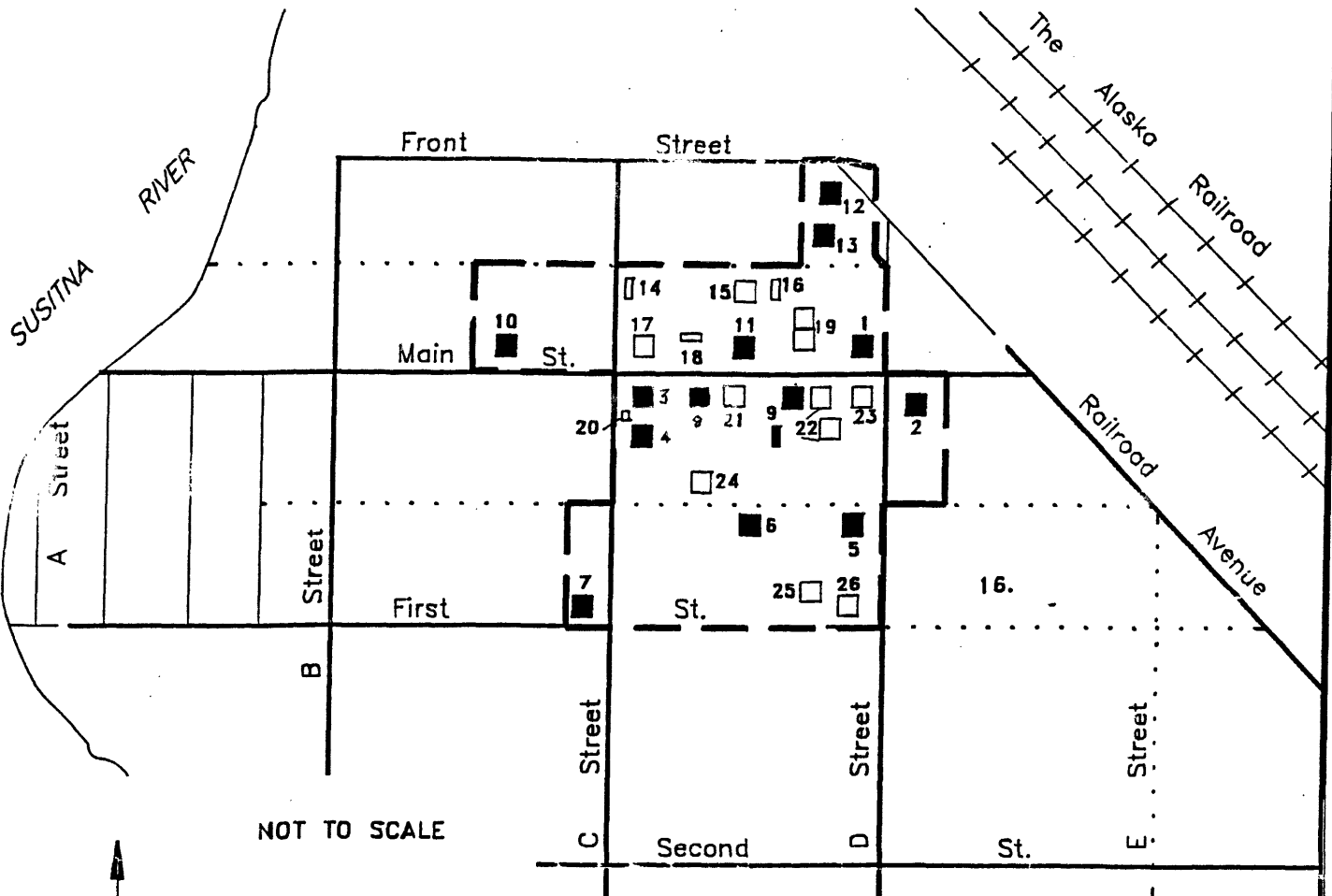


TALKEETNA HISTORIC DISTRICT

MATANUSKA-SUSITNA BOROUGH, ALASKA

AHRS SITE NO. TAL-033

- BOUNDARY
 ■ CONTRIBUTING STRUCTURES
 □ NON-CONTRIBUTING STRUCTURES
 - - - - ALLEY
 ——— ROADS



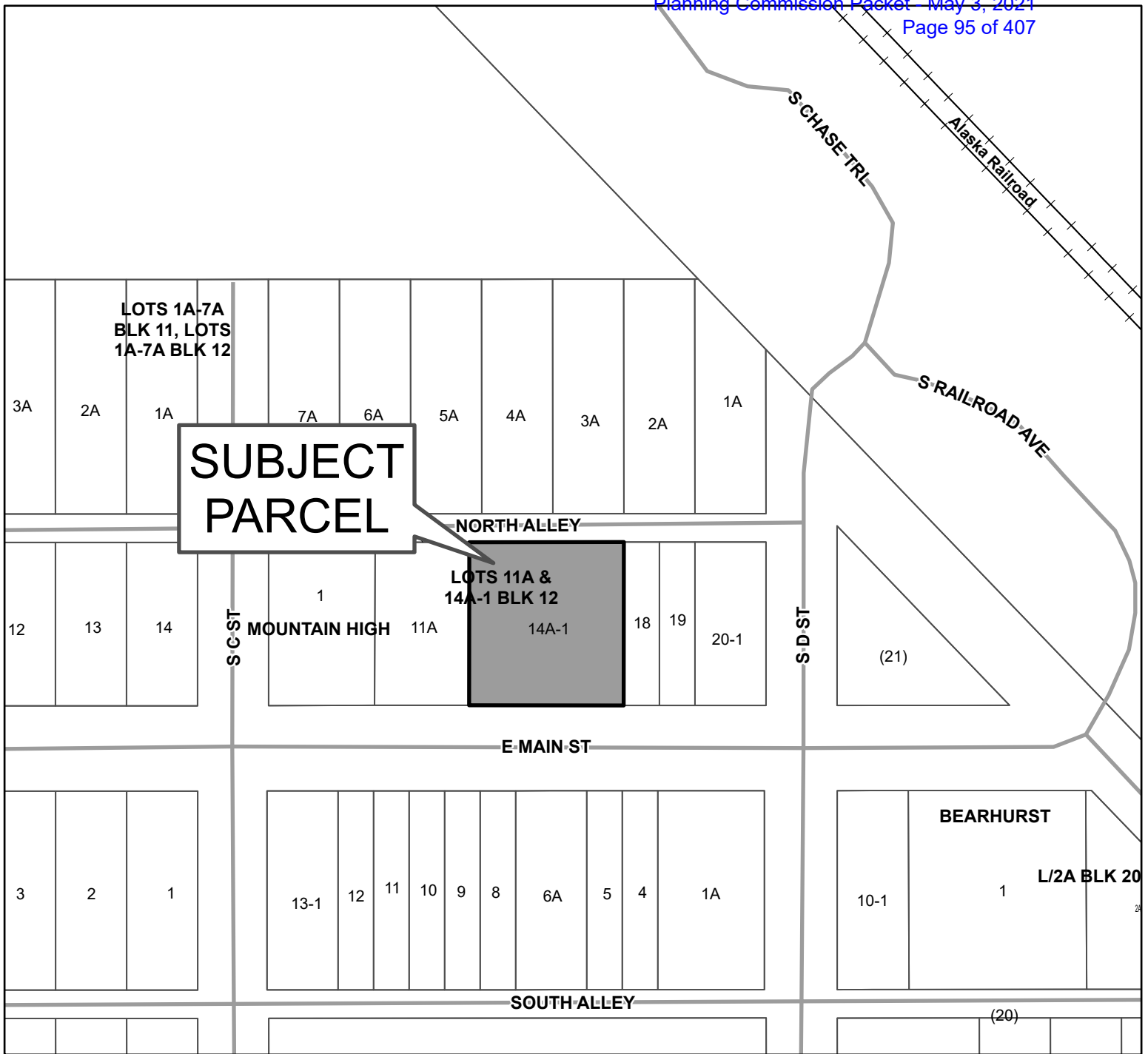
■ Contributing Buildings

1. Fairview Inn
2. Nagley's Store
3. Frank Lee Cabin
4. Frank Lee Barn
5. Talkeetna Schoolhouse
6. Ole Dahl Cabin (1)
7. David St. Lawrence Cabin
8. Helmer Ronning Cabin
9. Ole Dahl Cabin (2)
10. Tom Weatherall Cabin
11. Mike Trepte House
12. Red John Cuculich Cabin
13. Black John Zulich Cabin

□ Non-Contributing Buildings

14. Trailer
15. Shed
16. Collapsed Shed
17. Curry Building
18. River Trips Building
19. Three Rivers Gas Station
20. Log Cabin
21. Bikes, Flight, Etc.
22. Roberta Sheldon House
23. National Parks Service Ranger Station
24. Private Residence
25. Talkeetna Station
26. Talkeetna Station House

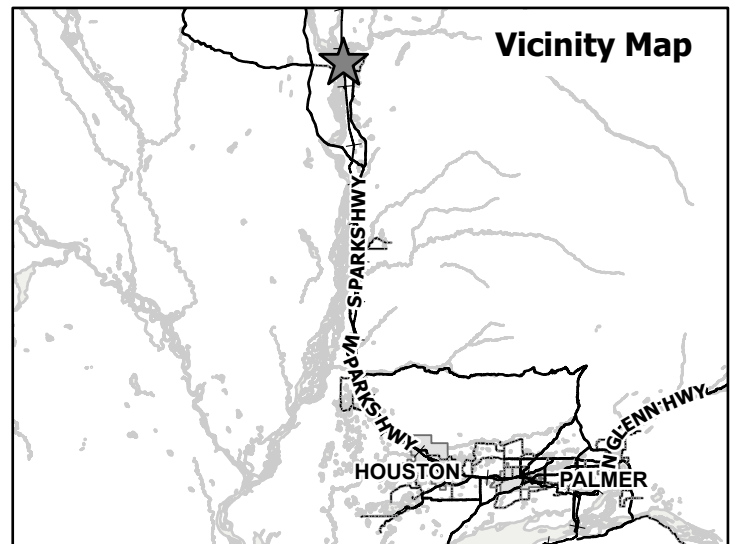
VICINITY MAP



8088B12L014A-1



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 907-861-7858.



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

Matanuska - Susitna Borough
Development Services

SEP 16 2019

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

Received

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
☐ \$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: 26 North Range: SWEST Section: 24, Meridian Seward

MSB Tax Account # 8088B12L014A-1

SUBDIVISION: Talkeetna Township BLOCK(S): 12, LOT(S): 14A-1

STREET ADDRESS: 13605 E. Main Street Talkeetna, AK 99676

(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? ☐ Yes ☐ No ☒ N/A

Name of Property Owner

Nu Aspen, LLC Sassan Massanen

Address: PO Box 1021

Talkeetna, AK 99676

Phne: Hm _____ Fax _____

Wk _____ Cell 907-355-1169

E-mail Sassanmadenlibrewing.com

Name of Agent/ Contact for application

Liz Olberding Architect

Address: 101 State Street

Hood River, OR 97031

Phne: Hm _____ Fax _____

Wk _____ Cell 907-230-9871

E-mail liz@owarch.com

In order to grant a conditional use permit under MSB 17.70, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:	Attached
1. Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	X
2. Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?	X

3. Are sufficient setbacks, lot area, buffers and other safeguards being provided?	X
4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?	X
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?	X
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?	X
7. Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?	X
8. Will access to the premises create an unreasonable traffic hazard?	X
9. Will a reasonably expected increase in traffic overtax the existing road system?	X
10. Is the use compatible with the character of the surrounding neighborhood?	X
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?	X
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?	X
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?	X

Supplemental Information – Explain in Detail	Attached
1. Maximum occupancy capacity of facility as determined by Fire Marshall	TBD
2. Number of employees proposed to work on largest work shift.	25
3. Number of regular parking spaces provided.	9
4. Number of handicapped parking spaces provided.	1
5. Is the use a sole occupant in a building or a tenant in a building?	YES
6. Total square footage of space in building occupied by this use.	Attached; 7,138
7. Hours of operation.	11AM-12AM
8. Noise mitigation measures	YES, Attached

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.	X
2. Dimensions of all structures	X
3. Interior floor plans (specific location of the use or uses to be made of the development)	X
4. Signage – Existing and Proposed	X
5. Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	X
6. Proposed contouring	NA
7. Vegetation and any landscaping	X
8. Buffering – Fences, trees, topography, or berms	X
9. Drainage	NA
10. Vehicular and pedestrian circulation patterns	X
11. Exterior site lighting	X
12. Distance(s) to the nearest intersection in all directions from proposed permit site along roads adjacent to the site.	X
13. Location and dimensions of parking areas to be provided	X
14. Boundary protection	X
15. Scale and north arrow.	X

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

MSB Tax parcel ID #(s) 178020180010 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.

Signature: Property Owner

Printed Name

Date

Signature: Agent

Printed Name

Date

RECEIVED
JUL 24 2019

Attention Matanuska Susitna Borough Planning Department:

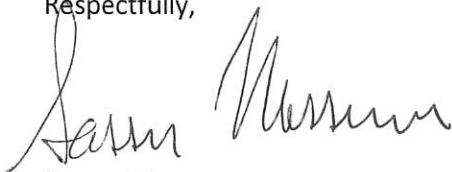
PERMIT CENTER

The purpose for the application contained within is to expand on Talkeetna Restaurant, LLC dba Denali Brewpub's CUP for Beverage Dispensary License (BDL). Increase in year-round special events and the need for greater flexibility in day-to-day operations is leading us to request the expansion of BDL use to the areas listed in the attached drawings.

The area primarily impacted by this expansion will be the second floor. Currently, this area also has an application for expansion of commercial use beyond 4,000 Sq./ft to conform with Talkeetna Special Use District requirements. We respectfully ask the borough staff to consider the two applications for expansion of commercial use and expansion of BDL use at the same time. The projects are related and the ability to address both will facilitate the public's understanding of our ask.

In addition to the two CUP requests is platting work currently taking place to help clean up nonconformities which existed when we purchased the properties. We just celebrated 10 years of running a restaurant and brewery in Talkeetna. We hope our focus on safety, quality, and community can pave the way for many more years of job creation and service. Thank you for the opportunity!

Respectfully,



Sassan Mossanen

Talkeetna Restaurant, LLC dba Denali Brewpub

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

Talkeetna Restaurant, LLC dba Denali Brewpub is located on Main St in downtown Talkeetna. The establishment has a CUP for its current use of a beverage dispensary license. Main Street. is a mixed-use area with many other bars and restaurants servicing locals and visitors. Expansion of the beverage dispensary use will enable Denali Brewpub to better serve the need for banquet and mid-size group gatherings. Enabling the service of alcoholic beverages to guest in these areas would be a service that guests would expect, and not detract from the value, character or integrity of town.

2. Will granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?

Denali Brewpub is an existing business with 10 years of operations experience in Talkeetna. Its existing CUP has been in use since 2013. Expansion of the conditional use will enable Denali Brewpub to better serve visitors and the community. Permitting banquet, conference, or group gathering guests to enjoy alcoholic beverages will not be harmful to the public health, safety, convenience and welfare. Denali Brewpub has a proven track record of responsible service. We expect the project to give existing staff more off season hours and create employment, benefiting our community.

3. Are sufficient setbacks, lot area, buffers and other safeguards being provided?

The property as it currently stands meets all setbacks, lot area, buffers, and safeguards. In an effort to better meet these needs there is a current platting action taking place that will move the western property line further to the west fixing a pre-existing nonconformity. If the platting action is approved, this will create a ten-foot set back on the western property line. The property historically was four separate lots. Previous owners combined the lots to form a single lot. This lot consolidation gave the property enough lot area. This project would keep the Floor to Area (FAR) below the required amount required by the Main St. SPuD.

4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

The use of the building does not create any dust. Hours of operation during the Summer are 11 am to 10pm. Beverage dispensary licenses do permit live entertainment, but Denali Brewpub has not had live entertainment in over 5 years. There are no noise generating actions that would create a negative impact on the properties in the area. All signs and advertising conform to the rules laid out in the Talkeetna Special use district as specified for the Main

Street area. All lights are shielded and down facing. There will be no change to any of these items.

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?

The expansion of the beverage dispensary license within the existing building does not change any of the current flows of traffic or in any way create a negative impact on the safe and efficient flow of traffic.

6. What measures are being proposed to reduce any negative effects upon adjacent and nearby properties by property line buffers and atrial 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 the highways, arterials and collectors and where the surrounding area is predominately residential character of the development?

The property is regularly maintained with flowers and other plants to keep a clean and beautiful appearance. All lights are down facing and shielded to ensure light does not spill on to adjacent properties. Recent remodel work has moved mechanical equipment onto the roof reducing noise and enhancing visual appearance. Employees are encouraged to park outside of downtown area. There is also a fitness challenge that rewards employees for riding bikes or walking to work. The expansion of the beverage dispensary license within the existing building will not change the long-standing mixed-use nature of town.

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

The majority of visitors to Talkeetna's Main Street district arrive by bus, train, or taxi. Currently the property exceeds the number of required parking spots by 5. We do not believe the expansion of the beverage dispensary license is going to significantly increase the demand for parking. The expansion of the Beverage Dispensary will permit us to better serve the customers that already come to town.

8. Will access to the premise create an unreasonable traffic hazard?

The expansion of the Beverage Dispensary License to new service area will not be changing the existing traffic pattern. The existing pattern has been functioning with no hazard that we are aware of. We do not believe issuing the permit will have an impact on the existing traffic pattern.

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

Denali Brewpub is accessed by a State of Alaska maintained road. We do not believe our ability to serve customers in our new service area will create a situation in which the road system will be overtaxed.

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

Talkeetna's Main Street district is home to multiple other restaurants, bars, and food trucks. There are also numerous retail establishments. There are also a handful of residential homes and lodging options in the Main Street district. The use of our Beverage Dispensary License will not impact 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?

Denali Brewpub is a family run, employee owned business that prides itself on responsible service of alcohol. The pub has a restaurant designation which means it is a family friendly environment. We have not seen any increase in crime due to the business operations over the last 10 years. All staff are required to maintain current professional alcohol training certificates. There is a zero-tolerance policy for over service of alcohol. In addition, no persons are allowed on the premise if they are intoxicated. The Brewpub also offers free nightly taxis to customers needing rides back to nearby lodging.

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 last 12 months preceding the application?

No

13. Has the applicant or person with an interest in the application demonstrated that the person is trustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?

The applicant has lived in the Talkeetna area since 1996 with a long history of job creation and responsible service to the community. The applicant has federal manufacturing licenses which require federal background checks. No criminal history, not even any moving violations.

Joseph Metzger

From: Joseph Metzger
Sent: Wednesday, October 2, 2019 11:03 AM
To: Sassan Mossanen
Subject: RE: 3121 & 5269 dba Denali Brewpub Approved AB-14s

Hi Sassan,

Thanks for providing this information. I will incorporate these documents, as well as the AB-03 when I receive that, into your application material. This email was good timing on your part as your CUP applications are next on my list to review. I plan on starting the reviews this afternoon and will let you know in the near future if I need any additional information or clarification on anything. As always if you have any questions, concerns, or need clarification on anything, don't hesitate to contact me.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

From: Sassan Mossanen <sassanm@denalibrewing.com>
Sent: Wednesday, October 2, 2019 10:25 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: FW: 3121 & 5269 dba Denali Brewpub Approved AB-14s

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

Hi Joe,

Just in from AMCO. I will follow with our AB-03 once they get that to us too. In the meantime, is there anything else you all need from us. Hope all is well and as always thank you!

Sassan Mossanen
General Manager
Talkeetna Restaurant, LLC
Talkeetna Alaska

From: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Sent: Wednesday, October 2, 2019 8:29 AM
To: Sassan Mossanen <sassanm@denalibrewing.com>
Cc: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Subject: 3121 & 5269 dba Denali Brewpub Approved AB-14s

Good morning,

Attached are copies of your approved AB-14s for the Denali Brewpub. Once the AB-03 has been approved by the Director, our enforcement team should send you a new Restaurant Designation Permit.

Let me know if you have any questions.

Best,

A handwritten signature in black ink, appearing to read "John Church", written over a horizontal line.

John Church
Occupational Licensing Examiner

Joseph Metzger

From: Joseph Metzger
Sent: Thursday, October 10, 2019 6:10 PM
To: Sassan Mossanen
Subject: RFAI Denali Brewpub CUPs
Attachments: Denali Brewpub Beverage Dispensary RFAI 10-10-19.pdf; Denali Brewpub SPUD RFAI 10-10-19.pdf

Hi Sassan,

Attached, please find two letters requesting additional information for the two CUPs you have requested. Both letters are very similar in terms of what they are requesting, but there are some small differences. While Borough staff is processing the two permit requests simultaneously, each permit is separate and each permit request has a specific file. Staff realizes your additional information submittals may be similar in nature or exact, but please respond to each request separately.

As always if you have any questions or need clarification on anything, don't hesitate to reach out to me.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-8158

www.matsugov.us

October 10, 2019

Sassan Mossanen
Nu Aspen, LLC
Denali Brewpub
PO Box 1021
Talkeetna, AK 99676

SUBJECT: Conditional Use Permit Application – Request for Required Information
LOCATION: 13605 E. Main Street (Tax ID: 5352B12L014A)

Dear Mr. Mossanen,

Borough staff has reviewed the application material and the site plan(s) submitted on September 16, 2019 for a Conditional Use Permit to operate a beverage dispensary under MSB 17.70 on the above referenced property. It has been determined that the following information needs to be provided and/or clarified in order to process this request:

1. Site Plan

- a. The site plans that have been submitted are not to scale. It appears the scale for the diagrams would be accurate, however they have been submitted on a smaller paper size than the drawings are intended to be on. Please provide updated site plans to scale (these can be submitted electronically).
- b. Indicate the current height of the building and the height the building will be after the solar panels have been installed.
- c. As we discussed on the telephone and in person, the new proposed exit stairs from the second floor appear they will be in violation of the required setback (15-feet because the lot is considered a “double frontage” lot). Currently there is a variance that allows the building to be setback 11.15 feet from the alleyway. A structural change to the north side of the building such as an addition of stairs would nullify the current variance and a new variance would be needed. It is unlikely staff would support a new variance request.
- d. Please indicate the following floor area ratios: the current floor area ratio with/without the 10-ft lot addition on the west lot line, the proposed floor area ratio with/without the 10-ft lot addition on the west lot line.
- e. MSB 17.25 requires two off-street parking spaces for employees at the rear of the business. Indicate which parking spaces will be dedicated to employee parking.

2. Narrative/Other

- a. Once it has been determined by the Fire Marshall, provide the maximum occupancy capacity.
- b. Please contact Taunnie Boothby, MSB Planner II, Certified Floodplain Manager, (907-861-8526, Taunnie.boothby@matsugov.us) to determine if any of the work you are doing would require a floodplain development permit, or modification to an existing permit.

Once an application has been determined to be complete, staff will begin the public notice process. Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-7862, or email: joseph.metzger@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,



Joseph Metzger
Planner II
Matanuska-Susitna Borough

Joseph Metzger

From: Liz Olberding <liz@owarch.com>
Sent: Thursday, October 17, 2019 12:45 PM
To: Joseph Metzger
Cc: Sassan Mossanen
Subject: Re: RFAI Denali Brewpub CUPs

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

Hi Joe,

Thank you for the follow up. You are correct that without the 10-ft lot addition, the FAR for the existing lot with the proposed expanded commercial use is .6215. Since this is over the allowed maximum FAR of .60, the expanded commercial use is contingent on adding that 10-ft. I left the .6215 calculation out of the drawings because we did not want to indicate that we are asking for an exception to the .60 FAR max.

We are in the process of re-platting, but have had some delays because of the surveyor's busy schedule. We are hoping that your office can proceed with the review of CUP applications with the condition that the CUP approval is contingent on the plat approval. We are hoping these processes can happen concurrently. Please let me know if that makes sense.

Best,

Liz

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Date: Wednesday, October 16, 2019 at 2:18 PM
To: Liz Olberding <liz@owarch.com>
Cc: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: RE: RFAI Denali Brewpub CUPs

Hello Liz and Sassan,

Just a follow-up regarding the floor area ratio and the below question.

"Please indicate the following floor area ratios: the current floor area ratio with/without the 10-ft lot addition on the west lot line, the proposed floor area ratio with/without the 10-ft lot addition on the west lot line."

Drawing # A1.1 indicates the existing FAR calculation, however it uses the revised lot area after replat (12,644 sf), when the current lot size should be used (11,485 sf).

$6724 \text{ sf} / 11,485 \text{ sf} = .585 \text{ FAR}$.

Also, without the 10-ft lot line addition, it appears the expanded commercial use FAR calculation would exceed the allowable limit.

$7138 \text{ sf} / 11485 \text{ sf} = .6215 \text{ FAR}$

Please clarify the FAR calculations (the current floor area ratio with/without the 10-ft lot addition on the west lot line, the proposed floor area ratio with/without the 10-ft lot addition on the west lot line).

Staff is aware the property is currently being replatted, but thus far only a pre-application meeting with the MSB Platting staff has occurred. Once the FAR calculations are confirmed, we can discuss the next steps of the process.

Respectfully,

Joe Metzger
MSB Planner
907-861-7862

From: Liz Olberding <liz@owarch.com>
Sent: Tuesday, October 15, 2019 8:31 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Cc: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: Re: RFAI Denali Brewpub CUPs

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]
Thank you Joe!

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Date: Monday, October 14, 2019 at 2:11 PM
To: Liz Olberding <liz@owarch.com>
Cc: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: RE: RFAI Denali Brewpub CUPs

Hello Liz,

I have received your revised drawings and narrative for the expanded commercial use and dispensary CUP. I will review the additional information and let you know if anything else is needed, or if the application(s) are complete. Once the applications are deemed complete, we can start the public notice process and schedule the CUP hearings. If you have any questions or concerns, don't hesitate to contact me.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

From: Liz Olberding <liz@owarch.com>
Sent: Monday, October 14, 2019 11:44 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Cc: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: RE: RFAI Denali Brewpub CUPs

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

Attached are revised drawings for the expanded commercial use and dispensary CUPs, along with a narrative describing the expanded commercial use for the Denali Brewpub. I believe we have addressed all of the issues listed in the two letters, but please let me know if you have further questions.

Thank you,

Liz

Liz Olberding AIA
ARCHITECT
104 Sherman Avenue
Hood River, Oregon
907 230 9871

Denali Brewpub SPUD RFAI

October 14, 2019



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

Talkeetna Restaurant, LLC dba Denali Brewpub is located on Main St in downtown Talkeetna. The establishment has a CUP for its current use of a commercial space over 4000 sqft. Main Street. is a mixed-use area with many other bars and restaurants servicing locals and visitors. Expansion of the commercial use will enable Denali Brewpub to better serve the need for banquet and mid-size group gatherings. Enabling service to guest in these areas listed would not detract from the value, character or integrity of town.

2. Will granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?

Denali Brewpub is an existing business with 10 years of operations experience in Talkeetna. Its existing CUP has been in use since 2013. Expansion of the conditional use will enable Denali Brewpub to better serve visitors and the community. Permitting banquet, conference, or group gathering will not be harmful to the public health, safety, convenience and welfare. Denali Brewpub has a proven track record of responsible service. We expect the project to give existing staff more off season hours and create employment, benefiting our community.

3. Are sufficient setbacks, lot area, buffers and other safeguards being provided?

The property as it currently stands meets all setbacks, lot area, buffers, and safeguards. In an effort to better meet these needs there is a current platting action taking place that will move the western property line further to the west fixing a pre-existing nonconformity. If the platting action is approved, this will create a ten-foot set back on the western property line. The property historically was four separate lots. Previous owners combined the lots to form a single lot. This lot consolidation gave the property enough lot area. This project would keep the Floor to Area (FAR) below the required amount required by the Main St. SPuD.

4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

The use of the building does not create any dust. Hours of operation during the Summer are 11 am to 10pm. Beverage dispensary licenses do permit live entertainment, but Denali Brewpub has not had live entertainment in over 5 years. There are no noise generating actions that would create a negative impact on the properties in the area. All signs and advertising conform to the rules laid out in the Talkeetna Special use district as specified for the Main Street area. All lights are shielded and down facing. There will be no change to any of these items.

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?

The expansion of commercial use within the existing building does not change any of the current flows of traffic or in any way create a negative impact on the safe and efficient flow of traffic.

6. What measures are being proposed to reduce any negative effects upon adjacent and nearby properties by property line buffers and atrial 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 the highways, arterials and collectors and where the surrounding area is predominately residential character of the development?

The property is regularly maintained with flowers and other plants to keep a clean and beautiful appearance. All lights are down facing and shielded to ensure light does not spill on to adjacent properties. Recent remodel work has moved mechanical equipment onto the roof reducing noise and enhancing visual appearance. Employees are encouraged to park outside of downtown area. There is also a fitness challenge that rewards employees for riding bikes or walking to work. The expansion of commercial use within the existing building will not change the long-standing mixed-use nature of town.

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

The majority of visitors to Talkeetna's Main Street district arrive by bus, train, or taxi. Currently the property exceeds the number of required parking spots by 5. We do not believe the expansion of the commercial use is going to significantly increase the demand for parking. The expansion of the commercial use will permit us to better serve the customers that already come to town.

8. Will access to the premise create an unreasonable traffic hazard?

The expansion of commercial use to new service area will not be changing the existing traffic pattern. The existing pattern has been functioning with no hazard that we are aware of. We do not believe issuing the permit will have an impact on the existing traffic pattern.

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

Denali Brewpub is accessed by a State of Alaska maintained road. We do not believe our ability to serve customers in our new service area will create a situation in which the road system will be overtaxed.

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

Talkeetna's Main Street district is home to multiple other restaurants, bars, and food trucks. There are also numerous retail establishments. There are also a handful of residential homes and lodging options in the Main Street district. The greater use of our existing building will not impact 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?

Denali Brewpub is a family run, employee owned business that prides itself on responsible service of alcohol. The pub has a restaurant designation which means it is a family friendly environment. We have not seen any increase in crime due to the business operations over the last 10 years. All staff are required to maintain current professional alcohol training certificates. There is a zero-tolerance policy for over service of alcohol. In addition, no persons are allowed on the premise if they are intoxicated. The Brewpub also offers free nightly taxis to customers needing rides back to nearby lodging.

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 last 12 months preceding the application?

No

13. Has the applicant or person with an interest in the application demonstrated that the person is trustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?

The applicant has lived in the Talkeetna area since 1996 with a long history of job creation and responsible service to the community. The applicant has federal manufacturing licenses which require federal background checks. No criminal history, not even any moving violations.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF FIRE AND LIFE SAFETY
Plan Review Bureau - Anchorage

5700 East Tudor Road
Anchorage, Alaska 99507-1225
Main: 907.269.2004
Fax: 907.269.0098

June 30, 2020

Sassan Mossanen
Twister Creek LLC
P.O. Box 1021
Talkeetna, AK 99676

SUBJECT: Twister Creek Restaurant & Denali Brewpub -
Renovation / Remodel
CITY: Talkeetna
PLAN REVIEW: 2019Anch1775
TYPE OF CONSTRUCTION: VA
OCCUPANCY: A-2
2012 INTERNATIONAL BUILDING AND FIRE CODE

Dear Sassan Mossanen:

Plans for the Renovation / Remodel have been reviewed by this office for conformity with the State Fire Safety Regulations and are hereby approved. Enclosed is a certificate of approval that must be posted on the premises until the project has been completed according to the approved plans and all regulations have been adhered to.

Approval of submitted plans is not approval of omissions or oversights by this office or noncompliance with any applicable regulations of the Municipal Government.

It must be understood that the inclusion of and compliance with State Fire Safety Regulations does not preclude the necessity of compliance with the requirements of local codes and ordinances.

If we can be of further assistance in this matter, please feel free to contact us at the address above.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Medina".

Greg Medina
Plans Examiner

Enclosure: Approval Certificate

State of Alaska
Office of the State Fire Marshal
Plan Review

This is to certify that the plans for this building were reviewed by the *State Fire Marshal* on June 30, 2020 for conformance with AS 18.70.010 -- 100; 13 AAC 50.027.

This certificate shall be posted in a conspicuous place on the premises named Twister Creek Restaurant & Denali Brewpub and shall remain posted until construction is completed.

NOTICE: Any changes or modifications to the approved plans **must** be resubmitted for review by the *State Fire Marshal*.

Plan Review #: **2019Anch1775**

By: 

Authority: AS 18.70.080
Form: 12-741
(6/01)

Renovation / Remodel ONLY

Greg Medina
Plans Examiner

SITE PLAN

RECEIVED
JAN 11 2021
MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

SITE PLAN NOTES

LOT AREA:

12,941 SF

1

EXISTING FAR CALCULATION:

FIRST FLOOR AREA:

4,206 SF

SECOND FLOOR AREA:

2,518 SF

TOTAL BUILDING AREA:

6,724 SF

FAR:

6,724 SF / 12,941 SF = .52 FAR

FAR CALCULATION WITH PROPOSED EXPANDED COMMERCIAL USE:

FIRST FLOOR AREA:

4,206 SF

SECOND FLOOR AREA:

2,932 SF

TOTAL BUILDING AREA:

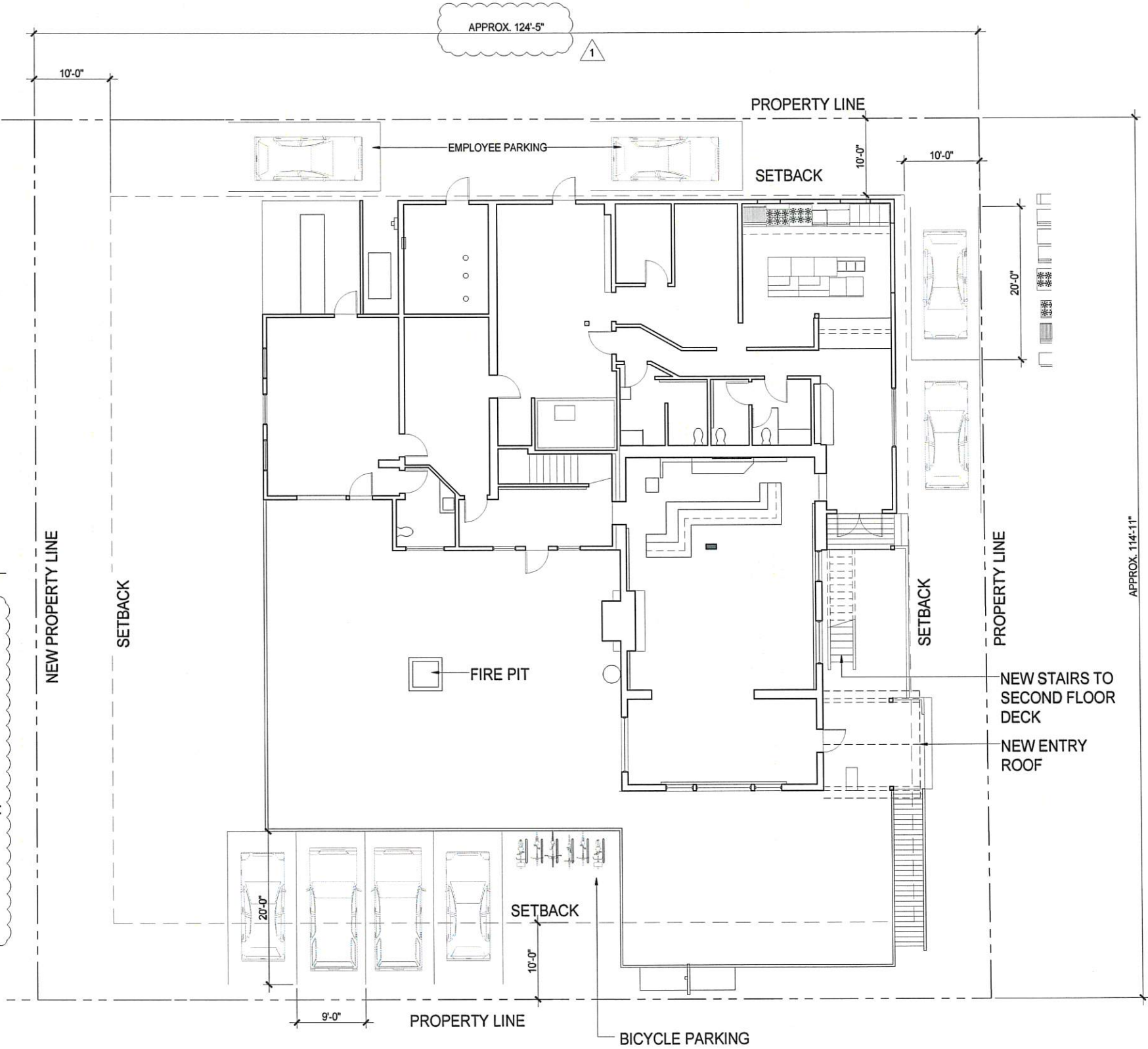
7,138 SF

FAR:

7,138 SF / 12,941 SF = .552 FAR

BUILDING HEIGHT:

EXISTING BUILDING HEIGHT: 23'-2"
HEIGHT TO TOP OF SOLAR PANELS: 27'-4"



MAIN STREET

1 SITE PLAN
1/8" = 1'-0" (ON 22X34) 1/16" = 1'-0" (ON 11X17)



DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

DATE: 1 JANUARY 11, 2021
REVISED

SUBMITTAL:
PERMIT DRAWINGS

DRAWING TITLE:
SITE PLAN

DRAWING NUMBER:

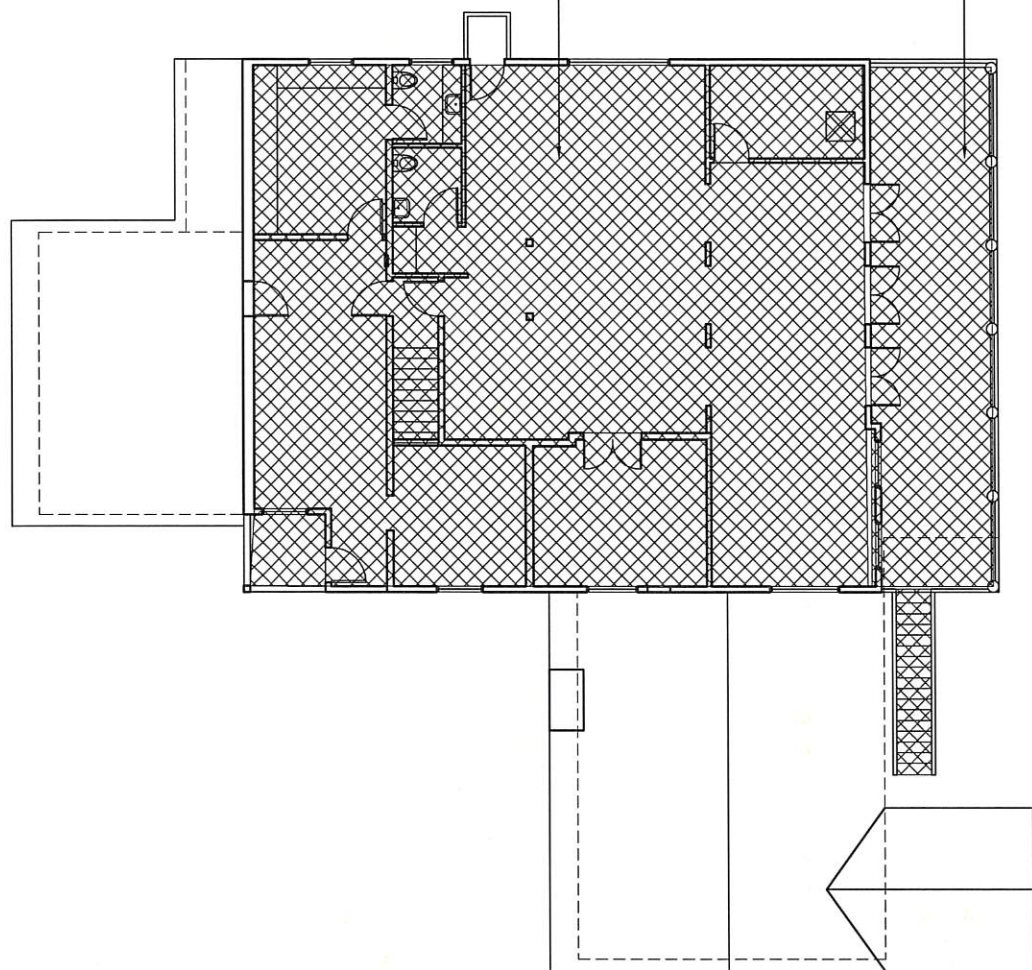
A1.1

RECEIVED
OCT 14 2019

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

NEW INTERIOR SERVICE AREA:
2,364 SF

NEW EXTERIOR SERVICE AREA:
512 SF



2 SECOND FLOOR PLAN

1/8" = 1'-0" (ON 22X34) 1/16" = 1'-0" (ON 11X17)

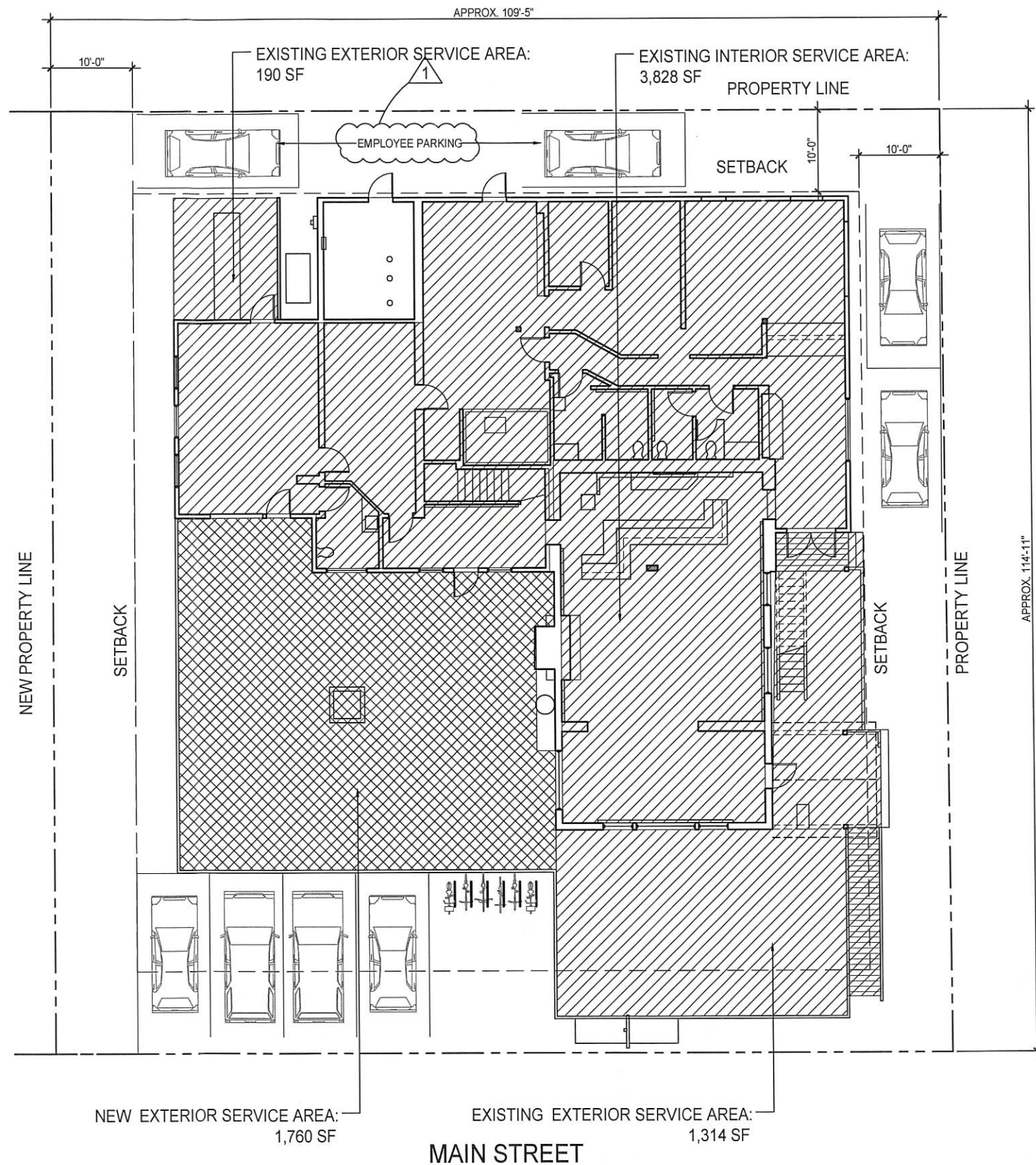
AREA SUMMARY

PLANS INDICATE THE EXTENT OF EXISTING AND EXPANDED BEVERAGE DISPENSARY.

FIRST FLOOR	EXISTING	ADDITIONAL	TOTAL
INTERIOR DISPENSARY AREA:	3,828 SF	0 SF	3,828 SF
EXTERIOR DISPENSARY AREA:	1,504 SF	1,760 SF	2,386 SF

SECOND FLOOR:	EXISTING	ADDITIONAL	TOTAL
INTERIOR DISPENSARY AREA:	0 SF	2,364 SF	2,364 SF
EXTERIOR DISPENSARY AREA:	0 SF	512 SF	512 SF

BUILDING HEIGHT:
EXISTING BUILDING HEIGHT: 23'-2"
HEIGHT TO TOP OF SOLAR PANELS: 27'-4"



1 FIRST FLOOR PLAN

1/8" = 1'-0" (ON 22X34) 1/16" = 1'-0" (ON 11X17)



DENALI BREWPUB

Talkeetna, Alaska

Liz Olberding
ARCHITECT

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OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
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Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

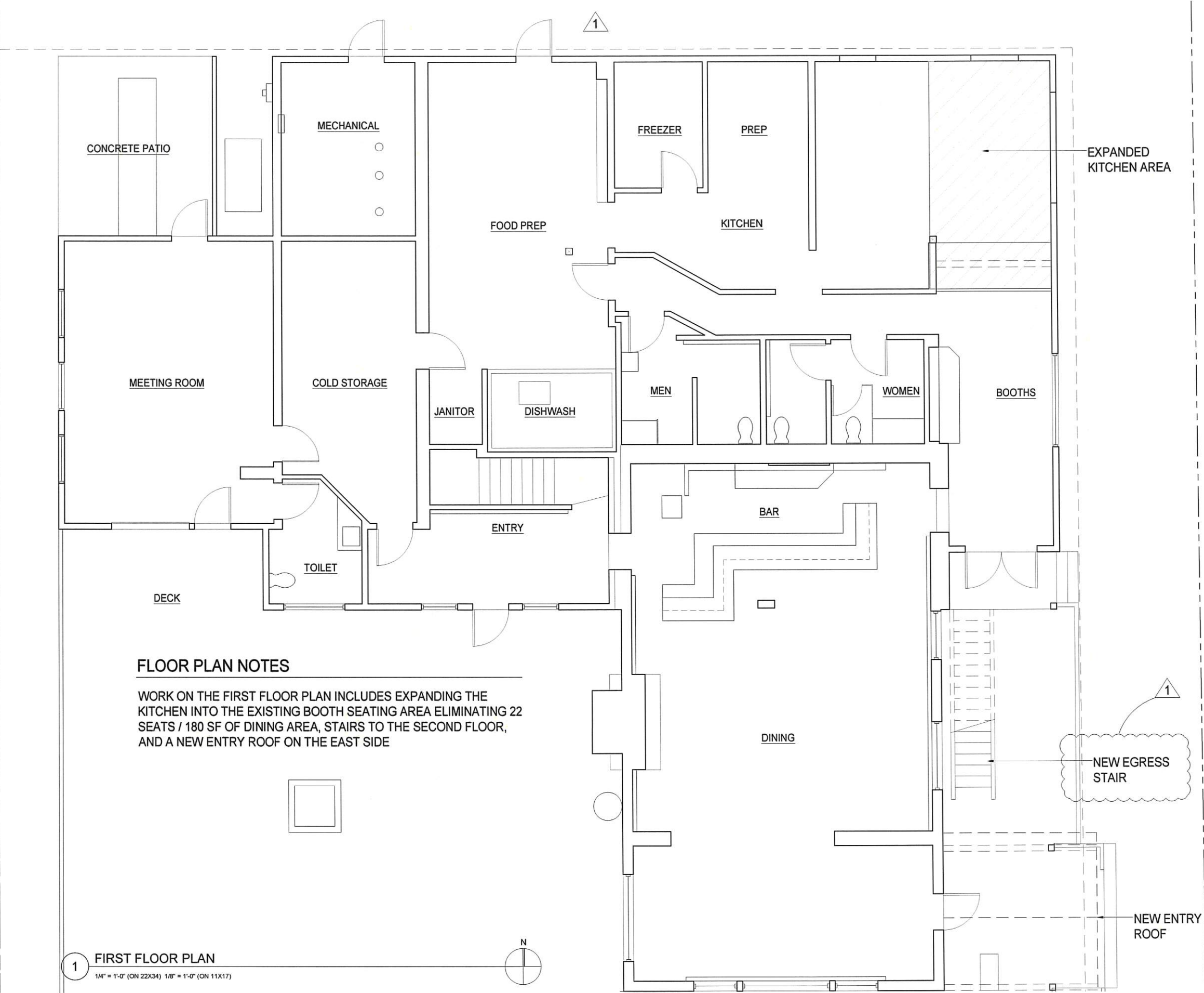
DATE:
OCTOBER 14, 2019

SUBMITTAL:
PLAN REVIEW SUBMITTAL

DRAWING TITLE:
SITE PLAN

DRAWING NUMBER:

A1.2



RECEIVED
JAN 11 2021
MATANUSKA-SUSTITNA BOROUGH
DEVELOPMENT SERVICES

DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

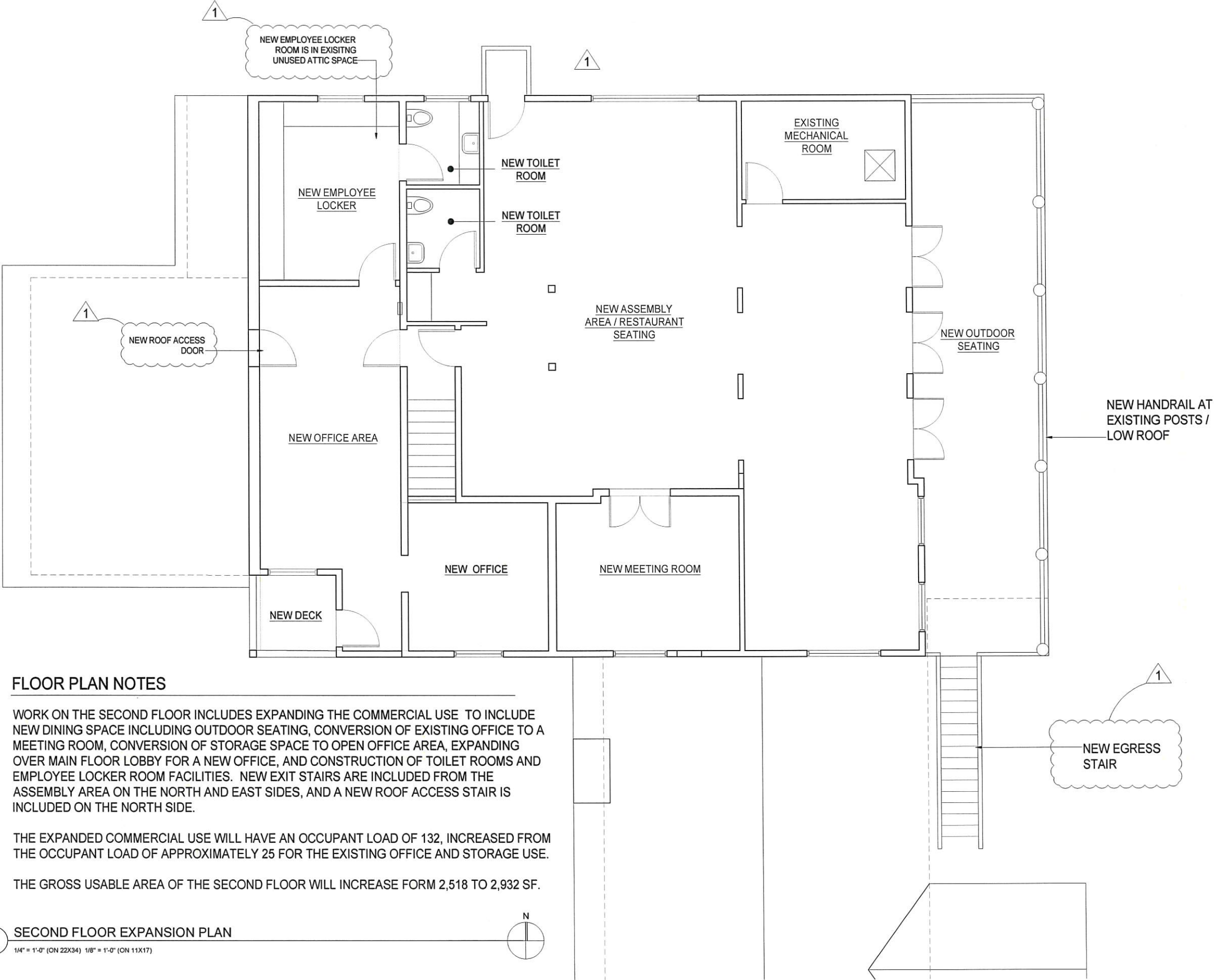
DATE:
REVISION
OCTOBER 14, 2019

SUBMITTAL:
PLAN REVIEW SUBMITTAL

DRAWING TITLE:
FLOOR PLANS

DRAWING NUMBER:

A2.1



RECEIVED
JAN 11 2021
MATANUSKA-SUSTITNA BOROUGH
DEVELOPMENT SERVICES

DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

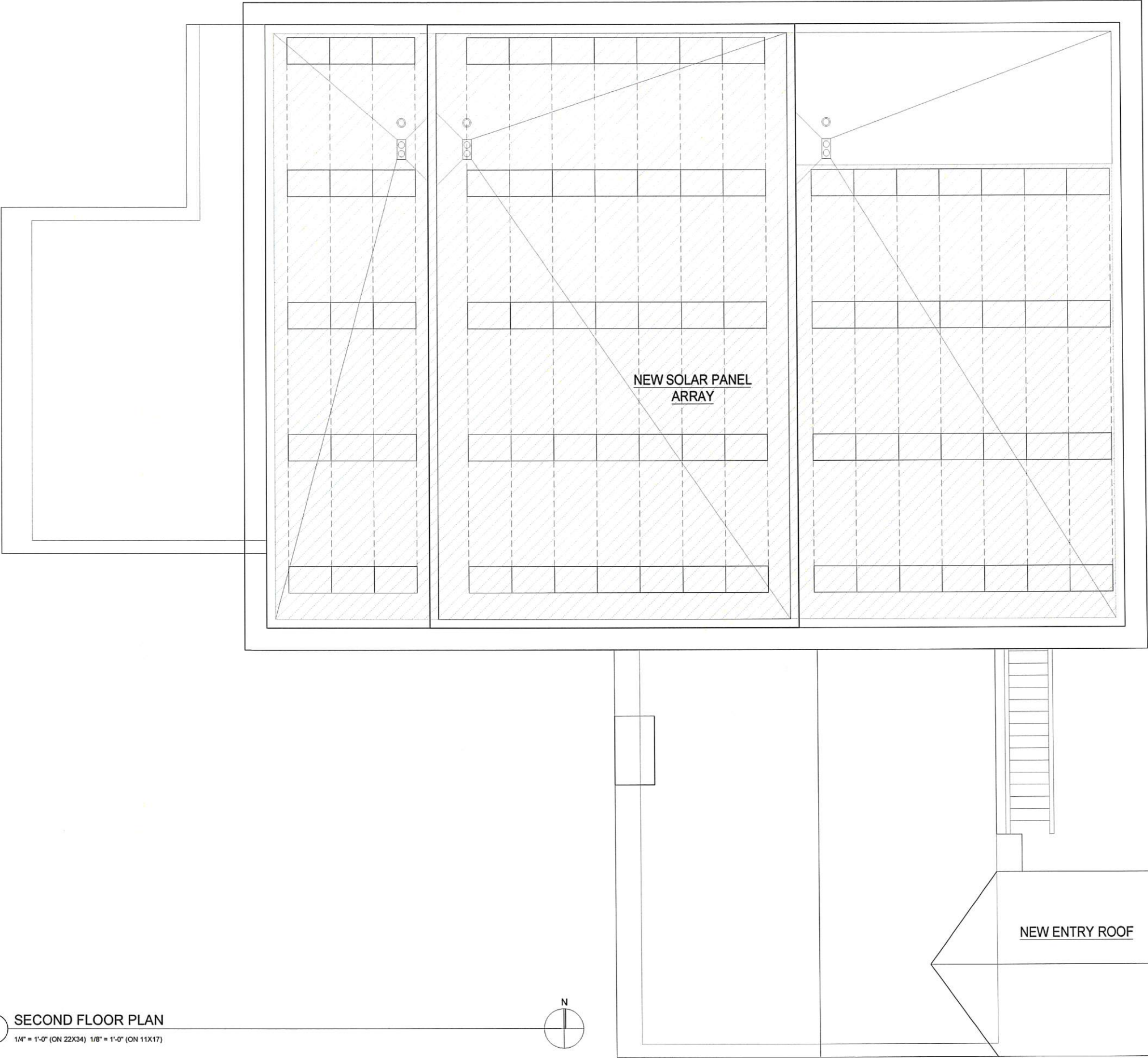
DATE:
REVISION
OCTOBER 14, 2019

SUBMITTAL:
PLAN REVIEW SUBMITTAL

DRAWING TITLE:
FLOOR PLANS

DRAWING NUMBER:

A2.2



RECEIVED
JAN 11 2021
MATANUSKA-SUSTNA BOROUGH
DEVELOPMENT SERVICES

DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

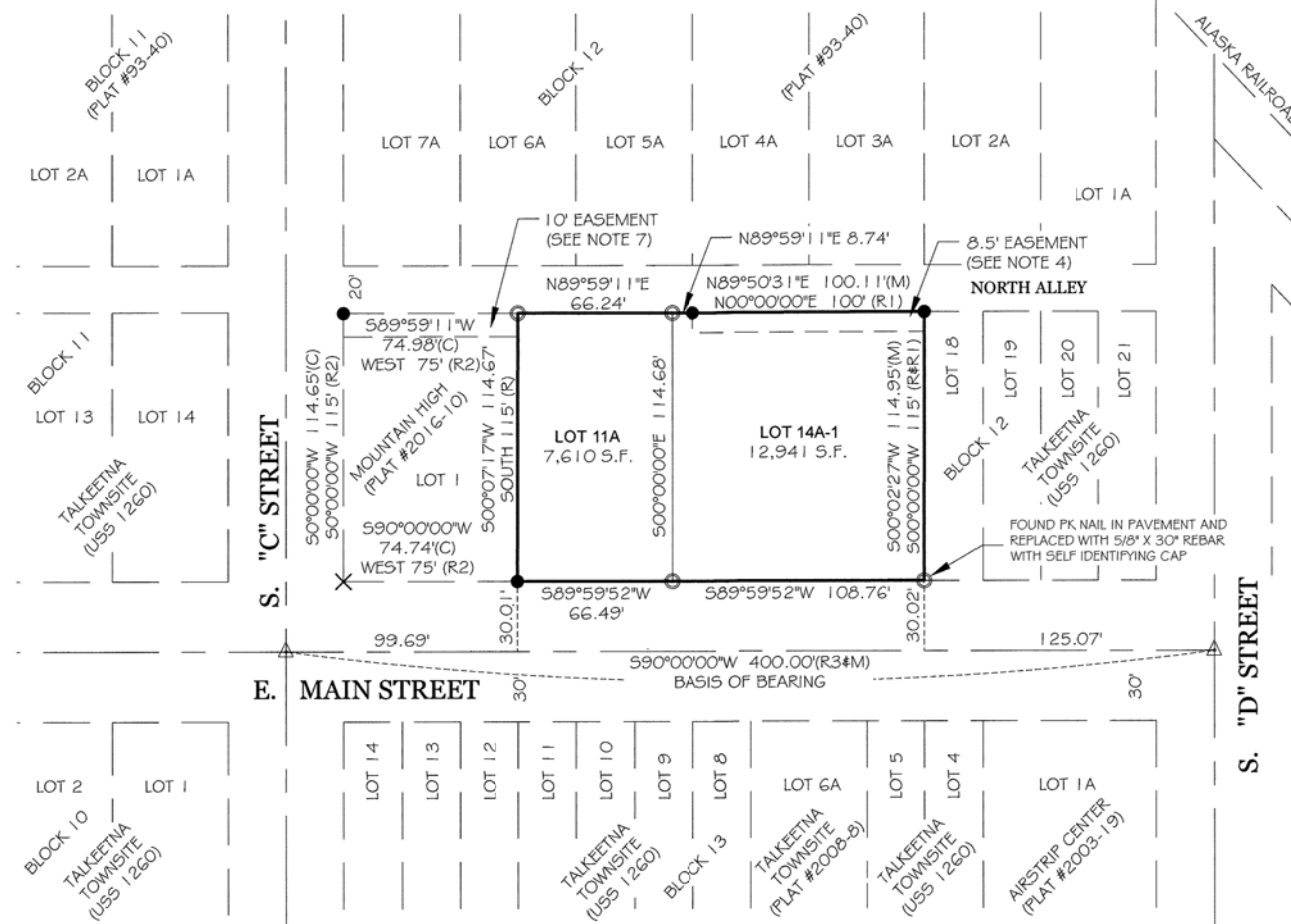
DATE:
REVISION
OCTOBER 14, 2019

SUBMITTAL:
PLAN REVIEW SUBMITTAL

DRAWING TITLE:
ROOF PLAN

DRAWING NUMBER:

A2.3



NOTES:

1. THERE MAY BE FEDERAL, STATE, AND LOCAL REQUIREMENTS GOVERNING LAND USE. THE INDIVIDUAL PARCEL OWNER SHALL OBTAIN A DETERMINATION WHETHER THESE REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN ON THE PLAT TO BE RECORDED.
2. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEMS ARE ALLOWED IN THIS SUBDIVISION. THESE LOTS ARE SERVED BY THE TALLEKETA WATER AND SEWER SYSTEMS.
3. THIS SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA DESIGNATED AN AE ZONE, AN AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE OF FLOOD RISK DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. DEVELOPMENT WITHIN THIS AREA MUST CONFORM TO MSB 17.29 FLOOD DAMAGE PREVENTION ORDINANCES. BASE FLOOD ELEVATION IS APPROXIMATELY 349 FEET ABOVE MEAN SEA LEVEL ACCORDING TO FIRM MAP O2170C2803E DATED MARCH 17, 2011.
4. 8.5 FEET WIDE MATANUSKA ELECTRIC ASSOCIATION, INC. EASEMENT FOR ELECTRICAL TRANSMISSION AND/OR TELEPHONE DISTRIBUTION AND INCIDENTAL PURPOSES RECORDED JUNE 16, 1999 IN BOOK 171 ON PAGE 509 IN THE TALLEKETA RECORDING DISTRICT.
5. 10 FEET WIDE MATANUSKA ELECTRIC ASSOCIATION, INC. EASEMENT AS SHOWN ON PLAT #2016-10 RECORDED IN BOOK 153 ON PAGE 156 IN THE TALLEKETA RECORDING DISTRICT.

PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NUMBER 2020-144, DATED 7-09-2020, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA IN WHICH THE PLAT IS LOCATED.

12:30, 2020
PLANNING AND LAND USE DIRECTOR

ATTEST: Kennedy G. McClure
PLATTING CLERK



LEGEND

- FOUND 5/8" REBAR
 - △ FOUND PK NAIL IN PAVEMENT
 - SET 5/8" X 30" REBAR WITH 1-1/4" RED PLASTIC CAP (LS-11004)
 - × COMPUTED POSITION
- (R) RECORD TALLEETNA TOWNSITE (USS 1260)
- (R1) RECORD PLAT #2003-5
- (R2) RECORD PLAT #2016-10
- (R3) RECORD PLAT #2003-19

CERTIFICATE OF OWNERSHIP

I CERTIFY THAT I AM THE OWNER OF THE
PROPERTY SHOWN AND DESCRIBED IN THE
PLAN AND THAT I ADOPT THIS PLAN OF
SUBDIVISION BY MY FREE CONSENT.

SEE AFFIDAVIT

SASSAN MOSSANEN, TRUSTEE
SASSAN AND KRISTY MOSSANEN LIVING TRUST
PO BOX 278
TALKEETNA, ALASKA 99676

CERTIFICATE OF OWNERSHIP

I CERTIFY THAT I AM THE OWNER OF THE
PROPERTY SHOWN AND DESCRIBED IN THE
PLAN AND THAT I ADOPT THIS PLAN OF
SUBDIVISION BY MY FREE CONSENT.

SEE AFFIDAVIT

SASSAN MOSSANEN,MANAGER/MEMBER
NU ASPEN, LLC
PO BOX 278
TALKEETNA, ALASKA 99676

CERTIFICATION OF PAYMENT OF TAXES

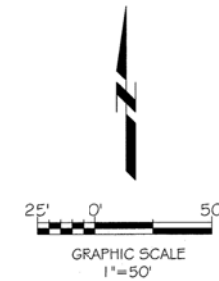
I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS, THROUGH 12-31, 2020, AGAINST THE PROPERTY, INCLUDED IN THE SUBDIVISION OR RESUBDIVISION, HEREON HAVE BEEN PAID.

[Signature]
BOROUGH TAX COLLECTION OFFICIAL

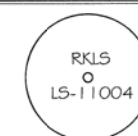
SURVEYOR'S CERTIFICATE

I, RICHARD L. WENTWORTH, PLS#11004, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Richard Wentworth
RICHARD L. WENTWORTH, PLS#11004

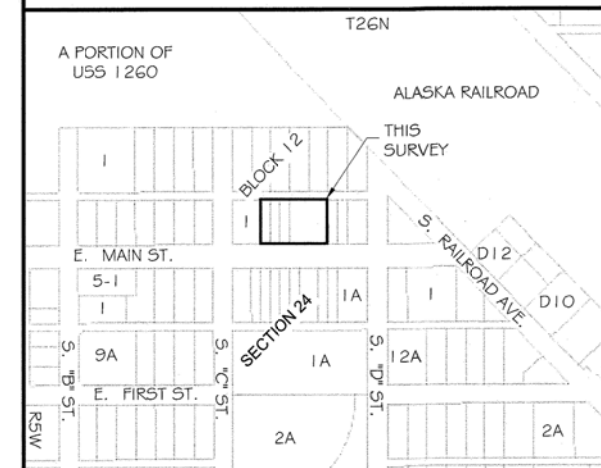


**TYPICAL RED
PLASTIC CAP SET**



VICINITY MAP

1" = 300 FEET



R+K LAND SURVEYING, LLC
27250 WEST LONG LAKE ROAD
PO BOX 606
WILLOW, ALASKA 99688
(907) 495-0047
#156327

PLAT OF
TALKEETNA TOWNSITE
US SURVEY 1260
LOTS 11A & 14A-1, BLOCK 12

A RESUBDIVISION OF LOTS 11, 12 AND 13 BLOCK 12 WITHIN
TALKEETNA TOWNSITE, ACCORDING TO US SURVEY 1260 AND
LOT 14A BLOCK 12 WITHIN TALKEETNA TOWNSITE, ACCORDING
TO PLAT #2003-5, CONTAINING APPROXIMATELY 0.47 ACRES
LOCATED WITHIN SECTION 24, T26N, R5W, S.M., ALASKA

TALKEETNA RECORDING DISTRICT,
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

THIRD JUDICIAL DISTRICT, STATE OF ARIZONA		MSB TAX MAP: TA 06
JOB NUMBER: 2019-181	CASE NUMBER:	
FIELD BOOK: RKL5 2020-01 RKL5 2020-05	DATE: 12-23-2020	REVISION: XXXX
DRAWN BY: RLW CHECKED BY: KEW	SCALE: 1" = 50'	SHEET: 1 OF 1

R&K LAND SURVEYING, LLC

Conditional Use Permit

#177020130004



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#: 177020130004

ACTION: In accordance with Matanuska-Susitna Borough Code 17.70, a conditional use permit for the operation of a liquor beverage dispensary, known as Twister Creek Restaurant, is hereby granted as referenced within this document.

EFFECTIVE DATE: November 4, 2013

PERMITTED SITE: Talkeetna Townsite, Block 12, Lot 14A; 13605 E. Main Street; within Township 26 North, Range 5 West, Section 24, Seward Meridian

PERMITTEE: Talkeetna Restaurant LLC
P.O. Box 1021
Talkeetna, AK 99676

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. If the operation expands or alters, an amendment to the conditional use permit shall be required.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 – Noise, Amplified Sound, and Vibration.

4. The operation shall comply with the requirements of the Talkeetna Special land Use District Conditional Use Permit (Permit# 172520130001).
5. The privacy fence on the west property line shall be maintained.
6. The conex, tasting and grain rooms, and shed buffer building shall be removed by November 30, 2015.

This permit is approved by Matanuska-Susitna Borough Planning Commission Resolution No. 13-42(AM) , passed on November 4, 2013. Copies 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. 13-42 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITONAL USE PERMIT UNDER MSB 17.70 FOR THE OPERATION OF A LIQUOR BEVERAGE DISPENSARY AT TWISTER CREEK RESTAURANT, LOCATED ON BLOCK 12, LOT 14A, TALKEETNA TOWNSITE, 13605 E. MAIN STREET, WITHIN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTION 24, SEWARD MERIDIAN

WHEREAS, an application has been received from Nu Aspen LLC dba Twister Creek Restaurant, for a conditional use permit under MSB 17.70 for the operation of a liquor beverage dispensary; and

WHEREAS, a liquor beverage dispensary is only permitted upon the issuance of a conditional use 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, Twister Creek Restaurant and Denali Brewing Company have been operating at this location since 2009; and

WHEREAS, Twister Creek Restaurant currently operates a restaurant/eating place (beer and wine) liquor license and Denali Brewing Company operates a brewery at this location; and

WHEREAS, the beverage dispensary license will allow the two operations to consolidate the brewery and restaurant into a brewpub; and

WHEREAS, Twister Creek Restaurant is located within the Main Street Talkeetna District in the Talkeetna Special Land Use District; and

WHEREAS, Twister Creek Restaurant is located on Main Street in downtown Talkeetna, which is a mix of commercial and residential uses; and

WHEREAS, there are several other restaurant establishments on Main Street that serve alcohol; and

WEHREAS, the proposed use is consistent with the goals and policies of the Talkeetna Comprehensive Plan (1998) and the Matanuska-Susitna Borough Comprehensive Plan (2005 Update; and

WHEREAS, the conditional use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area; and

WHEREAS, the deck is fenced and he beer garden area is delineated, which indicate the areas that alcoholic beverages can be served; and

WHEREAS, Twister Creek staff monitors the deck and beer garden; and

WHEREAS, the hours of operation fall between 11 a.m. and 11 p.m. year round; and

WHEREAS, live music and entertainment are not regularly scheduled; and

WHEREAS, the operation will be required to comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, there is not a church or school within at least one-quarter of a mile from this facility; and

WHEREAS, the applicant has met conditions of approval for the beverage dispensary license from the State of Alaska, Alcoholic Beverage Control Board, contingent upon approval of the Borough conditional use permit; and

WHEREAS, the Talkeetna Community Council has no objections to this proposed conditional use permit; and

WHEREAS, the conditional use should not be harmful to the public health, safety, convenience and welfare; and

WHEREAS, the building will be in compliance with the setback requirements after the tasting and grain rooms are removed; and

WHEREAS, the shed buffer structure will also be removed since it is set back less than ten feet from the lot line; and

WHEREAS, the lot is 11,500 square feet in size and exceeds the minimum lot area requirements in the Main Street Talkeetna District; and

WHEREAS, there is an eight foot high privacy fence on the west side of the lot; and

WHEREAS, sufficient setbacks, lot area, buffers or other safeguards are being provided; and

WHEREAS, there are two building mounted signs on the front side of the building and two lighted pole signs on the front

side of the lot; and

WHEREAS, there are downward directional building mounted lights around the building and two pole lights on the front part of the lot; and

WHEREAS, the parking areas are paved; and

WHEREAS, there should not be any negative effects upon the properties in the area due to such factors as dust, obtrusive advertising and glare; 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 to parking areas; and

WHEREAS, Twister Creek Restaurant is an established business; 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, the building was in existence and used for several different commercial uses prior to Twister Creek Restaurant purchasing the property; and

WHEREAS, measures are in place to reduce any negative effect upon adjacent and nearby properties; and

WHEREAS, there are two off-street parking spaces provided for employees, which exceeds the MSB 17.25 district parking

requirements and seven off-street parking spaces provided for patrons; and

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

WHEREAS, Twister Creek Restaurant has an approved Borough driveway permit; and

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

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

WHEREAS, the proposed development will be decreasing the size of the operation at this location; and

WHEREAS, traffic should not overtax existing road systems; and

WHEREAS, the operation of a beverage dispensary license at this location 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 of which one was alcohol-related; and

WHEREAS, the Alcoholic Beverage Control Board (ABC) has no

record of violations by Twister Creek Restaurant; and

WHEREAS, the applicant has not had a liquor license suspended or revoked in the 12 months preceding the application; 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 permit for the operation of a liquor beverage dispensary at Twister Creek Restaurant 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, an amendment to the conditional use permit shall be required.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration.
4. The operation shall comply with the requirements of the Talkeetna Special Land Use District Conditional

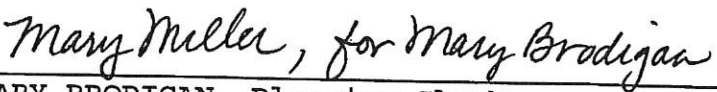
Use Permit (Permit# 172520130001).

5. The privacy fence on the west property line shall be maintained.
6. The conex, tasting and grain rooms, and shed buffer building shall be removed by November 30, 2015.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 4th day of November, 2013.


JOHN KLAPPERICH, Chair

ATTEST:


MARY BRODIGAN, Planning Clerk

(SEAL)

PASSED UNANIMOUSLY: Endle, Healy, Klapperich, Walden, Haller, Adams, and Rauchenstein

**Twister Creek Restaurant
Conditional Use Permit
Application Drawings**

**OLBERDING WHITE
ARCHITECTS**

Life Guarding ASA LEED AP
Erica White AIA

704 West 2nd Ave, Suite A
Anchorage, Alaska 99501

Office: 907 646 8060
Web: www.7north.com

QUEST:

Dorall Printing Company
P.O. Box 1021
Tulsa, Alaska 99505

SITE ADDRESS:

MAY 30, 2011

DATE: _____

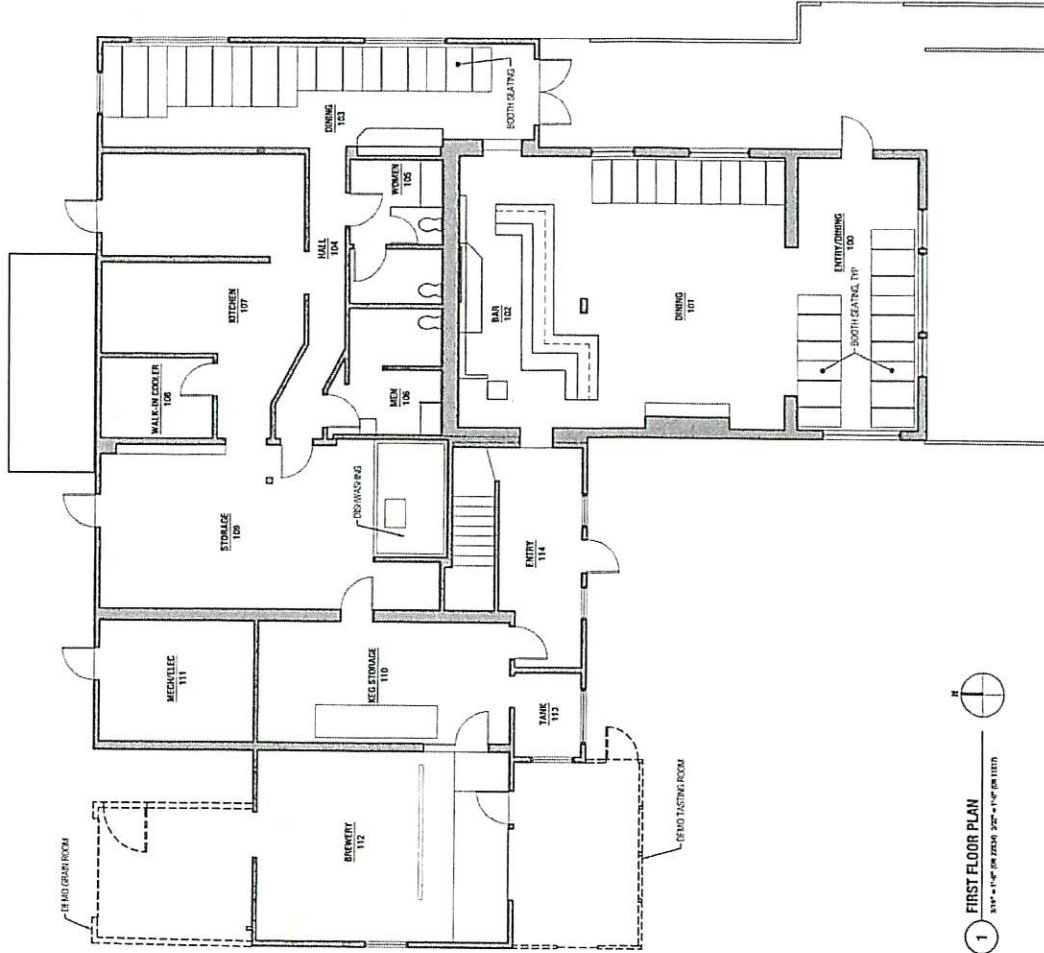
DISCUSSION

CUP Application

DONOR INFO:

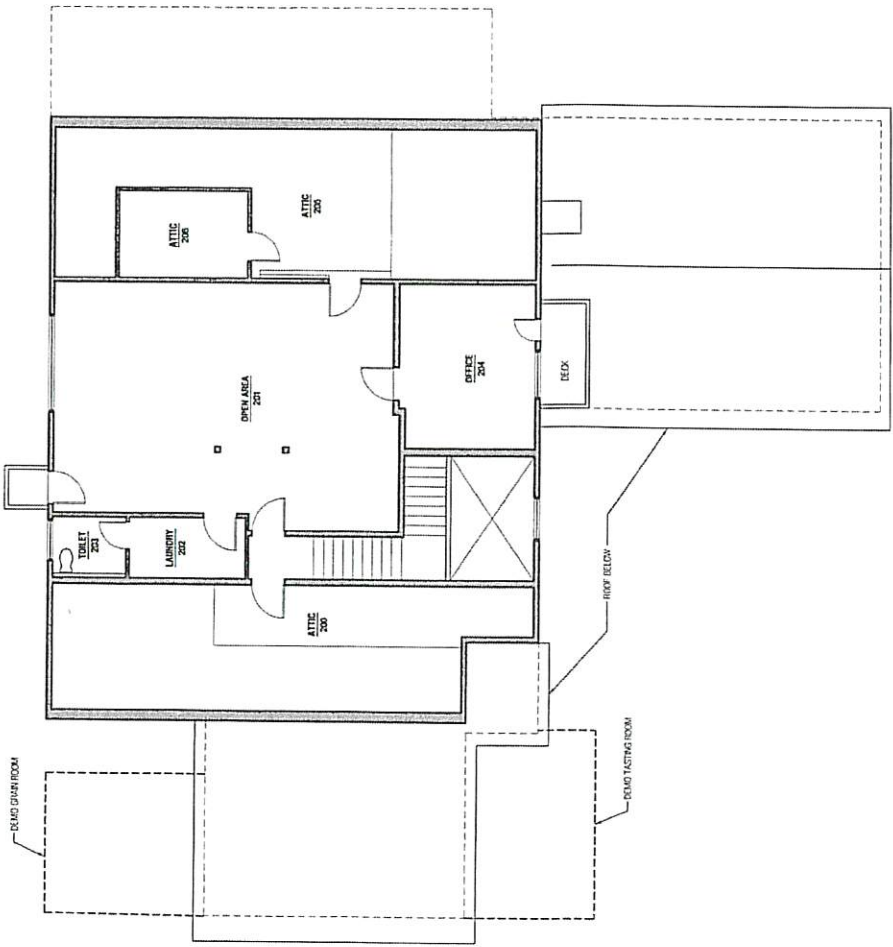
DRAWING NUMBER

A2.01



FIRST FLOOR PLAN

319° = 1° 42' 50" 2010 319° = 1° 42' 50" 2010



1 SECOND FLOOR PLAN
3/18/21 1/4" = 1'-0" (SEE NOTES)

Twister Creek Restaurant
Application Drawings
Conditional Use Permit
Talkleeta, A'

OLBERDING WHITE
ARCHITECTS

12000 CHERRY AVENUE, SUITE 100
TALKEETA, ALASKA 99576
PHONE: 907.646.8000
WWW.OWARCHITECTS.COM

CLIENT: Twister Creek Restaurant
PROJECT: Twister Creek Restaurant
TALKEETA, ALASKA 99576

SITE ADDRESS: 12000 Cherry Avenue
TALKEETA, ALASKA 99576

DATE: May 30, 2021

SUBMITTAL: CUP Application

DRAWING TITLE: Second Floor Plan

DRAWING NUMBER: A2.01

Conditional Use Permit

#172520130001



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

TALKEETNA SPECIAL LAND USE DISTRICT CONDITIONAL USE PERMIT

PERMIT#: 172520130001

ACTION: In accordance with Matanuska-Susitna Borough Code 17.25, a conditional use permit for a commercial use larger than 4,000 square feet in the Main Street Talkeetna District at Twister Creek Restaurant is hereby granted as referenced within this document.

EFFECTIVE DATE: November 4, 2013

PERMITTED SITE: Talkeetna Townsite, Block 12, Lot 14A; 13605 E. Main Street; within Township 26 North, Range 5 West, Section 24, Seward Meridian

PERMITTEE: Talkeetna Restaurant LLC
P.O. Box 1021
Talkeetna, AK 99676

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.

Specific Conditions of the Permit:

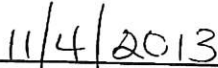
1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. If the operation expands or alters, an amendment to the conditional use permit shall be required.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 – Noise, Amplified Sound, and Vibration.
4. The operation shall comply with the requirements of the Alcoholic Beverage Use Conditional Use Permit (Permit# 177020130004).
5. The fence on the west property line shall be maintained.

6. The conex, tasting and grain rooms and shed buffer building shall be removed by November 30, 2015.

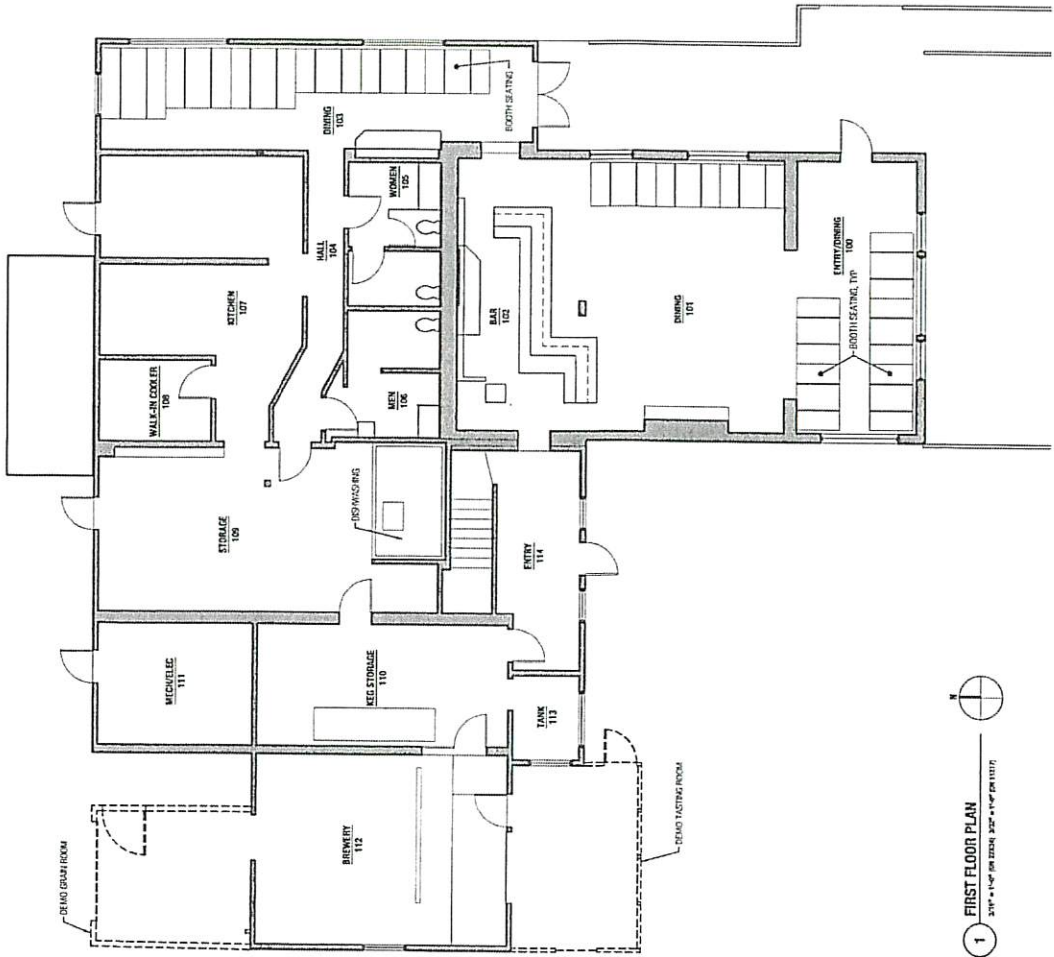
This permit is approved by Matanuska-Susitna Borough Planning Commission Resolution 13-43, passed on November 4, 2013. Copies of the resolution and site plan are attached. This permit may be appealed within 21 days of approval in accordance with MSB 15.39 Board of Adjustment and Appeals.



Eileen Probasco, Director
Planning and Land Use Department



Date of Issuance



Twister Creek Restaurant
Conditional Use Permit
Application Drawings
Talkeetna, AK

OLBERG WHITE
ARCHITECTS

12 Chertsey, AALEED AP
104 W. 2nd Ave., Suite A
Anchorage, Alaska 99501
Phone: (907) 644-8900
Web: www.olbergwhite.com

CLIENT: Social Brewery Company
104 W. 2nd Ave., Suite A
Anchorage, Alaska 99501
DATE: May 30, 2021
DRAWN BY: CJP Application
CHECKED BY: JTL
PROJECT TITLE: First Floor Plan
DRAWING NUMBER: A2.01

Twister Creek Restaurant
Conditional Use Permit
Application Drawings
Tolkeeta, TX

**OLBERDING WHITE
ARCHITECTS**

11:00rding 444.1111 AP
Crisa White AP
704 West 2nd Ave, Suite A
Anchorage, Alaska 99501
Office: 907 646 8000
Web: www.owach.com

CUSTOMER: Donell Dyeing Company
P.O. Box 1007

SITE ADDRESS: _____

DATE _____

7 MILLERS

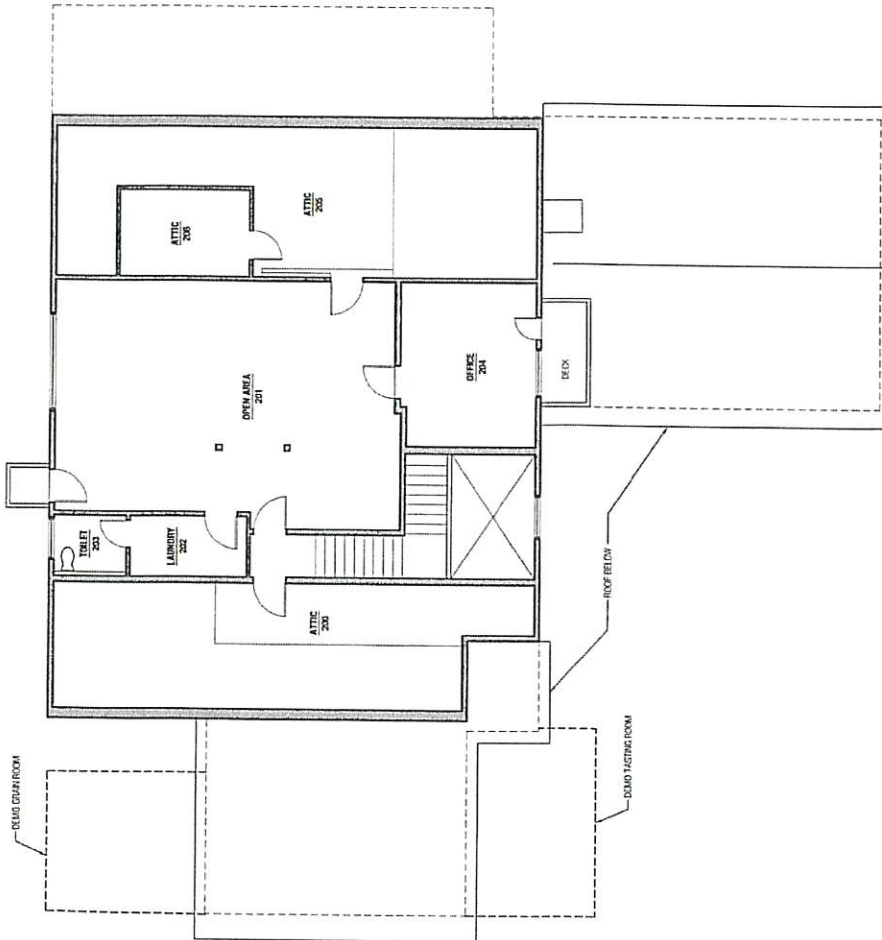
CUP Application

OWENS HILL:

[illegible]

DRAWING NUMBER:

A2.01



1 SECOND FLOOR PLAN
3.15" = 1'-0" (CON. 7/23/14) 3.22" = 1'-0" (CON. 10/17/17)

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 13-42 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITONAL USE PERMIT UNDER MSB 17.70 FOR THE OPERATION OF A LIQUOR BEVERAGE DISPENSARY AT TWISTER CREEK RESTAURANT, LOCATED ON BLOCK 12, LOT 14A, TALKEETNA TOWNSITE, 13605 E. MAIN STREET, WITHIN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTION 24, SEWARD MERIDIAN

WHEREAS, an application has been received from Nu Aspen LLC dba Twister Creek Restaurant, for a conditional use permit under MSB 17.70 for the operation of a liquor beverage dispensary; and

WHEREAS, a liquor beverage dispensary is only permitted upon the issuance of a conditional use 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, Twister Creek Restaurant and Denali Brewing Company have been operating at this location since 2009; and

WHEREAS, Twister Creek Restaurant currently operates a restaurant/eating place (beer and wine) liquor license and Denali Brewing Company operates a brewery at this location; and

WHEREAS, the beverage dispensary license will allow the two operations to consolidate the brewery and restaurant into a brewpub; and

WHEREAS, Twister Creek Restaurant is located within the Main Street Talkeetna District in the Talkeetna Special Land Use District; and

WHEREAS, Twister Creek Restaurant is located on Main Street in downtown Talkeetna, which is a mix of commercial and residential uses; and

WHEREAS, there are several other restaurant establishments on Main Street that serve alcohol; and

WEHREAS, the proposed use is consistent with the goals and policies of the Talkeetna Comprehensive Plan (1998) and the Matanuska-Susitna Borough Comprehensive Plan (2005 Update; and

WHEREAS, the conditional use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area; and

WHEREAS, the deck is fenced and he beer garden area is delineated, which indicate the areas that alcoholic beverages can be served; and

WHEREAS, Twister Creek staff monitors the deck and beer garden; and

WHEREAS, the hours of operation fall between 11 a.m. and 11 p.m. year round; and

WHEREAS, live music and entertainment are not regularly scheduled; and

WHEREAS, the operation will be required to comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, there is not a church or school within at least one-quarter of a mile from this facility; and

WHEREAS, the applicant has met conditions of approval for the beverage dispensary license from the State of Alaska, Alcoholic Beverage Control Board, contingent upon approval of the Borough conditional use permit; and

WHEREAS, the Talkeetna Community Council has no objections to this proposed conditional use permit; and

WHEREAS, the conditional use should not be harmful to the public health, safety, convenience and welfare; and

WHEREAS, the building will be in compliance with the setback requirements after the tasting and grain rooms are removed; and

WHEREAS, the shed buffer structure will also be removed since it is set back less than ten feet from the lot line; and

WHEREAS, the lot is 11,500 square feet in size and exceeds the minimum lot area requirements in the Main Street Talkeetna District; and

WHEREAS, there is an eight foot high privacy fence on the west side of the lot; and

WHEREAS, sufficient setbacks, lot area, buffers or other safeguards are being provided; and

WHEREAS, there are two building mounted signs on the front side of the building and two lighted pole signs on the front

side of the lot; and

WHEREAS, there are downward directional building mounted lights around the building and two pole lights on the front part of the lot; and

WHEREAS, the parking areas are paved; and

WHEREAS, there should not be any negative effects upon the properties in the area due to such factors as dust, obtrusive advertising and glare; 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 to parking areas; and

WHEREAS, Twister Creek Restaurant is an established business; 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, the building was in existence and used for several different commercial uses prior to Twister Creek Restaurant purchasing the property; and

WHEREAS, measures are in place to reduce any negative effect upon adjacent and nearby properties; and

WHEREAS, there are two off-street parking spaces provided for employees, which exceeds the MSB 17.25 district parking

requirements and seven off-street parking spaces provided for patrons; and

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

WHEREAS, Twister Creek Restaurant has an approved Borough driveway permit; and

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

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

WHEREAS, the proposed development will be decreasing the size of the operation at this location; and

WHEREAS, traffic should not overtax existing road systems; and

WHEREAS, the operation of a beverage dispensary license at this location 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 of which one was alcohol-related; and

WHEREAS, the Alcoholic Beverage Control Board (ABC) has no

record of violations by Twister Creek Restaurant; and

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

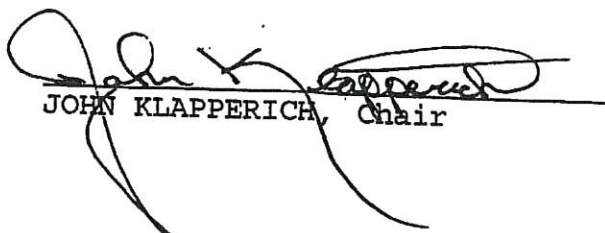
NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission finds this application does meet the standards of MSB 17.70.100 and 17.70.110 and does hereby approve the conditional use permit for the operation of a liquor beverage dispensary at Twister Creek Restaurant with the 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, an amendment to the conditional use permit shall be required.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration.
4. The operation shall comply with the requirements of the Talkeetna Special Land Use District Conditional

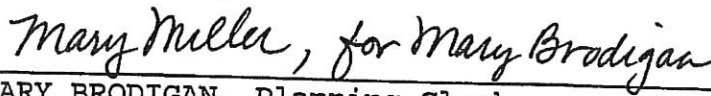
Use Permit (Permit# 172520130001).

5. The privacy fence on the west property line shall be maintained.
6. The conex, tasting and grain rooms, and shed buffer building shall be removed by November 30, 2015.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 4th day of November, 2013.


JOHN KLAPPERICH, Chair

ATTEST:


MARY BRODIGAN, Planning Clerk

(SEAL)

PASSED UNANIMOUSLY: Endle, Healy, Klapperich, Walden, Haller,
Adams, and Rauchenstein

**Planning Commission
Resolution 02-22 (AM)
for a Variance to the
Setback Regulations**

20 2-001409-0

Recording Dist: 321 - Talkeetna
9/13/2002 3:42 PM Pages: 1 of 5

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MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION 02-22(AM)

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A VARIANCE FOR A BUILDING TO THE REQUIREMENTS OF MSB 17.55.010(A) SETBACKS FROM RIGHT-OF-WAYS AND DENYING A VARIANCE FOR ACCESSORY STRUCTURES TO THE REQUIREMENTS OF MSB 17.55.010(A) SETBACKS FROM RIGHT-OF-WAYS AND 17.55.010(B) SETBACKS FROM SIDE YARD LOT LINES ON BLOCK 12, LOTS 14, 15, 16, AND 17, TALKEETNA TOWNSITE, TALKEETNA RECORDING DISTRICT

WHEREAS, an application for a variance from the setback requirements of MSB 17.55.010(A) and 17.55.010(B) has been received to allow an existing building to remain located less than 25 feet from a public right-of-way (alley) and to allow accessory structures (diesel tank, diesel dispenser, and propane tank) to be located less than ten feet from a side yard lot line and a gas pump island canopy to remain located less than 25 feet from the Main Street right-of-way on Block 12, Lots 14, 15, 16, and 17, Talkeetna Townsite; and

WHEREAS, the building (gas station/store/laundromat) is located 11.15 feet from the alley right-of-way, the diesel fuel dispenser, diesel tank and propane tank are located 1.4 feet from the west side yard lot line and the gas pump island canopy is located .3 feet from the Main Street right-of-way, as indicated on the site plan attached as Exhibit "A"; and

WHEREAS, the planning commission has conducted the required public hearing and considered the information submitted as required by code and hereby finds:

1. The unusual conditions or circumstances that apply to the property are the lot dimensions and are not unique to this particular property. The narrow lot conditions are shared by many old lots throughout the original townsite.

2. The strict application of this title would deprive the applicants of rights commonly enjoyed by other properties under the terms of this title as the applicants could not have built any structures on the individual lots in compliance with the setback requirements. Building and lot line encroachments are being eliminated with the combining of the four lots. However, the propane tank, diesel tank and diesel dispenser, and gas pump island canopy are accessory to the building on the property and can be brought into compliance with setback requirements.
3. There has been no evidence submitted that would indicate that the requested variance would be harmful to the public welfare nor would it be injurious to nearby property. However, the diesel fuel dispenser and tank and the propane tank should be relocated to at least ten feet from the lot line as they have the potential for causing hazardous problems.
4. The granting of this variance would be in harmony with the goals and objectives of Title 17 and consistent with the Talkeetna Comprehensive Plan and the Borough Coastal Management Plan.
5. The deviation from the requirements of this title that is permitted by the variance will be no more than necessary to permit a reasonable use of the property, as the existing building is consistent with other development in downtown Talkeetna. However, the propane tank, diesel fuel tank and dispenser and gas pump island canopy are accessory structures to the building on the property and can be brought into compliance with the setback regulations.
6. The special conditions that require this variance are caused by a combination of pre-existing conditions not



caused by the applicant, the platting action of combining the lots, and the business decisions which are caused by the applicant.

7. The variance, if granted, will not permit a land use in a district in which that use is prohibited. Commercial uses are permitted on this site.
8. The variance is not solely to relieve pecuniary hardship or inconvenience, as there is no legally buildable area on the individual lots, therefore the structure was built across lot lines and the applicants are resolving the setback violations through a platting action and by applying for this variance request. Even with the combining of the four lots into one lot, there is no where to move the existing building in compliance with setbacks. However, the accessory structures (propane tank, diesel tank and dispenser, and canopy) can be moved into compliance with setbacks.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission does grant a variance to allow an existing building to remain located 11.15 feet from the alley right-of-way on Block 12, Lots 14, 15, 16, and 17 Talkeetna Townsite, located within the Talkeetna Recording District.

BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Planning Commission does grant a variance to allow an existing gas pump island canopy to be located less than 25 feet from the Main Street right-of-way, on Block 12, Lots 14, 15, 16, and 17, Talkeetna Townsite, located within the Talkeetna Recording District.

BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Planning Commission does grant a variance to allow the propane tank to be located less than ten feet from the west side yard lot line on Block 12, Lots 14, 15, 16, and 17, Talkeetna Townsite, located



within the Talkeetna Recording District, contingent on the Fire Marshal approval, on the condition that if construction is authorized on Lot 13 within 10 feet of the eastern line of Lot 13 and within 10' of the propane tank, the owner of the propane tank shall take such action as needed to bring the propane tank into compliance with applicable fire codes including, if necessary, the construction of a fire wall within the setback area.

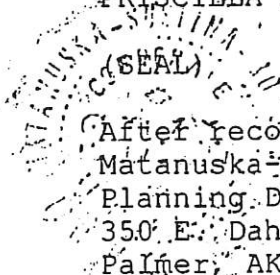
BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Planning Commission does deny the variance to allow the diesel fuel tank and diesel fuel dispenser to be located less than ten feet from the west side yard lot line on Block 12, Lots 14, 15, 16, and 17, Talkeetna Townsite, located within the Talkeetna Recording District.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 15 day of July 2002.


CYNTHIA PAYNE, Chair

ATTEST:


PRISCILLA M. GOFF, Planning Clerk


After Recording please return to:
Matanuska-Susitna Borough
Planning Department
350 E. Dahlia Avenue
Palmer, AK 99645

5 of 5
2002-001409-0

Legend

- △ Computed Corner Position No point Found or Set
- ⊕ Existing 5/8 Inch
- ⊙ Location of Drilled Temporary Monitoring Wells
- ⊗ Existing Poles
- Point of Elevation - existing ground
- Asphalt
- Gravel
- ~ Trees

Notes

1. Elevations were derived from the US Coast and Geodetic Survey Benchmark A-109 with an elevation of 345.63 ft above NSL (NGVD29).
2. This lot is located in a Special Flood Hazard Area, within Zone A as depicted on the FIRM Community Panel number 020021 50851D.
3. Base Flood Elevation for this lot, interpolated from a cross section shown in the 1972 Flood Study made by the U.S. Army Corps of Engineers, is approximately 341.5 feet above mean sea level (NGVD29).

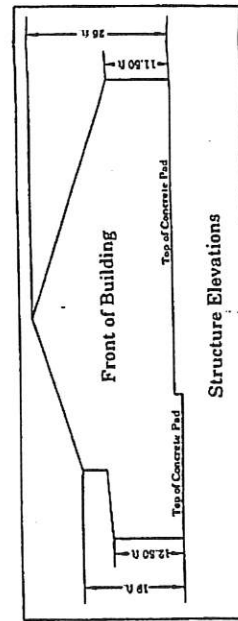
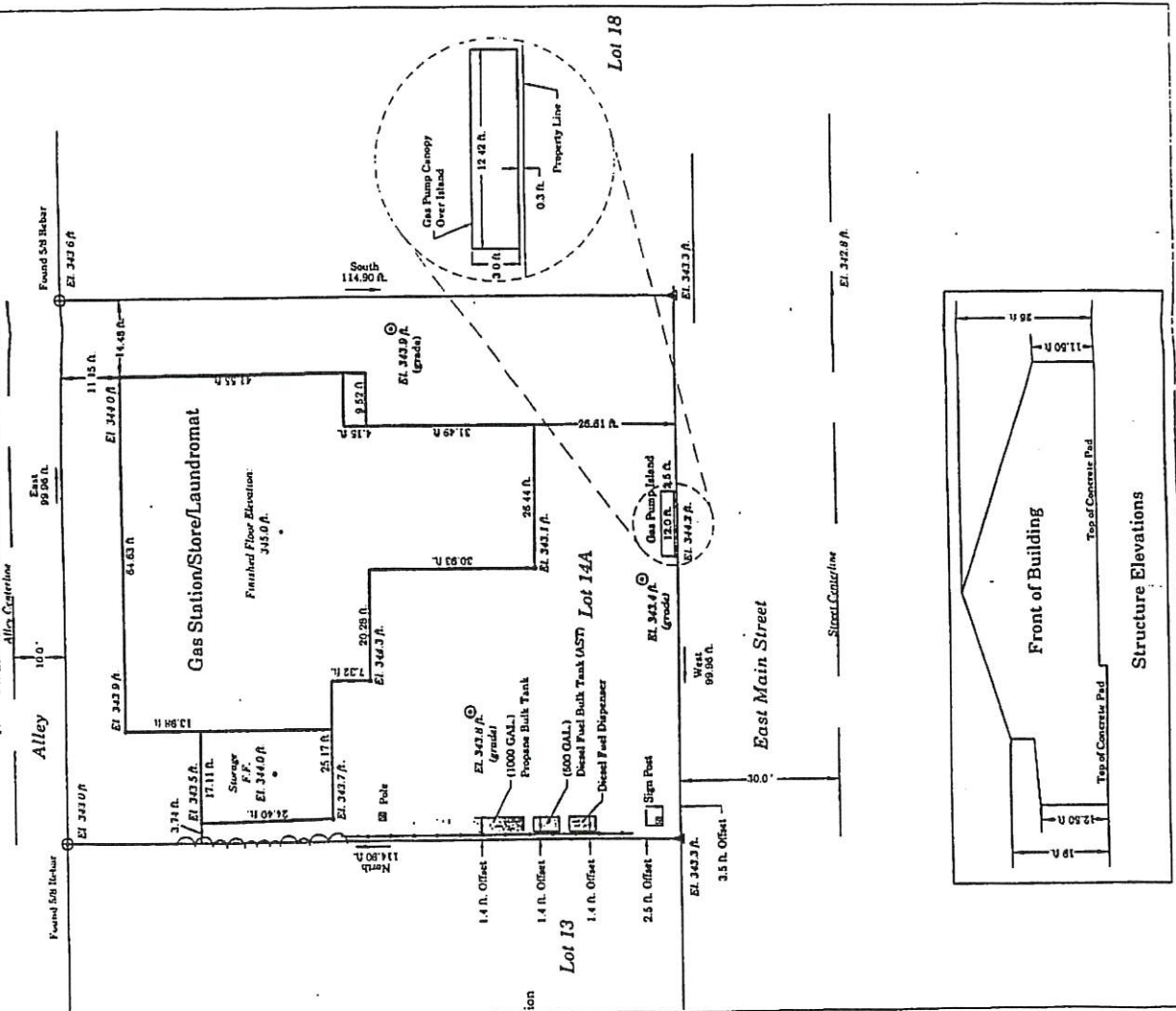


Three Rivers Team
Site Assessment

Boundary Survey and Site Plan
Talkeetna Townsite Subdivision
Lot 14A, Block 12

Figure 1

"A" LIGHTS



A Portion of Block 12
of
Talkeetna Townsite Subdivision
U.S. Survey 1260

0 5 10 20
Scale in Feet

COMMENTS

Agency Comments

From: [Sawyer, Jane Preston \(CED\)](#)
To: [Mark Whisenhunt](#)
Cc: [AMCO Local Government Only \(CED sponsored\)](#)
Subject: RE: Talkeetna Restaurant, LLC License #3121
Date: Friday, April 16, 2021 9:52:07 AM

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

Mark,

To the best of what I could find is that Sassan Mossanen who is the only owner of Talkeetna Restaurant, LLC in our records, has not had a liquor license suspended or revoked in the last 12 months.

Respectfully,

Jane P. Sawyer, Regulations Specialist
DCCED-Alcohol and Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0490

From: Mark Whisenhunt <Mark.Whsenhunt@matsugov.us>
Sent: Friday, April 16, 2021 8:50 AM
To: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Subject: RE: Talkeetna Restaurant, LLC License #3121

Yes, thank you!!!

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

From: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Sent: Friday, April 16, 2021 8:29 AM
To: Mark Whisenhunt <Mark.Whsenhunt@matsugov.us>
Cc: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Subject: RE: Talkeetna Restaurant, LLC License #3121

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

Hello, Mark, I'll look into this and get back to you.

In the future, when you haven't gotten an answer in a timely manner, will you please let me

know directly.

Thank you

Jane P. Sawyer, Regulations Specialist
DCCED-Alcohol and Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0490

From: Mark Whisenhunt <Mark.Whsenhunt@matsugov.us>
Sent: Friday, April 16, 2021 7:55 AM
To: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>;
Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Subject: RE: Talkeetna Restaurant, LLC License #3121
Importance: High

Hi All,

I still have not heard back on this. thanks

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

From: Mark Whisenhunt
Sent: Sunday, April 11, 2021 5:33 PM
To: 'AMCO Local Government Only (CED sponsored)' <amco.localgovernmentonly@alaska.gov>;
'Alcohol Licensing, CED ABC (CED sponsored)' <alcohol.licensing@alaska.gov>
Subject: RE: Talkeetna Restaurant, LLC License #3121
Importance: High

Greetings,

I have not hear back on this request. Due to internal deadlines, I was hoping to receive a response on or before Monday, 4/12/21 at 10:00am. Thank you!

Respectfully,

Mark Whisenhunt

Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

From: Mark Whisenhunt
Sent: Thursday, April 1, 2021 8:44 AM
To: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Subject: Talkeetna Restaurant, LLC License #3121
Importance: High

Greetings,

Our office has received an application to modify a Conditional Use Permit for the expansion of an existing alcoholic beverage dispensary, located at 13605 E Main Street (MSB Tax ID #8088B12L014A-1). MSB 17.70.110(B)(2) requires our office to find out if “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 months preceding the application.”

Do any parties with interest in liquor license #3121 (Talkeetna Restaurant, LLC), have any liquor license which was suspended or revoked in the 12 months preceding the application?

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

From: [Sassan Mossanen](#)
To: [Mark Whisenhunt](#)
Subject: FW: TCCI Comments RE Talkeetna Restaurant CUP Modifications
Date: Tuesday, April 13, 2021 3:38:41 PM

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

Here is their response

From: Sassan Mossanen
Sent: Tuesday, April 13, 2021 9:43 AM
To: Jon Korta <jon@talkeetnacouncil.org>
Cc: Kristy Mossanen <kristym@denalibrewing.com>
Subject: RE: TCCI Comments RE Talkeetna Restaurant CUP Modifications

Hi Jon,

There is no need to do so. Your time is better spent enjoying the finer things in life. I ultimately hope that our application can stand on its own. Your sensitivity to the topic is tremendously appreciated. Kristy and I value your time! Sassan

From: Jon Korta <jon@talkeetnacouncil.org>
Sent: Tuesday, April 13, 2021 8:40 AM
To: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: Re: TCCI Comments RE Talkeetna Restaurant CUP Modifications

Good morning Sassan,

I wanted to respond further to your email. I want to apologize for the careless use of the word "fact" in the letter I sent to MSBPC. In my attempt to convey some of the concerns shared by the community during our long meeting that night, I neglected to catch the significance of that statement, and certainly did not intend for it to sound like the community council took any assertions as fact. Again, I apologize that my letter may have characterized you and your business in a negative light. If you would like, I would be happy to send an updated letter to MSBPC that corrects that statement. Feel free to contact me if you would like to discuss this any further.

Thanks,
Jon

On Mon, Apr 12, 2021 at 8:41 AM Sassan Mossanen <sassanm@denalibrewing.com> wrote:

Hi Jon,

I wanted to follow up on the letter that the TCCI drafted to the Planning Commission. Before I do so I still would like to thank the council for taking the time to write the letter and share it's work with the MSBPC. In Paragraph 2 line 7 it states "some took issue with the fact that the previous expansion efforts took place outside the CUP process." I wanted to share my efforts with you all regarding our roof remodel project to dispel any incorrect notions of the steps we took prior to starting the remodel. The TCCI letter from yesterday suggest that we expanded our

building outside of the CUP/Public process. The first attachment is a letter I wrote to Susan Lee and Alex Strawn after meeting with them about our remodel and my desire to recap our conversation in a formal way. After my initial communications with the MSB planning staff and letter confirming our conversation I voluntarily requested to be placed on the TCCI agenda as a person to be heard for the 2/1/16 meeting. Even though it was determined that a CUP was not needed for the project I still wanted the community to know what my plans were and made a presentation. The next attachment is a letter that the MSB Planning staff wrote acknowledging that they had reviewed the plans, spoken with me about it and that a CUP was in fact not needed. The final attachment is a letter that was submitted to the TCCI with regard to our current application. In Mrs. Teich's letter she refers to folks not getting their facts right. I think it is important to get the facts right. I believe in the public process. I believe it is important to play by the rules. If the assertion is made that I have operated outside of these standards I feel compelled to set the record straight. Respectfully,

Sassan Mossanen

From: Jon Korta <jon@talkeetnacouncil.org>
Sent: Tuesday, April 6, 2021 2:22 PM
To: Mark.Whisenhunt@matsugov.us
Cc: Sassan Mossanen <sassanm@denalibrewing.com>; Tam Boeve <tamboevedistrict7@gmail.com>
Subject: TCCI Comments RE Talkeetna Restaurant CUP Modifications

Hello Mark,
See the attached letter from our community council regarding Talkeetna Restaurant CUP modifications. If you have any further questions, please let me know.

Thanks,
Jon

--

Jonathan Korta
Chairman - Talkeetna Community Council
PO Box 608
Talkeetna, AK 99676
(907) 203-2532 cell

--

Jonathan Korta
Chairman - Talkeetna Community Council
PO Box 608

Talkeetna, AK 99676
(907) 203-2532 cell



Talkeetna Community Council, Inc.

A non-profit, community service organization

April 6th, 2021

Mat-Su Borough Planning Commission
Mark Whisenhunt
Planner II
Matanuska-Susitna Borough

Dear MSB Planning Commission,

The Talkeetna Community Council met on Monday, April 5th, at 7pm, via zoom. One of the items on our agenda, under new business, was the CUP for Talkeetna Restaurant, (Denali Brewing Company). The CUP was one of several important issues on the agenda, and as a result our meeting was very well attended, with approximately 40 community members participating.

After over two hours of thoughtful discussion and debate lasting until 11:30pm, the community council could not reach a consensus on how to proceed. Proponents noted that the applicant is a long-time resident of Talkeetna, a supporter of many community efforts, and felt that the changes to his structure were not unreasonable. Opponents saw the CUP as a slippery slope threatening our historic district as larger and larger businesses get granted exceptions to the SPUD, increasing problems such as parking, and eventually making our once-charming village unrecognizable. Some took issue with the fact that previous expansion efforts took place outside the CUP process. A motion to write a letter of "No Objection" failed to get a second, and a later motion to write a letter of Non-Support failed 4-3. The dialogue was emotional at times, but civil and respectful throughout.

We were unable to come up with satisfactory conditions to the CUP that would satisfy either side. The issue is complex and is exacerbated by the ongoing and unresolved issues related to tourism growth that continue to impact the community. Ultimately, the community continues to struggle to find the right balance between growth and retaining the town's original charm and character.

We hope this feedback from our meeting helps you make an informed decision.

Respectfully,

Jon Korta

Chair - Talkeetna Community Council

Mark Whisenhunt

From: Manager Talkeetna Historical Society <manager@talkeetnahistoricalsociety.org>
Sent: Thursday, March 25, 2021 9:43 AM
To: Mark Whisenhunt
Cc: Adam Bradway; Bill Rodwell; Jon Korta; sassanm@denalibrewing.com
Subject: MSB1770 and MSB1725 applications
Attachments: 2021.ths.tkarestCUP.pdf; PastedGraphic-1.tiff

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

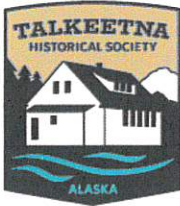
Greetings,

Attached are our comments on the Talkeetna Restaurant applications (MSB1770 and 1725) for conditional use permit. Thank you for your consideration.

Sue Deyoe
Executive Director
Talkeetna Historical Society & Museum
manager@talkeetnahistoricalsociety.org
907-733-2487
www.talkeetnamuseum.org

cc: Mat Su Borough HPC
Talkeetna Chamber
Talkeetna Community Council
Talkeetna Restaurant LLC

SCANNED



Talkeetna Historical Society and Museum

est 1972

PO Box 76 Talkeetna Alaska 99676
907-733-2487Matanuska-Susitna Borough
Development Services

MAR 30 2021

Received

March 22, 2021

Dear Mat Su Borough Planning Commission,

We are responding to the public comment period for Talkeetna Restaurant documents MSB 1770 and MSB 1725. Thank you for allowing interested parties to respond and comment.

The Talkeetna Historical Society rarely weighs in on downtown activity unless it falls within the boundaries of the Talkeetna Historic District. The renewed effort the Borough is taking to preserve and assist in conservation of all historic properties and districts within the Borough is promising and we are grateful for the effort to revise the Historic Preservation planning documents. As a Historical Society, our main interest and concern is that businesses and residents adhere to the integrity and guidelines of the Talkeetna Historic District. Please take into consideration our Historic District designation when considering any requested changes to the buildings and businesses within.

OUR CONCERNS:

There is no reference to the Talkeetna Restaurant being located near the center of the Talkeetna Historic District and district guidelines are not mentioned. Also, the application says the access is a state-maintained road. However, Main Street is maintained by the Mat-Su Borough contractor. The application also states that there are no issues with traffic.

As tourism has greatly increased over the past twenty years, there are unresolved challenges we face on a daily basis in the downtown Historic District. There is a great amount of foot traffic along with a high number of motor vehicles on Main Street, with no sidewalks, which presents a safety problem. Sufficient parking for business employees and customers at Main Street businesses is greatly lacking and problematic. The lack of adequate public bathroom facilities downtown is also a large problem. There have been many planning meetings and discussions on how to handle the summer traffic jams and lack of public facilities. The application doesn't say how many more employees would be needed for this extra business, or how many visitors would add to the already over-burdened traffic issue. Any business that expands its customer capacity will also cause an expansion in the need of additional parking which is already a problem.

Historically, the only 2-story buildings in town were housing (residential homes, the school and the Fairview Hotel). Currently, any second story in Talkeetna is overnight/housing/office use. We feel that even though it isn't specifically mentioned in any plan, that at least within the Historic District, it should remain that way. Adding another layer to restaurants and bars opens a can of worms!

The Talkeetna SPUD follows specific goals within the Comp Plan and specifically under historic resources - respect, preserve and enhance the historic essence of Talkeetna, which contributes to the identity and special sense of place and forms integral part of Talkeetna's appeal, at the same time, not having negative impacts on the sense of community environment or quality of life. The incremental changes in downtown slowly detract from the historic, and originally partially residential, essence of the Talkeetna Historic District

Thanks for your consideration on all.

Sincerely and on behalf of the Board of Directors



Sharon Montagnino
THS President



Sue Deyoe
Executive Director

cc: TCCI, TKA Chamber, Talkeetna Restaurant

Mark Whisenhunt

From: Theresa Taranto
Sent: Tuesday, March 9, 2021 11:23 AM
To: Mark Whisenhunt
Subject: RE: Request for Review and Comments: Talkeetna Restaurant CUP Modifications

FIRM 2803, AE and X Zone
Talkeetna SPUD (Main Street)

Thanks,

Theresa Taranto
Mat-Su Borough
Development Services
Administrative Specialist

350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574
www.matsugov.us

From: Mark Whisenhunt <Mark.Whsenhunt@matsugov.us>
Sent: Friday, March 5, 2021 3:36 PM
To: allen.kempen@alaska.gov; tucker.hurn@alaska.gov; melanie.nichols@alaska.gov; mearow@matanuska.com; row@enstarnaturalgas.com; row@mtasolutions.com; ospdesign@gci.com; Fire Code <Fire.Code@matsugov.us>; Jill Irsik <Jill.Irsik@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Cindy Corey <Cindy.Corey@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Leda Borys <Leda.Borys@matsugov.us>; Taunnie Boothby <Taunnie.Boothby@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; contact@talkeetnacouncil.org
Subject: Request for Review and Comments: Talkeetna Restaurant CUP Modifications

DATE: March 5, 2021
TO: Various Governmental Agencies
FROM: Mark Whisenhunt, Planner II
SUBJECT: Request for Review and Comments Governmental Agencies
PROJECT: Modification of two existing Conditional Use Permit's for the expansion of the Talkeetna Restaurant
LOCATION: 13605 E. Main Street (Tax ID# 8088B12L014A-1);
within Township 26 North, Range 5 West, Section 24, Seward Meridian
APPLICANT: Sassan Mossanen (dba Talkeetna Restaurant)

An application to modify a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses and an application to modify a conditional use permit under MSB 17.25 Talkeetna Special Land Use District have been submitted for the expansion of the Talkeetna Restaurant. The Planning Commission will conduct two public hearings for the requests on April 19, 2021.



ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department
Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

March 8, 2021

Mark Whisenhunt, Planner II
Matanuska-Susitna Borough
Planning & Land Use Department
350 East Dahlia Avenue
Palmer, Alaska 99645-6488

Dear Mr. Whisenhunt:

ENSTAR Natural Gas Company has reviewed the request to modify an existing conditional use permit under MSB 17.70 and to modify an existing conditional use permit under MSB 17.25. Located at 13605 E Main Street.

We have no comments or concerns related to this activity.

If you have any questions, please feel free to contact me at 334-7944 or by email at cassie.acres@enstarnaturalgas.com.

Sincerely,

A handwritten signature in blue ink that reads "Cassie Acres".

Cassie Acres
Right-of-Way and Compliance Technician
ENSTAR Natural Gas Company

Public Comments

Mark Whisenhunt

From: CATHY TEICH <cathyt@mtaonline.net>
Sent: Monday, April 5, 2021 11:38 PM
To: Mark Whisenhunt
Subject: Modification of two existing Conditional Use Permit's for the expansion of the Talkeetna Restaurant
LOCATION: 13605 E. Main Street (Tax ID# 8088B12L014A-1); within Township 26 North, Range 5 West, Section 24, Seward Meridian
APPLICANT: Sa...

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

We had a 4 1/2 hr. council meeting in Talkeetna last night...actually longer.

The Mossanens are local, raise their children here, employ more people in town than anyone else, they are not in violation of the SPUD, they put up solar panels, they put up tin on their roof like the Fairview Inn to stay in the historical mode....

They are good citizens. They are so much better than corporate America would be in our town. Some oppose them. What I see is that one group only wants "their" group to be in charge & successful. If you are not in that group, you are out.

There are other place on main street that actually MAY BE IN VIOLATION of the SPUD...I wonder why they were not called on the carpet? Could they be a member of this certain group?

I am in support of the Mossanens' business and their modifications downtown. They are not enlarging their footprint. They are making use of the space that is already within their footprint.

Check the rest of main street. I believe OTHERS may be in violation, but not Twister Creek Brewery.

Thank you,

Cathy Teich

PLANNING COMMISSION RESOLUTION

By: Mark Whisenhunt
Introduced: April 5, 2021
Public Hearing: May 3, 2021
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 21-08

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A MODIFICATION OF A CONDITIONAL USE PERMIT FOR THE EXPANSION OF AN ALCOHOLIC BEVERAGE DISPENSARY, LOCATED AT 13605 E. MAIN STREET (TAX ID #8088B12L014A-1); WITHIN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTION 24, SEWARD MERIDIAN.

WHEREAS, an application has been received from Sassan Mossanen, dba Talkeetna Restaurant, requesting the modification for a conditional use permit for the expansion of an existing of an alcoholic beverage dispensary known as Talkeetna Restaurant, at 13605 E. Main Street (Tax ID #8088B12L014A-1); within Township 26 North, Range 5 West, Section 24, Seward Meridian; and

WHEREAS, MSB 17.70.030 allows a property owner to apply for a modification of a conditional use permit; and

WHEREAS, unless this type of use is maintained under and in accordance with a lawfully issued permit, an alcoholic beverage dispensary is declared to be a public nuisance; and

WHEREAS, Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009; and

WHEREAS, downtown Talkeetna is a mix of commercial and residential uses; and

WHEREAS, according to the application material, the proposed commercial expansion does not involve physically expanding the building footprint, changing signage, or lighting; and

WHEREAS, Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District; and

WHEREAS, according to the application material, an interior remodel project will improve the usability of areas on the second floor of the building; and

WHEREAS, according to the application material, an interior remodel project will allow for the second floor, including a deck on the east side of the building, to be used for serving customers; and

WHEREAS, according to the application material, an interior remodel project will create an office on the second floor where there is currently an open stairwell area; and

WHEREAS, the subject building was in existence prior to adoption of the Talkeetna Special Land Use District; and

WHEREAS, according to the application material, a new entry roof will be constructed on the east side of the cabin portion of the structure portion of the structure; and

WHEREAS, the operation currently has an outdoor service area on ground level decking; and

WHEREAS, the operation must comply with the maximum permissible sound level limits allowed in MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, in 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant; and

WHEREAS, MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code; and

WHEREAS, a Matanuska-Susitna Borough Driveway Permit was issued for the property in 2013; and

WHEREAS, the operation is in full compliance with the State of Alaska Fire Code; and

WHEREAS, Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons; and

WHEREAS, according to the application material, the hours of operation are 11:00 a.m. to 12:00 a.m., daily; and

WHEREAS, the building is set back approximately 26 feet from the front (south) lot line, 14.1 feet from the east side lot line, 11.8 feet from the west side lot line, and 11.15 feet from the rear (north) lot line; and

WHEREAS, the subject lot has double frontage; and

WHEREAS, a variance was approved in 2002 by Planning Commission Resolution 02-22(AM), allowing the structure to be 11.15 feet from the rear (north) lot line; and

WHEREAS, according to the site plan, two off-street parking spaces measuring 9 feet wide and 20 feet long are provided for employees at the rear of the building; and

WHEREAS, according to the site plan, a total of eight parking spaces are provided at the subject property; and

WHEREAS, the parking areas in the front and side of the building are paved; and

WHEREAS, there is one building mounted sign on the front side of the building. There is a pole sign in the southwest corner of the lot and another pole sign located in the planter on the front side of the lot; and

WHEREAS, Talkeetna Restaurant is located on Main Street in downtown Talkeetna; 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, according to the application material, the proposed commercial expansion does not involve changing any access points to the subject property; and

WHEREAS, according to the applicant, the proposed commercial expansion is intended to better serve an existing customer base during the tourist season; and

WHEREAS, a significant number of customers arrive in Talkeetna by tour bus or train; and

WHEREAS, according to the application material, the eave for the new entry roof will be approximately nine feet from the east side lot line; and

WHEREAS, according to the application material, one customer parking space designated for persons with disabilities is provided; and

WHEREAS, the speed limit for Main Street is listed as 10 miles per hour (MPH); and

WHEREAS, the Alcohol & Marijuana Control Office (AMCO) has no record of violations by the applicants within the last 12 months; and

WHEREAS, the operator of the proposed commercial expansion is required to operate in accordance with Alaska laws and statutes, which include but are not limited to, mandatory alcohol server education; and

WHEREAS, persons under the age of 21 are prohibited from being served alcoholic beverages; and

WHEREAS, there has been no information submitted indicating the applicant, Sassan Mossanen of the Talkeetna Restaurant, is

untrustworthy or unfit to conduct business in the borough or that the applicant is a potential source of harm to the public; 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 Planning Commission conducted a public hearing on May 3, 2021 on this matter.

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 21-08:

1. The proposed commercial expansion 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. The proposed commercial expansion will not 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. The proposed commercial expansion will not negatively affect 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)).
6. Measures are in place to reduce any negative effect upon adjacent and nearby properties (MSB 17.70.100 (A) (2) (c)).
7. Adequate parking is provided (MSB 17.70.100 (A) (2) (d)).
8. Access to the premises will not create an unreasonable traffic hazard (MSB 17.70.100 (A) (2) (e)).
9. Traffic will not overtax existing road systems (MSB 17.70.100 (A) (2) (f)).
10. The proposed commercial expansion is compatible with the character of the surrounding area (MSB 17.70.100 (A) (2) (g)).
11. The proposed commercial expansion will not 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. The applicant is trustworthy or fit to conduct business in the borough and the applicant is not a potential source of harm to the public (MSB 17.70.110 (B) (3)).

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.70 and hereby approves the modification of conditional use permit #177020130004, allowing for the expansion of an existing alcoholic beverage dispensary, with the following conditions:

1. The operation shall comply with all applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration.
4. The conditions of Conditional Use Permit #177020130004 shall remain in effect.
5. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at a minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to

Borough staff shall be a violation of this Conditional
Use Permit.

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this ____ day of _____, 2021.

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Acting Planning
Clerk

(SEAL)

YES:

NO:

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PUBLIC HEARING QUASI-JUDICIAL

Resolution No. PC 21-09

Talkeetna Restaurant - Modify
CUP - Expansion of an Existing
Commercial Use

Pages 185-330

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

www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

Date: April 21, 2021

File Number: 172520190001


**Applicant/
Property Owner:** Sassan Mossanen
(Nu Aspen, LLC dba Talkeetna Restaurant)


Request: Planning Commission Resolution 21-09

Request for a conditional use permit under MSB 17.25 – Talkeetna Special Land Use District to allow Talkeetna Restaurant to be a commercial use larger than 4,000 square feet in size in the Main Street Talkeetna District

Location: 13605 E. Main Street; MSB Tax ID #8088B12L014A-1; within Township 26 North, Range 5 West, Section 24, Seward Meridian

Size of Property: .30 acres

Reviewed By: Alex Strawn, Planning & Land Use Director 

Staff: Mark Whisenhunt, Planner II 

Staff Recommendation: Approval with conditions

EXECUTIVE SUMMARY

A conditional use permit application has been submitted under MSB 17.25 – Talkeetna Special Land Use District to allow Talkeetna Restaurant to expand the total square footage of a commercial use greater than 4,000 square feet in size within the Main Street Talkeetna District. The new commercial area on the second floor includes the use of an outdoor deck and an office.

A separate conditional use permit application has been submitted under MSB 17.70 – Regulation of Alcoholic Beverage Uses, to allow Talkeetna Restaurant to expand its operation of an alcoholic beverage dispensary. There is a separate staff report and public hearing for that request.

BACKGROUND

Development on this site occurred in several phases. During the 1960's the original log structure was built. Between 1974 and 1992 additions to the original building were constructed. In 2002, a setback variance was approved for the building's setback to the alley. In 2003, a plat combining Lots 14, 15, 16, and 17, of Block 12 recorded, eliminating all setback violations.

In 2003, the Talkeetna Special Land Use District (MSB Chapter 17.25) was adopted. The Talkeetna Restaurant (formerly known as Twister Creek Restaurant) is located within the Main Street Talkeetna (MST) District.

Talkeetna Restaurant and Denali Brewing Company began operating at subject property in 2009; however, Denali Brewing no longer operates at this location.

In 2013, the applicant obtained two Conditional Use Permits. One permit (#172520130001) was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit (#177020130004) was to operate an alcoholic beverage dispensary at the restaurant.

In 2016, the applicant changed the roof of the structure to address existing issues and utilities. The project also changed an existing unusable area into an outdoor deck. MSB Staff conducted an initial review prior to the project, and later conducted a thorough review during the project. MSB Staff ultimately concluded that the project and the operation as a whole were (and currently are) in full compliance with MSB code.

In 2020, the west side lot line was moved approximately 8.74 feet westward through a platting action. The lot area is now 12,941 square feet in size.

LAND USE

Existing Land Use:

Talkeetna Restaurant is currently operating at this location.

Surrounding Land Uses:

Talkeetna Restaurant is located on Main Street in downtown Talkeetna. The surrounding land uses consist of private residences, lodging (Talkeetna Roadhouse, hostels, bed and breakfasts, and rental cabins), retail shops, tourist services, food vendors, and dining establishments. Fairview Inn is on the adjacent property to the east. A bed and breakfast is on the adjacent property to the west. The Village Park, Alaska Railroad, and Talkeetna Spur Road are further east.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

Notices were mailed to all property owners within 600 feet of the subject property and to the Talkeetna Community Council. A total of 48 notices were mailed on March 3, 2021. The public

hearing notice was published in the March 3, 2021 Frontiersman newspaper. The application material was posted on the Borough's website on March 3, 2021. The public notice, application material, and a request for comments were emailed to the Talkeetna Community Council on March 5, 2021.

Staff received one comment from the public in support of the proposed commercial expansion. The Talkeetna Historical Society & Museum submitted a letter outlining some of the general challenges in downtown Talkeetna (traffic, parking, and pedestrians). They requested the historic district designation to be taken into consideration. The letter did not state a position of support or opposition to the proposed commercial expansion. Talkeetna Community Council Chair, Jon Korta, submitted a letter on behalf of the Council detailing the conversation pertaining to the proposed commercial expansion at their April 5, 2021 meeting. Ultimately, the Council did not take a position of support or opposition to the proposed commercial expansion.

Section 17.25.045 Setbacks

(A) *Unless otherwise specified, setbacks within each district will be 25 feet from any right-of-way, and ten feet from any side or rear lot line.*

(B) *In the MST, WTT, and SRN districts, for corner lots the front setback will apply to the shortest lot line fronting on a right-of-way; for lots with double frontage (front and rear), the front setback will apply to the lot line fronting on the main right-of-way. The setback from all other rights-of-way, alleys, or public access easements is 15 feet. For setback purposes, all other lot lines will be considered a side lot line.*

(C) *Eaves may project a maximum of three feet into required setback areas.*

(D) *Setbacks for shorelands are 75 feet from the mean high water mark, and further described in MSB 17.55.020, Setbacks for shorelands.*

Finding of Fact:

1. The building is set back approximately 26 feet from the front (south) lot line, 14.1 feet from the east side lot line, 11.8 feet from the west side lot line, and 11.15 feet from the rear (north) lot line.
2. A variance was approved in 2002 by Planning Commission Resolution 02-22(AM), allowing the structure to be 11.15 feet from the rear (north) lot line.
3. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint.

Conclusion of Law: The proposed commercial expansion is in full compliance with the setback requirements of the Talkeetna Special Land Use District (MSB 17.25.045).

Section 17.25.050 Main Street Talkeetna (MST) District

(A) *There is established the Main Street Talkeetna Land Use District. The boundaries of this land use district are shown on the official map.*

- (B) *The purpose of this district is to:*
- (1) *Maintain the qualities of the district that are key to its attractive, historic character. These qualities include compact development, small simple buildings, mixed commercial and residential uses, minimal on-site parking, and the slow traffic and concentration of uses that creates a good environment for pedestrians.*
 - (2) *Encourage the West Talkeetna townsite area, including the MST, to continue to be the center of community life; maintain a mix of housing and commercial activities that serve residents and tourist; and*
 - (3) *Accommodate the unique aspects of historic downtown Talkeetna including small lots and the historic significance of the structures.*
- (C) *Permitted uses within this district are:*
- (1) *residential:*
 - (a) *single-family dwellings;*
 - (b) *two-family dwellings; and*
 - (c) *multi-family dwellings of four or fewer units per acre.*
 - (2) *retail, office, service, or other commercial uses 4,000 square feet or less;*
 - (3) *hotels, motels, or other overnight accommodations of 15 units or fewer;*
 - (4) *buildings for community civic uses of 4000 square feet or less;*
 - (5) *neighborhood utility facilities;*
 - (6) *parks or playgrounds; and*
 - (7) *accessory uses and structures.*
- (D) *Conditional uses within this district are:*
- (1) *multi-family dwellings of more than four units per acre;*
 - (2) *retail, office, service or other commercial uses of more than 4000 square feet;*
 - (3) *buildings for community civic uses of more than 4000 square feet;*
 - (5) *alcoholic beverage uses, in accordance with the requirements in MSB [17.70](#), Regulation of Alcoholic Beverage Uses;*
 - (6) *any use that generates traffic in excess of 100 vehicles during the morning or afternoon peak hour, or more than 750 vehicles per day;*
 - (7) *light industrial uses;*
 - (8) *tall structures as regulated under MSB [17.60](#) and the requirements of this chapter as follows:*
 - (a) *The definition of exempt minor fixtures specified in 17.60.140(B)(2) is changed for designated historic lands in this land use district to not include elevator shafts, cupolas, dish type antennas, and is limited to vent pipes, heating and air conditioning equipment and associated screening, and minor architectural features.*
 - (b) *The exemption in 17.60.140(B)(7) for arterial street lighting towers is modified: any such towers over 50 feet would require a conditional use permit; and*
 - (9) *Other uses that are compatible with the land use district, with character compatible to the uses listed in subsections (C) and (D), and that are of similar or lighter intensity of use in terms of their traffic, noise or other off-site impacts, as determined by the director.*
- (E) *Prohibited uses:*

- (1) *Prohibited uses within this district include, but are not limited to:*
 - (a) *mobile home parks;*
 - (b) *junkyards/refuse areas;*
 - (c) *correctional community residential centers;*
 - (d) *heavy industrial uses;*
 - (e) *adult entertainment or adult businesses;*
 - (f) *commercial vendors in public rights-of-way;*
 - (g) *recreational vehicle parks and campgrounds; and*
 - (h) *tower farms and tall structures over 100 feet in height, except as permitted under federal regulation.*
 - (2) *Uses not permitted under subsection (C) or authorized under a conditional use permit issued by the commission under subsection (D) of this section are prohibited.*
- (F) *Development standards in this land use district are as follows:*
- (1) *maximum building height – 28.5 feet;*

Finding of Fact:

1. According to the application material, the height of the existing building is approximately 23.1 feet.
2. According to the application material, the proposed commercial expansion does not involve physically expanding the existing building height.

Conclusion of Law: Based on the above findings, the proposed commercial expansion meets the district's maximum building height requirement (MSB 17.25.050(F)(1)).

- (2) *maximum building footprint – 3,000 square feet;*

Findings of fact:

1. The subject building was in existence prior to adoption of the Talkeetna Special Land Use District.
2. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint.

Conclusion of Law: Based on the above findings, the district's maximum building footprint requirement does not apply (MSB 17.25.050(F)(2)).

- (3) *building mass;*
 - (a) *minimum space between buildings on same lot - five feet; and*
 - (b) *maximum floor area ratio (FAR) - .6*

Finding of fact:

1. There is only one building on the subject property.
2. According to the application material, the current floor area ratio is .52.
3. According to the application material, the proposed floor area ratio is .552.

Conclusion of Law: Based on the above findings, the proposed commercial expansion meets the building mass standard (MSB 17.25.050(F)(3)).

- (4) *minimum setbacks:*
 - (a) *front – 10 feet;*
 - (b) *side – 10 feet;*
 - (c) *rear – 10 feet;*
 - (d) *Corner lots or lots with double frontage shall have setbacks in accordance with 17.25.045 (B).*

Finding of Fact:

1. The building is set back approximately 26 feet from the front (south) lot line, 14.1 feet from the east side lot line, 11.8 feet from the west side lot line, and 11.15 feet from the rear (north) lot line.
2. The subject lot has double frontage.
3. A variance was approved in 2002 by Planning Commission Resolution 02-22(AM), allowing the structure to be 11.15 feet from the rear (north) lot line.
4. According to the application material, a new entry roof will be constructed on the east side of the cabin.
5. According to the application material, the eave for the new entry roof will be approximately nine feet from the east side lot line.
6. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint.

Conclusion of Law: Based on the above findings, the building is in compliance with the district's setback requirements (MSB 17.25.050(F)(4)).

- (5) *Parking. Two off-street parking spaces (measuring at least 9' X 18') for employees are required at the rear of businesses fronting on Main Street;*

Finding of fact:

1. According to the site plan, two off-street parking spaces measuring 9 feet wide and 20 feet long are provided for employees at the rear of the building.
2. According to the site plan, a total of eight parking spaces are provided at the subject property.

Conclusion of Law: Based on the above finding, a sufficient number of spaces are being provided to meet the parking standard (MSB 17.25.050(F)(5)).

- (6) *Lighting standards.*
 - (a) *Exterior site lighting on individual lots will be located and shielded to direct the light towards the ground, in order to minimize light spillage onto adjacent properties and upward into the night sky.*

- (b) Street illumination and other fixtures mounted higher than 20 feet or 150 watts or more, shall have downward directional shielding.*
- (c) Flashing lights are prohibited, with the exception of seasonal holiday lights used during the period directly associated with the holiday.*

Findings of fact:

1. According to the application material, the proposed commercial expansion does not involve changing any lighting.
2. There are no proposed flashing lights.

Conclusion of Law: Based on the above findings, the lighting standards are being met (MSB 17.25.050(F)(6)).

- (7) Sign standards.*
 - (a) Signs painted on or attached to buildings and not projecting more than three inches from the building shall not exceed 45 square feet.*
 - (b) Signs projecting from buildings more than three inches, whether mounted perpendicular or hanging from the building, shall not exceed 12 square feet, nor the maximum building height allowed in this district.*
 - (c) Free standing signs may not be internally illuminated and shall not exceed 25 square feet nor the maximum building height allowed in this district.*
 - (d) Reader board style signs and signs which are flashing, rotating, animated, or internally illuminated are prohibited.*

Findings of fact:

1. According to the application material, the proposed commercial expansion does not involve changing any signage.

Conclusion of Law: Based on the above findings, the existing signage meets the sign standards (MSB 17.25.050(F)(7)).

- (8) Consistent with the Talkeetna Comprehensive Plan, there exist advisory design guidelines recommended by the Talkeetna Community Council, which all developers are encouraged to observe when developing land or modifying structures within this land use district, and which the commission may consider when acting on a conditional use application.*

Finding of fact:

1. No design guidelines have been adopted by the Talkeetna Community Council for the Main Street Talkeetna District.

Conclusion of Law: MSB 17.25.050(F)(8) is not applicable to the proposed commercial expansion.

Section 17.25.130 Conditional Use General Standards

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

(B) *In granting a conditional use permit, the commission must determine that sufficient conditions have been placed on the proposed use that the off site impacts of the development will be eliminated or reduced to an acceptable level, and that as a result, the positive qualities of the neighborhood will be enhanced or substantially retained. Among the impacts the commission shall consider are those below:*

(1) *The conditional use will preserve or not detract from the value, character, or integrity of the Talkeetna community.*

Findings of fact:

1. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
2. Downtown Talkeetna is a mix of commercial and residential uses.
3. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint.
4. According to the application material, an interior remodel project will improve the usability of areas on the second floor of the building.
5. According to the application material, an interior remodel project will allow for the second floor, including a deck on the east side of the building, to be used for serving customers.
6. The subject building was in existence prior to adoption of the Talkeetna Special Land Use District.
7. According to the application material, an interior remodel project will create an office on the second floor where there is currently an open stairwell area.
8. According to the application material, a new entry roof will be constructed on the east side of the cabin.
9. According to the application material, the eave for the new entry roof will be approximately nine feet from the east side lot line.
10. The operation currently has an outdoor service area on ground level decking.
11. The operation must comply with the maximum permissible sound level limits allowed in MSB 8.52 – Noise, Amplified Sound, and Vibration.
12. In 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant.
13. MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code.

Conclusion of Law: Based on the above findings, the proposed commercial expansion will preserve and not detract from the value, character, and integrity of the Talkeetna community (MSB 17.25.130(B)(1)).

(2) *The conditional use is consistent with the goals of the Talkeetna Comprehensive Plan (1999).*

Relevant goals of the Talkeetna Comprehensive Plan (1999) state:

Land Use and Community Development Goals:

- *Maintain the community's small town atmosphere, sense of community, and high quality of life.*
- *Protect and conserve the wilderness values, and natural resource of the lands surrounding Talkeetna.*
- *Keep Talkeetna a pleasant place to live, work, and visit.*
- *Plan and provide for population growth which can be adequately absorbed by the area, without negative impacts on the sense of community, services, the environment, or the quality of life.*
- *Guide development in a manner which enhances Talkeetna's natural appeal, taking steps to ensure that future growth and change will build a desirable human environment.*
- *Maintain Talkeetna's major recreation and ecologically sound tourism economy and avoid conflicting activities.*

Historic Resources Goal:

- *Respect, preserve, and enhance the historic essence of Talkeetna, which contributes to the identity and special sense of place which form an integral part of Talkeetna's appeal.*

Findings of fact:

1. The Talkeetna Special Land Use District was created to guide development to be consistent with the Talkeetna Comprehensive Plan (1999).
2. Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District.
3. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
4. One Talkeetna Comprehensive Plan Land Use Goal states: *Keep Talkeetna a pleasant place to live, work, and visit.*
5. One Talkeetna Comprehensive Plan Land Use Goal states: *Plan and provide for population growth which can be adequately absorbed by the area, without negative impacts on the sense of community, services, the environment, or the quality of life.*
6. One Talkeetna Comprehensive Plan Land Use Goal states: *Maintain the community's small town atmosphere, sense of community, and high quality of life.*

7. One Talkeetna Comprehensive Plan Historic Goal states: *Respect, preserve, and enhance the historic essence of Talkeetna, which contributes to the identity and special sense of place which form an integral part of Talkeetna's appeal.*
8. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint, changing signage, or lighting.
9. In 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant.
10. MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code.
11. The subject property is within the Talkeetna Historic District, also known as Alaska Heritage Resources Survey (AHRs) Site number TAL-033.
12. The subject structure is listed as a "non-contributing building" within the Talkeetna Historic District.
13. The property has been used commercially since at least the early 1990's.

Conclusion of Law: Based on the above findings, the proposed commercial expansion is consistent with the Talkeetna Comprehensive Plan (1999) (MSB 17.25.130(B)(2)).

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

Findings of fact:

1. Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009.
2. In 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant.
3. MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code.
4. A Matanuska-Susitna Borough Driveway Permit was issued for the property in 2013.
5. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint, changing signage, or lighting.
6. Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District.
7. The operation is in full compliance with the State of Alaska Fire Code.

Conclusion of Law: Based on the above findings, the proposed commercial expansion will not be harmful to the public health, safety, convenience and welfare (MSB 17.25.130(B)(3)).

(4) Sufficient access, setbacks, lot area, parking space, buffers, and other safeguards have been provided.

Findings of fact:

1. The subject building was in existence prior to adoption of the Talkeetna Special Land Use District.
2. The building is set back approximately 26 feet from the front (south) lot line, 14.1 feet from the east side lot line, 11.8 feet from the west side lot line, and 11.15 feet from the rear (north) lot line.
3. The subject lot has double frontage.
4. A variance was approved in 2002 by Planning Commission Resolution 02-22(AM), allowing the structure to be 11.15 feet from the rear (north) lot line.
5. According to the application material, the proposed commercial expansion does not involve physically expanding the building footprint.
6. According to the site plan, two off-street parking spaces measuring 9 feet wide and 20 feet long are provided for employees at the rear of the building.
7. According to the site plan, a total of eight parking spaces are provided at the subject property.
8. A Matanuska-Susitna Borough Driveway Permit was issued for the property in 2013.
9. Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District.
10. The subject property is 12,941 square feet in size.

Conclusion of Law: Based on the above findings, sufficient access, setbacks, lot area, parking space, buffers, and other safeguards have been provided (MSB 17.25.130(B)(4)).

(5) if the permit is for a public use or structure, the commission must find that the proposed use or structure is located in a manner which will maximize public benefits; and

Finding of fact:

1. The proposed commercial expansion is not a public use or public structure.

Conclusion of Law: MSB 17.25.130(B)(5) is not applicable to the proposed commercial expansion.

(6) light industrial uses shall not produce noise, air pollution, water pollution, vibration, smoke, dust, fire hazard noxious or toxic gases or fumes, objectionable odors, glare or light pollution, electrical interference, or industrial waste that creates a nuisance beyond the boundaries of the property.

Finding of fact:

1. The proposed commercial expansion is not a light industrial use.

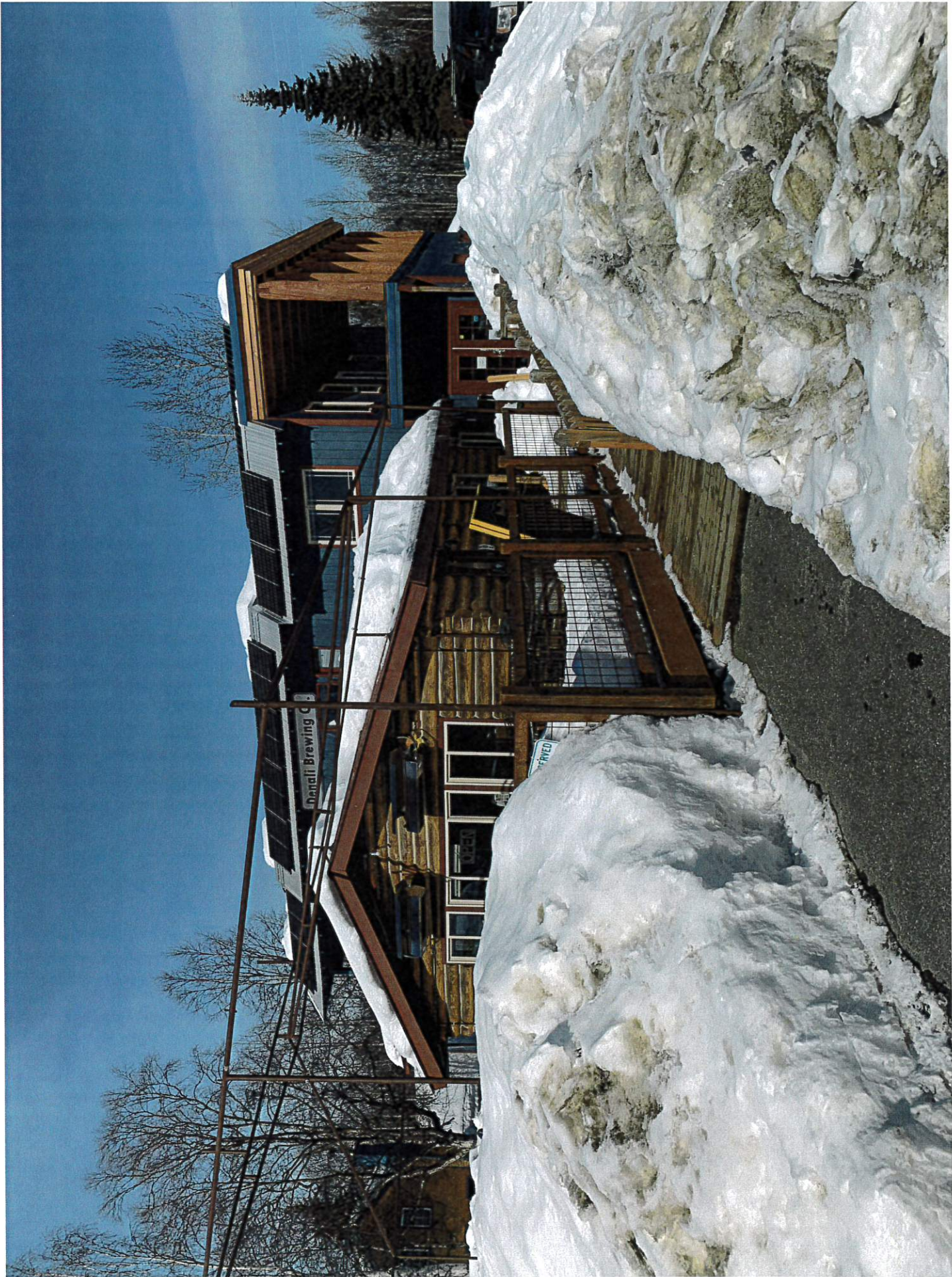
Conclusion of Law: MSB 17.25.130(B)(6) is not applicable to the proposed use.

STAFF RECOMMENDATIONS

Staff recommends approval of the Conditional Use Permit to allow the proposed commercial expansion at 13605 E. Main Street (Tax ID# 8088B12L014A-1). The proposed commercial expansion meets all applicable standards of MSB 17.25. Staff recommends approval of this permit with the following conditions:

1. The operation shall comply with all applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 – Noise, Amplified Sound, and Vibration.
4. The conditions of Conditional Use Permit #172520130001 shall remain in effect.
5. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at a minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.

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











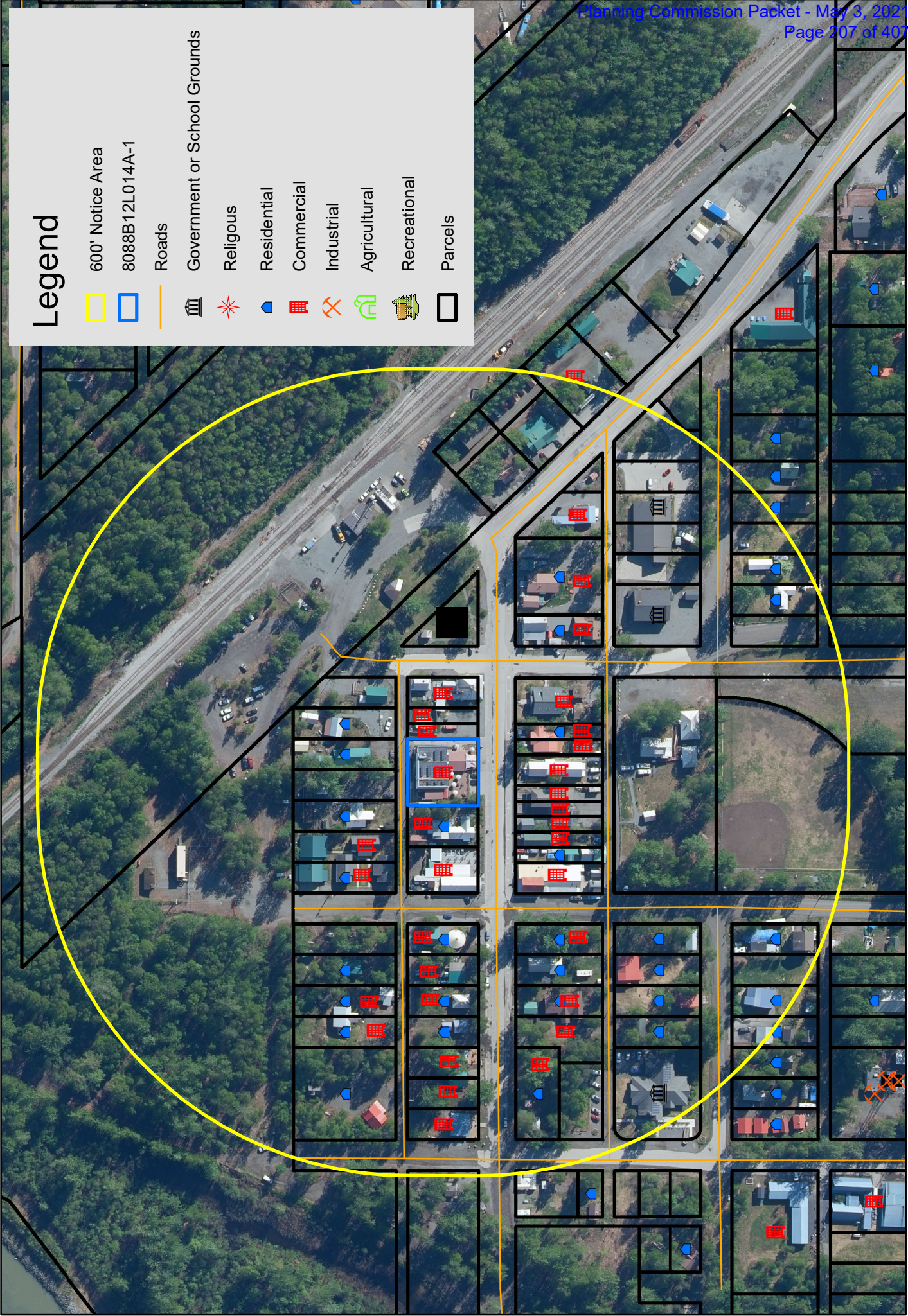






Legend

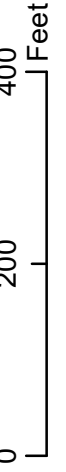
- 600' Notice Area
- 8088B12L014A-1
- Roads
- Government or School Grounds
- Religious
- Residential
- Commercial
- Industrial
- Agricultural
- Recreational
- Parcels



Date: 4/22/2021

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 of policies related to acceptance of this map, please contact the Municipal Planning Division at 907-861-7801.

1 inch = 200 feet



Mark Whisenhunt

From: Mark Whisenhunt
Sent: Friday, March 5, 2021 3:48 PM
To: 'contact@talkeetnacouncil.org'; 'korta@mac.com'; 'odirodwell@gmail.com';
'dougseabird@gmail.com'; 'kathy.trump@yahoo.com'; 'thedailyweekend@yahoo.com'
Subject: FW: Request for Review and Comments: Talkeetna Restaurant CUP Modifications
Attachments: Talkeetna Restaurant - Mailing.pdf

Greetings,

Our records indicate that your next meeting will be on April 5, 2021 at 7:00pm. If the Community Council would like to submit written comments related to the applications referenced below, please submit the comments by **April 6, 2021 @ 5:00pm**. If you have any questions please feel free to call me at the number listed below. Thank you for your time and consideration on this matter.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

DATE: March 5, 2021
TO: Various Governmental Agencies
FROM: Mark Whisenhunt, Planner II
SUBJECT: Request for Review and Comments Governmental Agencies
PROJECT: Modification of two existing Conditional Use Permit's for the expansion of the Talkeetna Restaurant
LOCATION: 13605 E. Main Street (Tax ID# 8088B12L014A-1);
within Township 26 North, Range 5 West, Section 24, Seward Meridian
APPLICANT: Sassan Mossanen (dba Talkeetna Restaurant)

An application to modify a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses and an application to modify a conditional use permit under MSB 17.25 Talkeetna Special Land Use District have been submitted for the expansion of the Talkeetna Restaurant. The Planning Commission will conduct two public hearings for the requests on April 19, 2021.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material may also be reviewed at the Borough Permit Center. A direct link to the application material is here:

<https://matsugov.us/publicnotice/talkeetna-restaurant-conditional-use-permits>

Comments are due on or before **March 26, 2021** and 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, but will be provided to the Commission at the meeting. Thank you for your review.

MATANUSKA-SUSITNA BOROUGH DIRECTORY OF ORGANIZATIONS

Community Council - Talkeetna

Board Exp

Talkeetna Community			Board Position	Correspondence - Talkeetna CC
Company Representing			Term	to
PO Box 608			Type of Term	
Talkeetna	AK	99676	Member	
Home		Work	Cell	E-mail contact@talkeetnacouncil.org

Korta	Jon		Board Position	Member 1 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Chair
Home		Work	Cell (907) 203-2532	E-mail korta@mac.com

Rodwell	Jodi		Board Position	Member 2 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Vice Chair
Home		Work	Cell (907) 388-6217	E-mail jodirodwell@gmail.com

Smith	Doug		Board Position	Member 3 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Treasurer
Home		Work	Cell (907) 414-9850	E-mail dougseabird@gmail.com

Trump	Kathy		Board Position	Member 4 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Board Member
Home		Work	Cell (907) 315-8775	E-mail kathy.trump@yahoo.com

MATANUSKA-SUSITNA BOROUGH DIRECTORY OF ORGANIZATIONS

Community Council - Talkeetna

Board Exp

Ruth	Cortni		Board Position	Member 5 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Secretary
Home	(907) 733-5660	Work	Cell	E-mail thedailyweekend@yahoo.com

Kingery	Kristi		Board Position	Member 6 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Board Member
Home		Work	Cell (907) 315-8594	E-mail

Nelson	Lora		Board Position	Member 7 - Talkeetna CC
Company Representing			Term	to
			Type of Term	
			Member	Board Member
Home	(907) 733-5672	Work	Cell	E-mail

Information Contact

Total Board Members

Meeting Schedule

Meeting Location

Board Notes:

7 Members

Meetings 1st Monday of each month, except September and other months where a major public holiday falls on the first Monday, in which case the monthly meeting is held on the following day. Meeting time is 7 p.m. at the Talkeetna Public Library. (Please check the Calendar of Events)

Talkeetna Public Library

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

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

Applicant: Sassan Mossanen (dba Talkeetna Restaurant)

Location: 13605 E. Main Street (Tax ID# 8088B12L014A-1);
within Township 26 North, Range 5 West, Section 24, Seward Meridian

Request: An application to modify an existing conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses and an application to modify an existing conditional use permit under MSB 17.25 Talkeetna Special Land Use District have been submitted for the expansion of the Talkeetna Restaurant.

The Planning Commission will conduct two public hearings concerning the above noted applications on Monday, **April 19, 2021 at 6:00 p.m.** in the Borough Assembly Chambers, 350 E. Dahlia Avenue, in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. 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 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 interested parties in the application, or members of the public concerning the application or issues presented in the application.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough website. The public is encouraged to check the Borough website prior to attending the public hearing for any changes to the meeting schedule or method.**

In Person Participation: Should you wish to attend in person, please adhere to a 6-foot distance between yourself and others; Masks are not required but are encouraged. **Telephonic Testimony:** Dial 1-855-290-3803; You will hear “Joining Conference” when you are admitted to the meeting. You will be muted and able to listen to the meeting. When the Chairperson announces audience participation or a public hearing you would like to speak to, press *3; you will hear “Your hand has been raised.” When it is your turn to testify you will hear “Your line has been unmuted.” State your name for the record, spell your last name, and provide your testimony.

Application materials may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Mark Whisenhunt, Planner II, at 861-8527. Written comments can be mailed to: MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to mark.whisenhunt@matsugov.us. In order to be eligible to file an appeal for a decision of the Planning Commission, a person must be designated an “interested party.” See MSB 15.39.010 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 home page: www.matsugov.us, in the Borough Clerk’s office, and at various libraries within the borough. Written comments are due on or before **March 12, 2021** and 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, but will be provided to the Commission at the meeting.

Name: _____ **Mailing Address:** _____

Location/Legal Description of your property: _____

Comments: _____

Mark Whisenhunt

From: Mark Whisenhunt
Sent: Friday, March 5, 2021 3:36 PM
To: 'allen.kempen@alaska.gov'; 'tucker.hurn@alaska.gov'; 'melanie.nichols@alaska.gov'; 'mearow@matanuska.com'; 'row@enstarnaturalgas.com'; 'row@mtasolutions.com'; 'ospdesign@gci.com'; Fire Code; Jill Irsik; Eric Phillips; Cindy Corey; Terry Dolan (Terry.Dolan@matsugov.us); Jim Jenson; Jamie Taylor; Charlyn Spannagel; Leda Borys; Taunnie Boothby; Theresa Taranto; Andy Dean; John Aschenbrenner (John.Aschenbrenner@matsugov.us); 'Tam Boeve'; 'contact@talkeetnacouncil.org'
Subject: Request for Review and Comments: Talkeetna Restaurant CUP Modifications
Attachments: Talkeetna Restaurant - Mailing.pdf

DATE: March 5, 2021
TO: Various Governmental Agencies
FROM: Mark Whisenhunt, Planner II
SUBJECT: Request for Review and Comments Governmental Agencies
PROJECT: Modification of two existing Conditional Use Permit's for the expansion of the Talkeetna Restaurant
LOCATION: 13605 E. Main Street (Tax ID# 8088B12L014A-1);
within Township 26 North, Range 5 West, Section 24, Seward Meridian

APPLICANT: Sassan Mossanen (dba Talkeetna Restaurant)

An application to modify a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses and an application to modify a conditional use permit under MSB 17.25 Talkeetna Special Land Use District have been submitted for the expansion of the Talkeetna Restaurant. The Planning Commission will conduct two public hearings for the requests on April 19, 2021.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material may also be reviewed at the Borough Permit Center. A direct link to the application material is here:

<https://matsugov.us/publicnotice/talkeetna-restaurant-conditional-use-permits>

Comments are due on or before **March 26, 2021** and 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, but will be provided to the Commission at the meeting. Thank you for your review.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us



Certificate of Bulk Mailing – Domestic

Fee for Certificate

Up to 1,000 pieces (1 certificate for total number)

For each additional 1,000 pieces, or fraction thereof

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Total Number of Pounds 15.402	Total Postage Paid for Mailpieces 24.48	Fee Paid 8.80	

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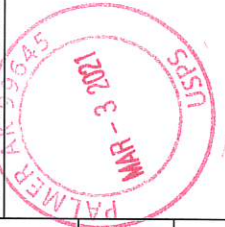
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Acceptance employee must cancel affixed (by round-date) at the time

If payment of total fee due is being paid by Permit Imprint, include the Postal/One/® Transaction Number here: _____



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TALKEETNA AIRMEN'S ASSOC
PO BOX 177
TALKEETNA AK 99676-0177

57000B10L014 33
TALKEETNA HISTORICAL SOC
PO BOX 76
TALKEETNA, AK 99676-0076

57439000L001 34
TFB LLC
4101 PATRICIA LN
ANCHORAGE AK 99504

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THOMPSON ROCHELE
1238 COLORADO ST
SALT LAKE CITY UT 84116-1663

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TWIGG DURONDA L
PO BOX 13312
TRAPPER CREEK AK 99683-3312

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ANCHORAGE, AK 99507

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DEPT OF INTERIOR NAT'L PARK SERVICE
PO BOX 9
DENALI NAT'L PK, AK 99755-0009

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DEPT OF INTERIOR NATIONAL PARK
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107
2525 GAMBELL ST
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VOS MARGARET E
PO BOX 953
TALKEETNA, AK 99676-0953

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TALKEETNA, AK 99676-0472

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WOODS WILLIAM H & MARGARET E
3131 DEMOCRAT RD
MEMPHIS TN 38118-1516

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TALKEETNA COMMUNITY COUNCIL
PO BOX 608
TALKEETNA, AK 99676

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STEVENS MAC A
PO BOX 395
TALKEETNA AK 99676

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TALKEETNA AIRMEN'S ASSOC
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WOODS WILLIAM H & MARGARET E
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PO BOX 608
TALKEETNA, AK 99676

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AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA, STATE OF ALASKA, THIRD DIVISION
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, THIS DAY
PERSONALLY APPEARED BEFORE **BENJAMIN BORG** WHO, BEING
FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT HE IS THE
LEGAL AD CLERK OF THE **FRONTIERSMAN**
PUBLISHED AT WASILLA AND CIRCULATED THROUGH OUT MATANUSKA
SUSITNA BOROUGH, IN SAID DIVISION THREE AND STATE OF ALASKA
AND THAT THE ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE
COPY, WAS PUBLISHED ON THE FOLLOWING DAYS:

03/03/2021

AND THAT THE RATE CHARGED THEREIN IS NOT IN EXCESS OF
THE RATE CHARGED PRIVATE INDIVIDUALS.

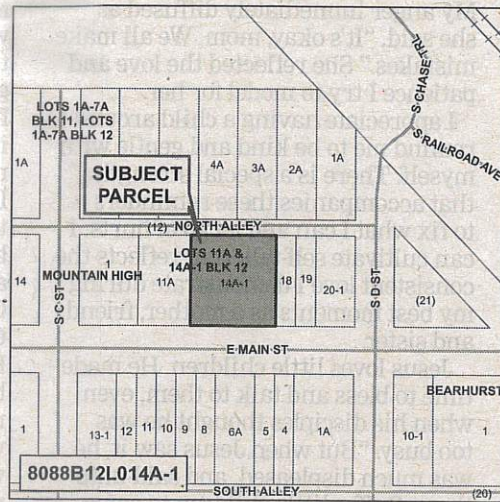

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 3rd DAY OF March, 2021.


NOTARY PUBLIC FOR STATE OF ALASKA

NANCY E. DOWNS
Notary Public
State of Alaska
My Commission Expires
August 25, 2023

MAT-SU BOROUGH/PAGE
3.3
ACCOUNT NUMBER 405249

MATANUSKA-SUSITNA BOROUGH PUBLIC HEARINGS



The Matanuska-Susitna Borough Planning Commission will conduct two public hearings concerning the following applications to modify two conditional use permits on Monday, **April 19, 2021**, at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

An application to modify an existing conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses **and** an application to modify an existing conditional use permit under MSB 17.25 Talkeetna Special Land Use District, have been submitted by Sassan Mossanen (dba Talkeetna Restaurant) for the

expansion of the restaurant at 13605 E. Main Street (Tax ID# 8088B12L014A-1); within Township 26 North, Range 5 West, Section 24, Seward Meridian.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough website. The public is encouraged to check the Borough website prior to attending the public hearing for any changes to the meeting schedule or method.**

In Person Participation: Should you wish to attend in person, please adhere to a 6-foot distance between yourself and others. **Telephonic Testimony:** Dial 1-855-290-3803; You will hear "Joining Conference" when you are admitted to the meeting. You will be muted and able to listen to the meeting. When the Chairperson announces audience participation or a public hearing and you would like to speak to, press *3; you will hear "Your hand has been raised." When it is your turn to testify you will hear "Your line has been unmuted." State your name for the record, spell your last name, and provide your testimony.

The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request for more information through the Clerk, from the applicant at the time of 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. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties 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 by clicking on "All Public Notices & Announcements." Application material may also be reviewed at the Borough Permit Center. For additional information, you may contact Mark Whisenhunt, Planner II, at 861-8527. Written comments can be mailed to: MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to mark.whisenhunt@matsugov.us. 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 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 home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Written comments are due on or before **March 26, 2021** and 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, but will be provided to the Commission at the meeting.

Publish Date: March 3, 2021

03-02-21

NPS Form 10-900
(Rev. 10-90)

OMB No. 1024-0018

United States Department of the Interior
National Park Service

NATIONAL REGISTER OF HISTORIC PLACES
REGISTRATION FORM

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in How to Complete the National Register of Historic Places Registration Form (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

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1. Name of Property

=====

historic name Talkeetna Historic District

other names/site number AHRS Site No. TAL-033

=====

2. Location

=====

street & number N/A

not for publication N/A

city or town Talkeetna vicinity N/A

state Alaska code AK county Matanuska-Susitna code 170

zip code 99676

Signature of certifying official

March 16, 1993
Date

State or Federal agency and bureau

Signature of commenting or other official

Date _____

State or Federal agency and bureau

4. National Park Service Certification

I, hereby certify that this property is:

✓ entered in the National Register
 See continuation sheet.
 determined eligible for the
 National Register
 See continuation sheet.
 determined not eligible for the
 National Register
 removed from the National Register
 other (explain):

Autocritique No 2

4/26/93

Signature of Keeper

Date
of Action

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5. Classification

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Ownership of Property (Check as many boxes as apply)

☒ private
☒ public-local
☐ public-State
☐ public-Federal

Category of Property (Check only one box)

☐ building(s)
☒ district
☐ site
☐ structure
☐ object

Number of Resources within Property

Contributing	Noncontributing	
<u>13</u>	<u>13</u>	buildings
<u> </u>	<u> </u>	sites
<u> </u>	<u> </u>	structures
<u> </u>	<u> </u>	objects
<u>13</u>	<u>13</u>	Total

Number of contributing resources previously listed in the National Register 1

Name of related multiple property listing (Enter "N/A" if property is not part of a multiple property listing.) N/A

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6. Function or Use

Historic Functions (Enter categories from instructions)

Cat: Domestic	Sub: Single dwelling
Commerce/Trade	Restaurant
Education	School

Current Functions (Enter categories from instructions)

Cat: Domestic	Sub: Single dwelling
Commerce/Trade	Restaurant
Recreation and Culture	Museum

7. Description

Architectural Classification (Enter categories from instructions)

No style

Materials (Enter categories from instructions)

foundation	sill logs, concrete
roof	metal
walls	log
	wood
other	N/A

Narrative Description (Describe the historic and current condition of the property on one or more continuation sheets.)

Talkeetna is an unincorporated community of 250 residents in southcentral Alaska approximately 115 miles north of the city of Anchorage. Because of its convenient location near the confluence of the Talkeetna, Susitna, and Chulitna rivers, Talkeetna became a supply station for prospectors who found gold in nearby Cache Creek in 1906. In part because of the river access, the Alaska Engineering Commission (AEC) selected Talkeetna in 1916 for a railroad construction camp. The AEC surveyed a townsite in 1918 and held an auction to sell lots in 1919. Talkeetna did not grow as large or as fast as other towns platted by the AEC such as Anchorage, Wasilla, or Nenana. Talkeetna never formally incorporated.

After railroad construction, Talkeetna, 226 miles from the southern terminus at Seward and 259 miles from the northern terminus at Fairbanks, had a railroad station as opposed to a section house meaning that it was a regular stop. Over the years, a number of miners built their winter residences, most of them small log cabins, in Talkeetna. The Fairview Inn and Nagley's Store opened in 1920. The community had no church buildings, social halls, or public buildings aside from the railroad station, and until the mid-1930s there was no school. Talkeetna had a post office, U.S. Commissioner, and Deputy Marshal, but none in its own building. Because of miners' pressure for access to their mines, the Alaska Road Commission (ARC) had an office in Talkeetna.

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8. Statement of Significance

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Applicable National Register Criteria (Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing)

- ☒ **A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- ☐ **B** Property is associated with the lives of persons significant in our past.
- ☐ **C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- ☐ **D** Property has yielded, or is likely to yield information important in prehistory or history.

Criteria Considerations (Mark "X" in all the boxes that apply.)

- ☐ **A** owned by a religious institution or used for religious purposes.
- ☒ **B** removed from its original location.
- ☐ **C** a birthplace or a grave.
- ☐ **D** a cemetery.
- ☐ **E** a reconstructed building, object, or structure.
- ☐ **F** a commemorative property.
- ☐ **G** less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance (Enter categories from instructions)

Exploration/Settlement

Period of Significance 1917-1942

Significant Dates 1917

Significant Person (Complete if Criterion B is marked above)

N/A

Cultural Affiliation N/A

Architect/Builder N/A

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9. Major Bibliographical References

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(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS) N/A

___ preliminary determination of individual listing (36 CFR 67) has been requested.

___ previously listed in the National Register

___ previously determined eligible by the National Register

___ designated a National Historic Landmark

___ recorded by Historic American Buildings Survey # _____

___ recorded by Historic American Engineering Record # _____

Primary Location of Additional Data

___ State Historic Preservation Office

___ Other State agency

___ Federal agency

X Local government

___ University

___ Other

Name of repository:

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10. Geographical Data

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Acreage of Property 6.4 acres

UTM References (Place additional UTM references on a continuation sheet)

	Zone	Easting	Northing		Zone	Easting	Northing
1	05	649530	6913455	2	05	649740	6913455
3	05	649740	6913260	4	05	649530	6913260

See continuation sheet.

Verbal Boundary Description (Describe the boundaries of the property.)

The Talkeetna Historic District is shown as the dotted line on the accompanying site map dated August 27, 1992. It includes portions of blocks 2, 3, 10, 11, 12, and 13 in Township 26, Range 5 West within Section 24, Seward Meridian.

Boundary Justification (Explain why the boundaries were selected.)

The boundaries include all of the residences and commercial buildings with historic integrity that reflect the early settlement of Talkeetna.

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11. Form Prepared By

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name/title	<u>Fran Seager-Boss, Archaeologist</u>		
	<u>Lawrence Roberts, Historian</u>		
organization	<u>Matanuska-Susitna Borough</u>	date	<u>August 31, 1992</u>
street & number	<u>350 E. Dahlia Ave.</u>	telephone	<u>(907) 745-9859</u>
city or town	<u>Palmer</u>	state	<u>Alaska</u> zip code <u>99645</u>

Assisted by Connie Conley-Harding, Student Intern, Office of History and Archaeology, Alaska Division of Parks and Outdoor Recreation, P.O. Box 107001, Anchorage, Alaska 99510, 907-762-2622

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The historic district includes thirteen contributing buildings. These properties reflect Talkeetna's history as a small village. The most prominent buildings are the Fairview Inn (listed in the National Register in 1982), Nagley's Store, Talkeetna Schoolhouse, and Frank Lee Cabin. Three of the contributing properties date from the late 1910s, five from the 1920s, and five from the 1930s. Severe river bank erosion in 1949 took twelve acres of the Talkeetna townsite including two blocks of Main Street. Several buildings near the boat landing, one of them Nagley's Store, had to be relocated.

All of the buildings in Talkeetna are architecturally plain, representing no recognized architectural style. The residences in the historic district are small, most with one or two rooms. The buildings, along with the district's setting, are representative of early twentieth century rural Alaskan building types and town planning.

Thirteen non-contributing buildings are within the district boundaries. They are consistent in design, material, and scale, and are compatible with the contributing buildings. Several of the non-contributing buildings are more than fifty years old, but do not have an association with their present location during the period of significance.

Contributing Structures:

1. **Fairview Inn** (AHRS Site No. TAL-006, listed in the National Register May 7, 1982). Ben Nauman built this two-story, undecorated, frame hotel between 1920 and 1923. The original building is 36' x 36'. A one story 24' x 12' addition on the building's north side replaced a smaller one built in 1939 as private living quarters by the owners, John and Nola Campbell. A second addition, 16' x 8', is on the west end of the north side. The building has painted drop siding.

The south and east elevations, the main facades, each have a single wood door flanked by a pair of 1/1 double hung sash windows with plain trim on the first floor. The east elevation's door is protected by a gable overhang supported by brackets; the south elevation's door is protected by a gable porch. The second floor of the east elevation has three evenly spaced 1/1 double hung sash windows. The south elevation's second floor has four 1/1 double hung sash windows evenly spaced. The building's west elevation has a small horizontally-sliding single light window that has replaced an original window, and an boarded entry.

The north elevation has two additions. The 1939 addition extends from the left side of the elevation approximately 24 feet. This addition's gable roof covers one of the original 1/1 double hung sash windows in the north elevation of the main building. Original 1/1 double hung sash windows flank each side of the addition's roof. This addition's east elevation has two separate doors centrally placed with 1/1 double hung sash windows on either side. A plain gable opening exists in the north elevation.

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The medium-hipped pyramid roof has a flat area at the ridge where the chimney stack protrudes. In 1991, the owners replaced the rolled roofing with corrugated metal roofing.

A sign, similar to the original one, hangs on the east facade centered between the two stories. Printed in large block letters is "Fairview Inn" with "Bar" and "Rooms" printed in smaller letters underneath.

2. Nagley's Store (B&K Trading Post) (AHRS Site No. TAL-017). Horace W. Nagley disassembled a building constructed around 1912 at Susitna Station, barged it to Talkeetna and reassembled it around 1920. The original full log building measures 25' x 35'. It has mortise and tenon construction. At an unknown date, Nagley added a one story 20' x 25' log addition with a shed roof on the rear for more store space. Later, a second one-story log extension 29' x 25' was added to the rear of the first addition for storage.

In 1945, Nagley moved the store from the west end of town to its present location because of river bank erosion. Upon relocation, Nagley built a frame addition measuring 14' x 35' on the west side. In recent years, owners have built two smaller frame additions onto the west addition, each with drop siding and shed roofs. The addition that fronts on Main Street measures 11' x 8', the one behind it measures 8' x 6'. Corner boards on all additions complement the original building. All roofs have sheet metal coverings. The northwest addition completes the main (north) facade facing Main Street. The smaller addition to the southwest side of the west addition provides a closed-in entrance. The front porch with decking area extends the full width of the north elevation.

The north elevation of the original building has a centrally located two panel, six light door flanked by paired two light single sash fixed windows. The upper lights of these windows are divided by mullions in a diamond pattern. The north gable of the original building has two 2/2 double hung sash windows evenly spaced. The north elevation of the western shed addition has a two panel, four light door on the left with a double light single sash horizontally-sliding window centrally placed. The addition to the right of this shed addition mirrors the shed's fenestration on a smaller scale.

The east elevation of the original building has a boarded up window at each end and a boarded up door in the center. The east elevations of both of the south additions are plain. The original building's south gable contains a 2/2 double hung sash window. The addition's south elevation has a double door on the left side. The addition's west elevation has a door in the right side and a central boarded up window to the right.

When Nagley sold his store in 1951 to Barrett and Kennedy, they changed the name of the store to B&K Trading Post.

3. Frank Lee Cabin (Talkeetna Roadhouse) (AHRS Site No. TAL-008). In 1917, Frank Lee, a freighter, built a two and one-half story gabled log

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cabin with boxed corners for his personal residence. In 1944 it became a roadhouse. The original structure measures 21' x 32'. The building's main facade faces north onto Main Street. This facade has a full porch protecting the central entry. Four light single sash windows flank the entry. Above the porch roof, the second floor has two single light sash windows. The gable wall is sheathed with board and batten siding. The only fenestration on the building's west elevation is a 6/6 double hung sash window in the left side of the first floor.

A 26' x 48' frame shed addition with drop siding and a corrugated metal roof is on the building's east side. This addition extends the length of the original cabin. It has a nine light fixed single sash window and a door along the north elevation. The east elevation of this addition has three evenly spaced nine light fixed single sash windows and a door in the left corner.

There are two additions on the back of the original building. The first is a frame, one and one-half story, 20' x 34' building with shiplap siding. This building, built for the Civil Aeronautics Administration, was moved and attached to the roadhouse at an unknown date. The second rear addition measures 20' x 16' and matches the first addition in material and design. Along the east elevations of both additions are five evenly spaced six light awning windows. The west elevations of the additions have a sequence of a six light single sash window at the left end, a door, four single sash six light windows evenly spaced, and a door at the right end. The south elevation of the original building has a single light fixed sash window on the left side of the first and second floors. The south elevation of the addition has a boarded up gable opening and a single light, single sash, horizontally-sliding window in the center on the first floor.

4. **Frank Lee Barn** (AHRS Site No. TAL-056). Also in 1917, Frank Lee constructed a two and one half story, 16' x 22' barn. It has full logs and double saddle notched corners. Its gable walls are framed with vertical wood siding. The medium pitched gabled roof is covered with corrugated metal. On the north facade is a double-hinged wood barn door. The west elevation has two single sash four light horizontally-sliding windows in the center of the first floor. The second floor log joists penetrate the east and west elevations. The east and south elevations are plain. The barn has settled and the lower courses of logs are deteriorating. It is currently used for storage.

5. **Talkeetna Schoolhouse (Talkeetna Museum)** (AHRS Site No. TAL-025). The Territory of Alaska constructed the school in 1936. The one and one-half story, 30 x 37' structure had one large classroom on the first floor and living quarters for the teacher on the second. The main facade (north elevation) has a 4'2" x 5'3" covered porch at the left end that is accessed by exterior stairs. To the right of this entry are two fixed single sash six light windows evenly spaced. The gable has two 6/6 double hung sash windows evenly spaced. The east elevation has a six light single sash fixed window at the left end. Centrally placed in the right side of the east elevation is a sequence of one 6/6 double hung sash window, three 6/6

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double hung sash windows set side-by-side, and one 6/6 double hung sash window. A shed dormer with three single sash six light windows placed side-by-side extends from the gable roof ridge. Around 1939, the school got a 28' x 12' shed roof addition on the south end. This addition has two fixed single sash six light windows evenly spaced on its east elevation. The addition's west elevation has two large 6/6 double-hung sash windows and two smaller six light single sash windows. This elevation has an outside staircase to the second floor apartment and a second entrance to the classroom. A shed dormer containing two single sash six light windows extends from the gable ridgeline. On the south elevation of the original building, the upper floor has two 6/6 double hung windows. The addition's south elevation is plain.

In 1974 the Talkeetna Historical Society acquired the school for a museum.

6. **Ole Dahl Cabin (1)** (AHRS Site No. TAL-022). Built around 1918, this one story, 13' x 15' full log cabin has V notched corners and rolled roofing. In the 1970s, the Talkeetna Historical Society moved the cabin across the street from the back of Dahl's lot to its present location just west of the museum. The north facade is the main elevation and has a door just right of center. The ridge pole, purlins and wall plate logs extend three feet beyond the front wall providing an overhang over the entry. The east elevation is plain. A single light single sash fixed window is just left of center in the west elevation, and another is towards the right hand side of the south elevation.

7. **David St. Lawrence Cabin (Harry Robb Cabin)** (AHRS Site No. TAL-019). Built around 1920 by a freighter, David Lawrence, the building is a two and one-half story log cabin with squared V notching and covered box corners. The building measures 15' x 20' and has a gable roof covered with corrugated metal. Protected by a small gable overhang supported by brackets, a two panel door is on the right side of the east elevation. A six light single sash window is centrally placed in the east gable wall. Centered in the north elevation is a six light single sash horizontally sliding window. The south elevation is identical to the north. Ceiling joists extend through the north and south walls approximately two feet above the windows. After 1940 the new owner, Harry Robb, added a roughed sawed 15' x 11' one-and-a-half story frame shed addition on the rear. The addition has doors on the left and right sides and a six light single sash window in the center of the gable wall. The cabin has been empty since Robb's death in the 1970s.

8. **Helmer Ronning Cabin (Denali Dry Goods)** (AHRS Site No. TAL-029). Helmer Ronning, a Norwegian master carpenter, trapper, and miner, built this one-and-one-half story 31' x 18' medium pitched gabled log cabin around 1930. The cabin has dove-tailed corners locked with dowels and pegs and covered by cornerboards. The north or main facade fronts on Main Street. This elevation has a three panel, single light door on the left side protected by a small gabled porch. To the right of the door is an 1/1 double hung sash window. The gable wall has a double single light single sash horizontally-sliding window. The west and east elevations have

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windows at each end. The roof forms an open cornice on both these elevations. A 10' x 18' addition and 6' x 10' lean-to extend from the rear of the cabin. The cabin is now a store. In the southeast corner of the lot stands an outhouse also of log construction with dovetailed corners.

9. **Ole Dahl Cabin (2)** (AHRS Site No. TAL-027). Norwegian-born Ole Dahl, a railroad surveyor, miner, and trapper, built this cabin around 1920 after he got married. The one-and-one-half story cabin has square notched corners and measures 20' x 26'. It has an open porch across the north elevation that fronts on Main Street. The porch is railed, with an entrance in line with the cabin's front door. A small gable roof is centered over the center of the porch in contrast to the porch's main shed roof. Matching 8/1 sash windows are on either side of the north elevation's door. A smaller 8/1 double hung sash window is in the center of the gable wall. The ground floor west elevation has one 8/1 double hung sash window on the right. Matching windows are on the left and right sides of the east elevation. There is a 9' x 20' addition on the south side of the cabin. A detached 12' x 24' shed is off the southwest corner of the building. The cabin is still a private residence.

10. **Tom Weatherell Cabin** (AHRS Site No. TAL-030). Tom Weatherell, a miner and store employee of Horace Nagley, hired Helmer Ronning to help him build this cabin around 1921. It is a one- and-one-half story full log cabin. The logs are fastened with dowels and pegs and enclosed with boxed corners. The original cabin is 25'2" x 19'2" and has a hipped roof with a hipped dormer on the main facade. The original rolled roofing has been covered with metal roofing. A block chimney extends from the upper third of the western slope of the roof. The south elevation, the main facade, fronts on Main Street and has an enclosed porch cut into the right corner. To the left of this porch, just left of facade centerline, is an 8/1 double hung sash window. An eight light single sash window is in the dormer. The east elevation has a large twelve light single sash window defining the porch area and an 8/1 double hung sash window just right of the elevation's centerline. In 1939, the owner built a 10' x 14' frame addition with shiplap siding and half hipped gabled roof onto the cabin's north side. The east elevation of this addition has a five panel door. The west elevation has 8/1 double hung sash windows at each end of the main building; the addition's west elevation is plain. The north elevations of the original building and the addition are plain. A second addition on the north side has been removed. The cabin is unoccupied.

11. **Mike Trepte House** (AHRS Site No. TAL-053). In 1937, Mike Trepte, a placer miner, built this one and one-half story building. The original frame house is 18' x 26'6" with shiplap siding and cornerboards. Its main facade faces south to Main Street. It has a small open gabled porch to the right of center of the original building, with two new nine light single horizontally-sliding sash windows to the left. The opening in the gable is boarded up. A small 4' x 8' shed roof addition extends off the north side. A 17' x 14' addition, built about 1967 on the east elevation, created an "L" shaped building. The east and south elevations of this addition have pairs of new sixteen light single sash windows. The opening in the

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addition's gable is boarded up. North and west elevations are plain. A detached shed stands on the northwest corner of the property. The house continues to be a private residence.

12. **Red John Cuculich Cabin** (AHRS Site No. TAL-054). Red John, a Czechoslovakian immigrant and area miner, built this cabin in 1938. It is a one story 16' x 20'6" hand-hewn square notched log cabin with a gable roof. The front facade, which faces south, has a wood door on the right with a nine light fixed sash window on the left. A four light fixed sash window is centrally placed in the east elevation. There is a 7' x 16' addition on the north elevation. The addition has a single light fixed sash window in its west elevation. In 1992 corrugated metal roofing was put over the gabled roof's original rolled roofing. A small open wood shed with metal roofing is on the west elevation. The cabin is now used as a shed.

13. **Black John Zulich Cabin (B&B Office/Twister Creek Fuel)** (AHRS Site No. TAL-048). John Zulich, a Czechoslovakian immigrant who mined the Cache Creek district, built a one and one-half story full log cabin with square notched corners around 1930. It measured 16' x 20'6". Originally, a porch extended out from the cabin's main facade (east elevation), formed by the gabled roof extending beyond the facade and supported by four evenly spaced log columns. The porch has recently been enclosed, but the additions are in keeping with the general architecture of the cabin and could be removed. The cabin's south elevation has a new double horizontally-sliding single light single sash window centrally placed. The west elevation has an original four light single sash window in the gable wall. The north elevation is covered by an eight inch wide T-111 sided frame shed addition extending the length of the building. This addition's north elevation contains two single light horizontally-sliding sash windows placed at each end. A similar window is centrally placed in the addition's east elevation.

Non-Contributing properties:

14. **Trailer.** Contemporary, non-historic appearance.

15. **Shed.** Frame; construction date unknown.

16. **Collapsed shed.** Log; construction date unknown; in ruins.

17. **Curry Building** (AHRS Site No. TAL-059). In the 1950s, the owners moved this single story frame building from Curry Station, on the Alaska Railroad about 40 miles north of Talkeetna, to its present location on Talkeetna's Main Street. Now a deli, relocation and remodeling have destroyed the building's historical integrity.

18. **River Trips Building.** This is a small frame building on a post foundation with a large front porch. It was built within the last five years. The building's appearance is sympathetic to the historic district.

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19. **Three River Gas Station.** This large two story log sided building is of recent construction. Its appearance is not sympathetic to the historic district.

20. **Log cabin.** This is a small, one room, full log cabin located behind the roadhouse. Constructed in the mid-1960s, the owners moved it to this location during the late 1970s. Its appearance is sympathetic to the historic district.

21. **Bikes, Flights, Etc.** This is a small one-story frame building constructed during the 1990s. Its appearance is sympathetic to the historic district.

22. **Roberta Sheldon House.** This is a small frame house built in the mid-1950s. It has a shed located behind it. The appearance of the two buildings is sympathetic to the historic district.

23. **National Park Service Ranger Station.** This is a small one room cabin of full log construction built during the 1980s. Its appearance is sympathetic to the historic district.

24. **Private residence.** This is a large two story full log cabin of recent construction. Its appearance is sympathetic to the historic district.

25. **Talkeetna Station** (AHRS Site No. TAL-014). This railroad station replaced one that burned in 1933. To avoid razing, the Talkeetna Historical Society moved the station from the railroad tracks south and west to its present location behind the museum. Although more than fifty years old and associated with the history of Talkeetna, the loss of direct association with the railroad tracks has destroyed the station's historic integrity.

26. **Talkeetna Station House** (AHRS Site No. TAL-058). To avoid razing, the Talkeetna Historical Society moved this house from its location adjacent to the railroad south and west to its present location behind the museum. Although more than fifty years old and associated with the history of Talkeetna, the loss of direct association with the railroad tracks has destroyed the building's historic integrity.

USDI/NPS NRHP Registration Form

Talkeetna Historic District

Matanuska-Susitna, Alaska

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Narrative Statement of Significance

Talkeetna, a small unincorporated community at the confluence of the Chulitna, Talkeetna, and Susitna rivers in southcentral Alaska began as a supply station for miners and trappers in 1910. Talkeetna means "River of Plenty" and comes from the Tanaina Indian language. In 1916, the Alaska Engineering Commission, constructing the Alaska Railroad, selected Talkeetna for a district construction headquarters. A post office opened that year, and the construction camp and first permanent buildings stood the next year. The Alaska Engineering Commission surveyed a townsite in 1918 and sold eighty lots in 1919. After the railroad was completed, the town continued to exist, but it did not grow as fast or as much as others surveyed by the Alaska Engineering Commission. During the 1920s and 1930s, Talkeetna was a small community of miners and trappers who built small cabins, many of them log, for their winter residences. The miners worked the Yentna District which included Cache Creek, Peters Creek, Dutch Hills, and Dollar Creek. Mining also took place east of Talkeetna in the Iron Creek-Talkeetna River area and northeast in Broad Pass. The town had several inns and general stores, but through the 1920s its only public building was the railroad station. Talkeetna had no churches, social halls, or fire department. A school was not opened until 1935. Thirteen buildings from Talkeetna's early years contribute to the district. The three oldest contributing buildings in the district date from 1917 when railroad construction started. Five of the properties date from the 1920s and five from the 1930s. One of these, the Fairview Inn was listed on the National Register on May 7, 1982. Together, the historic properties reflect a 1920s-1930s, small supply town in Alaska. The period of significance for the Talkeetna Historic District ends in 1942 when World War II directly impacted Alaska and President Franklin D. Roosevelt ordered gold mines, considered non-essential to the war effort, to close. Several buildings in the district have been relocated, because of riverbank erosion or threatened destruction, but they are within the townsite boundaries.

Prospectors discovered gold in Cache Creek in 1906, and within a couple of years miners frequented Talkeetna for supplies and winter shelter. In 1910, the Alaska Commercial Company opened a small supply station, "Talkeetna" at the confluence of the Chulitna, Talkeetna, and Susitna rivers for Cache Creek, Peters Creek, and Broad Pass miners and trappers. Boats with supplies from Susitna Station brought goods to the site, and a small village started. The supply station closed by 1912.

In 1915, President Woodrow Wilson's selection of the Susitna River and Broad Pass route for the Pacific-to-Tanana River railroad the federal government planned to build revived Talkeetna. The Alaska Engineering Commission, created to build the railroad, chose Talkeetna as a district construction headquarters and built warehouses, bunkhouses, and offices. Upon hearing the news, some people such as Frank Lee, a freighter, and H.W. Nagley, a merchant, hurried to the site and started businesses. A post office opened in 1916. At the request of the Talkeetna Commercial Club, the Alaska Engineering Commission surveyed a townsite in September 1918. Talkeetna residents purchased eighty townsite lots at an auction in October

USDI/NPS NRHP Registration Form

Talkeetna Historic District

Matanuska-Susitna, Alaska

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1919. Individuals claiming preference rights, because they had made permanent improvements to lots prior to the townsite survey, purchased nearly half of the lots. After railroad construction, the Alaska Railroad established a station, as opposed to a section house or flag stop, at Talkeetna. The station meant that Talkeetna was a regular, scheduled stop on the Alaska Railroad, supplies were available year-round, and seven men had regular employment.

Although it never legally incorporated as a town, Talkeetna was the town for miners who worked in the Yentna, Iron Creek, and Broad Pass districts during the 1920s and 1930s. Miners such as Helmer Ronning, Mike Trepte, and Red John Cuculich built cabins in Talkeetna, worked their claims in the summer months, and trapped for furs during the winter. In 1921 there were twenty-four mining operations in the Yentna district near Talkeetna, most with hydraulic plants. In 1933, twenty-nine mining camps operated. Eight tractors freighted out of Talkeetna "night and day" in 1936.

The 1920 U.S. Census reported Talkeetna's population as 70, 53 males and 17 females. Of the 53 men, 33 were single, 11 married, 2 divorced, 2 widowed, and 5 under age 16. The average adult male was 46 years old. Of the men, 19 were miners or prospectors, 5 were trappers, 7 worked for the railroad, and 22 worked in commercial occupations. Of the females, 11 were married women, 1 widowed, and 5 under age 16. The average age of the adult females was 35 years old. Occupations for women were not given. The 1930 census reported 89 residents in Talkeetna, and the 1940 census reported 136 residents.

In 1920, the Alaska Road Commission (ARC) opened an office in Talkeetna. The Talkeetna road crews built and maintained 22 miles of wagon road, 20 miles of sled road, and 16 timber bridges. For some ARC employees, such as the "Colonel" and Ole Dahl, Talkeetna continued to be home after the ARC office closed in 1932. The Alaska Railroad, Alaska Road Commission, U.S. Commissioner, Deputy U.S. Marshal, and Post Office were the only government entities with offices in Talkeetna. Not until 1935, did the Territory of Alaska open a school in Talkeetna. For the first two school years, classes were held in Frank Lee's cabin. In 1936, the \$6,000 schoolhouse opened.

Shortly after the U.S. entered World War II, President Franklin D. Roosevelt signed Executive Order L-208 closing all mines non-essential to the war effort. It was the end of an era for Talkeetna. Few mines reopened for any length of time after the war because of high labor costs and the low fixed price for gold. In the 1940s bush pilots moved to Talkeetna. The town became, and continues to be, the departure point for mountain climbers attempting to ascend Mount McKinley.

A road now reaches Talkeetna. A number of buildings in town, however, remain from the 1910s, 1920s, and 1930s that convey the sense of a small early twentieth century Alaskan village.

USDI/NPS NRHP Registration Form
Talkeetna Historic District
Matanuska-Susitna, Alaska

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Major Bibliographic References

Alaska Engineering Commission. Alaska Railroad Record. June 1917-November 19, 1919.

Alaska Magazine. January 1985, Vol. 51, No. 1, pp. 14-15.

Alaska Road Commission. Annual Reports. 1920-1939.

Browne, Belmore. The Conquest of Mt. McKinley. Boston: Houghton Mifflin Co., 1956.

Campbell, Nola H. Talkeetna Cronies. Privately printed, 1974.

----- Talkeetna Echoes. Privately printed, 1984.

Knik Matanuska Susitna: A Visual History Of The Valleys. Sutton, Alaska: Bentwood Press, 1985.

Rollins, Alden M. Census Alaska: Numbers Of Inhabitants, 1792-1970. Anchorage, Alaska: University of Alaska Anchorage Library, 1970.

Talkeetna Museum. Papers.

The Alaska Sportsman. May 1950, p. 22.

United States Geological Survey. Bulletin No. 534. The Yenta District, Alaska. Washington, D.C.: Government Printing Office, 1913.

Wilson, William H. Railroad In The Clouds: The Alaska Railroad In The Age Of Steam, 1914. Boulder, Colorado: Pruett Publishing Co., 1977.

Wolfe, Dorothy Trepte. Papers. Talkeetna Museum.

Interviews:

Hampton, Paula. Talkeetna Roadhouse, Talkeetna, Alaska. September 13, 1990.

Leavitte, Ken. Talkeetna Leather Works, Talkeetna, Alaska. September 13, 1990.

Martin, Eleanor Trepte. Personal communication. 1991.

Sheldon, Roberta. Personal communication. 1991.

Stevens, Myron. Personal communication. 1991.

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Talkeetna Historic District

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Photograph identification:

1. Fairview Inn (AHRS Site No. TAL-006), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking west at east facade
2. Nagley's Store (AHRS Site No. TAL-017), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking southwest at front of building
3. Talkeetna Schoolhouse (AHRS Site No. TAL-025), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northwest at front of building
4. Frank Lee Cabin (AHRS Site No. TAL-008), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking southeast at front of building
5. Frank Lee Barn (AHRS Site No. TAL-056), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northeast at southwest corner of barn
6. David St. Lawrence Cabin (AHRS Site No. TAL-019), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northwest at south and east facades

USDI/NPS NRHP Registration Form
Talkeetna Historic District
Matanuska-Susitna, Alaska

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7. Tom Weatherell Cabin (AHR Site No. TAL-030), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking north at front facade
 8. Mike Trepte House (AHR Site No. TAL-053), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking north at front facade
 9. Mike Trepte House (AHR Site No. TAL-053), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking west at new east wing
 10. Ole Dahl Cabin (2) (AHR Site No. TAL-027), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking southeast at front and west sides of building
 11. Red John Cuculich Cabin (AHR Site No. TAL-054), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northeast at front of cabin
 12. Black John Zulich Cabin (AHR Site No. TAL-048), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, Alaska 99645
Looking northwest at front and south facades

USDI/NPS NRHP Registration Form

Talkeetna Historic District

Matanuska-Susitna, Alaska

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13. Fairview Inn (AHRs Site No. TAL-006), Talkeetna Historic District
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia
Ave., Palmer, Alaska 99645
Looking west down Main Street
14. Talkeetna Historic District (AHRs Site No. TAL-033)
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia
Ave., Palmer, Alaska 99645
Looking southwest along Main Street
15. Talkeetna Historic District (AHRs Site No. TAL-033)
Matanuska-Susitna, Alaska
Fran Seager-Boss
1991
Cultural Resources Division, Matanuska-Susitna Borough, 350 E. Dahlia
Ave., Palmer, Alaska 99645
Looking northeast along Main Street, Tom Weatherell cabin at left
- =====

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Additional Documentation

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Submit the following items with the completed form:

Continuation Sheets

Maps

- A USGS map (7.5 or 15 minute series) indicating the property's location.
- A sketch map for historic districts and properties having large acreage or numerous resources.

Photographs

Representative black and white photographs of the property.

Additional items (Check with the SHPO or FPO for any additional items)

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United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section number _____ Page _____

SUPPLEMENTARY LISTING RECORD

NRIS Reference Number: 93000321 Date Listed: 4/26/93

Talkeetna Historic District
Property Name

Matanuska-Susitna AK
County State

N/A
Multiple Name

This property is listed in the National Register of Historic Places in accordance with the attached nomination documentation subject to the following exceptions, exclusions, or amendments, notwithstanding the National Park Service certification included in the nomination documentation.

for Antonson
Signature of the Keeper

4/28/93
Date of Action

=====
Amended Items in Nomination:

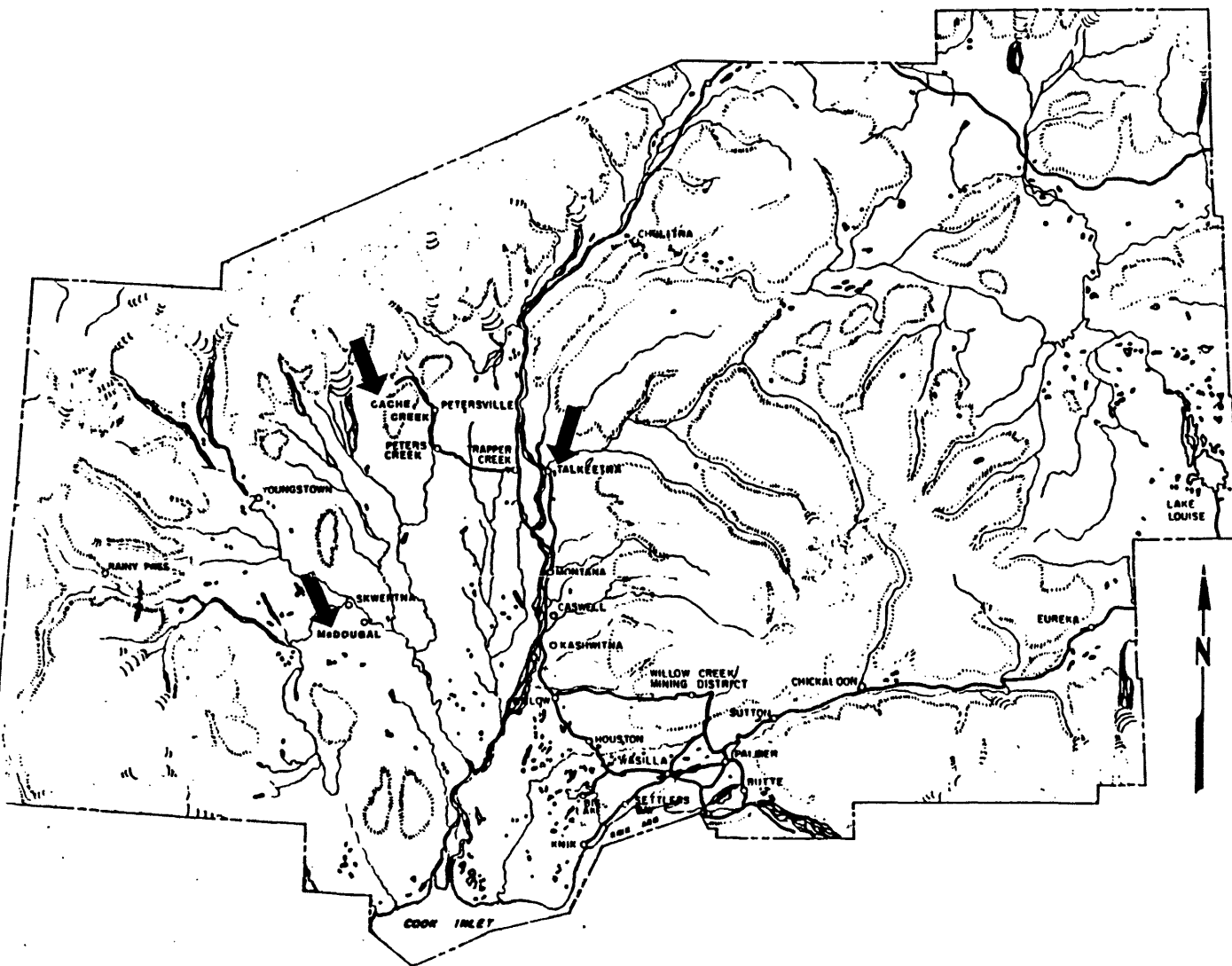
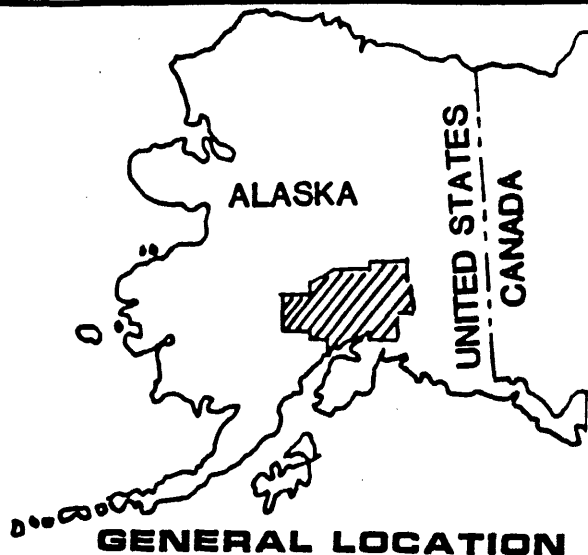
Statement of Significance: Criteria Consideration B is removed.

Additional Documentation: The scale for the sketch map is 1" = 235'.

This information was confirmed with Jo Antonson of the Alaska State historic preservation office.

DISTRIBUTION:
National Register property file

TALKEETNA & THE GOLD MINING DISTRICTS

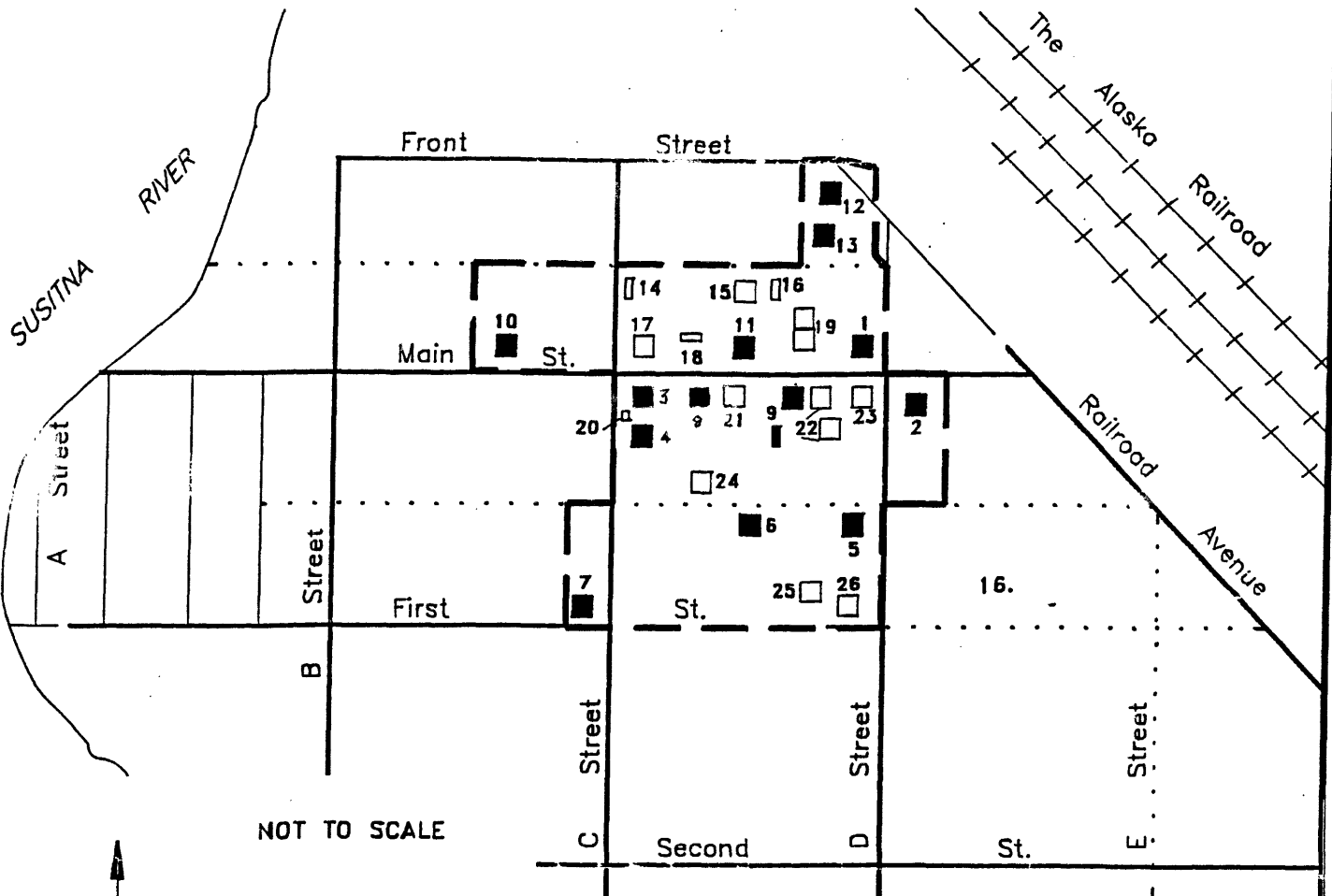


TALKEETNA HISTORIC DISTRICT

MATANUSKA-SUSITNA BOROUGH, ALASKA

AHRS SITE NO. TAL-033

- BOUNDARY
 ■ CONTRIBUTING STRUCTURES
 □ NON-CONTRIBUTING STRUCTURES
 - - - - ALLEY
 ——— ROADS



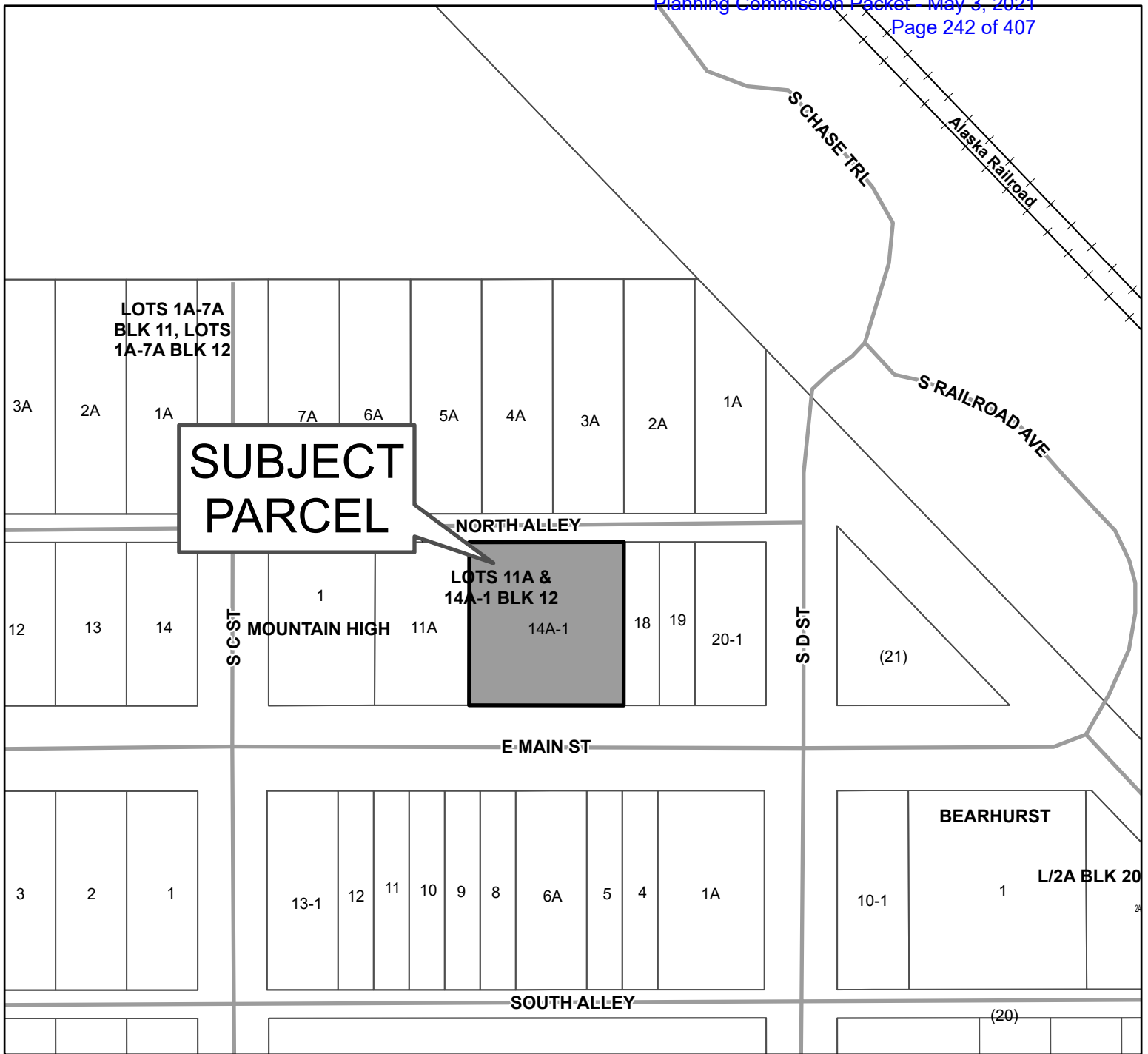
■ Contributing Buildings

1. Fairview Inn
2. Nagley's Store
3. Frank Lee Cabin
4. Frank Lee Barn
5. Talkeetna Schoolhouse
6. Ole Dahl Cabin (1)
7. David St. Lawrence Cabin
8. Helmer Ronning Cabin
9. Ole Dahl Cabin (2)
10. Tom Weatherall Cabin
11. Mike Trepte House
12. Red John Cuculich Cabin
13. Black John Zulich Cabin

□ Non-Contributing Buildings

14. Trailer
15. Shed
16. Collapsed Shed
17. Curry Building
18. River Trips Building
19. Three Rivers Gas Station
20. Log Cabin
21. Bikes, Flight, Etc.
22. Roberta Sheldon House
23. National Parks Service Ranger Station
24. Private Residence
25. Talkeetna Station
26. Talkeetna Station House

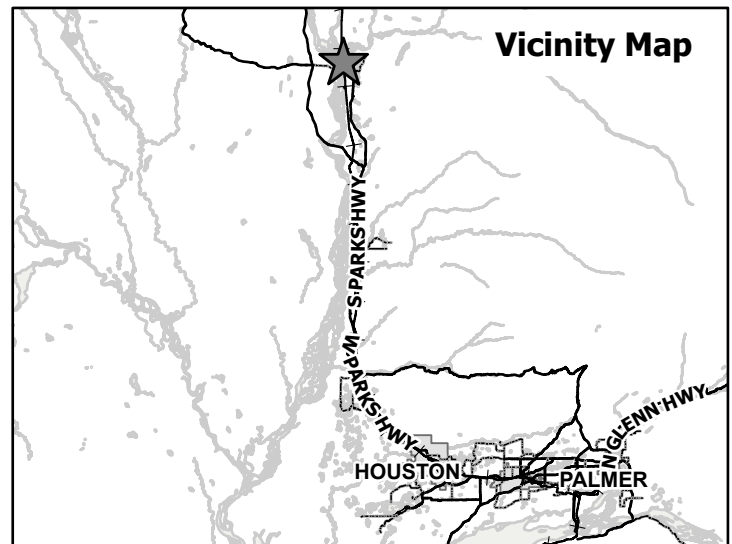
VICINITY MAP



8088B12L014A-1



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 907-861-7858.



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
JUN 26 2019

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

BASIC APPLICATION FOR A CONDITIONAL USE PERMIT

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 Conditional Use Permit

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: 26 North, Range: 5 West, Section: 24, Meridian Seward

MSB Tax Account 8088B12 L014 A-1

SUBDIVISION: Talkeetna Townsite BLOCK(S): 12, LOT(S): 14A

STREET ADDRESS: 13605 E. Main Street Talkeetna, Alaska 99676

(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? ☒ Yes ☐ No ☐ N/A

Name of Property Owner

Nu Aspen, LLC Sassan Mossanen

Address: PO Box 1021

Talkeetna, Alaska 99676

Phne: Hm _____ Fax _____

Wk _____ Cell 907-355-1169

E-mail sassanm@denalibrewing.com

Name of Agent/ Contact for application

Liz Olberding Architect

Address: 101 State Street

Hood River, Oregon 97031

Phne: Hm _____ Fax _____

Wk _____ Cell 907-230-9871

E-mail liz@owarch.com

PROJECT DESCRIPTION & APPLICABLE CODE

1. The proposed development requires a conditional use permit under MSB Code Chapter _____.

2. Attach a written, detailed project description.

SEE ATTACHED COVER LETTER

DATED 6/18/2019

Access/Driveway	Yes	No	Attached
1. This project will have access to what street(s)?	X		X
2. Is the street Borough maintained, State (ADOT/PF) maintained, or Private?			
3. Will this project require a new or modified driveway to a street or road?		X	
4. Does this project have an existing driveway permit?			
5. Provide copy of driveway permit			X

Water Supply	Yes	No
• None		
• Existing	X	
• Proposed		
• Private well/cistern		
• Public/Community		

Sewage Disposal	Yes	No
• None		
• Existing	X	
• Proposed		
• Pit Privy		
• Holding Tank		
• Septic Tank		
• Public/ Community		
• Other (specify)		

Nonconforming Uses and Structures	Yes	No	Attached
1. Is this an expansion of a pre-existing legal nonconforming use or structure?		X	
2. If yes, this use has lawfully existed in this location since what date?			
3. If yes, has the nonconforming use been discontinued for more than 12 consecutive months since it began?			
4. If yes, list the date the used was discontinued and the date the use resumed.			
5. Describe the proposed expansion/increase of the pre-existing legal nonconforming use.			
6. To establish Grandfather Rights for a use, complete this form (including attachments), also include a copy of the earliest business license and other evidence of the continued existence of the use at this site since the date since the date the use became nonconforming.			

SITE PLAN – Attach a detailed site plan, drawn to scale, showing the following information: <i>(Some codes require site plans and drawings to be prepared by certified professionals)</i>	Attached
1. Setback distances of structure(s) from the lot lines, rights-of-way, and waterbodies.	X
2. Adjacent streets, public easements and rights-of-way	X
3. Existing and proposed buildings and structures (including tanks and chemical processing equipment)	X
4. Access points	X
5. Buffering – Visual and Sound	X
6. Vehicular and pedestrian circulation patterns	X
7. Location and dimensions of parking areas to be provided, including individual parking spaces	X
8. Loading areas	
9. Storage and processing areas	
10. Lighting	
11. Topography	
12. Drainage management plan	
13. Sources of noise	
14. Fences	
15. Berms	
16. Landscaping	
17. Signage	
18. Scale and North Arrow	X

DIMENSIONAL DRAWING(S) – Attach a dimensional drawing of the horizontal views of the structure(s), drawn to scale, showing the following information: <i>(*If more than one structure is proposed, attach requested information about each.)</i>	Attached
1. Dimensions of all structures	X
2. Modifications	X
3. Identify use areas with locations and dimensions	X
4. Delineate areas of expansion or change in use	X
5. Other details sufficient to adjudicate the application	
6. Fill – Cubic Yards	
7. Excavation – Cubic Yards	
8. Scale and North Arrow	

OTHER PERMITS, COVENANTS, PLAT NOTES, DEED RESTRICTION, ETC. <i>It is the responsibility of the owner and applicant to identify and comply with all applicable private restrictions such as covenants and plat notes, as well as all local, state and federal regulations applicable to this development and to obtain all necessary authorizations and permits. Any commercial use requires State and Borough business license. City business licenses may also be required. State Fire Marshall's review may be required for state fire and building codes.</i>	Attached	Applied For
Permit Name/# STATE 997911 BREWPUB	X	
Permit Name/# STATE 12012741 TALKEETNA RESTAURANT, LLC	X	
Permit Name/# BOROUGH 24787 BREWPUB	X	
Permit Name/# BOROUGH 24787 TALKEETNA RESTAURANT, LLC	X	

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

MSB Tax parcel ID #(s) 178020180010 and,
I hereby apply for approval 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 _____ 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.

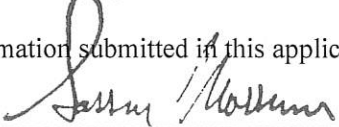
I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

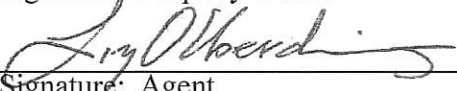
I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to the buyer when I sell the land.

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.


Signature: Property Owner SASSAN MOSSANEN 6/24/19
Printed Name Date


Signature: Agent LIZ OLBERDING ARCHITECT 6/22/2019
Printed Name Date



To whom it may concern,

I am writing to give permission for Liz Olberding to be the agent/contact for this attached application. I would also like to be a contact person for any questions you may have regarding this application process.

Thank you for your time,

A handwritten signature in dark ink, appearing to read "Sassan Mossanen". The signature is fluid and cursive.

Sassan Mossanen
Property Owner
Nu Aspen, LLC



June 18, 2019



To whom it may concern,

The following application contains the plans for Denali Brewpub's intended and much needed expanded commercial use.

Expanding the facility's commercial use is needed due to increased visitation and our desire to better serve our guests and community members. Reductions in seating on the first floor is intended to increase kitchen capacity, and in turn, to offset this reduction in seating we would like to utilize the second floor as a banquet and general use space.

It is also our intention to change the replatting to correct pre-existing nonconformities; our plans stay within the SpUD regulations by staying below the floor area ratio.

Thank you for your consideration.

A handwritten signature in black ink that appears to read "Sassan Mossanen".

Sassan Mossanen
General Manager
Talkeetna Restaurant dba Denali Brewpub

RECEIVED
JUL 24 2019

PERMIT CENTER

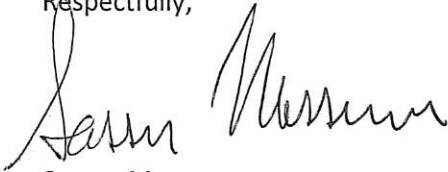
Attention Matanuska Susitna Borough Planning Department:

The purpose for the application contained within is to expand on Talkeetna Restaurant, LLC dba Denali Brewpub's CUP for Beverage Dispensary License (BDL). Increase in year-round special events and the need for greater flexibility in day-to-day operations is leading us to request the expansion of BDL use to the areas listed in the attached drawings.

The area primarily impacted by this expansion will be the second floor. Currently, this area also has an application for expansion of commercial use beyond 4,000 Sq./ft to conform with Talkeetna Special Use District requirements. We respectfully ask the borough staff to consider the two applications for expansion of commercial use and expansion of BDL use at the same time. The projects are related and the ability to address both will facilitate the public's understanding of our ask.

In addition to the two CUP requests is platting work currently taking place to help clean up nonconformities which existed when we purchased the properties. We just celebrated 10 years of running a restaurant and brewery in Talkeetna. We hope our focus on safety, quality, and community can pave the way for many more years of job creation and service. Thank you for the opportunity!

Respectfully,



Sassan Mossanen

Talkeetna Restaurant, LLC dba Denali Brewpub

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

Talkeetna Restaurant, LLC dba Denali Brewpub is located on Main St in downtown Talkeetna. The establishment has a CUP for its current use of a beverage dispensary license. Main Street. is a mixed-use area with many other bars and restaurants servicing locals and visitors. Expansion of the beverage dispensary use will enable Denali Brewpub to better serve the need for banquet and mid-size group gatherings. Enabling the service of alcoholic beverages to guest in these areas would be a service that guests would expect, and not detract from the value, character or integrity of town.

2. Will granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?

Denali Brewpub is an existing business with 10 years of operations experience in Talkeetna. Its existing CUP has been in use since 2013. Expansion of the conditional use will enable Denali Brewpub to better serve visitors and the community. Permitting banquet, conference, or group gathering guests to enjoy alcoholic beverages will not be harmful to the public health, safety, convenience and welfare. Denali Brewpub has a proven track record of responsible service. We expect the project to give existing staff more off season hours and create employment, benefiting our community.

3. Are sufficient setbacks, lot area, buffers and other safeguards being provided?

The property as it currently stands meets all setbacks, lot area, buffers, and safeguards. In an effort to better meet these needs there is a current platting action taking place that will move the western property line further to the west fixing a pre-existing nonconformity. If the platting action is approved, this will create a ten-foot set back on the western property line. The property historically was four separate lots. Previous owners combined the lots to form a single lot. This lot consolidation gave the property enough lot area. This project would keep the Floor to Area (FAR) below the required amount required by the Main St. SPuD.

4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

The use of the building does not create any dust. Hours of operation during the Summer are 11 am to 10pm. Beverage dispensary licenses do permit live entertainment, but Denali Brewpub has not had live entertainment in over 5 years. There are no noise generating actions that would create a negative impact on the properties in the area. All signs and advertising conform to the rules laid out in the Talkeetna Special use district as specified for the Main

Street area. All lights are shielded and down facing. There will be no change to any of these items.

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?

The expansion of the beverage dispensary license within the existing building does not change any of the current flows of traffic or in any way create a negative impact on the safe and efficient flow of traffic.

6. What measures are being proposed to reduce any negative effects upon adjacent and nearby properties by property line buffers and atrial 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 the highways, arterials and collectors and where the surrounding area is predominately residential character of the development?

The property is regularly maintained with flowers and other plants to keep a clean and beautiful appearance. All lights are down facing and shielded to ensure light does not spill on to adjacent properties. Recent remodel work has moved mechanical equipment onto the roof reducing noise and enhancing visual appearance. Employees are encouraged to park outside of downtown area. There is also a fitness challenge that rewards employees for riding bikes or walking to work. The expansion of the beverage dispensary license within the existing building will not change the long-standing mixed-use nature of town.

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

The majority of visitors to Talkeetna's Main Street district arrive by bus, train, or taxi. Currently the property exceeds the number of required parking spots by 5. We do not believe the expansion of the beverage dispensary license is going to significantly increase the demand for parking. The expansion of the Beverage Dispensary will permit us to better serve the customers that already come to town.

8. Will access to the premise create an unreasonable traffic hazard?

The expansion of the Beverage Dispensary License to new service area will not be changing the existing traffic pattern. The existing pattern has been functioning with no hazard that we are aware of. We do not believe issuing the permit will have an impact on the existing traffic pattern.

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

Denali Brewpub is accessed by a State of Alaska maintained road. We do not believe our ability to serve customers in our new service area will create a situation in which the road system will be overtaxed.

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

Talkeetna's Main Street district is home to multiple other restaurants, bars, and food trucks. There are also numerous retail establishments. There are also a handful of residential homes and lodging options in the Main Street district. The use of our Beverage Dispensary License will not impact 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?

Denali Brewpub is a family run, employee owned business that prides itself on responsible service of alcohol. The pub has a restaurant designation which means it is a family friendly environment. We have not seen any increase in crime due to the business operations over the last 10 years. All staff are required to maintain current professional alcohol training certificates. There is a zero-tolerance policy for over service of alcohol. In addition, no persons are allowed on the premise if they are intoxicated. The Brewpub also offers free nightly taxis to customers needing rides back to nearby lodging.

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 last 12 months preceding the application?

No

13. Has the applicant or person with an interest in the application demonstrated that the person is trustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?

The applicant has lived in the Talkeetna area since 1996 with a long history of job creation and responsible service to the community. The applicant has federal manufacturing licenses which require federal background checks. No criminal history, not even any moving violations.

Joseph Metzger

From: Joseph Metzger
Sent: Wednesday, October 2, 2019 11:03 AM
To: Sassan Mossanen
Subject: RE: 3121 & 5269 dba Denali Brewpub Approved AB-14s

Hi Sassan,

Thanks for providing this information. I will incorporate these documents, as well as the AB-03 when I receive that, into your application material. This email was good timing on your part as your CUP applications are next on my list to review. I plan on starting the reviews this afternoon and will let you know in the near future if I need any additional information or clarification on anything. As always if you have any questions, concerns, or need clarification on anything, don't hesitate to contact me.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

From: Sassan Mossanen <sassanm@denalibrewing.com>
Sent: Wednesday, October 2, 2019 10:25 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: FW: 3121 & 5269 dba Denali Brewpub Approved AB-14s

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

Hi Joe,

Just in from AMCO. I will follow with our AB-03 once they get that to us too. In the meantime, is there anything else you all need from us. Hope all is well and as always thank you!

Sassan Mossanen
General Manager
Talkeetna Restaurant, LLC
Talkeetna Alaska

From: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Sent: Wednesday, October 2, 2019 8:29 AM
To: Sassan Mossanen <sassanm@denalibrewing.com>
Cc: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Subject: 3121 & 5269 dba Denali Brewpub Approved AB-14s

Good morning,

Attached are copies of your approved AB-14s for the Denali Brewpub. Once the AB-03 has been approved by the Director, our enforcement team should send you a new Restaurant Designation Permit.

Let me know if you have any questions.

Best,

A handwritten signature in black ink, appearing to read "John Church", written over a horizontal line.

John Church
Occupational Licensing Examiner

Joseph Metzger

From: Joseph Metzger
Sent: Thursday, October 10, 2019 6:10 PM
To: Sassan Mossanen
Subject: RFAI Denali Brewpub CUPs
Attachments: Denali Brewpub Beverage Dispensary RFAI 10-10-19.pdf; Denali Brewpub SPUD RFAI 10-10-19.pdf

Hi Sassan,

Attached, please find two letters requesting additional information for the two CUPs you have requested. Both letters are very similar in terms of what they are requesting, but there are some small differences. While Borough staff is processing the two permit requests simultaneously, each permit is separate and each permit request has a specific file. Staff realizes your additional information submittals may be similar in nature or exact, but please respond to each request separately.

As always if you have any questions or need clarification on anything, don't hesitate to reach out to me.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-8158

www.matsugov.us

October 10, 2019

Sassan Mossanen
Nu Aspen, LLC
Denali Brewpub
PO Box 1021
Talkeetna, AK 99676

SUBJECT: Conditional Use Permit Application – Request for Required Information
LOCATION: 13605 E. Main Street (Tax ID: 5352B12L014A)

Dear Mr. Mossanen,

Borough staff has reviewed the application material and the site plan(s) submitted on September 16, 2019 for a Conditional Use Permit to operate a beverage dispensary under MSB 17.70 on the above referenced property. It has been determined that the following information needs to be provided and/or clarified in order to process this request:

1. Site Plan

- a. The site plans that have been submitted are not to scale. It appears the scale for the diagrams would be accurate, however they have been submitted on a smaller paper size than the drawings are intended to be on. Please provide updated site plans to scale (these can be submitted electronically).
- b. Indicate the current height of the building and the height the building will be after the solar panels have been installed.
- c. As we discussed on the telephone and in person, the new proposed exit stairs from the second floor appear they will be in violation of the required setback (15-foot because the lot is considered a “double frontage” lot). Currently there is a variance that allows the building to be setback 11.15 feet from the alleyway. A structural change to the north side of the building such as an addition of stairs would nullify the current variance and a new variance would be needed. It is unlikely staff would support a new variance request.
- d. Please indicate the following floor area ratios: the current floor area ratio with/without the 10-ft lot addition on the west lot line, the proposed floor area ratio with/without the 10-ft lot addition on the west lot line.
- e. MSB 17.25 requires two off-street parking spaces for employees at the rear of the business. Indicate which parking spaces will be dedicated to employee parking.

2. Narrative/Other

- a. Once it has been determined by the Fire Marshall, provide the maximum occupancy capacity.
- b. Please contact Taunnie Boothby, MSB Planner II, Certified Floodplain Manager, (907-861-8526, Taunnie.boothby@matsugov.us) to determine if any of the work you are doing would require a floodplain development permit, or modification to an existing permit.

Once an application has been determined to be complete, staff will begin the public notice process. Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-7862, or email: joseph.metzger@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,



Joseph Metzger
Planner II
Matanuska-Susitna Borough

Joseph Metzger

From: Liz Olberding <liz@owarch.com>
Sent: Thursday, October 17, 2019 12:45 PM
To: Joseph Metzger
Cc: Sassan Mossanen
Subject: Re: RFAI Denali Brewpub CUPs

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

Hi Joe,

Thank you for the follow up. You are correct that without the 10-ft lot addition, the FAR for the existing lot with the proposed expanded commercial use is .6215. Since this is over the allowed maximum FAR of .60, the expanded commercial use is contingent on adding that 10-ft. I left the .6215 calculation out of the drawings because we did not want to indicate that we are asking for an exception to the .60 FAR max.

We are in the process of re-platting, but have had some delays because of the surveyor's busy schedule. We are hoping that your office can proceed with the review of CUP applications with the condition that the CUP approval is contingent on the plat approval. We are hoping these processes can happen concurrently. Please let me know if that makes sense.

Best,

Liz

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Date: Wednesday, October 16, 2019 at 2:18 PM
To: Liz Olberding <liz@owarch.com>
Cc: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: RE: RFAI Denali Brewpub CUPs

Hello Liz and Sassan,

Just a follow-up regarding the floor area ratio and the below question.

"Please indicate the following floor area ratios: the current floor area ratio with/without the 10-ft lot addition on the west lot line, the proposed floor area ratio with/without the 10-ft lot addition on the west lot line."

Drawing # A1.1 indicates the existing FAR calculation, however it uses the revised lot area after replat (12,644 sf), when the current lot size should be used (11,485 sf).

$6724 \text{ sf} / 11,485 \text{ sf} = .585 \text{ FAR}$.

Also, without the 10-ft lot line addition, it appears the expanded commercial use FAR calculation would exceed the allowable limit.

$7138 \text{ sf} / 11485 \text{ sf} = .6215 \text{ FAR}$

Please clarify the FAR calculations (the current floor area ratio with/without the 10-ft lot addition on the west lot line, the proposed floor area ratio with/without the 10-ft lot addition on the west lot line).

Staff is aware the property is currently being replatted, but thus far only a pre-application meeting with the MSB Platting staff has occurred. Once the FAR calculations are confirmed, we can discuss the next steps of the process.

Respectfully,

Joe Metzger
MSB Planner
907-861-7862

From: Liz Olberding <liz@owarch.com>
Sent: Tuesday, October 15, 2019 8:31 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Cc: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: Re: RFAI Denali Brewpub CUPs

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]
Thank you Joe!

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Date: Monday, October 14, 2019 at 2:11 PM
To: Liz Olberding <liz@owarch.com>
Cc: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: RE: RFAI Denali Brewpub CUPs

Hello Liz,

I have received your revised drawings and narrative for the expanded commercial use and dispensary CUP. I will review the additional information and let you know if anything else is needed, or if the application(s) are complete. Once the applications are deemed complete, we can start the public notice process and schedule the CUP hearings. If you have any questions or concerns, don't hesitate to contact me.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

From: Liz Olberding <liz@owarch.com>
Sent: Monday, October 14, 2019 11:44 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Cc: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: RE: RFAI Denali Brewpub CUPs

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

Attached are revised drawings for the expanded commercial use and dispensary CUPs, along with a narrative describing the expanded commercial use for the Denali Brewpub. I believe we have addressed all of the issues listed in the two letters, but please let me know if you have further questions.

Thank you,

Liz

Liz Olberding AIA
ARCHITECT
104 Sherman Avenue
Hood River, Oregon
907 230 9871

Denali Brewpub SPUD RFAI

October 14, 2019



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

Talkeetna Restaurant, LLC dba Denali Brewpub is located on Main St in downtown Talkeetna. The establishment has a CUP for its current use of a commercial space over 4000 sqft. Main Street. is a mixed-use area with many other bars and restaurants servicing locals and visitors. Expansion of the commercial use will enable Denali Brewpub to better serve the need for banquet and mid-size group gatherings. Enabling service to guest in these areas listed would not detract from the value, character or integrity of town.

2. Will granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?

Denali Brewpub is an existing business with 10 years of operations experience in Talkeetna. Its existing CUP has been in use since 2013. Expansion of the conditional use will enable Denali Brewpub to better serve visitors and the community. Permitting banquet, conference, or group gathering will not be harmful to the public health, safety, convenience and welfare. Denali Brewpub has a proven track record of responsible service. We expect the project to give existing staff more off season hours and create employment, benefiting our community.

3. Are sufficient setbacks, lot area, buffers and other safeguards being provided?

The property as it currently stands meets all setbacks, lot area, buffers, and safeguards. In an effort to better meet these needs there is a current platting action taking place that will move the western property line further to the west fixing a pre-existing nonconformity. If the platting action is approved, this will create a ten-foot set back on the western property line. The property historically was four separate lots. Previous owners combined the lots to form a single lot. This lot consolidation gave the property enough lot area. This project would keep the Floor to Area (FAR) below the required amount required by the Main St. SPuD.

4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

The use of the building does not create any dust. Hours of operation during the Summer are 11 am to 10pm. Beverage dispensary licenses do permit live entertainment, but Denali Brewpub has not had live entertainment in over 5 years. There are no noise generating actions that would create a negative impact on the properties in the area. All signs and advertising conform to the rules laid out in the Talkeetna Special use district as specified for the Main Street area. All lights are shielded and down facing. There will be no change to any of these items.

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?

The expansion of commercial use within the existing building does not change any of the current flows of traffic or in any way create a negative impact on the safe and efficient flow of traffic.

6. What measures are being proposed to reduce any negative effects upon adjacent and nearby properties by property line buffers and atrial 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 the highways, arterials and collectors and where the surrounding area is predominately residential character of the development?

The property is regularly maintained with flowers and other plants to keep a clean and beautiful appearance. All lights are down facing and shielded to ensure light does not spill on to adjacent properties. Recent remodel work has moved mechanical equipment onto the roof reducing noise and enhancing visual appearance. Employees are encouraged to park outside of downtown area. There is also a fitness challenge that rewards employees for riding bikes or walking to work. The expansion of commercial use within the existing building will not change the long-standing mixed-use nature of town.

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

The majority of visitors to Talkeetna's Main Street district arrive by bus, train, or taxi. Currently the property exceeds the number of required parking spots by 5. We do not believe the expansion of the commercial use is going to significantly increase the demand for parking. The expansion of the commercial use will permit us to better serve the customers that already come to town.

8. Will access to the premise create an unreasonable traffic hazard?

The expansion of commercial use to new service area will not be changing the existing traffic pattern. The existing pattern has been functioning with no hazard that we are aware of. We do not believe issuing the permit will have an impact on the existing traffic pattern.

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

Denali Brewpub is accessed by a State of Alaska maintained road. We do not believe our ability to serve customers in our new service area will create a situation in which the road system will be overtaxed.

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

Talkeetna's Main Street district is home to multiple other restaurants, bars, and food trucks. There are also numerous retail establishments. There are also a handful of residential homes and lodging options in the Main Street district. The greater use of our existing building will not impact 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?

Denali Brewpub is a family run, employee owned business that prides itself on responsible service of alcohol. The pub has a restaurant designation which means it is a family friendly environment. We have not seen any increase in crime due to the business operations over the last 10 years. All staff are required to maintain current professional alcohol training certificates. There is a zero-tolerance policy for over service of alcohol. In addition, no persons are allowed on the premise if they are intoxicated. The Brewpub also offers free nightly taxis to customers needing rides back to nearby lodging.

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 last 12 months preceding the application?

No

13. Has the applicant or person with an interest in the application demonstrated that the person is trustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?

The applicant has lived in the Talkeetna area since 1996 with a long history of job creation and responsible service to the community. The applicant has federal manufacturing licenses which require federal background checks. No criminal history, not even any moving violations.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF FIRE AND LIFE SAFETY
Plan Review Bureau - Anchorage

5700 East Tudor Road
Anchorage, Alaska 99507-1225
Main: 907.269.2004
Fax: 907.269.0098

June 30, 2020

Sassan Mossanen
Twister Creek LLC
P.O. Box 1021
Talkeetna, AK 99676

SUBJECT: Twister Creek Restaurant & Denali Brewpub -
Renovation / Remodel
CITY: Talkeetna
PLAN REVIEW: 2019Anch1775
TYPE OF CONSTRUCTION: VA
OCCUPANCY: A-2
2012 INTERNATIONAL BUILDING AND FIRE CODE

Dear Sassan Mossanen:

Plans for the Renovation / Remodel have been reviewed by this office for conformity with the State Fire Safety Regulations and are hereby approved. Enclosed is a certificate of approval that must be posted on the premises until the project has been completed according to the approved plans and all regulations have been adhered to.

Approval of submitted plans is not approval of omissions or oversights by this office or noncompliance with any applicable regulations of the Municipal Government.

It must be understood that the inclusion of and compliance with State Fire Safety Regulations does not preclude the necessity of compliance with the requirements of local codes and ordinances.

If we can be of further assistance in this matter, please feel free to contact us at the address above.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Medina".

Greg Medina
Plans Examiner

Enclosure: Approval Certificate

State of Alaska
Office of the State Fire Marshal
Plan Review

This is to certify that the plans for this building were reviewed by the *State Fire Marshal* on June 30, 2020 for conformance with AS 18.70.010 -- 100; 13 AAC 50.027.

This certificate shall be posted in a conspicuous place on the premises named Twister Creek Restaurant & Denali Brewpub and shall remain posted until construction is completed.

NOTICE: Any changes or modifications to the approved plans **must** be resubmitted for review by the *State Fire Marshal*.

Plan Review #: **2019Anch1775**

By: 

Authority: AS 18.70.080
Form: 12-741
(6/01)

Renovation / Remodel ONLY

Greg Medina
Plans Examiner

SITE PLAN

RECEIVED
JAN 11 2021
MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

SITE PLAN NOTES

LOT AREA:

12,941 SF

1

EXISTING FAR CALCULATION:

FIRST FLOOR AREA:

4,206 SF

SECOND FLOOR AREA:

2,518 SF

TOTAL BUILDING AREA:

6,724 SF

FAR:

6,724 SF / 12,941 SF = .52 FAR

FAR CALCULATION WITH PROPOSED EXPANDED COMMERCIAL USE:

FIRST FLOOR AREA:

4,206 SF

SECOND FLOOR AREA:

2,932 SF

TOTAL BUILDING AREA:

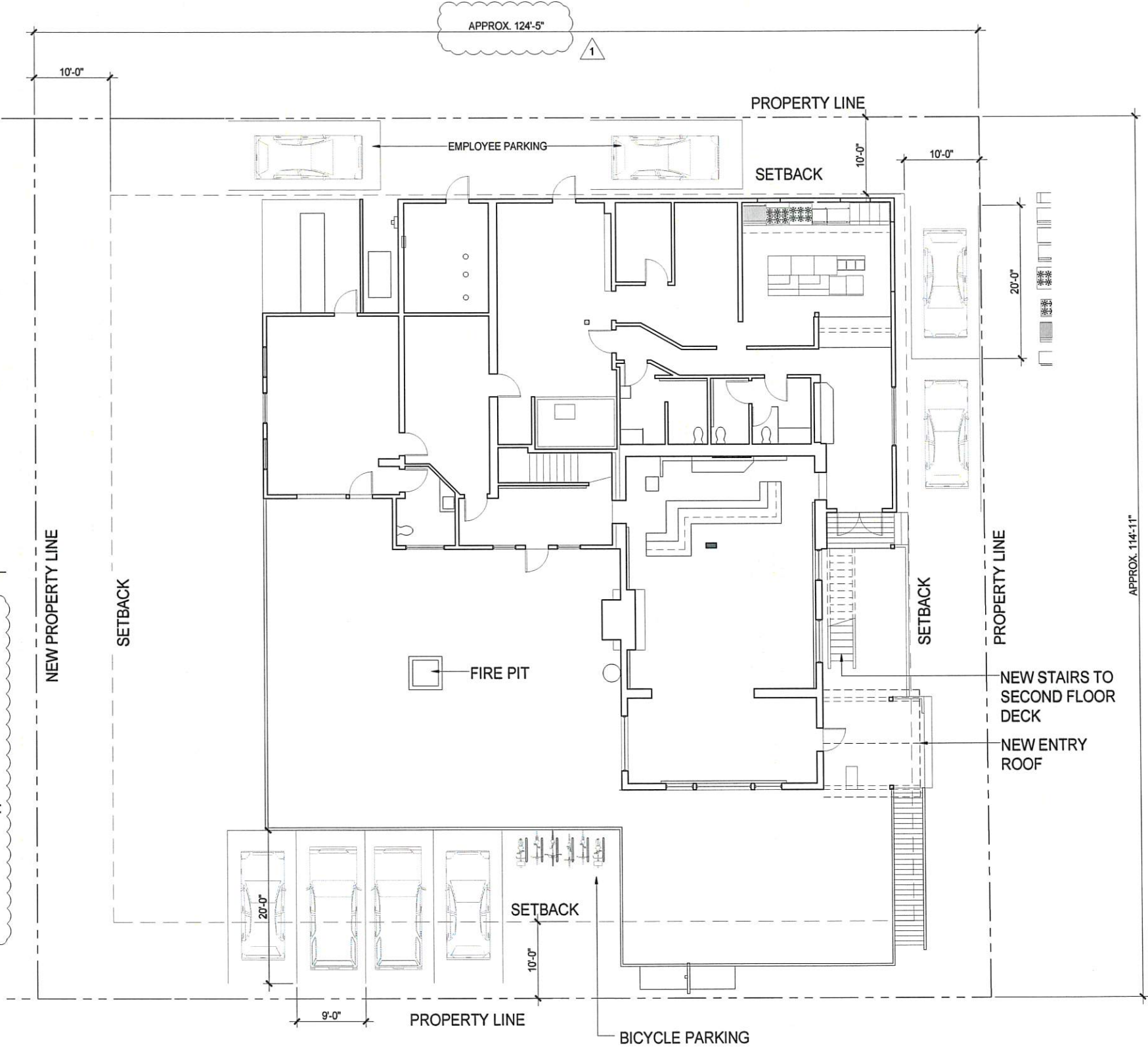
7,138 SF

FAR:

7,138 SF / 12,941 SF = .552 FAR

BUILDING HEIGHT:

EXISTING BUILDING HEIGHT: 23'-2"
HEIGHT TO TOP OF SOLAR PANELS: 27'-4"



MAIN STREET

1 SITE PLAN
1/8" = 1'-0" (ON 22X34) 1/16" = 1'-0" (ON 11X17)



DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

DATE: 1 JANUARY 11, 2021
REVISED

SUBMITTAL:
PERMIT DRAWINGS

DRAWING TITLE:
SITE PLAN

DRAWING NUMBER:

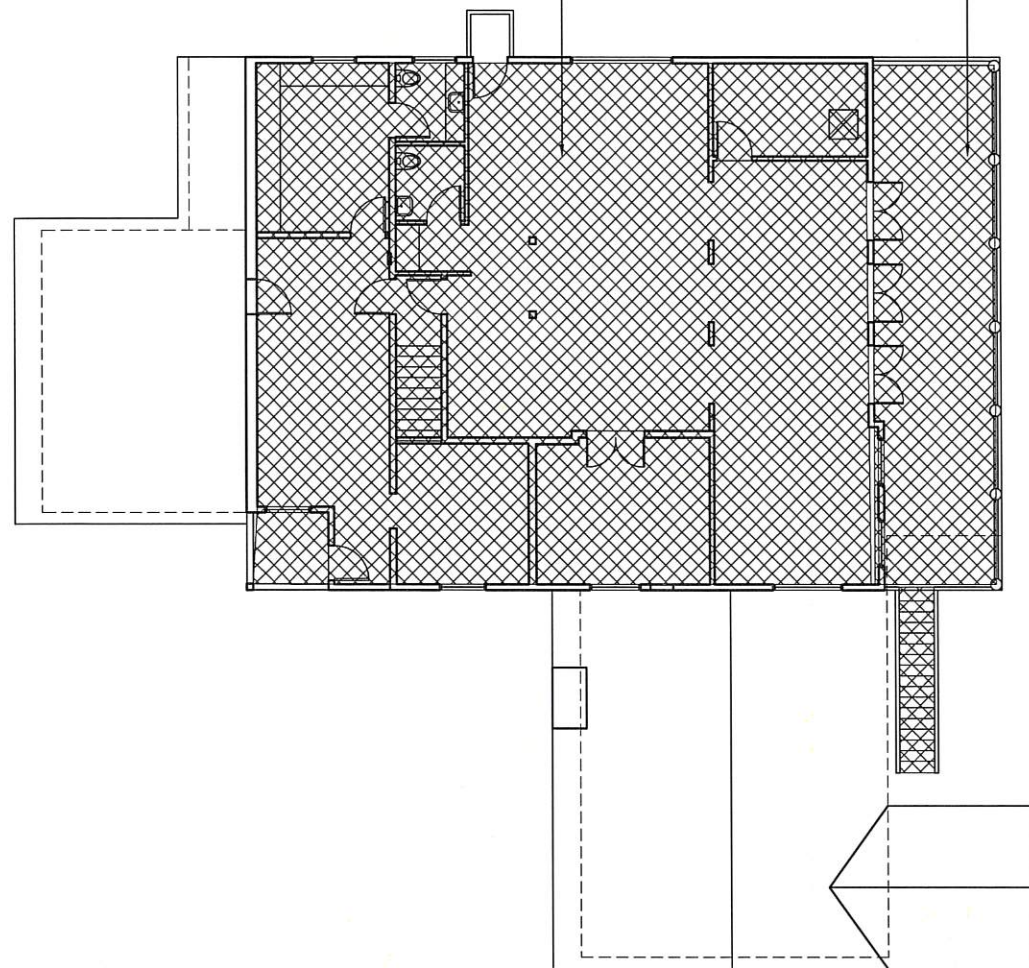
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RECEIVED
OCT 14 2019

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

NEW INTERIOR SERVICE AREA:
2,364 SF

NEW EXTERIOR SERVICE AREA:
512 SF



2 SECOND FLOOR PLAN

1/8" = 1'-0" (ON 22X34) 1/16" = 1'-0" (ON 11X17)

AREA SUMMARY

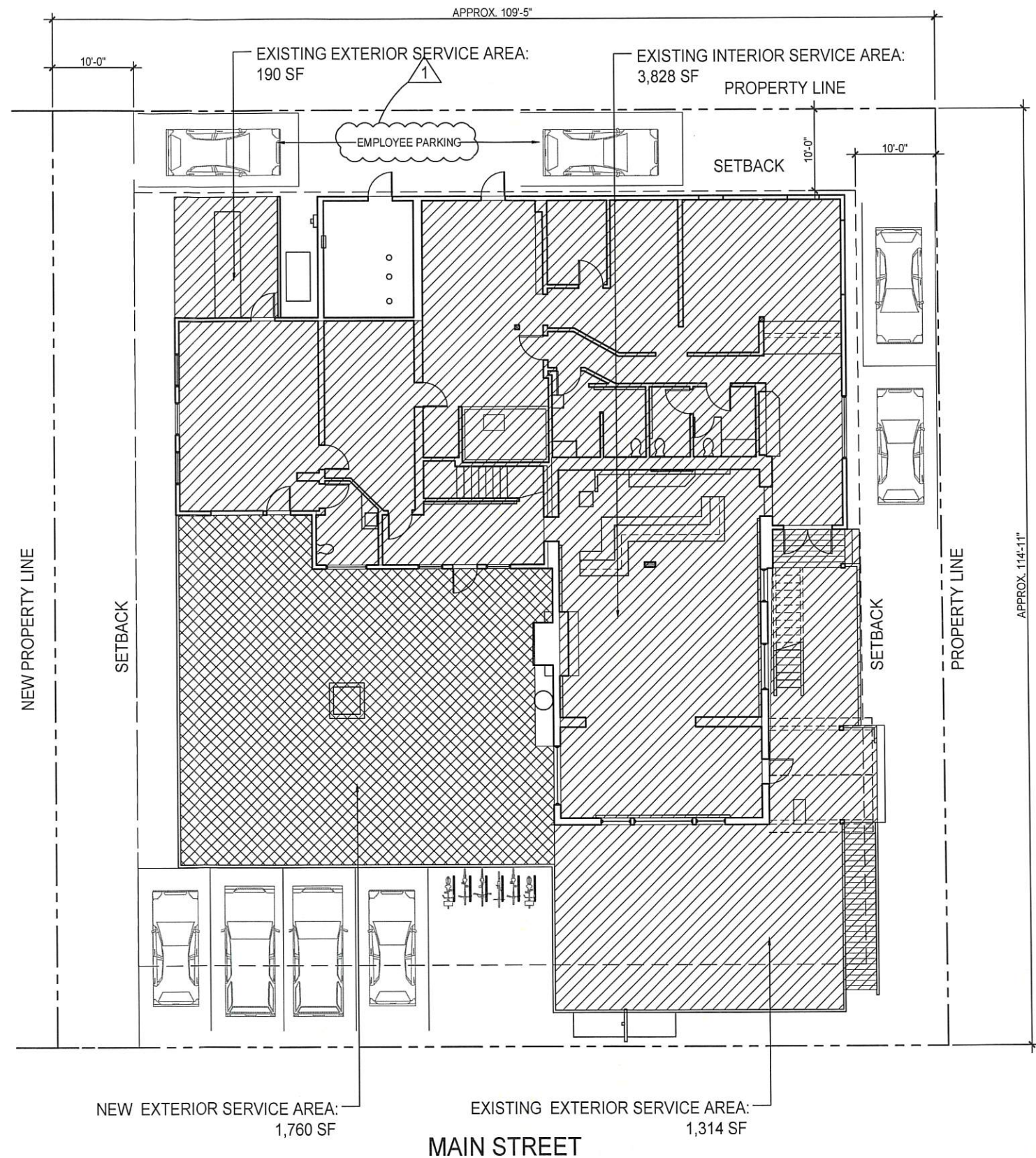
PLANS INDICATE THE EXTENT OF EXISTING AND EXPANDED BEVERAGE DISPENSARY.

FIRST FLOOR	EXISTING	ADDITIONAL	TOTAL
INTERIOR DISPENSARY AREA:	3,828 SF	0 SF	3,828 SF
EXTERIOR DISPENSARY AREA:	1,504 SF	1,760 SF	2,386 SF

SECOND FLOOR:	EXISTING	ADDITIONAL	TOTAL
INTERIOR DISPENSARY AREA:	0 SF	2,364 SF	2,364 SF
EXTERIOR DISPENSARY AREA:	0 SF	512 SF	512 SF

BUILDING HEIGHT:
EXISTING BUILDING HEIGHT: 23'-2"
HEIGHT TO TOP OF SOLAR PANELS: 27'-4"

1



1 FIRST FLOOR PLAN

1/8" = 1'-0" (ON 22X34) 1/16" = 1'-0" (ON 11X17)

DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

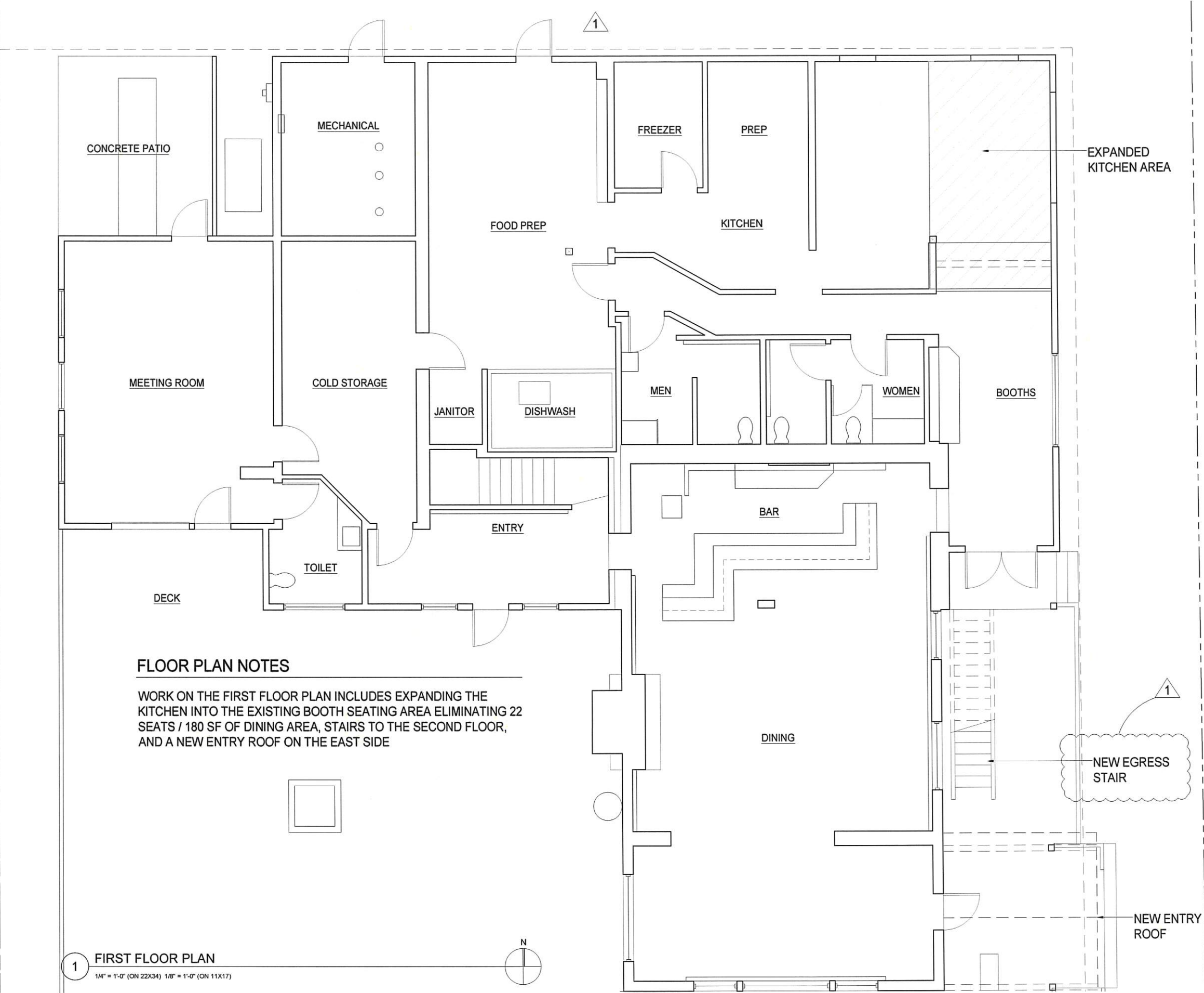
DATE:
OCTOBER 14, 2019

SUBMITTAL:
PLAN REVIEW SUBMITTAL

DRAWING TITLE:
SITE PLAN

DRAWING NUMBER:

A1.2



RECEIVED
JAN 11 2021
MATANUSKA-SUSTITNA BOROUGH
DEVELOPMENT SERVICES

DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

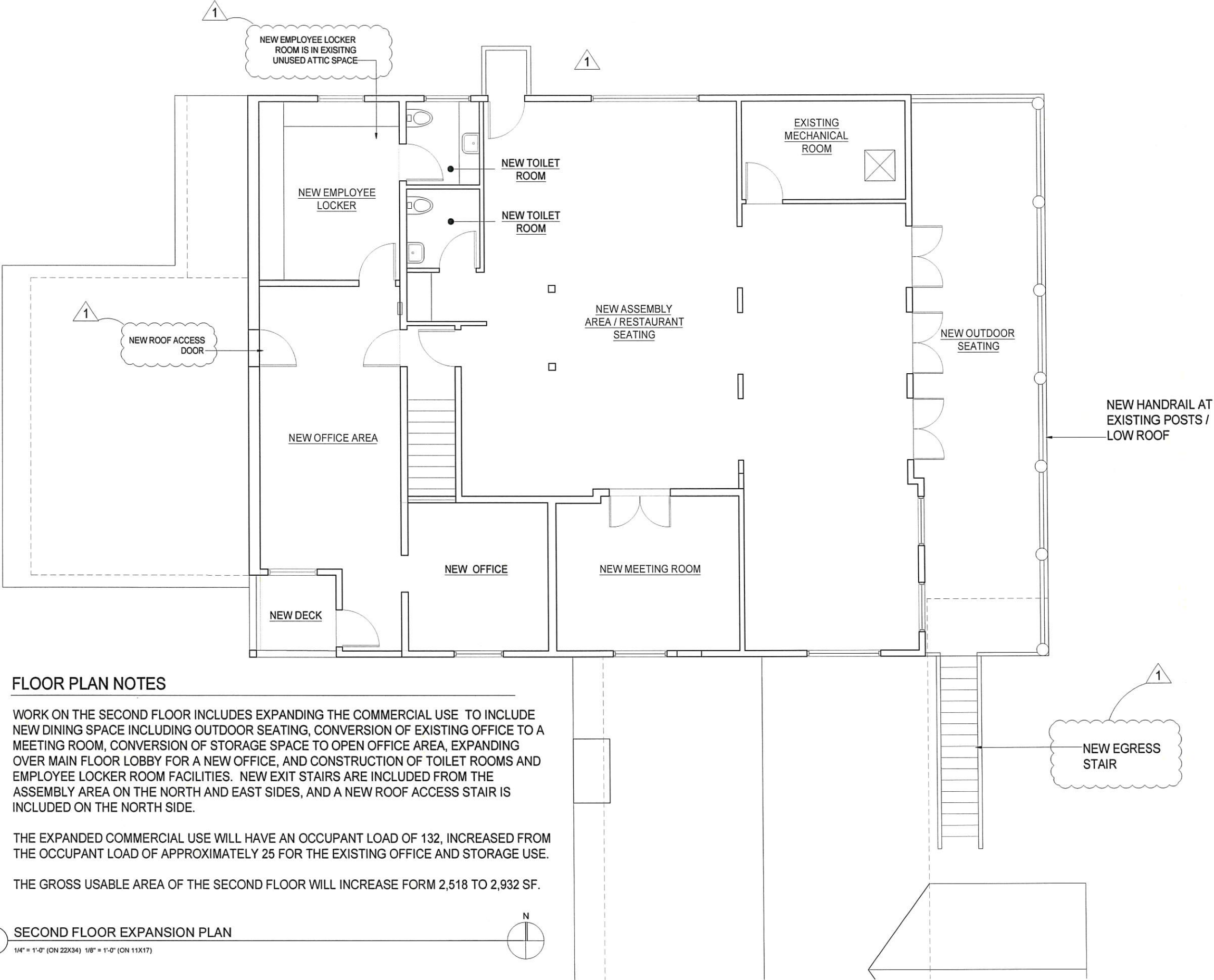
DATE:
REVISION
OCTOBER 14, 2019

SUBMITTAL:
PLAN REVIEW SUBMITTAL

DRAWING TITLE:
FLOOR PLANS

DRAWING NUMBER:

A2.1



RECEIVED
JAN 11 2021
MATANUSKA-SUSTITNA BOROUGH
DEVELOPMENT SERVICES

DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

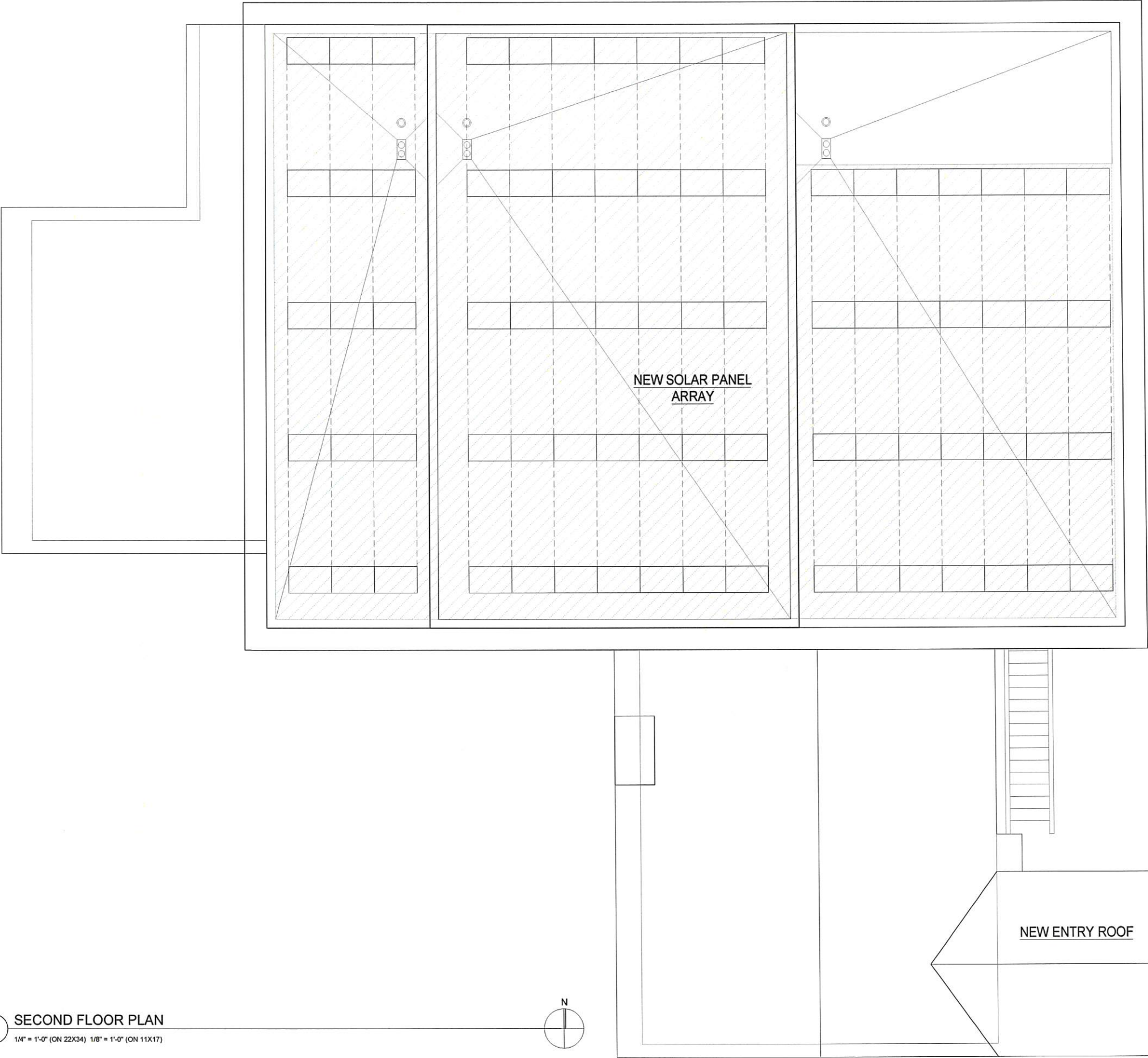
DATE:
REVISION
OCTOBER 14, 2019

SUBMITTAL:
PLAN REVIEW SUBMITTAL

DRAWING TITLE:
FLOOR PLANS

DRAWING NUMBER:

A2.2



RECEIVED
JAN 11 2021
MATANUSKA-SUSTINA BOROUGH
DEVELOPMENT SERVICES

DENALI BREWPUB
Talkeetna, Alaska

Liz Olberding
ARCHITECT

907.230.9871
liz@owarch.com

OWNER:
Nu Aspen, LLC
Talkeetna Restaurant, LLC
P.O. Box 1021
Talkeetna, Alaska 99676

SITE ADDRESS:
13605 E Main Street
Talkeetna, Alaska

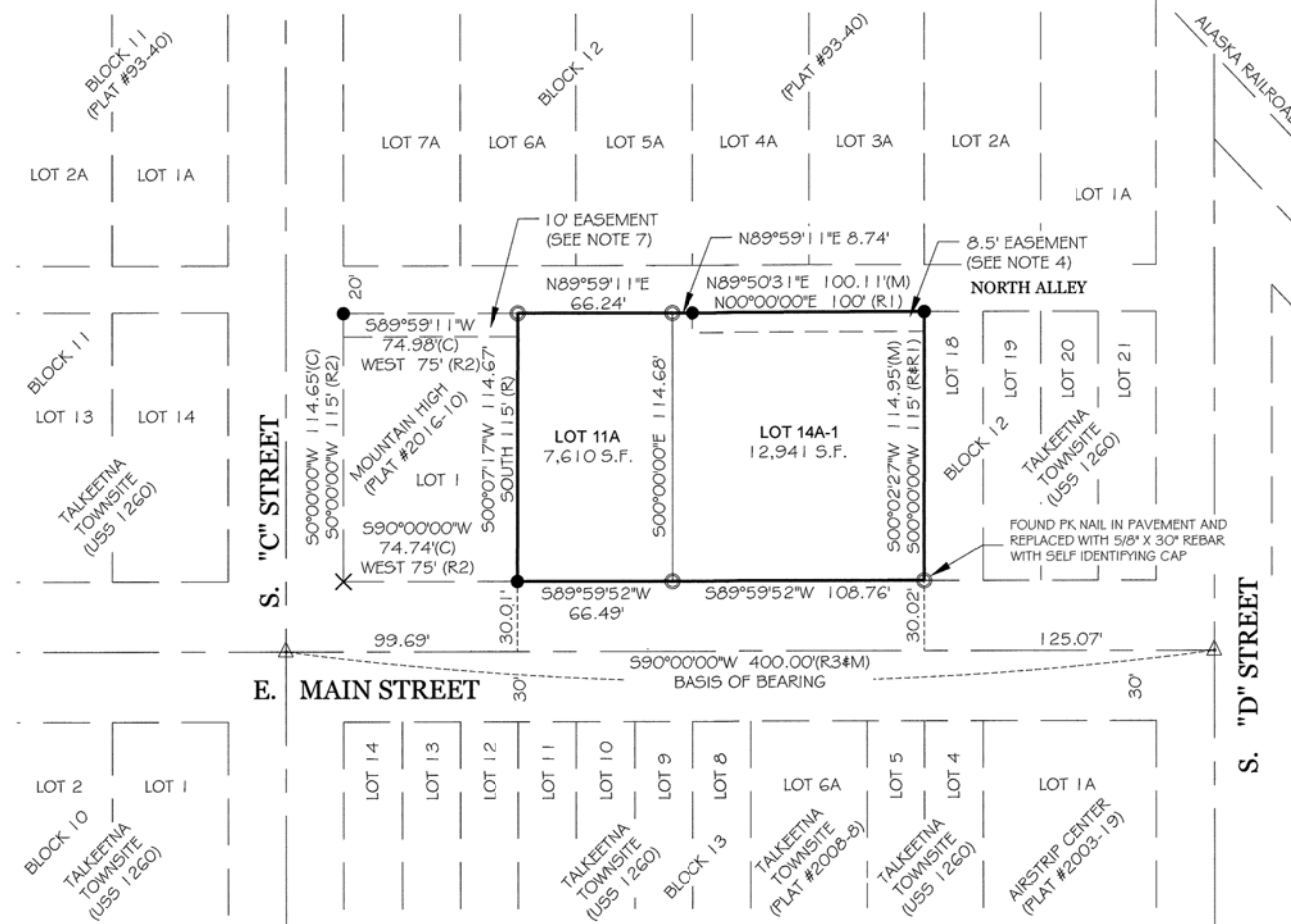
DATE:
OCTOBER 14, 2019

SUBMITTAL:
PLAN REVIEW SUBMITTAL

DRAWING TITLE:
ROOF PLAN

DRAWING NUMBER:

A2.3



NOTES:

1. THERE MAY BE FEDERAL, STATE, AND LOCAL REQUIREMENTS GOVERNING LAND USE. THE INDIVIDUAL PARCEL OWNER SHALL OBTAIN A DETERMINATION WHETHER THESE REQUIREMENTS APPLY TO THE DEVELOPMENT OF PARCELS SHOWN ON THE PLAT TO BE RECORDED.
2. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEMS ARE ALLOWED IN THIS SUBDIVISION. THESE LOTS ARE SERVED BY THE TALLEKETA WATER AND SEWER SYSTEMS.
3. THIS SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA DESIGNATED AN AE ZONE, AN AREA SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE OF FLOOD RISK DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. DEVELOPMENT WITHIN THIS AREA MUST CONFORM TO MSB 17.29 FLOOD DAMAGE PREVENTION ORDINANCES. BASE FLOOD ELEVATION IS APPROXIMATELY 349 FEET ABOVE MEAN SEA LEVEL ACCORDING TO FIRM MAP O2170C2803E DATED MARCH 17, 2011.
4. 8.5 FEET WIDE MATANUSKA ELECTRIC ASSOCIATION, INC. EASEMENT FOR ELECTRICAL TRANSMISSION AND/OR TELEPHONE DISTRIBUTION AND INCIDENTAL PURPOSES RECORDED JUNE 16, 1999 IN BOOK 171 ON PAGE 509 IN THE TALLEKETA RECORDING DISTRICT.
5. 10 FEET WIDE MATANUSKA ELECTRIC ASSOCIATION, INC. EASEMENT AS SHOWN ON PLAT #2016-10 RECORDED IN BOOK 153 ON PAGE 156 IN THE TALLEKETA RECORDING DISTRICT.

**PLANNING AND LAND USE
DIRECTOR'S CERTIFICATE**

I CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE MATANUSKA-SUSITNA BOROUGH, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY PLAT RESOLUTION NUMBER 2020-144, DATED 7-09 2020, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE TALKEETNA RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA IN WHICH THE PLAT IS LOCATED.

12-30, 2020
PLANNING AND LAND USE DIRECTOR
ATTEST: *Brenda G. McClure*
PLANNING CLERK



LEGEND

- FOUND 5/8" REBAR
 - △ FOUND PK NAIL IN PAVEMENT
 - SET 5/8" X 30" REBAR WITH 1-1/4" RED PLASTIC CAP (LS-11004)
 - × COMPUTED POSITION
- (R) RECORD TALLEKNA TOWNSITE (USS 1260)
- (R1) RECORD PLAT #2003-5
- (R2) RECORD PLAT #2016-10
- (R3) RECORD PLAT #2003-19

CERTIFICATE OF OWNERSHIP

I CERTIFY THAT I AM THE OWNER OF THE
PROPERTY SHOWN AND DESCRIBED IN THE
PLAN AND THAT I ADOPT THIS PLAN OF
SUBDIVISION BY MY FREE CONSENT.

SEE AFFIDAVIT

SASSAN MOSSANEN, TRUSTEE
SASSAN AND KRISTY MOSSANEN LIVING TRUST
PO BOX 278
TALKEETNA, ALASKA 99676

CERTIFICATE OF OWNERSHIP

I CERTIFY THAT I AM THE OWNER OF THE
PROPERTY SHOWN AND DESCRIBED IN THE
PLAN AND THAT I ADOPT THIS PLAN OF
SUBDIVISION BY MY FREE CONSENT.

SEE AFFIDAVIT

SASSAN MOSSANEN,MANAGER/MEMBER
NU ASPEN, LLC
PO BOX 278
TALKEETNA, ALASKA 99676

CERTIFICATION OF PAYMENT OF TAXES

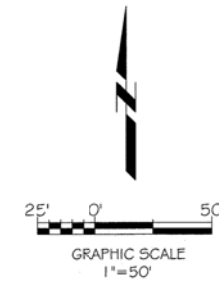
I HEREBY CERTIFY THAT ALL CURRENT TAXES AND SPECIAL ASSESSMENTS, THROUGH 12-31, 2020, AGAINST THE PROPERTY, INCLUDED IN THE SUBDIVISION OR RESUBDIVISION, HEREON HAVE BEEN PAID.

[Signature]
BOROUGH TAX COLLECTION OFFICIAL

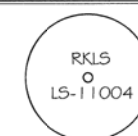
SURVEYOR'S CERTIFICATE

I, RICHARD L. WENTWORTH, PLS#11004, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Richard L. Wentworth
RICHARD L. WENTWORTH, PLS#11004

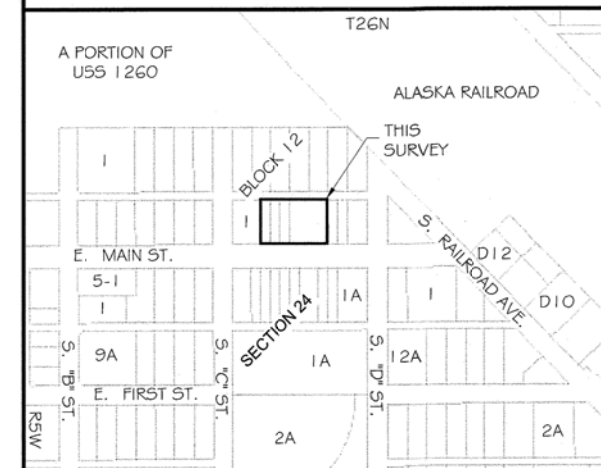


**TYPICAL RED
PLASTIC CAP SET**



VICINITY MAP

1" = 300 FEET



R+K LAND SURVEYING, LLC
27250 WEST LONG LAKE ROAD
PO BOX 606
WILLOW, ALASKA 99688
(907) 495-0047
#156327

PLAT OF
TALKEETNA TOWNSITE
US SURVEY 1260
LOTS 11A & 14A-1, BLOCK 12

A RESUBDIVISION OF LOTS 11, 12 AND 13 BLOCK 12 WITHIN
TALKEETNA TOWNSITE, ACCORDING TO US SURVEY 1260 AND
LOT 14A BLOCK 12 WITHIN TALKEETNA TOWNSITE, ACCORDING
TO PLAT #2003-5, CONTAINING APPROXIMATELY 0.47 ACRES
LOCATED WITHIN SECTION 24, T26N, R5W, S.M., ALASKA

TALKEETNA RECORDING DISTRICT,
THIRD JUDICIAL DISTRICT, STATE OF ALASKA

JOB NUMBER: 2019-181	CASE NUMBER:	MSB TAX MAP: TA 06
FIELD BOOK: RKLS 2020-01 RKLS 2020-05	DATE: 12-23-2020	REVISION: XXXX
DRAWN BY: RLW CHECKED BY: KEW	SCALE: 1" = 50'	SHEET: 1 OF 1

R&K LAND SURVEYING, LLC

Conditional Use Permit

#177020130004



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#: 177020130004

ACTION: In accordance with Matanuska-Susitna Borough Code 17.70, a conditional use permit for the operation of a liquor beverage dispensary, known as Twister Creek Restaurant, is hereby granted as referenced within this document.

EFFECTIVE DATE: November 4, 2013

PERMITTED SITE: Talkeetna Townsite, Block 12, Lot 14A; 13605 E. Main Street; within Township 26 North, Range 5 West, Section 24, Seward Meridian

PERMITTEE: Talkeetna Restaurant LLC
P.O. Box 1021
Talkeetna, AK 99676

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. If the operation expands or alters, an amendment to the conditional use permit shall be required.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 – Noise, Amplified Sound, and Vibration.

4. The operation shall comply with the requirements of the Talkeetna Special land Use District Conditional Use Permit (Permit# 172520130001).
5. The privacy fence on the west property line shall be maintained.
6. The conex, tasting and grain rooms, and shed buffer building shall be removed by November 30, 2015.

This permit is approved by Matanuska-Susitna Borough Planning Commission Resolution No. 13-42(AM) , passed on November 4, 2013. Copies 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. 13-42 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITONAL USE PERMIT UNDER MSB 17.70 FOR THE OPERATION OF A LIQUOR BEVERAGE DISPENSARY AT TWISTER CREEK RESTAURANT, LOCATED ON BLOCK 12, LOT 14A, TALKEETNA TOWNSITE, 13605 E. MAIN STREET, WITHIN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTION 24, SEWARD MERIDIAN

WHEREAS, an application has been received from Nu Aspen LLC dba Twister Creek Restaurant, for a conditional use permit under MSB 17.70 for the operation of a liquor beverage dispensary; and

WHEREAS, a liquor beverage dispensary is only permitted upon the issuance of a conditional use 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, Twister Creek Restaurant and Denali Brewing Company have been operating at this location since 2009; and

WHEREAS, Twister Creek Restaurant currently operates a restaurant/eating place (beer and wine) liquor license and Denali Brewing Company operates a brewery at this location; and

WHEREAS, the beverage dispensary license will allow the two operations to consolidate the brewery and restaurant into a brewpub; and

WHEREAS, Twister Creek Restaurant is located within the Main Street Talkeetna District in the Talkeetna Special Land Use District; and

WHEREAS, Twister Creek Restaurant is located on Main Street in downtown Talkeetna, which is a mix of commercial and residential uses; and

WHEREAS, there are several other restaurant establishments on Main Street that serve alcohol; and

WEHREAS, the proposed use is consistent with the goals and policies of the Talkeetna Comprehensive Plan (1998) and the Matanuska-Susitna Borough Comprehensive Plan (2005 Update; and

WHEREAS, the conditional use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area; and

WHEREAS, the deck is fenced and he beer garden area is delineated, which indicate the areas that alcoholic beverages can be served; and

WHEREAS, Twister Creek staff monitors the deck and beer garden; and

WHEREAS, the hours of operation fall between 11 a.m. and 11 p.m. year round; and

WHEREAS, live music and entertainment are not regularly scheduled; and

WHEREAS, the operation will be required to comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, there is not a church or school within at least one-quarter of a mile from this facility; and

WHEREAS, the applicant has met conditions of approval for the beverage dispensary license from the State of Alaska, Alcoholic Beverage Control Board, contingent upon approval of the Borough conditional use permit; and

WHEREAS, the Talkeetna Community Council has no objections to this proposed conditional use permit; and

WHEREAS, the conditional use should not be harmful to the public health, safety, convenience and welfare; and

WHEREAS, the building will be in compliance with the setback requirements after the tasting and grain rooms are removed; and

WHEREAS, the shed buffer structure will also be removed since it is set back less than ten feet from the lot line; and

WHEREAS, the lot is 11,500 square feet in size and exceeds the minimum lot area requirements in the Main Street Talkeetna District; and

WHEREAS, there is an eight foot high privacy fence on the west side of the lot; and

WHEREAS, sufficient setbacks, lot area, buffers or other safeguards are being provided; and

WHEREAS, there are two building mounted signs on the front side of the building and two lighted pole signs on the front

side of the lot; and

WHEREAS, there are downward directional building mounted lights around the building and two pole lights on the front part of the lot; and

WHEREAS, the parking areas are paved; and

WHEREAS, there should not be any negative effects upon the properties in the area due to such factors as dust, obtrusive advertising and glare; 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 to parking areas; and

WHEREAS, Twister Creek Restaurant is an established business; 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, the building was in existence and used for several different commercial uses prior to Twister Creek Restaurant purchasing the property; and

WHEREAS, measures are in place to reduce any negative effect upon adjacent and nearby properties; and

WHEREAS, there are two off-street parking spaces provided for employees, which exceeds the MSB 17.25 district parking

requirements and seven off-street parking spaces provided for patrons; and

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

WHEREAS, Twister Creek Restaurant has an approved Borough driveway permit; and

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

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

WHEREAS, the proposed development will be decreasing the size of the operation at this location; and

WHEREAS, traffic should not overtax existing road systems; and

WHEREAS, the operation of a beverage dispensary license at this location 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 of which one was alcohol-related; and

WHEREAS, the Alcoholic Beverage Control Board (ABC) has no

record of violations by Twister Creek Restaurant; and

WHEREAS, the applicant has not had a liquor license suspended or revoked in the 12 months preceding the application; 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 permit for the operation of a liquor beverage dispensary at Twister Creek Restaurant 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, an amendment to the conditional use permit shall be required.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration.
4. The operation shall comply with the requirements of the Talkeetna Special Land Use District Conditional

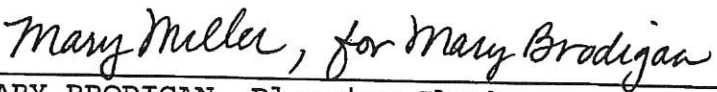
Use Permit (Permit# 172520130001).

5. The privacy fence on the west property line shall be maintained.
6. The conex, tasting and grain rooms, and shed buffer building shall be removed by November 30, 2015.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 4th day of November, 2013.


JOHN KLAPPERICH, Chair

ATTEST:


MARY BRODIGAN, Planning Clerk

(SEAL)

PASSED UNANIMOUSLY: Endle, Healy, Klapperich, Walden, Haller,
Adams, and Rauchenstein

**Twister Creek Restaurant
Conditional Use Permit
Application Drawings**

**OLBERDING WHITE
ARCHITECTS**

LL Recording, AIA LEED AP
Erika White, FAIA
704 West 2nd Ave, Suite A
Anchorage, Alaska 99501
Office: 907-645-8000
Web: www.llrec.com

QUEST:

Donal Breeding Company
P.O. Box 10291
Tulsa, Alaska 99575

SITE ADDRESS:

May 30, 2014

DATE: _____

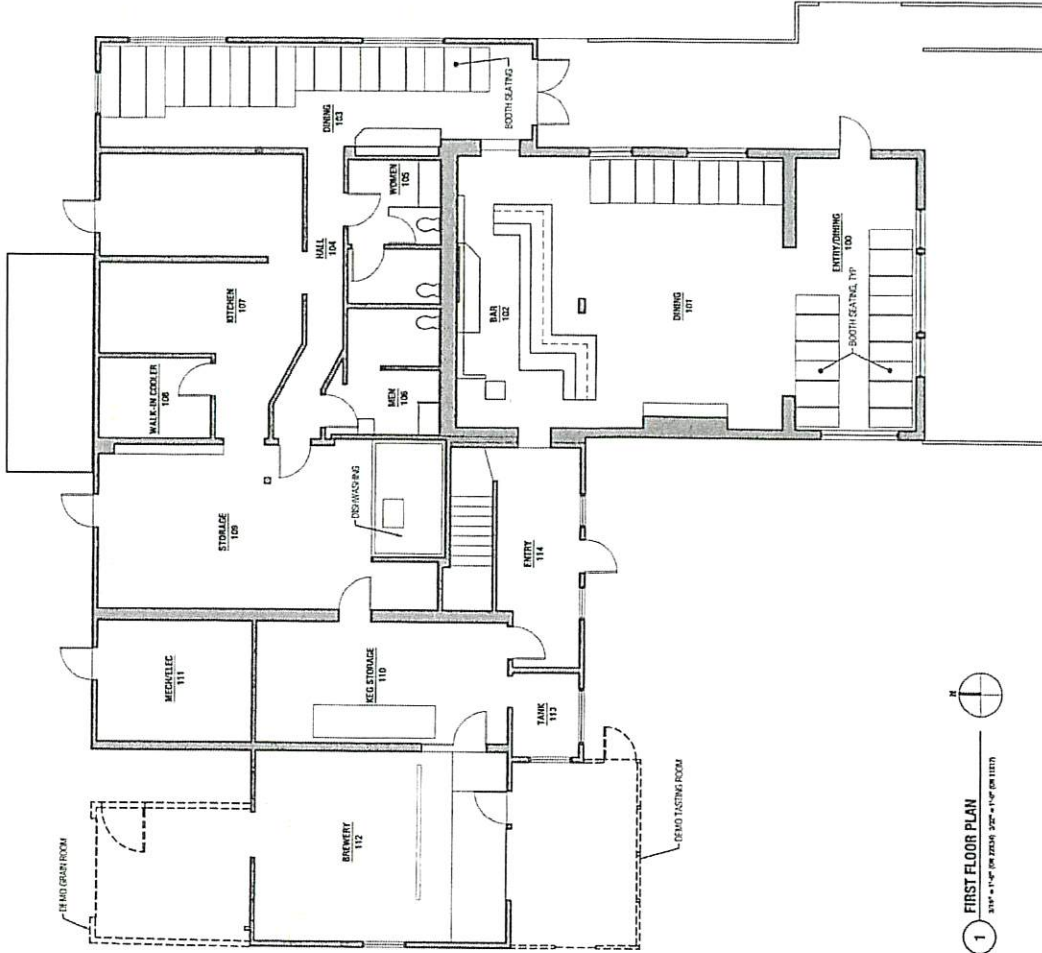
Summary:

Case	Findings	Diagnosis	Comments
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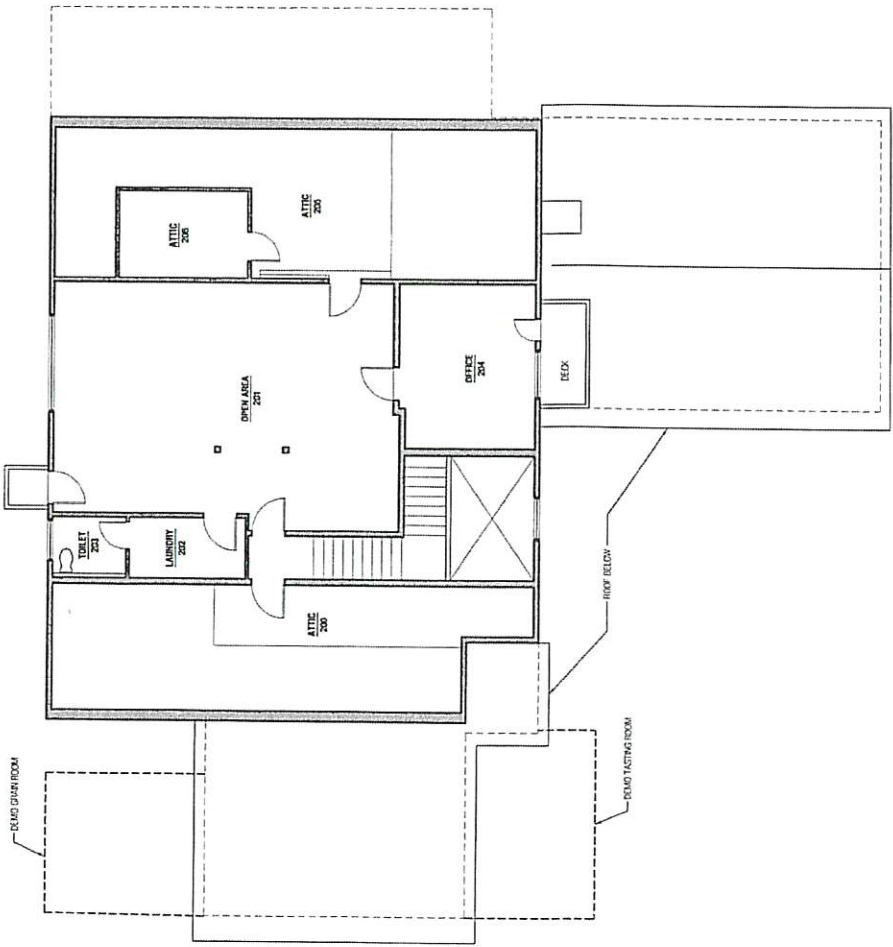
DRAWING NUMBER:

A2.01



FIRST FLOOR PLAN

319° = 1°-42' NW 221° 30' = 1°-05' NW 111° 30'



1 SECOND FLOOR PLAN
3/16" = 1'-0" (SEE ALSO: 1/8" = 1'-0" SEE ALSO)

Twister Creek Restaurant
Application Drawings
Conditional Use Permit
Tulkeetna, A

OLBERDING WHITE
ARCHITECTS

12000 CHERRY AVENUE, SUITE 100
TULKEETNA, ALASKA 99571
PHONE: 907.646.8000
WWW.OWAARCHITECTS.COM

CLIENT: Twister Creek Restaurant
PROJECT: Conditional Use Permit
Tulkeetna, Alaska 99571

SITE ADDRESS: 12000 Cherry Avenue
Tulkeetna, Alaska

DATE: May 30, 2021

SUBMITTAL: CUP Application

DRAWING TITLE: Second Floor Plan

DRAWING NUMBER: A2.01

Conditional Use Permit

#172520130001



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

TALKEETNA SPECIAL LAND USE DISTRICT CONDITIONAL USE PERMIT

PERMIT#: 172520130001

ACTION: In accordance with Matanuska-Susitna Borough Code 17.25, a conditional use permit for a commercial use larger than 4,000 square feet in the Main Street Talkeetna District at Twister Creek Restaurant is hereby granted as referenced within this document.

EFFECTIVE DATE: November 4, 2013

PERMITTED SITE: Talkeetna Townsite, Block 12, Lot 14A; 13605 E. Main Street; within Township 26 North, Range 5 West, Section 24, Seward Meridian

PERMITTEE: Talkeetna Restaurant LLC
P.O. Box 1021
Talkeetna, AK 99676

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.

Specific Conditions of the Permit:

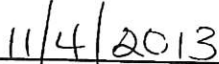
1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. If the operation expands or alters, an amendment to the conditional use permit shall be required.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 – Noise, Amplified Sound, and Vibration.
4. The operation shall comply with the requirements of the Alcoholic Beverage Use Conditional Use Permit (Permit# 177020130004).
5. The fence on the west property line shall be maintained.

6. The conex, tasting and grain rooms and shed buffer building shall be removed by November 30, 2015.

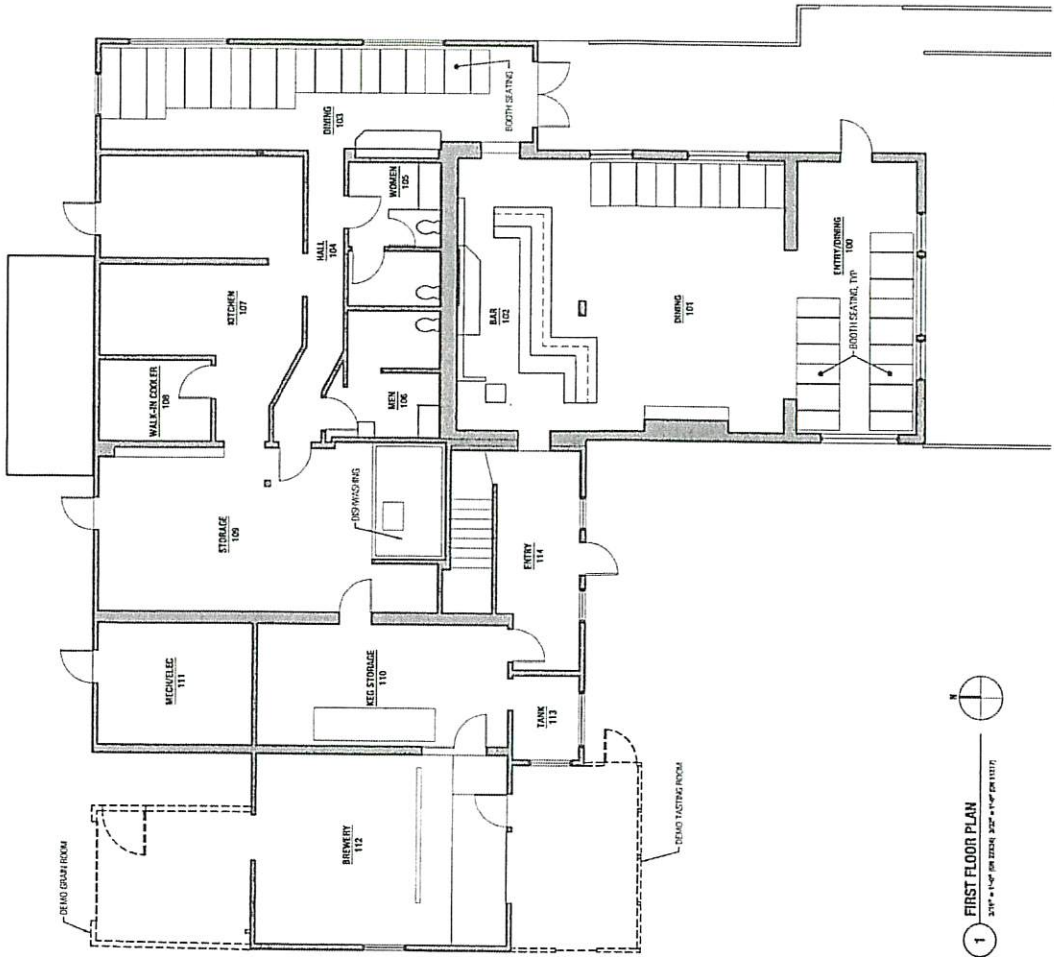
This permit is approved by Matanuska-Susitna Borough Planning Commission Resolution 13-43, passed on November 4, 2013. Copies of the resolution and site plan are attached. This permit may be appealed within 21 days of approval in accordance with MSB 15.39 Board of Adjustment and Appeals.



Eileen Probasco, Director
Planning and Land Use Department



Date of Issuance



Twister Creek Restaurant
Conditional Use Permit
Application Drawings
Talkeetna, AK

OLBERG WHITE
ARCHITECTS

12 Chukotka, ALEUTIAN
PO Box 1000
701 West 2nd Ave, Suite A
Anchorage, Alaska 99501
Phone: (907) 644-8900
Fax: (907) 644-8900
Web: www.olbergwhite.com

CLIENT:
Twister Creek Restaurant
PO Box 1000
Talkeetna, Alaska 99475

DATE: 1/20/21
PROJECT: Twister Creek Restaurant

DATE: May 30, 2021

REVISION:
CIP Application

DATE: May 30, 2021

DATE: May 30, 2021

DATE: May 30, 2021

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A2.01

Twister Creek Restaurant
Conditional Use Permit
Application Drawings
Tolkeeta, TX

**OLBERDING WHITE
ARCHITECTS**

11: Chorday, ALA LEED AP
Cindy White, AIA

CLIENT: Donell Driving Company
P.O. Box 1007

SITE ADDRESS: _____

DATE _____

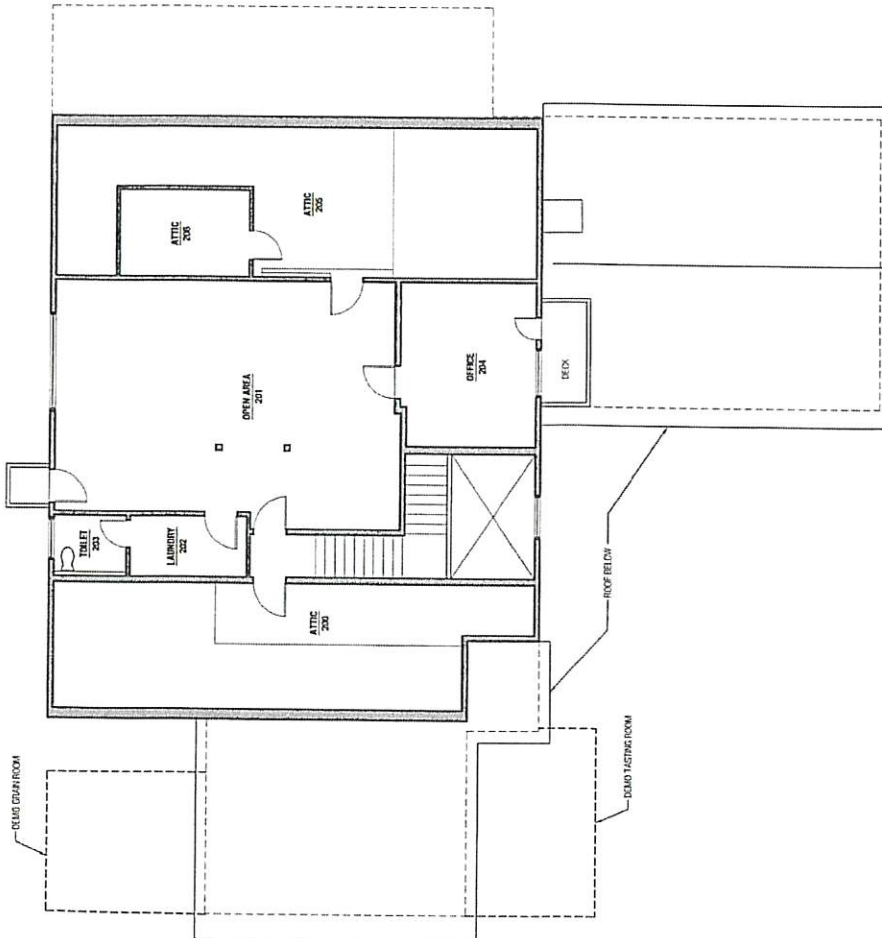
SECRET

CUP Application

DRAWING TITLE: Second Floor Plan

DRAFTING NUMBER:

A2.01



1 SECOND FLOOR PLAN
5'10" x 1'-0" FOR 22'0" 3'22" x 1'-0" FOR 11'0"

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 13-42 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITONAL USE PERMIT UNDER MSB 17.70 FOR THE OPERATION OF A LIQUOR BEVERAGE DISPENSARY AT TWISTER CREEK RESTAURANT, LOCATED ON BLOCK 12, LOT 14A, TALKEETNA TOWNSITE, 13605 E. MAIN STREET, WITHIN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTION 24, SEWARD MERIDIAN

WHEREAS, an application has been received from Nu Aspen LLC dba Twister Creek Restaurant, for a conditional use permit under MSB 17.70 for the operation of a liquor beverage dispensary; and

WHEREAS, a liquor beverage dispensary is only permitted upon the issuance of a conditional use 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, Twister Creek Restaurant and Denali Brewing Company have been operating at this location since 2009; and

WHEREAS, Twister Creek Restaurant currently operates a restaurant/eating place (beer and wine) liquor license and Denali Brewing Company operates a brewery at this location; and

WHEREAS, the beverage dispensary license will allow the two operations to consolidate the brewery and restaurant into a brewpub; and

WHEREAS, Twister Creek Restaurant is located within the Main Street Talkeetna District in the Talkeetna Special Land Use District; and

WHEREAS, Twister Creek Restaurant is located on Main Street in downtown Talkeetna, which is a mix of commercial and residential uses; and

WHEREAS, there are several other restaurant establishments on Main Street that serve alcohol; and

WEHREAS, the proposed use is consistent with the goals and policies of the Talkeetna Comprehensive Plan (1998) and the Matanuska-Susitna Borough Comprehensive Plan (2005 Update; and

WHEREAS, the conditional use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area; and

WHEREAS, the deck is fenced and he beer garden area is delineated, which indicate the areas that alcoholic beverages can be served; and

WHEREAS, Twister Creek staff monitors the deck and beer garden; and

WHEREAS, the hours of operation fall between 11 a.m. and 11 p.m. year round; and

WHEREAS, live music and entertainment are not regularly scheduled; and

WHEREAS, the operation will be required to comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, there is not a church or school within at least one-quarter of a mile from this facility; and

WHEREAS, the applicant has met conditions of approval for the beverage dispensary license from the State of Alaska, Alcoholic Beverage Control Board, contingent upon approval of the Borough conditional use permit; and

WHEREAS, the Talkeetna Community Council has no objections to this proposed conditional use permit; and

WHEREAS, the conditional use should not be harmful to the public health, safety, convenience and welfare; and

WHEREAS, the building will be in compliance with the setback requirements after the tasting and grain rooms are removed; and

WHEREAS, the shed buffer structure will also be removed since it is set back less than ten feet from the lot line; and

WHEREAS, the lot is 11,500 square feet in size and exceeds the minimum lot area requirements in the Main Street Talkeetna District; and

WHEREAS, there is an eight foot high privacy fence on the west side of the lot; and

WHEREAS, sufficient setbacks, lot area, buffers or other safeguards are being provided; and

WHEREAS, there are two building mounted signs on the front side of the building and two lighted pole signs on the front

side of the lot; and

WHEREAS, there are downward directional building mounted lights around the building and two pole lights on the front part of the lot; and

WHEREAS, the parking areas are paved; and

WHEREAS, there should not be any negative effects upon the properties in the area due to such factors as dust, obtrusive advertising and glare; 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 to parking areas; and

WHEREAS, Twister Creek Restaurant is an established business; 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, the building was in existence and used for several different commercial uses prior to Twister Creek Restaurant purchasing the property; and

WHEREAS, measures are in place to reduce any negative effect upon adjacent and nearby properties; and

WHEREAS, there are two off-street parking spaces provided for employees, which exceeds the MSB 17.25 district parking

requirements and seven off-street parking spaces provided for patrons; and

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

WHEREAS, Twister Creek Restaurant has an approved Borough driveway permit; and

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

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

WHEREAS, the proposed development will be decreasing the size of the operation at this location; and

WHEREAS, traffic should not overtax existing road systems; and

WHEREAS, the operation of a beverage dispensary license at this location 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 of which one was alcohol-related; and

WHEREAS, the Alcoholic Beverage Control Board (ABC) has no

record of violations by Twister Creek Restaurant; and

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

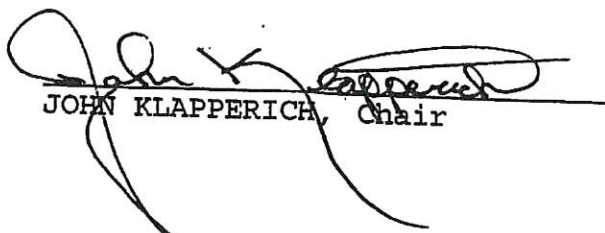
NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission finds this application does meet the standards of MSB 17.70.100 and 17.70.110 and does hereby approve the conditional use permit for the operation of a liquor beverage dispensary at Twister Creek Restaurant with the 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, an amendment to the conditional use permit shall be required.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration.
4. The operation shall comply with the requirements of the Talkeetna Special Land Use District Conditional

Use Permit (Permit# 172520130001).

5. The privacy fence on the west property line shall be maintained.
6. The conex, tasting and grain rooms, and shed buffer building shall be removed by November 30, 2015.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 4th day of November, 2013.


JOHN KLAPPERICH, Chair

ATTEST:


MARY BRODIGAN, Planning Clerk

(SEAL)

PASSED UNANIMOUSLY: Endle, Healy, Klapperich, Walden, Haller,
Adams, and Rauchenstein

**Planning Commission
Resolution 02-22 (AM)
for a Variance to the
Setback Regulations**

20 2-001409-0

Recording Dist: 321 - Talkeetna
9/13/2002 3:42 PM Pages: 1 of 5

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MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION 02-22(AM)

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A VARIANCE FOR A BUILDING TO THE REQUIREMENTS OF MSB 17.55.010(A) SETBACKS FROM RIGHT-OF-WAYS AND DENYING A VARIANCE FOR ACCESSORY STRUCTURES TO THE REQUIREMENTS OF MSB 17.55.010(A) SETBACKS FROM RIGHT-OF-WAYS AND 17.55.010(B) SETBACKS FROM SIDE YARD LOT LINES ON BLOCK 12, LOTS 14, 15, 16, AND 17, TALKEETNA TOWNSITE, TALKEETNA RECORDING DISTRICT

WHEREAS, an application for a variance from the setback requirements of MSB 17.55.010(A) and 17.55.010(B) has been received to allow an existing building to remain located less than 25 feet from a public right-of-way (alley) and to allow accessory structures (diesel tank, diesel dispenser, and propane tank) to be located less than ten feet from a side yard lot line and a gas pump island canopy to remain located less than 25 feet from the Main Street right-of-way on Block 12, Lots 14, 15, 16, and 17, Talkeetna Townsite; and

WHEREAS, the building (gas station/store/laundromat) is located 11.15 feet from the alley right-of-way, the diesel fuel dispenser, diesel tank and propane tank are located 1.4 feet from the west side yard lot line and the gas pump island canopy is located .3 feet from the Main Street right-of-way, as indicated on the site plan attached as Exhibit "A"; and

WHEREAS, the planning commission has conducted the required public hearing and considered the information submitted as required by code and hereby finds:

1. The unusual conditions or circumstances that apply to the property are the lot dimensions and are not unique to this particular property. The narrow lot conditions are shared by many old lots throughout the original townsite.

2. The strict application of this title would deprive the applicants of rights commonly enjoyed by other properties under the terms of this title as the applicants could not have built any structures on the individual lots in compliance with the setback requirements. Building and lot line encroachments are being eliminated with the combining of the four lots. However, the propane tank, diesel tank and diesel dispenser, and gas pump island canopy are accessory to the building on the property and can be brought into compliance with setback requirements.
3. There has been no evidence submitted that would indicate that the requested variance would be harmful to the public welfare nor would it be injurious to nearby property. However, the diesel fuel dispenser and tank and the propane tank should be relocated to at least ten feet from the lot line as they have the potential for causing hazardous problems.
4. The granting of this variance would be in harmony with the goals and objectives of Title 17 and consistent with the Talkeetna Comprehensive Plan and the Borough Coastal Management Plan.
5. The deviation from the requirements of this title that is permitted by the variance will be no more than necessary to permit a reasonable use of the property, as the existing building is consistent with other development in downtown Talkeetna. However, the propane tank, diesel fuel tank and dispenser and gas pump island canopy are accessory structures to the building on the property and can be brought into compliance with the setback regulations.
6. The special conditions that require this variance are caused by a combination of pre-existing conditions not



caused by the applicant, the platting action of combining the lots, and the business decisions which are caused by the applicant.

7. The variance, if granted, will not permit a land use in a district in which that use is prohibited. Commercial uses are permitted on this site.
8. The variance is not solely to relieve pecuniary hardship or inconvenience, as there is no legally buildable area on the individual lots, therefore the structure was built across lot lines and the applicants are resolving the setback violations through a platting action and by applying for this variance request. Even with the combining of the four lots into one lot, there is no where to move the existing building in compliance with setbacks. However, the accessory structures (propane tank, diesel tank and dispenser, and canopy) can be moved into compliance with setbacks.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission does grant a variance to allow an existing building to remain located 11.15 feet from the alley right-of-way on Block 12, Lots 14, 15, 16, and 17 Talkeetna Townsite, located within the Talkeetna Recording District.

BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Planning Commission does grant a variance to allow an existing gas pump island canopy to be located less than 25 feet from the Main Street right-of-way, on Block 12, Lots 14, 15, 16, and 17, Talkeetna Townsite, located within the Talkeetna Recording District.

BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Planning Commission does grant a variance to allow the propane tank to be located less than ten feet from the west side yard lot line on Block 12, Lots 14, 15, 16, and 17, Talkeetna Townsite, located



within the Talkeetna Recording District, contingent on the Fire Marshal approval, on the condition that if construction is authorized on Lot 13 within 10 feet of the eastern line of Lot 13 and within 10' of the propane tank, the owner of the propane tank shall take such action as needed to bring the propane tank into compliance with applicable fire codes including, if necessary, the construction of a fire wall within the setback area.


BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Planning Commission does deny the variance to allow the diesel fuel tank and diesel fuel dispenser to be located less than ten feet from the west side yard lot line on Block 12, Lots 14, 15, 16, and 17, Talkeetna Townsite, located within the Talkeetna Recording District.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 15 day of July 2002.


CYNTHIA PAYNE, Chair

ATTEST:


PRISCILLA M. GOFF, Planning Clerk


After Recording please return to:
Matanuska-Susitna Borough
Planning Department
350 E. Dahlia Avenue
Palmer, AK 99645

5 of 5
2002-001409-0

Legend

- △ Computed Corner Position No point Found or Set
- ⊕ Existing 5/8 Rebar
- ⊙ Location of Drilled Temporary Monitoring Wells
- ⊗ Existing Poles
- Point of Elevation - existing ground
- Asphalt
- Gravel
- ~ Trees

Notes

1. Elevations were derived from the US Coast and Geodetic Survey Benchmark A-109 with an elevation of 345.63 ft above NSL (NGVD29)
2. This lot is located in a Special Flood Hazard Area, within Zone A as depicted on the FIRM Community Panel number 020021 50851.
3. Base Flood Elevation for this lot, interpolated from a cross section shown in the 1972 Flood Study made by the U.S. Army Corps of Engineers, is approximately 341.5 feet above mean sea level (NGVD29).

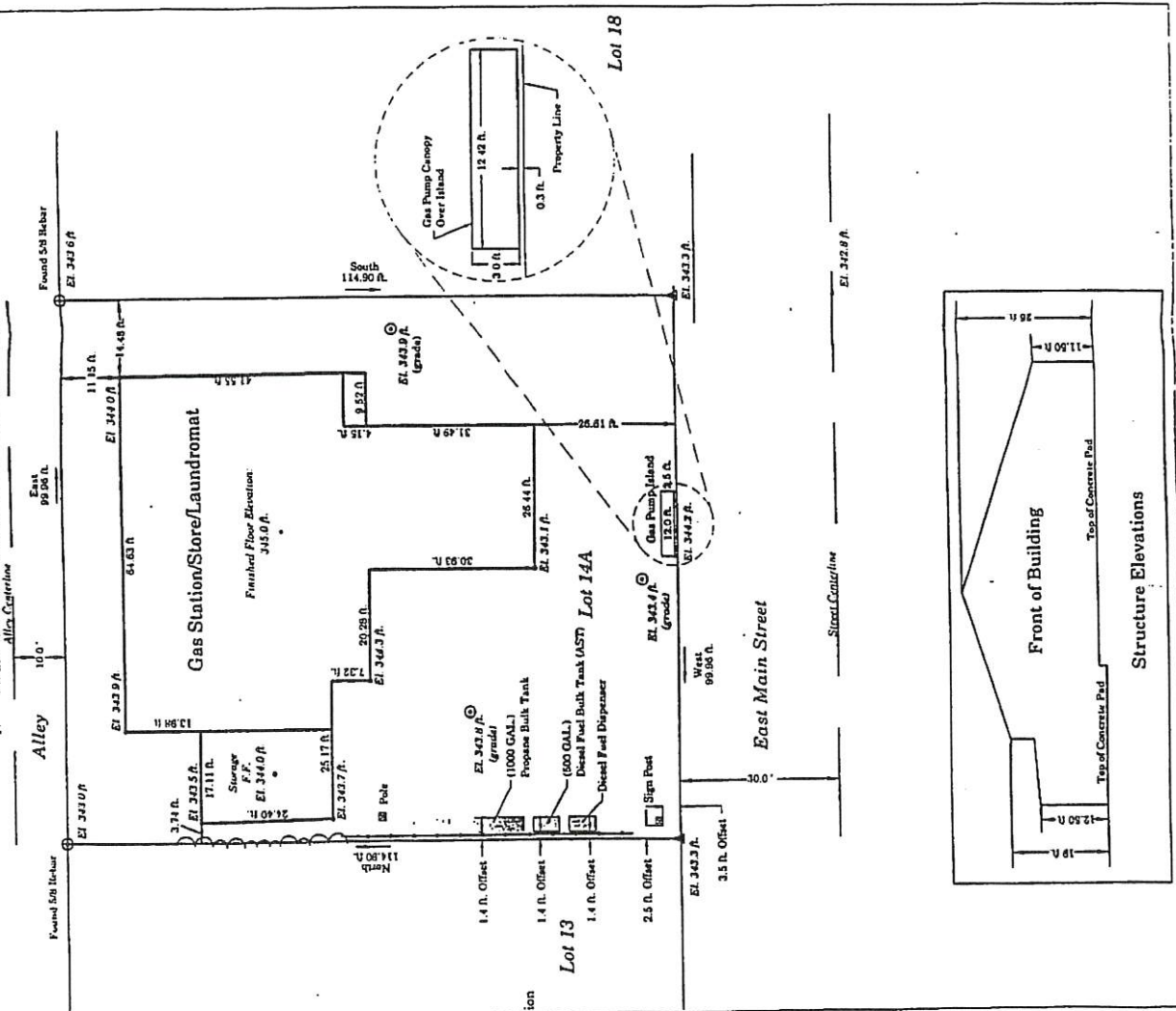


Three Rivers Team
Site Assessment

Boundary Survey and Site Plan
Talkeetna Townsite Subdivision
Lot 14A, Block 12

Figure 1

"A" LIGHTS



A Portion of Block 12
of
Talkeetna Townsite Subdivision
U.S. Survey 1260

0 5 10 20
Scale in Feet

COMMENTS

Agency Comments

From: [Sassan Mossanen](#)
To: [Mark Whisenhunt](#)
Subject: FW: TCCI Comments RE Talkeetna Restaurant CUP Modifications
Date: Tuesday, April 13, 2021 3:38:41 PM

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

Here is their response

From: Sassan Mossanen
Sent: Tuesday, April 13, 2021 9:43 AM
To: Jon Korta <jon@talkeetnacouncil.org>
Cc: Kristy Mossanen <kristym@denalibrewing.com>
Subject: RE: TCCI Comments RE Talkeetna Restaurant CUP Modifications

Hi Jon,

There is no need to do so. Your time is better spent enjoying the finer things in life. I ultimately hope that our application can stand on its own. Your sensitivity to the topic is tremendously appreciated. Kristy and I value your time! Sassan

From: Jon Korta <jon@talkeetnacouncil.org>
Sent: Tuesday, April 13, 2021 8:40 AM
To: Sassan Mossanen <sassanm@denalibrewing.com>
Subject: Re: TCCI Comments RE Talkeetna Restaurant CUP Modifications

Good morning Sassan,

I wanted to respond further to your email. I want to apologize for the careless use of the word "fact" in the letter I sent to MSBPC. In my attempt to convey some of the concerns shared by the community during our long meeting that night, I neglected to catch the significance of that statement, and certainly did not intend for it to sound like the community council took any assertions as fact. Again, I apologize that my letter may have characterized you and your business in a negative light. If you would like, I would be happy to send an updated letter to MSBPC that corrects that statement. Feel free to contact me if you would like to discuss this any further.

Thanks,
Jon

On Mon, Apr 12, 2021 at 8:41 AM Sassan Mossanen <sassanm@denalibrewing.com> wrote:

Hi Jon,

I wanted to follow up on the letter that the TCCI drafted to the Planning Commission. Before I do so I still would like to thank the council for taking the time to write the letter and share it's work with the MSBPC. In Paragraph 2 line 7 it states "some took issue with the fact that the previous expansion efforts took place outside the CUP process." I wanted to share my efforts with you all regarding our roof remodel project to dispel any incorrect notions of the steps we took prior to starting the remodel. The TCCI letter from yesterday suggest that we expanded our

building outside of the CUP/Public process. The first attachment is a letter I wrote to Susan Lee and Alex Strawn after meeting with them about our remodel and my desire to recap our conversation in a formal way. After my initial communications with the MSB planning staff and letter confirming our conversation I voluntarily requested to be placed on the TCCI agenda as a person to be heard for the 2/1/16 meeting. Even though it was determined that a CUP was not needed for the project I still wanted the community to know what my plans were and made a presentation. The next attachment is a letter that the MSB Planning staff wrote acknowledging that they had reviewed the plans, spoken with me about it and that a CUP was in fact not needed. The final attachment is a letter that was submitted to the TCCI with regard to our current application. In Mrs. Teich's letter she refers to folks not getting their facts right. I think it is important to get the facts right. I believe in the public process. I believe it is important to play by the rules. If the assertion is made that I have operated outside of these standards I feel compelled to set the record straight. Respectfully,

Sassan Mossanen

From: Jon Korta <jon@talkeetnacouncil.org>
Sent: Tuesday, April 6, 2021 2:22 PM
To: Mark.Whisenhunt@matsugov.us
Cc: Sassan Mossanen <sassanm@denalibrewing.com>; Tam Boeve <tamboevedistrict7@gmail.com>
Subject: TCCI Comments RE Talkeetna Restaurant CUP Modifications

Hello Mark,
See the attached letter from our community council regarding Talkeetna Restaurant CUP modifications. If you have any further questions, please let me know.

Thanks,
Jon

--

Jonathan Korta
Chairman - Talkeetna Community Council
PO Box 608
Talkeetna, AK 99676
(907) 203-2532 cell

--

Jonathan Korta
Chairman - Talkeetna Community Council
PO Box 608

Talkeetna, AK 99676
(907) 203-2532 cell



Talkeetna Community Council, Inc.

A non-profit, community service organization

April 6th, 2021

Mat-Su Borough Planning Commission
Mark Whisenhunt
Planner II
Matanuska-Susitna Borough

Dear MSB Planning Commission,

The Talkeetna Community Council met on Monday, April 5th, at 7pm, via zoom. One of the items on our agenda, under new business, was the CUP for Talkeetna Restaurant, (Denali Brewing Company). The CUP was one of several important issues on the agenda, and as a result our meeting was very well attended, with approximately 40 community members participating.

After over two hours of thoughtful discussion and debate lasting until 11:30pm, the community council could not reach a consensus on how to proceed. Proponents noted that the applicant is a long-time resident of Talkeetna, a supporter of many community efforts, and felt that the changes to his structure were not unreasonable. Opponents saw the CUP as a slippery slope threatening our historic district as larger and larger businesses get granted exceptions to the SPUD, increasing problems such as parking, and eventually making our once-charming village unrecognizable. Some took issue with the fact that previous expansion efforts took place outside the CUP process. A motion to write a letter of "No Objection" failed to get a second, and a later motion to write a letter of Non-Support failed 4-3. The dialogue was emotional at times, but civil and respectful throughout.

We were unable to come up with satisfactory conditions to the CUP that would satisfy either side. The issue is complex and is exacerbated by the ongoing and unresolved issues related to tourism growth that continue to impact the community. Ultimately, the community continues to struggle to find the right balance between growth and retaining the town's original charm and character.

We hope this feedback from our meeting helps you make an informed decision.

Respectfully,


Jon Korta
Chair - Talkeetna Community Council

Mark Whisenhunt

From: Manager Talkeetna Historical Society <manager@talkeetnahistoricalsociety.org>
Sent: Thursday, March 25, 2021 9:43 AM
To: Mark Whisenhunt
Cc: Adam Bradway; Bill Rodwell; Jon Korta; sassanm@denalibrewing.com
Subject: MSB1770 and MSB1725 applications
Attachments: 2021.ths.tkarestCUP.pdf; PastedGraphic-1.tiff

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

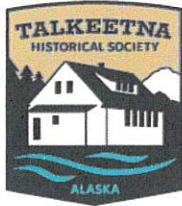
Greetings,

Attached are our comments on the Talkeetna Restaurant applications (MSB1770 and 1725) for conditional use permit. Thank you for your consideration.

Sue Deyoe
Executive Director
Talkeetna Historical Society & Museum
manager@talkeetnahistoricalsociety.org
907-733-2487
www.talkeetnamuseum.org

cc: Mat Su Borough HPC
Talkeetna Chamber
Talkeetna Community Council
Talkeetna Restaurant LLC

SCANNED



Talkeetna Historical Society and Museum

est 1972

PO Box 76 Talkeetna Alaska 99676
907-733-2487Matanuska-Susitna Borough
Development Services

MAR 30 2021

Received

March 22, 2021

Dear Mat Su Borough Planning Commission,

We are responding to the public comment period for Talkeetna Restaurant documents MSB 1770 and MSB 1725. Thank you for allowing interested parties to respond and comment.

The Talkeetna Historical Society rarely weighs in on downtown activity unless it falls within the boundaries of the Talkeetna Historic District. The renewed effort the Borough is taking to preserve and assist in conservation of all historic properties and districts within the Borough is promising and we are grateful for the effort to revise the Historic Preservation planning documents. As a Historical Society, our main interest and concern is that businesses and residents adhere to the integrity and guidelines of the Talkeetna Historic District. Please take into consideration our Historic District designation when considering any requested changes to the buildings and businesses within.

OUR CONCERNS:

There is no reference to the Talkeetna Restaurant being located near the center of the Talkeetna Historic District and district guidelines are not mentioned. Also, the application says the access is a state-maintained road. However, Main Street is maintained by the Mat-Su Borough contractor. The application also states that there are no issues with traffic.

As tourism has greatly increased over the past twenty years, there are unresolved challenges we face on a daily basis in the downtown Historic District. There is a great amount of foot traffic along with a high number of motor vehicles on Main Street, with no sidewalks, which presents a safety problem. Sufficient parking for business employees and customers at Main Street businesses is greatly lacking and problematic. The lack of adequate public bathroom facilities downtown is also a large problem. There have been many planning meetings and discussions on how to handle the summer traffic jams and lack of public facilities. The application doesn't say how many more employees would be needed for this extra business, or how many visitors would add to the already over-burdened traffic issue. Any business that expands its customer capacity will also cause an expansion in the need of additional parking which is already a problem.

Historically, the only 2-story buildings in town were housing (residential homes, the school and the Fairview Hotel). Currently, any second story in Talkeetna is overnight/housing/office use. We feel that even though it isn't specifically mentioned in any plan, that at least within the Historic District, it should remain that way. Adding another layer to restaurants and bars opens a can of worms!

The Talkeetna SPUD follows specific goals within the Comp Plan and specifically under historic resources - respect, preserve and enhance the historic essence of Talkeetna, which contributes to the identity and special sense of place and forms integral part of Talkeetna's appeal, at the same time, not having negative impacts on the sense of community environment or quality of life. The incremental changes in downtown slowly detract from the historic, and originally partially residential, essence of the Talkeetna Historic District

Thanks for your consideration on all.

Sincerely and on behalf of the Board of Directors



Sharon Montagnino
THS President



Sue Deyoe
Executive Director

cc: TCCI, TKA Chamber, Talkeetna Restaurant

Mark Whisenhunt

From: Theresa Taranto
Sent: Tuesday, March 9, 2021 11:23 AM
To: Mark Whisenhunt
Subject: RE: Request for Review and Comments: Talkeetna Restaurant CUP Modifications

FIRM 2803, AE and X Zone
Talkeetna SPUD (Main Street)

Thanks,

Theresa Taranto
Mat-Su Borough
Development Services
Administrative Specialist

350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574
www.matsugov.us

From: Mark Whisenhunt <Mark.Whsenhunt@matsugov.us>
Sent: Friday, March 5, 2021 3:36 PM
To: allen.kempen@alaska.gov; tucker.hurn@alaska.gov; melanie.nichols@alaska.gov; mearow@matanuska.com; row@enstarnaturalgas.com; row@mtasolutions.com; ospdesign@gci.com; Fire Code <Fire.Code@matsugov.us>; Jill Irsik <Jill.Irsik@matsugov.us>; Eric Phillips <Eric.Phillips@matsugov.us>; Cindy Corey <Cindy.Corey@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Charlyn Spannagel <Charlyn.Spannagel@matsugov.us>; Leda Borys <Leda.Borys@matsugov.us>; Taunnie Boothby <Taunnie.Boothby@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; Andy Dean <Andy.Dean@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Tam Boeve <Tamboevedistrict7@gmail.com>; contact@talkeetnacouncil.org
Subject: Request for Review and Comments: Talkeetna Restaurant CUP Modifications

DATE: March 5, 2021
TO: Various Governmental Agencies
FROM: Mark Whisenhunt, Planner II
SUBJECT: Request for Review and Comments Governmental Agencies
PROJECT: Modification of two existing Conditional Use Permit's for the expansion of the Talkeetna Restaurant
LOCATION: 13605 E. Main Street (Tax ID# 8088B12L014A-1);
within Township 26 North, Range 5 West, Section 24, Seward Meridian
APPLICANT: Sassan Mossanen (dba Talkeetna Restaurant)

An application to modify a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses and an application to modify a conditional use permit under MSB 17.25 Talkeetna Special Land Use District have been submitted for the expansion of the Talkeetna Restaurant. The Planning Commission will conduct two public hearings for the requests on April 19, 2021.



ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department
Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

March 8, 2021

Mark Whisenhunt, Planner II
Matanuska-Susitna Borough
Planning & Land Use Department
350 East Dahlia Avenue
Palmer, Alaska 99645-6488

Dear Mr. Whisenhunt:

ENSTAR Natural Gas Company has reviewed the request to modify an existing conditional use permit under MSB 17.70 and to modify an existing conditional use permit under MSB 17.25. Located at 13605 E Main Street.

We have no comments or concerns related to this activity.

If you have any questions, please feel free to contact me at 334-7944 or by email at cassie.acres@enstarnaturalgas.com.

Sincerely,

A handwritten signature in blue ink that reads "Cassie Acres".

Cassie Acres
Right-of-Way and Compliance Technician
ENSTAR Natural Gas Company

Public Comments

Mark Whisenhunt

From: CATHY TEICH <cathyt@mtaonline.net>
Sent: Monday, April 5, 2021 11:38 PM
To: Mark Whisenhunt
Subject: Modification of two existing Conditional Use Permit's for the expansion of the Talkeetna Restaurant
LOCATION: 13605 E. Main Street (Tax ID# 8088B12L014A-1); within Township 26 North, Range 5 West, Section 24, Seward Meridian
APPLICANT: Sa...

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

We had a 4 1/2 hr. council meeting in Talkeetna last night...actually longer.

The Mossanens are local, raise their children here, employ more people in town than anyone else, they are not in violation of the SPUD, they put up solar panels, they put up tin on their roof like the Fairview Inn to stay in the historical mode....

They are good citizens. They are so much better than corporate America would be in our town. Some oppose them. What I see is that one group only wants "their" group to be in charge & successful. If you are not in that group, you are out.

There are other place on main street that actually MAY BE IN VIOLATION of the SPUD...I wonder why they were not called on the carpet? Could they be a member of this certain group?

I am in support of the Mossanens' business and their modifications downtown. They are not enlarging their footprint. They are making use of the space that is already within their footprint.

Check the rest of main street. I believe OTHERS may be in violation, but not Twister Creek Brewery.

Thank you,

Cathy Teich

PLANNING COMMISSION RESOLUTION

By: Mark Whisenhunt
Introduced: April 5, 2021
Public Hearing: May 3, 2021
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 21-08

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A MODIFICATION OF A CONDITIONAL USE PERMIT FOR A COMMERCIAL USE LARGER THAN 4,000 SQUARE FEET IN SIZE, LOCATED AT 13605 E. MAIN STREET (TAX ID #8088B12L014A-1); WITHIN TOWNSHIP 26 NORTH, RANGE 5 WEST, SECTION 24, SEWARD MERIDIAN.

WHEREAS, an application has been received from Sassan Mossanen, dba Talkeetna Restaurant, requesting the modification for a conditional use permit for a commercial use larger than 4,000 square feet in size, known as Talkeetna Restaurant, at 13605 E. Main Street (Tax ID #8088B12L014A-1); within Township 26 North, Range 5 West, Section 24, Seward Meridian; and

WHEREAS, MSB 17.25.050(D) requires a commercial uses larger than 4,000 square feet in size to obtain a Conditional Use Permit; and

WHEREAS, According to the application material, the height of the existing building is approximately 23.1 feet; and

WHEREAS, There is only one building on the subject property; and

WHEREAS, According to the application material, the current floor area ratio is .52; and

WHEREAS, According to the application material, the proposed floor area ratio is .552; and

WHEREAS, There are no proposed flashing lights; and

WHEREAS, No design guidelines have been adopted by the Talkeetna Community Council for the Main Street Talkeetna District; and

WHEREAS, The Talkeetna Special Land Use District was created to guide development to be consistent with the Talkeetna Comprehensive Plan (1999); and

WHEREAS, One Talkeetna Comprehensive Plan Land Use Goal states: Keep Talkeetna a pleasant place to live, work, and visit; and

WHEREAS, One Talkeetna Comprehensive Plan Land Use Goal states: Plan and provide for population growth which can be adequately absorbed by the area, without negative impacts on the sense of community, services, the environment, or the quality of life; and

WHEREAS, One Talkeetna Comprehensive Plan Land Use Goal states: Maintain the community's small town atmosphere, sense of community, and high quality of life; and

WHEREAS, One Talkeetna Comprehensive Plan Historic Goal states: Respect, preserve, and enhance the historic essence of Talkeetna, which contributes to the identity and special sense of place which form an integral part of Talkeetna's appeal; and

WHEREAS, The subject property is within the Talkeetna Historic District, also known as Alaska Heritage Resources Survey (AHRS) Site number TAL-033; and

WHEREAS, The subject structure is listed as a "non-contributing building" within the Talkeetna Historic District; and

WHEREAS, The property has been used commercially since at least the early 1990's; and

WHEREAS, The proposed commercial expansion is not a public use or public structure; and

WHEREAS, The proposed commercial expansion is not a light industrial use; and

WHEREAS, Talkeetna Restaurant has been operating on Main Street in downtown Talkeetna since 2009; and

WHEREAS, downtown Talkeetna is a mix of commercial and residential uses; and

WHEREAS, according to the application material, the proposed commercial expansion does not involve physically expanding the building footprint, changing signage, or lighting; and

WHEREAS, Talkeetna Restaurant conforms to all applicable development standards of the Main Street Talkeetna District; and

WHEREAS, according to the application material, an interior remodel project will improve the usability of areas on the second floor of the building; and

WHEREAS, according to the application material, an interior remodel project will allow for the second floor, including a deck on the east side of the building, to be used for serving customers; and

WHEREAS, according to the application material, an interior remodel project will create an office on the second floor where there is currently an open stairwell area; and

WHEREAS, the subject building was in existence prior to adoption of the Talkeetna Special Land Use District; and

WHEREAS, according to the application material, a new entry roof will be constructed on the east side of the cabin portion of the structure portion of the structure; and

WHEREAS, the operation currently has an outdoor service area on ground level decking; and

WHEREAS, the operation must comply with the maximum permissible sound level limits allowed in MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, in 2013, the applicant obtained two Conditional Use Permits. One permit was to operate a commercial use greater than 4,000 square feet in size in the Main Street Talkeetna District. The second permit was to operate alcoholic beverage dispensary at the restaurant; and

WHEREAS, MSB Staff conducted a review of the existing Conditional Use Permits and found the operation to be in full compliance with MSB code; and

WHEREAS, a Matanuska-Susitna Borough Driveway Permit was issued for the property in 2013; and

WHEREAS, the operation is in full compliance with the State of Alaska Fire Code; and

WHEREAS, the building is set back approximately 26 feet from the front (south) lot line, 14.1 feet from the east side lot line, 11.8 feet from the west side lot line, and 11.15 feet from the rear (north) lot line; and

WHEREAS, the subject lot has double frontage; and

WHEREAS, a variance was approved in 2002 by Planning Commission Resolution 02-22(AM), allowing the structure to be 11.15 feet from the rear (north) lot line; and

WHEREAS, according to the site plan, two off-street parking spaces measuring 9 feet wide and 20 feet long are provided for employees at the rear of the building; and

WHEREAS, according to the site plan, a total of eight parking spaces are provided at the subject property; and

WHEREAS, according to the application material, the eave for the new entry roof will be approximately nine feet from the east side lot line; 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 Planning Commission conducted a public hearing on May 3, 2021 on this matter.

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 21-09:

1. The proposed commercial expansion is in full compliance with the setback requirements of the Talkeetna Special Land Use District (MSB 17.25.045).
2. The proposed commercial expansion meets the district's maximum building height requirement (MSB 17.25.050(F)(1)).
3. The district's maximum building footprint requirement does not apply (MSB 17.25.050(F)(2)).
4. The proposed commercial expansion meets the building mass standard (MSB 17.25.050(F)(3)).
5. The building is in compliance with the district's setback requirements (MSB 17.25.050(F)(4)).
6. A sufficient number of spaces are being provided to meet the parking standard (MSB 17.25.050(F)(5)).

7. The lighting standards are being met (MSB 17.25.050(F)(6)).
8. The existing signage meets the sign standards (MSB 17.25.050(F)(7)).
9. MSB 17.25.050(F)(8) is not applicable to the proposed commercial expansion.
10. The proposed commercial expansion will preserve and not detract from the value, character, and integrity of the Talkeetna community (MSB 17.25.130(B)(1)).
11. The proposed commercial expansion is consistent with the Talkeetna Comprehensive Plan (1999) (MSB 17.25.130(B)(2)).
12. The proposed commercial expansion will not be harmful to the public health, safety, convenience and welfare (MSB 17.25.130(B)(3)).
13. Sufficient access, setbacks, lot area, parking space, buffers, and other safeguards have been provided (MSB 17.25.130(B)(4)).
14. MSB 17.25.130(B)(5) is not applicable to the proposed commercial expansion.
15. MSB 17.25.130(B)(6) is not applicable to the proposed use.

BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the applicable standards of MSB 17.25

and hereby approves the modification of conditional use permit #172520130001, allowing for the expansion of the commercial use, with the following conditions:

1. The operation shall comply with all applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. The operation shall comply with the maximum permissible sound level limits allowed per the requirements of MSB 8.52 - Noise, Amplified Sound, and Vibration.
4. The conditions of Conditional Use Permit #172520130001 shall remain in effect.
5. Borough staff shall be permitted to enter premises subject to this permit to monitor compliance with permit requirements. Such access will at a minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this ____ day of _____, 2021.

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Acting Planning
Clerk

(SEAL)

YES:

NO:

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PUBLIC HEARING LEGISLATIVE

Resolution No. PC 21- 07

**ADOPTING MSB 17.31 SUPPLEMENTAL
WETLANDS MITIGATION PROVISIONS**

Pages 331-378

PUBLIC HEARING

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM **IM No. 21-051**

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING MSB 17.31 SUPPLEMENTAL WETLANDS MITIGATION PROVISIONS FOR PROJECTS REQUIRING UNITED STATES ARMY CORPS OF ENGINEERS INDIVIDUAL PERMITS UNDER SECTION 404 OF THE CLEAN WATER ACT THAT PERMANENTLY IMPACT 10 OR MORE ACRES OF WATERS OF THE UNITED STATES; AND AMENDING MSB 1.45.100 SCHEDULE OF FINES FOR INFRACTIONS.

AGENDA OF: May 18, 2021

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY MIKE BROWN, BOROUGH MANAGER: _____

Route To:	Department/Individual	Initials	Remarks
	Originator		
	Capital Projects Director		
	Public Works Director		
	Planning and Land Use Director		
	Finance Director		
	Borough Attorney		
	Borough Clerk		

ATTACHMENT (S) : Fiscal Note: YES _____ NO X
Ordinance Serial No. 21-025 (10 pp)
RS 19-074 (5 pp)
RS FWC 19-03 (3 pp)
RS FWC 21-01 (3 pp)
Wetland Fact Sheets (6 pp)
Wetland Science Summary (4 pp)
USACE AK-District Mitigation Brochure (2 pp)
Planning Commission Resolution PC 21-07 (3 pp)

SUMMARY STATEMENT

The intent of this ordinance is to ensure that large development projects that require an individual wetland development permit from the USACE, provide full compensatory mitigation to offset the impacts of the development.

ORDINANCE HISTORY

The Alaska District office of the United States Army Corps of Engineers, the regulatory body issuing wetland development permits under section 404 of the Clean Water Act, does not always require permittees to fully offset the impacts of their developments on wetlands despite requirements in the federal 2008 Final Rule on compensatory mitigation. This resulted in an Assembly workshop on wetland mitigation, a MSB Fish and Wildlife Commission resolution recommending exploration of supplemental wetland mitigation for large projects, and finally a resolution by the Assembly directing planning staff to prepare a draft ordinance requiring full mitigation for larger development projects impacting wetlands.

HOW IT WORKS

Projects that require a USACE individual development permit under section 404 of the Clean Water Act, and impact 10 or more acres of waters of the United States, will be required to submit to the MSB an application for a Compensatory Mitigation Certificate of Compliance (CMCC), along with all USACE permit paperwork and USACE decisional documents. The CMCC would be issued to the applicant when they provide documentation to the MSB showing the project's calculated impact on wetlands has been fully offset using a USACE approved mitigation option.

WETLAND VALUE

Wetlands and their associated buffers are important. They provide a variety of functions and services for free, most notably:

- Fish habitat
- Groundwater recharge
- Improved water quality
- Flood and stormwater storage

The economic value of these benefits is significant. This ordinance helps protect those benefits, and compliments the borough's investments in fish passage, habitat, and work to return more salmon to local waters.

Further loss of wetlands quality and quantity is contrary to the public health, safety and general welfare of Mat-Su residents. This ordinance provides predictability to both developers and the public, while maintaining wetland functions and the benefits they accrue to borough citizens.

COMPREHENSIVE PLAN CONNECTION

This ordinance is an integral component in implementing the 2012 MSB Wetland Management Plan and the MSB Mitigation Bank.

This ordinance will also implement aspects of the Borough-Wide Comprehensive Plan. The Comprehensive Plan was developed and adopted after much public input, and offers goals and policy statements related to managing land use and growth in the Mat-Su. The draft supplemental wetland mitigation ordinance meets several of the goals in the MSB Comprehensive plan, including but not limited to:

Land Use Goal 4: Protect and enhance the borough's natural resources including watersheds, groundwater supplies and air quality.

Policy 1 - Identify, monitor, protect, and enhance the quantity and quality of the borough's watersheds, groundwater aquifers, and clean air resources.

Public Open Space Goal 2: Protect and preserve natural resource areas.

Policy 1 - Work cooperatively with numerous resource management agencies, community councils, and citizens to care for lakes, wetlands, streams, rivers, and wildlife habitat and corridors while providing public access for recreational opportunities that have minimal impacts to such areas.

Policy 3 - Identify, through analysis, potential natural resource areas throughout the borough that should be protected.

Community Quality Goal 1: Protect natural systems and features from the potentially negative impacts of human activities, including but not limited to land development.

Policy 1 - Use a system-wide approach to effectively manage environmental resources. Coordinate land use planning and management of natural systems with affected state and local agencies as well as affected Community Council efforts.

Policy 2 - Manage activities affecting air, vegetation, water, and the land to maintain or improve environmental quality, to preserve fish and wildlife habitat, to prevent degradation or loss of natural features and functions, and to minimize

risks to life and property.

Community Quality Goal 2: Manage the natural and built environments to achieve minimal loss of the functions and values of all drainage basins; and, where possible, enhance and restore functions, values and features. Retain lakes, ponds, wetlands, streams, and rivers and their corridors substantially in their natural condition.

Policy 1 - Using a watershed-based approach, apply best available science in formulating regulations, incentives, and programs to maintain and, to the degree possible, improve the quality of the borough's water resources.

RECOMMENDATION OF ADMINISTRATION:

Staff respectfully recommends approval of the attached ordinance.

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 21-025**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING MSB 17.31 SUPPLEMENTAL WETLANDS MITIGATION PROVISIONS FOR PROJECTS REQUIRING UNITED STATES ARMY CORPS OF ENGINEERS INDIVIDUAL PERMITS UNDER SECTION 404 OF THE CLEAN WATER ACT THAT PERMANENTLY IMPACT 10 OR MORE ACRES OF WATERS OF THE UNITED STATES; AND AMENDING MSB 1.45.100 SCHEDULE OF FINES FOR INFRACTIONS.

WHEREAS, the rationale and intent of this ordinance are found in IM No. 21-051 which accompanies this ordinance.

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. Adoption of chapter. MSB 17.31 is hereby adopted as follows:

CHAPTER 17.31 SUPPLEMENTAL WETLANDS MITIGATION

17.31.010 Purpose and Intent

17.31.020 Applicability

17.31.030 Application Requirements

17.31.040 General Standards for approval

17.31.050 Final Action

17.31.060 Nonconforming Uses

17.31.100 Violations, Enforcement and Penalties

17.31.110 Definitions

17.31.010 PURPOSE AND INTENT

(A) The purpose of this chapter is to protect health and safety, property, infrastructure, and promote economic stability while maintaining functions of wetlands and aquatic resources.

(B) The intent of this chapter is to

(1) Seek full compensation for impacts to aquatic resources that:

(a) minimize public and private losses due to flood conditions;

(b) prevent and control water pollution;

(c) prevent soil loss and erosion of stream beds and banks;

(d) preserve natural drainage features and minimize the need to construct, repair, maintain, or replace structural water management systems;

(e) maintain and support stream base flow and temperature, lake levels, and shallow groundwater supplies; and

(f) preserve and improve fish and wildlife habitat, recreational opportunities, and open space.

17.31.020 APPLICABILITY

(A) This chapter applies to all private and public lands in the borough.

(B) This chapter does not apply within the cities of Houston, Palmer, or Wasilla.

(C) A Compensatory Mitigation Certificate of Compliance (CMCC) is required prior to discharge of dredged or fill material into Waters of the United States within the Matanuska-Susitna Borough authorized by a United States Army Corps of Engineers (USACE) Individual Permit.

(1) A CMCC is not required for discharges of dredged or fill material within the borough that:

(a) are authorized by a USACE Nationwide Permit or other General Permit as permitted by 33 CFR 325.5(C); or

(b) have a cumulative impact of less than 10 acres of Waters of the United States.

17.31.030 APPLICATION REQUIREMENTS

(A) Pre-Application Meeting. The applicant is encouraged to schedule an appointment with the Planning Department to discuss the proposed development and explain what information must be submitted.

(B) Application for a CMCC shall include, at a minimum, the following:

- (1) CMCC application form;
- (2) A complete copy of the USACE application materials and mitigation determination;
- (3) USACE decisional documents associated with the project;
- (4) A calculation of the aquatic function debits associated with the proposed discharge or fill, and a specific proposal to fully offset the debits through compensatory mitigation; and
- (5) Appropriate filing fee as established by the assembly, payable to the borough.

17.31.040 GENERAL STANDARDS FOR APPROVAL

(A) The amount of compensatory mitigation shall be sufficient to fully offset the aquatic resource functions lost as a result of the discharge or fill.

(1) For the use of credits generated by permittee-responsible mitigation, authorized impacts shall be considered offset when the permittee submits documentation that the USACE has approved the final mitigation plan.

(B) The total number of credits purchased shall be

equal to or greater than the number of debits calculated for the discharge or fill.

(C) Credits purchased through a mitigation bank or in-lieu fee program shall be from an USACE approved provider within the Matanuska-Susitna Borough boundary.

17.31.050 FINAL ACTION

(A) The CMCC shall be issued by the director following review of the application and demonstration that the aquatic resource impacts authorized by the USACE individual permit have been fully offset in accordance with this chapter.

17.31.060 NONCONFORMING USES

(A) Individual permit applications that have been issued a permit decision document by the USACE on or before June 1, 2021, are considered to have pre-existing legal nonconforming status and are not required to obtain a CMCC under this chapter.

(1) Permit modifications resulting in expansion to USACE individual permit applications that have pre-existing legal nonconforming status under this chapter and cumulatively result in ten or more acres of dredged or fill material into Waters of the United States require a CMCC under this chapter, but the requirements of this chapter only apply to the

additional acres resulting from the expansion.

17.31.100 VIOLATIONS, ENFORCEMENT AND PENALTIES

(A) Violations, enforcement and penalties shall be conducted in accordance with Chapter 1.45, Violations, enforcement and penalties.

(B) Except as otherwise specified in this chapter violations of this chapter are infractions.

17.31.110 DEFINITIONS

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- "Aquatic resources" mean surface waters, including wetlands, and the habitat they provide for both plant and animal communities.
- "Compensatory mitigation" means the restoration (re-establishment or rehabilitation), establishment, creation, enhancement, or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.
- "Credit" means a unit of measure (e.g., a functional or areal measure or other suitable metric)

representing the accrual or attainment of aquatic functions at a compensatory mitigation site. The measure of aquatic functions is based on the resources restored, established, enhanced, or preserved.

- "Debit" means a unit of measure (e.g., a functional or areal measure or other suitable metric) representing the loss of aquatic functions at an impact or project site. The measure of aquatic functions is based on the resources impacted by the authorized activity.
- "Dredged material" means material that is excavated or dredged from waters of the United States.
- "Fill material" means material placed in waters of the United States where the material has the effect of:
 - (a) Replacing any portion of a water of the United States with dry land; or
 - (b) Changing the bottom elevation of any portion of a water of the United States. Examples of such fill material include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other

excavation activities, and materials used to create any structure or infrastructure in the waters of the United States. The term fill material does not include trash or garbage.

- "Functions" means the physical, chemical, and biological processes that occur in ecosystems.
- "Individual permit" means a Department of the Army authorization that is issued following a case-by-case evaluation of a specific project involving the proposed discharge(s) in accordance with the procedures of this part and 33 CFR part 325, and a determination that the proposed structure or work is in the public interest pursuant to 33 CFR 320.
- "In-lieu fee program" means a program involving the restoration, establishment, enhancement, and/or preservation of aquatic resources through funds paid to a governmental or non-profit natural resources management entity to satisfy compensatory mitigation requirements for USACE permits. Similar to a mitigation bank, an in-lieu fee program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu program sponsor. However,

the rules governing the operation and use of in-lieu fee programs are somewhat different from the rules governing operation and use of mitigation banks. The operation and use of an in-lieu fee program are governed by an in-lieu fee program instrument.

- "Mitigation bank" means a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing compensatory mitigation for impacts authorized by Department of Army permits. In general, a mitigation bank sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the mitigation bank sponsor. The operation and use of a mitigation bank are governed by a mitigation banking instrument.
- "Permittee-responsible mitigation" means an aquatic resource restoration, establishment, enhancement, and/or preservation activity undertaken by the permittee (or an authorized agent or contractor) to provide compensatory mitigation for which the permittee retains full responsibility.
- "Waters of the United States" means those areas

subject to the jurisdictional authority of the United States Army Corps of Engineers under the Clean Water Act as defined in 33 CFR Part 328.

Section 3. Amendment of Subsection: MSB 1.45.100(C) is hereby amended by adding the following to the schedule of fines:

Code Reference	Description	Fine Amount
<u>17.31.020(C)</u>	<u>Failure to Obtain Compensatory Mitigation Certificate of Compliance</u>	
	<u>1st Offense</u>	<u>\$150</u>
	<u>2nd Offense</u>	<u>\$300</u>
	<u>3rd & Subsequent Offenses</u>	<u>\$500</u>

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2021.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833

<http://www.matsugov.us> • planning@matsugov.us

Date: 12 April 2021

Re: Wetland Background for Planning Commission Meeting on April 19th

Here are additional background materials for understanding wetlands as a context for considering a local wetlands management ordinance for the Matanuska-Susitna Borough.

1. MSB Supplemental Wetland Mitigation Ordinance Project Page-

<https://www.matsugov.us/projects/wetland-mitigation-ordinance>

- [Story Map - Wetlands](#) – This interactive GIS story map gives an excellent introduction to wetlands and the draft ordinance

2. Matanuska-Susitna Borough Comprehensive Plan goals that pertain to the draft ordinance- [Matanuska-Susitna Borough - Borough-Wide Comprehensive Plan \(matsugov.us\)](#)

Goal	Policy
Land Use Goal 4	1
Public Open Space Goal 2	1, 3
Community Quality Goal 1	1,2
Community Quality Goal 2	1

3. Matanuska-Susitna Borough Wetlands Management Plan

This plan, adopted in 2012, documents the functions and services wetlands provide in the Matanuska-Susitna Borough: <https://matsugov.us/plans/wetlands-management-plan>

4. Pertinent supporting documents follow.

Providing Outstanding Borough Services to the Matanuska-Susitna Community
Ted Eischeid, Planner II
Supporting Environmental Planning and the MSB Fish & Wildlife Commission.
Ted.eischeid@matsugov.us Ph. 907.861-8606, Cell 795-6281

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Adopted: 08/06/19

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 19-074**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY TO CONTINUE DEVELOPING PROVISIONS FOR SUPPLEMENTAL WETLAND MITIGATION FOR LARGE-SCALE DEVELOPMENT PROJECTS THAT IMPACT WETLANDS AND SALMON HABITAT IN THE BOROUGH.

WHEREAS, salmon fish populations in Borough rivers and streams have seriously declined over the past 30 years where 8 of the 16 salmon stocks of concern within the state of Alaska lie within the Borough; and

WHEREAS, the Borough was one of four originating organizations that established the Matanuska-Susitna Basin Salmon Habitat Partnership that has grown to over 60 organizations and individuals dedicated to restoring and sustaining our salmon runs; and

WHEREAS, the Borough Fish and Wildlife Commission was created in February 2007 to represent the interests of the Borough in the conservation and allocation of fish, wildlife, and habitat; and

WHEREAS, the Fish and Wildlife Commission has made positive strides in directing funds to local fisheries research and fish passage projects while encouraging stakeholder groups to prioritize fishery needs in Upper Cook Inlet and its critical watersheds; and

WHEREAS, the Matanuska-Susitna Borough Fish and Wildlife Commission has successfully worked with the Alaska State

Department of Fish and Game and the Alaska State Board of Fisheries to improve salmon returns for the Borough; and

WHEREAS, the Commission and the Borough continue to support robust opportunities for sport, subsistence, and personal use fisheries in the Borough and recognize the importance of restoring historic health to threatened fisheries and the associated wetlands that remain critical for supporting salmon populations; and

WHEREAS, the Borough Fish and Wildlife Commission recognizes the need for new development that may sometimes impact wetlands while supporting the concept of avoiding, minimizing, and mitigating these impacts; and

WHEREAS, some major developments that require wetland protection or mitigation may not be fully addressed by other agencies and regulatory bodies; and

WHEREAS, the Assembly hosted a work session with the United States Army Corps of Engineers, United States Environmental Protection Agency, Borough Fish and Wildlife Commission, Alaska State Department of Fish and Game, and Ms. Gail Terzi, Wetland and Compensatory Mitigation Specialist, in March 2019 to explore critical issues for sustaining salmon and their habitat within the Borough; and

WHEREAS, it was clear at the close of the work session in March that all agencies were open to the Borough having a role in mitigation; and

WHEREAS, the Borough Fish and Wildlife Commission approved resolution FWC 19-03 in support of the Borough being able to provide supplemental wetland mitigation, in addition to agencies and regulatory bodies, as they do in many other cities and counties across the United States, in order to protect, enhance and restore salmon populations in the Borough as it continues to develop and grow; and

WHEREAS, the Borough hosted the Principal Deputy Director for the United States Fish and Wildlife Service, along with other members of the Matanuska-Susitna Salmon Habitat Partnership, to review the activities that are now in progress to keep our salmon populations sustainable; and

WHEREAS, it is important that the Borough devote particular attention to the supplemental mitigation issue in preparation for the upcoming 3-year Upper Cook Inlet Board of Fish Meeting in February of 2020; and

WHEREAS, the proposed Borough certification process is intended to align seamlessly with the existing federal wetland permitting process, by reviewing only large development projects and related proposal documents required by the United States Army

Corps of Engineers, without adding to staff or project length review times; and

WHEREAS, the necessity for the Borough to become part of the supplemental mitigation process, like other municipalities across the United States, is being explored because all authorized impacts are not currently being offset or adequately considered for the importance of sustaining wetlands habitats that support restoration of critical salmon runs.

NOW, THEREFORE, BE IT RESOLVED, that the Assembly supports exploring supplemental wetland mitigation for projects with input from state and federal agencies that currently review and comment on large projects that require United States Army Corps of Engineers approval. (Matanuska-Susitna Borough Fish & Wildlife Commission Resolution Serial No. FWC19-03 attached to the accompanying Informational Memorandum).

ADOPTED by the Matanuska-Susitna Borough Assembly this 6 day
of August, 2019.


VERN HALTER, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



YES: Sykes, Beck, Mayfield, and Boeve

NO: Sumner, Leonard, and McKee

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RECEIVED

MAY 21 2019

CLERKS OFFICE

MATANUSKA-SUSITNA BOROUGH
FISH & WILDLIFE COMMISSION RESOLUTION SERIAL NO. FWC19-03

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH FISH AND WILDLIFE COMMISSION IN SUPPORT OF THE CONCEPT THAT THE MATANUSKA-SUSITNA BOROUGH PROVIDE FOR SUPPLEMENTAL WETLAND MITIGATION FOR LARGE DEVELOPMENT PROJECTS THAT IMPACT WETLANDS AND DEGRADE SALMON HABITAT IN THE BOROUGH.

WHEREAS, the Matanuska-Susitna Fish and Wildlife Commission was created in February 2007 to represent the interests of the borough in the conservation and allocation of fish, wildlife, and habitat; and

WHEREAS, salmonid fish populations using Matanuska-Susitna Borough rivers and streams have seriously declined over the past 30 years; and

WHEREAS, the Matanuska-Susitna Borough contains 8 of the 16 salmon stocks of concern as of April 2019 for the state of Alaska; and

WHEREAS, the Matanuska-Susitna Borough Fish and Wildlife Commission has made positive strides in directing funds to local fisheries research and fish passage projects while encouraging stakeholder groups to prioritize fishery needs in Upper Cook Inlet and its critical watersheds; and

WHEREAS, the Fish and Wildlife Commission has successfully worked with the Alaska Department of Fish and Game and the Alaska Board of Fisheries to improve salmon returns for the Matanuska-Susitna Borough; and

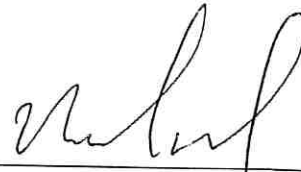
WHEREAS, the Commission continues to support robust opportunities for sport, subsistence, and personal use fisheries in the Matanuska-Susitna Borough and recognizes the importance of restoring historic health to threatened fisheries and the associated wetlands that remain critical for supporting salmon populations; and

WHEREAS, the Fish and Wildlife Commission recognizes the need for new development that may sometimes impact wetlands while supporting the concept of avoiding, minimizing, and mitigating these impacts; and

WHEREAS, some major developments that require wetland protection or mitigation may not be fully addressed by other agencies and regulatory bodies.

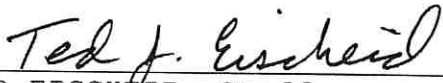
NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Fish and Wildlife Commission supports the concept that the Matanuska-Susitna Borough provide for supplemental wetland mitigation in addition to what other agencies and regulatory bodies may require in order to both protect and enhance the salmonid populations as the Matanuska-Susitna Borough continues to grow.

ADOPTED by the Matanuska-Susitna Fish and Wildlife Commission this 16th day of May, 2019.



MIKE WOOD, Chair

ATTEST:



TED EISCHEID, Staff

(SEAL)

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**MATANUSKA-SUSITNA BOROUGH
FISH & WILDLIFE COMMISSION RESOLUTION SERIAL NO. FWC 21-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH FISH AND WILDLIFE COMMISSION RECOMMENDING ASSEMBLY ADOPTION OF ORDINANCE 21-025 THAT PROVIDES FOR SUPPLEMENTAL WETLAND MITIGATION FOR LARGE DEVELOPMENT PROJECTS THAT IMPACT WETLANDS AND DEGRADE SALMON AND OTHER FISH AND WILDLIFE HABITAT IN THE BOROUGH.

WHEREAS, the Matanuska-Susitna Fish and Wildlife Commission (Commission) was created in February 2007 to represent the interests of the Matanuska-Susitna Borough (Borough) in the conservation and allocation of fish, wildlife, and habitat; and

WHEREAS, Borough salmonid fish have seriously declined over the past 30 years; and

WHEREAS, the Cook Inlet contains 5 of the 13 salmon stocks of concern as of March 2021 for the state of Alaska; and

WHEREAS, the Borough has been the fastest-growing region of Alaska for years, and survey research indicates that Borough residents highly value salmon and other fish and wildlife and the economic benefits they create; and

WHEREAS, the economic impact from sport fishing in the Borough has historically been significant, with direct spending in 2017 of over \$57 million; and

WHEREAS, the Matanuska-Susitna Borough Fish and Wildlife Commission has made positive strides in directing funds to local fisheries research and fish passage projects while encouraging

stakeholder groups to prioritize fishery needs in Upper Cook Inlet and its critical watersheds; and

WHEREAS, since 2001, the Borough's fish passage program has constructed over 100 fish passage culverts that have opened up 66 miles of stream and 6,224 lake acres of fish habitat representing a conservative investment of over 20 million dollars; and

WHEREAS, the Commission has successfully worked with the Alaska Department of Fish and Game and the Alaska Board of Fisheries to improve salmon returns and other fish and wildlife populations for the Borough; and

WHEREAS, the Commission continues to support robust opportunities for sport, subsistence, commercial, and personal use fisheries in the Borough and recognizes the importance of restoring historic health to threatened fisheries and the associated wetlands that remain critical for supporting salmon and other fish and wildlife populations; and

WHEREAS, in May of 2019, the Commission passed resolution FWC 19-03 supporting the concept of requiring supplemental wetland mitigation for large development projects impacting wetlands; and

WHEREAS, the Commission recognizes the need for new development that may sometimes impact wetlands while supporting the concept of avoiding, minimizing, and mitigating these impacts; and

WHEREAS, significant developments that require wetland protection or mitigation may not be fully addressed by other agencies and regulatory bodies resulting in lost ecological functions and a corresponding negative impact on local fisheries.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Fish and Wildlife Commission recommends Assembly adoption of Ordinance 21-025 providing for supplemental wetland mitigation in addition to what other agencies and regulatory bodies may require to fully offset unavoidable wetland impacts to both protect and enhance the salmonid and other fish and wildlife populations as the Matanuska-Susitna Borough continues to grow.

ADOPTED by the Matanuska-Susitna Fish and Wildlife Commission this 18th day of March, 2021.



MIKE WOOD, Chair

ATTEST:



TED EISCHEID, Staff

(SEAL)

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Wetlands Fact Sheet #1

What is a wetland and how can I identify it?

What is a wetland?

The term “wetlands,” by federal definition, means:

“Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.”

Principle Wetland Components

The primary components of wetlands are:

- **Hydrology:** soil must be saturated to the surface for at least 5% of the growing season (typically 2 weeks).
- **Soils:** must contain unique characteristics indicating the presence of water, such as a thick, dark organic layer, or discolorations in the soil indicating prolonged saturation.
- **Vegetation:** must be dominated by wetland species that are specifically adapted to prolonged saturation in wet soils.



Riparian ecosystem wetlands lie in valley bottoms adjacent to streams. The large wetland area along the Little Susitna River is the largest single wetland polygon mapped.

Identifying Wetlands on Your Property

Wetland Delineations

If your property:

- Has low-lying areas where water collects in the spring or after heavy rain;
- Has an abundance of plants like alder, black spruce, or sedges; or
- Is located near a lake or stream;

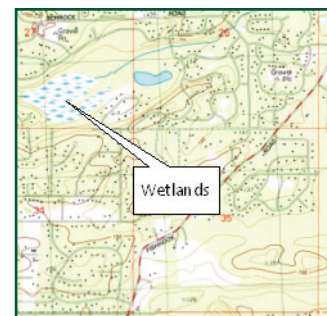
Then you may have wetlands on your property!

There are several resources that you can use to determine if and where there may be wetlands on your property.

- USGS Topographic Maps
- National Wetland Inventory Maps
- Plat Maps
- Mat-Su Wetland Mapping Project at <http://www.matsugov.us/wetlands/wetlands-map-viewer.html>.

Once you have reviewed the available information, the only way to determine exact wetland boundaries is to have a scientist perform a wetland delineation during the growing season.

Wetland delineations must be approved by the U.S. Army Corps of Engineers (Corps). To find out if there are wetlands on your property, contact the Corps for a listing of qualified wetland delineators at (907) 753-2712 or Toll Free at (800) 478-2712.



What is a wetland and how can I identify it?

Types of Wetlands in the Mat-Su

There are several different types of wetlands found within the Mat-Su. Plants that are commonly found in these wetlands include many species of sedges and grasses, black spruce, leatherleaf, sphagnum moss, and iris.

Not all wetlands are wet all the time. In the summer, vegetation is a good indicator of wetlands.

- **Glacial Lakebed Peatlands** develop over the deposits of former glacial lakes.
- **Discharge Slopes** occur over hydric mineral soils where shallow groundwater discharges at or near the surface. They often support only seasonally high water tables, and can be difficult to identify.
- **Kettles** are peatlands occupying depressions created when pockets of underlying ice melted at the end of the last glacial advance. They have a wetland or stream connection to Cook Inlet.
- **Depressions** are surrounded by uplands. They are common as peatlands on the glacial outwash deposits around Palmer and moraines south of Big Lake.
- **Spring Fens** are small peatlands surrounded by uplands. They occur between Butte and Houston below 1,000 feet elevation, in a region of moisture deficit, where evapotranspiration generally exceeds precipitation.
- **Headwater Fens** are small peatlands occupying headwater basins of first-order streams. There are few headwater fens in the area mapped.



Well-developed bogs in the Mat-Su are often forested by black spruce.



A glacial lakebed peatland, which develops over the deposits of a former glacial lake.

- **Relict Glacial Drainageways** are peatlands occupying old, sometimes abandoned, drainageway features. These are linear features which once drained more extensive glaciers.
- **Ripple Trough Peatlands** are uniquely arranged hills and valleys that are currently mapped as Rogen moraines, which are formed by deformation of till beneath a glacier. They have been reinterpreted as ripple features created by gigantic waves formed during catastrophic drainage of glacial Lake Atna down the Matanuska Valley.
- **Riverine Wetlands** lie in valley bottoms adjacent to streams. They are maintained by stream overflow, discharge through stream sediments, and groundwater discharge at the toe of valley walls.
- **Tidal Wetlands** are flooded by saltwater at least once per month; the frequency and duration of inundation creates distinct zones. Each zone supports a small number of characteristic salt-tolerant plants.
- **Drainageway-Tidal Wetlands** occur along the shores of Knik Arm. These wetlands are influenced by an extreme tidal range mixing large amounts of freshwater discharging from glacial sediments into already diluted saltwater.



This diagram depicts shallow groundwater flowing through relatively permeable sediments into and out of a wetland.



Wetlands Fact Sheet #2

The Functional and Economic Values of Wetlands

Wetland Functions and Values

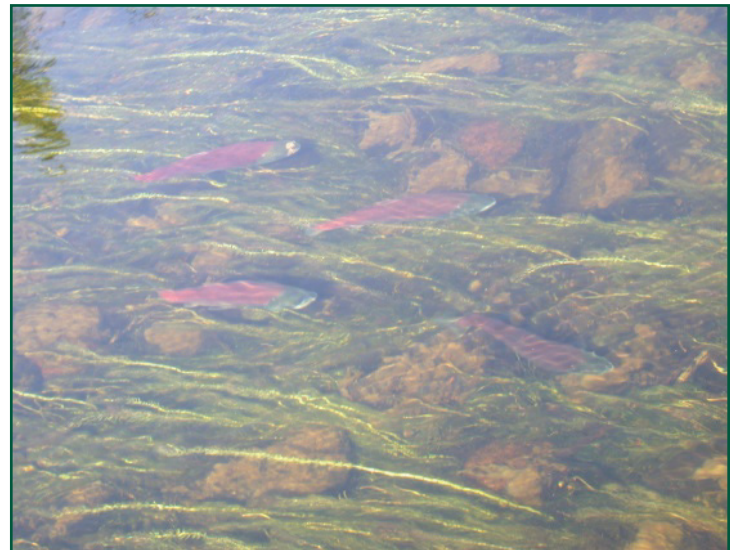
Wetlands provide important ecologic and economic benefits to the human, biological, and physical environment. These benefits are known as functions and values. Common wetland functions include:

- Fish and wildlife habitat
- Water quality protection
- Groundwater recharge and discharge
- Erosion protection and shoreline stabilization
- Recreation, education, cultural resources, and open space
- Flood control

Though wetlands perform a variety of functions, not all wetlands function equally and not all wetlands perform all functions. Factors affecting wetland function include location, size, vegetation diversity, hydrology, and disturbance level. Even though an individual wetland may not perform all wetland functions, the cumulative value of all wetlands in an entire watershed makes each important. Wetland values are the benefits to humans that are derived from a wetland's features, processes, or setting.

Fish and Wildlife Habitat

Wetlands are among the most biologically productive habitats in the world, providing substantial biodiversity. Many fish and wildlife species rely on wetland habitat for a variety of reasons, including breeding, nesting, foraging, travel, and refuge. Wetlands are important transition areas between terrestrial and aquatic habitats and can support a great diversity of species. Moose and other wildlife feed and migrate through wetlands. Fish species rely on wetlands for food and protection from predators. Wetlands also provide summer staging and breeding grounds for resident and migratory birds, including a variety of waterfowl and shorebird species.



Wetlands are critical for a healthy salmon population.

Water Quality

Wetlands help maintain water quality through filtration, purification, retention of sediment and toxic substances, and nutrient removal. Wetlands retain excess nutrients and filter sediments and other pollutants that might otherwise enter waterways. Examples of pollutants include fuel, oil, heavy metals, pesticides, and septic tank effluent. Peatlands, a common type of Mat-Su wetland, have a huge capacity to absorb sediments and pollutants. As water flows through wetlands, a large amount of suspended solids can be removed from the water.

Wetland vegetation also helps trap and filter suspended sediments. In urban and developing urban areas, trapping and retaining excess sediments, nutrients, and other pollutants is important, especially when a wetland is connected to groundwater or surface waterbodies important for fish habitat, drinking water, fishing, recreation, or other activities.

The Functional and Economic Values of Wetlands

Groundwater Recharge and Discharge

Wetlands can function as both recharge and discharge areas for groundwater. Wetlands absorb and hold surface water and allow it to slowly move into the groundwater. The replenishing of groundwater is particularly important in the Mat-Su because most residents and cities depend on groundwater for drinking water—especially the case in the Mat-Su Core Area, where wetlands help maintain the water quality and flow of shallow, unconfined aquifers. Wetlands are generally not isolated pockets, but rather are outcroppings of the water table: the same water used for drinking, washing, and cooking.

Many wetlands are created by groundwater discharge. Wetlands serve as the transition point between groundwater and surface water. The water exchange between groundwater aquifers and surface water provides a major pathway for the transfer of essential nutrients to plants. Discharged groundwater can serve as the primary source of water for wetlands, streams, lakes, and ponds. For example, wetlands can contribute to stream flow by allowing the groundwater to slowly be released into streams. This is an important function during dry periods of the year where the water levels of streams and water bodies may be low.

Erosion Protection and Shoreline Stabilization

Wetlands located along lakes, ponds, rivers, and streams help protect and stabilize the shoreline soils from erosion. Wetland plants can reduce wave action and provide shoreline stability by binding the soil in place with their root systems. Wetland vegetation controls shoreline soil erosion adjacent to Mat-Su lakes, rivers, and streams, and can collect soil that has eroded from upland areas, preventing its entry into a waterbody.

Recreation, Education, Cultural Resources, and Open Space

Wetlands and areas adjacent to wetlands support a wide range of recreational activities including fishing, dog mushing, snow machining, hunting, hiking, canoeing and boating, skiing, and wildlife viewing. These activities support our local economy and lifestyles. According to the MSB, Alaska residents visit the Mat-Su an estimated 3 million times each year for recreational purposes.

The sport fish industry is one of the key economic drivers in the Mat-Su. In addition to fishing, many residents and visitors hunt waterfowl and game species associated with wetlands, further adding to the local economy. The quality of these experiences depends in large measure on the health of the wetlands in the Mat-Su. In addition to these recreation opportunities, wetlands provide open space as well as educational and cultural resources opportunities.

Flood Control

Wetlands help to regulate the flow of water. Although wetlands cannot prevent major flood events, they can serve to reduce damage and regulate stream flow during smaller, more common floods. Wetlands often function like sponges by slowing water or retaining it in underlying soils. Without wetlands, water would move much more quickly across the land and increase flooding and erosion of valuable soil, stream banks, homes, and fish habitat. By reducing the speed and amount of water entering rivers or streams, wetlands lessen the destructiveness of flooding. Repair of flood damages is expensive, whereas wetland protection can be a relatively low-cost preventative measure.

Wetlands absorb stormwater, which slows runoff and reduces flooding. This function is particularly important in urban areas where there are large areas of impervious surface, such as parking lots, which can lead to more rapid runoff and high peak flows.

All wetlands are not created equal.

While wetlands provide many ecologically important functions and benefits, not all wetlands perform all functions. When wetlands lose a function such as fish or wildlife habitat, it may not be replaceable. The consequences to wetlands values can have negative effects on local recreation, tourism, hunting, and fishing industries. Avoiding negative effects to wetlands through careful planning and management is vital to maintaining their functions and values.



SALMON LOVE WETLANDS



Wetlands Fact Sheet #3

Permitting and Mitigation of Wetland Impacts

Permitting

Development in wetlands is often challenging and expensive. Knowing wetland locations, functions, and values allows individuals to make informed decisions when planning for development.

Some wetland types are so difficult to work in that they are typically avoided, such as peatlands. Others are not as easy to identify, and are sometimes only discovered after a project has begun, yet developing them still presents challenges. Some challenges affect the immediate building site, while others affect neighbors and more distant resources.

A project on lands where wetlands may be present begins with determining where wetlands are located and identifying the functions and values of those wetlands to you and the environment. If there are wetlands on your property, have the U.S. Army Corps of Engineers (Corps) or a qualified wetland delineator define the boundary of your wetlands and avoid those areas if possible. If wetlands are to be impacted, you are required to gain authorization from the Corps prior to starting work.

By Federal Law (Clean Water Act and associated policy), wetlands are protected and carefully managed with the goal of pursuing no-net-loss of wetland functions and values. Specific Mat-Su land use and zoning regulations do not currently exist as a means to manage wetland resources in the Mat-Su area. Therefore, wetland management in the Mat-Su requires a community effort, beginning with awareness and education on management measures every landowner can implement.

Do I need a permit?

The Corps requires permits for discharges and construction into most wetlands and "navigable waters." Navigable waters must be semi-permanent and have defined bed and banks.



Have a qualified delineator define the boundaries of your wetlands.

All tidal waters are considered navigable and are regulated by federal law. Wetlands that are physically, chemically, or biologically connected to regulated navigable waters, including those that eventually drain into them through tributaries, are regulated by Section 404 of the Clean Water Act.

Activities that require a permit

- Placing fill in wetlands
- Work in navigable waters
- Clearing or removing existing vegetation

Activities that may not require a permit

- Normal agricultural practices (except filling, clear cutting trees, or constructing non-agricultural structures)
- Harvesting natural products or recreational activities
- Routine maintenance of existing functional structures
- Selective cutting of trees and harvesting fuel wood

Prior to placing fill or doing work in any waters of the US, it is recommended you contact the Corps regarding whether the activity is regulated or not.

Please keep in mind that vegetation clearing conducted at certain times of the year could impact nesting migratory birds. Impacts to migratory birds are protected under the Migratory Bird Treaty Act.

Permitting and Mitigation of Wetland Impacts

What kind of permit do I need?

The Corps is responsible for issuing all Section 404 permits in Alaska. For individual permits, after public review is complete, the Corps weighs the benefits of the project against the detriments. A permit is granted unless the proposal is found to be contrary to the public interest. Processing time usually takes about 60 to 120 days, or more, unless a public hearing is required or an environmental impact statement must be prepared.

The Corps issues two types of Section 404 permits: **Individual and General Permits**. General Permit applications are either nationwide or regional, and may not require additional public review. For Individual Permit applications, a public notice is issued and there is an opportunity for a public hearing to review the proposed activity.

Planning your project to meet appropriate permit requirements can save you considerable time and money. It is always a good idea to contact the Corps to verify whether notification or additional requirements are necessary. **It is much more costly to undo unauthorized environmental damage than to secure the necessary approvals before starting.**

Avoiding and Minimizing Wetland Impacts

Federal Clean Water Act rules require “sequencing,” which means that you must first consider all possible ways to avoid wetland impacts. If there is no practicable way to complete your project without affecting a wetland, then you must consider all possible ways you can minimize impacts.

Avoiding wetlands is the most effective way to prevent direct impacts to the ecological and hydrological functions of a wetland, and avoid having to secure a costly and possibly time consuming permit. Consider the purpose of your project and whether or not the location, size, or configuration can be changed to avoid wetland impacts completely. There may also be low impact construction techniques such as porous pavement, directional drilling, and linear construction to avoid or further minimize secondary impacts of your project on adjacent and nearby wetlands and water resources.

Check with the Mat-Su Borough Planning Department or Corps office to determine if there are other ways to accomplish your project goals without permanent wetland impact:

U.S. Army Corps of Engineers

Anchorage Area Office: (907) 753-2712

Toll Free: (800) 478-2712

Fax: (907) 753-5567

Mat-Su Borough Planning Department: (907) 745-9833

Mitigation

After all appropriate efforts have been made to avoid and minimize wetland impacts, the Corps will generally require compensatory mitigation for remaining environmental impacts. Compensatory wetland mitigation options include:

Mitigation Bank Credit Purchase: Mitigation banks are established by private or public third party entities who restore, enhance, or otherwise permanently preserve wetlands in perpetuity and generate credits which may be purchased by permittees to offset unavoidable wetland impacts. In the Mat-Su, there are two resources from which mitigation credits may be purchased:

Su-Knik Bank

Contact Information: Jerome Ryan

Email: Jerome@envmp.com

Phone: 707-874-2780 (w), 415-990-0525(c)

Post Office Box 2281, Sebastopol, CA 95473

<http://www.su-knikmitigationbank.com>

Pioneer Reserve

Contact Information: Calli Donn or Scott Walther

Email: pioneerreserve@hotmail.com

Phone: (907) 841-5250 or (907) 947-7042

3602 N. Montrose Ct., Wasilla, AK 99654

<https://www.edgertonreserve.com>

In-Lieu Fee Payment: This type of mitigation involves makes a payment to an In-Lieu Fee Payment Program Sponsor who then uses those funds, possibly pooled with other financial resources to acquire or complete a wetland mitigation project. In the Mat-Su Area, there are two In-Lieu Fee Payment-sponsored programs:

The Conservation Fund

Contact Information: Brad Meiklejohn

Email: BradMeiklejohn@aol.com

Phone: (907) 694-9060 Fax: (907) 694-9070

2727 Hiland Road, Eagle River, AK 99577

<http://www.conservationfund.org/mitigation>

Great Land Trust

Mat-Su Office

Email: info@greatlandtrust.org

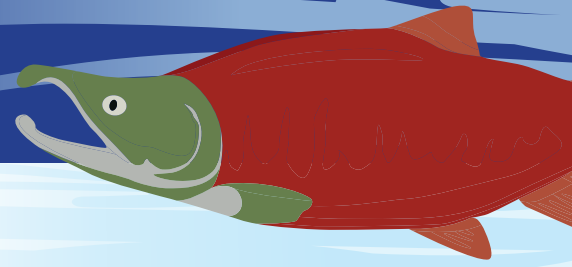
Phone: (907) 746-64006

Koslosky Center, Suite 202

Palmer, AK 99645

<http://www.greatlandtrust.org/whatwedo/wetlandmitigation.html>

Wetlands Help Salmon & Communities Thrive



Healthy, functioning wetlands benefit everyone



Individuals rely on wetlands for fishing and recreation opportunities, and wetlands provide natural erosion and flood control that benefits landowners



Businesses and **local economies** benefit from flood control and rely on fisheries, hunting, tourism, and outdoor recreation opportunities that wetlands provide



The **Matanuska-Susitna Borough** benefits and saves money from wetlands that provide natural stormwater management, flood control, and filtration of pollutants to our watersheds and water supply

What are wetlands?

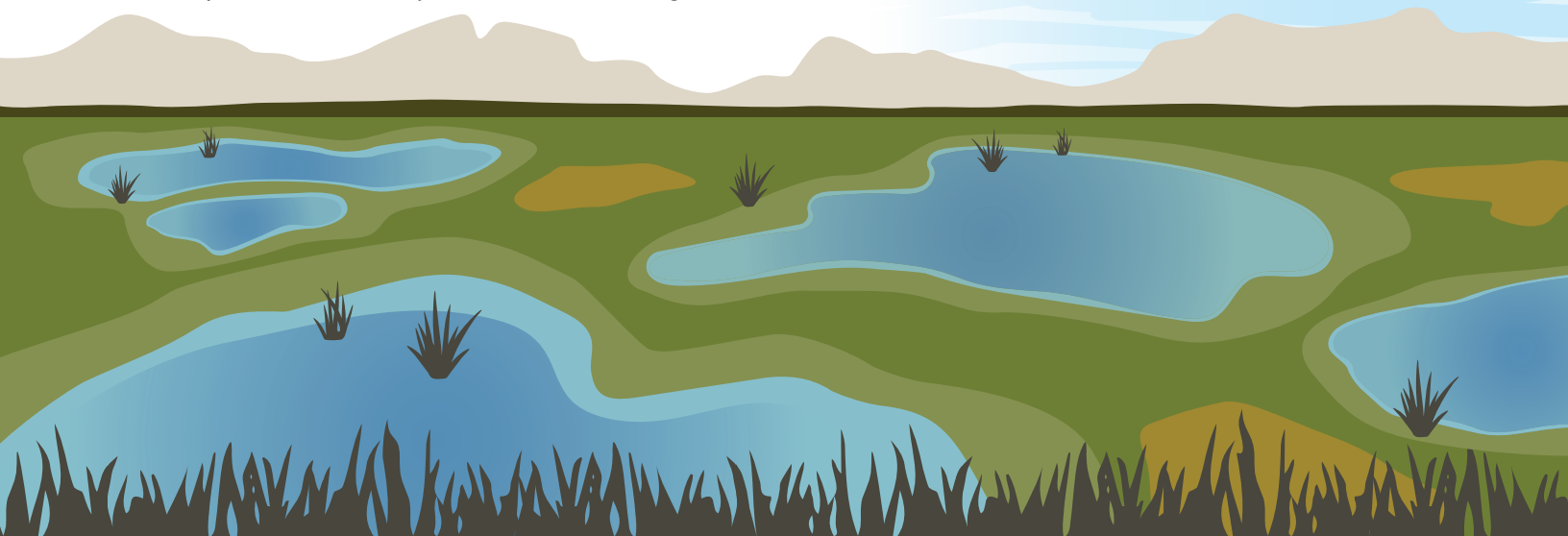
Wetlands are areas of land that are covered by or saturated with water, such as marshes or bogs. Surface water may be present seasonally or permanently. Wetlands are an important part of a watershed, connecting surface and subsurface waters of rivers, streams, lakes, and oceans.

Approximately 25% of the Matanuska-Susitna Borough's 25,258 square mile land mass is wetlands.¹ This vast amount of wetlands is one reason why the Mat-Su has such abundant salmon resources, as wetlands provide habitat for juvenile salmon rearing.

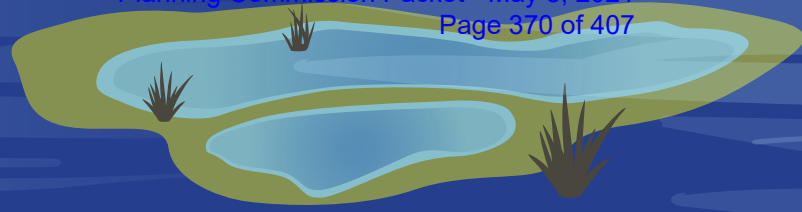
Thriving salmon and healthy habitats make vibrant communities in the Mat-Su

The Mat-Su is a special place where vibrant communities and resilient wild salmon are closely linked. Generally, salmon numbers remain strong here; however, human use and development may be impacting habitat quality and causing localized declines in salmon numbers.

Other parts of the world have already seen the decline or extinction of salmon populations. We have a unique opportunity in the Mat-Su to safely develop our economy while ensuring the survival of wild salmon, an important natural and cultural resource that supports our communities and economies.



What Services Do Wetlands Provide?



Wetlands provide important economic, ecological and cultural services to the Mat-Su. Key services wetlands provide include:

Fish and wildlife habitat

- Provide important feeding and sheltered rearing habitat for salmon and other fish species
- Provide safe and healthy waterways important to spawning salmon
- Provide an ideal environment for the development of organisms that attract and feed many species, including salmon
- Support salmon-bearing waters by storing and releasing cooler water that helps regulate water temperature, stream flows and lake levels
- Support biodiversity by providing food, water and shelter for mammals and birds

Erosion and flood control

- Stabilize shorelines and reduce erosion by distributing the flow of stream or river currents and holding soil together with plant roots
- Reduce flood water levels and flood-related damages to homes and businesses by acting like giant sponges
 - » Wetlands absorb, store and slowly release surface water, rain, snowmelt, and flood waters over time
 - » Vegetation slows the movement of water over floodplains, helping reduce erosion on adjacent lands

Water quality improvement and management

- Protect and improve water quality by acting as giant environmental filters
 - » Wetlands slowly filter fertilizer, sediments, heavy metals, and pollutants before water seeps into rivers, streams, and underground aquifers
- Provide wellhead protection by replenishing and purifying groundwater/drinking water
- Manage stormwater and increased amounts of surface water runoff due to paved surfaces, which helps reduce the impacts of runoff, such as increased sedimentation and water pollution that disrupt water flow and affect fish habitat and egg development

Economic benefits

All of these services provide economic benefits. For example, when wetlands purify groundwater and manage stormwater, our communities avoid the costs associated with the construction and continuous management of water and stormwater treatment facilities, saving millions of dollars.²

For example, in Minnesota, “the cost of replacing the natural flood control function of 5,000 acres of drained wetlands was found to be \$1.5 million annually.”³

National and local protections for wetlands

“The lack of state regulations combined with the broad scope of federal regulations make the need for local conservation and protection efforts all the more important.”

-Matanuska-Susitna Borough Wetlands Management Plan

Clean Water Act Section 404

Federal law requires a permit be obtained from the U.S. Army Corps of Engineers (USACE) before a wetland can be developed, filled or dredged. The USACE only has jurisdiction over wetlands if they are connected to navigable waters.

- Other agencies involved in or overseeing the permit review process: the Environmental Protection Agency (EPA), the National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), Alaska Department of Environmental Conservation (ADEC), Alaska Department of Fish & Game’s Division of Habitat, and the Matanuska-Susitna Borough (MSB)
- USACE has decreased required mitigation plans for developments in recent years, reducing protections for wetlands

State of Alaska:*

- No regulations that apply to the Mat-Su

Mat-Su Borough:

- An ordinance regulating development along waterbodies and in floodplains requires a 75-foot setback for built structures from shorelines
- An ordinance regulating floodplain development requires all structures to conform to the minimum standards of development and obtain Flood Hazard Insurance
- The Su-Knik Wetlands Mitigation Bank is comprised of undeveloped, borough-owned wetlands. Landowners and developers can mitigate development of private wetlands by paying to protect banked wetlands.
- MSB Wetlands Management Plan provides guidance for developers and landowners¹

Local governments:*

- No direct control over wetlands through regulation, mitigation, or enforcement

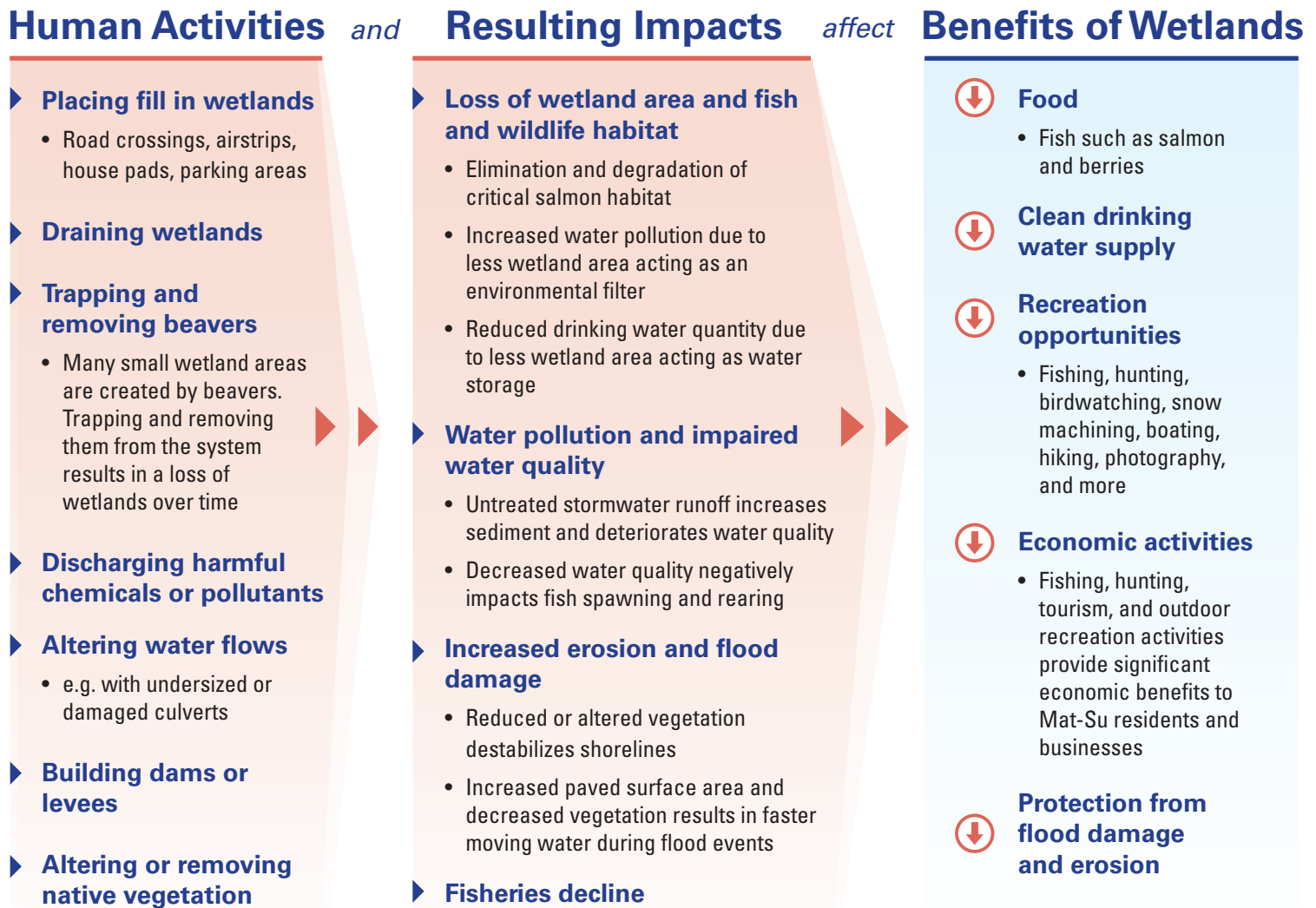
* = gap in regulation

What Challenges Do Wetlands Face?

"As development continues, the demands for groundwater and surface water will increase. Undisturbed wetlands are critical to maintaining water supplies, balances, and quality."

-Matanuska-Susitna Borough Wetlands Management Plan

Human activities and climate change cause the majority of challenges that wetlands face. Predominant stressors to wetlands include biological, chemical, and physical alterations to habitat. In the Mat-Su Basin, loss of wetlands is most often caused by urban development, jeopardizing these natural assets that support the Mat-Su way of life. In particular, the loss and filling of wetlands can have a range of detrimental impacts on salmon populations.



💰 Economic benefits of healthy salmon populations in the Mat-Su

Commercial and sportfishing support thousands of jobs and millions of dollars in earned wages in the Mat-Su.

Commercial: \$0.6-\$2.1 million annual earnings between 2004-2012 for Mat-Su resident permit holders only (*does not include supporting industries*)⁴

Sportfish: \$31-\$64 million annual earnings for Mat-Su residents (*includes supporting industries*)⁴

Residents also benefit economically from fishing by saving money at the grocery store.

Best Practices

The best approach is conservation!

Planning Commission Packet - May 3, 2021
"Avoiding negative impacts to wetlands through careful planning and management is vital to maintaining their functions and values," and "maintaining current wetland functions will be less expensive than fixing a degraded system."

- Matanuska-Susitna Borough Wetlands Management Plan

In many places in the Mat-Su Basin, salmon and their habitats are healthy so protective measures, like reservations of water, sustainable land management, voluntary land protection, and individual behaviors can prevent degradation. In other places, restoration is necessary to re-establish functioning wetlands and productive habitat.

"Today, the survival of Pacific salmon depends upon our ability to manage harvests and protect, maintain, and improve salmon ecosystems in harmony with human development."

- ADF&G Alaska's Wild Salmon

GOAL: Conserve wetlands

Public and private land recommendations

- | | | |
|---|---|---|
| <ul style="list-style-type: none">• Develop/follow protection mechanisms<ul style="list-style-type: none">» Tax incentives to protect wetland habitat» Development setbacks or buffers» Land swaps» Set minimum flow rates and stream and lake levels to maintain viable aquatic systems» Floodplain development• Encourage voluntary conservation easements and/or purchase wetlands from sellers | <ul style="list-style-type: none">• Enhance degraded wetlands• Mitigation options<ul style="list-style-type: none">» On-site mitigation» Mitigation banks: These banks "restore, enhance, or otherwise permanently preserve wetlands in perpetuity and generate credits which may be used to offset unavoidable wetland impacts"⁵ in another location» In-lieu fee programs: compensatory mitigation for impacts or unavoidable losses to wetlands due to development or other projects | <ul style="list-style-type: none">• Due to potential declines in water quality from already-filled wetlands, consider limited to no additional filling of wetlands, or provide compensatory mitigation, in the following heavily impacted watersheds:⁶<ul style="list-style-type: none">» Wasilla Creek Watershed» Cottonwood Creek Watershed» Lucile Creek Watershed» Meadow Creek Watershed• Avoid discharging warmed roadside ditch water directly into a stream; re-infiltrate ditch water on the downhill side of a road running parallel to a stream to reduce the risk of elevating stream temperatures⁷ |
|---|---|---|

Are all wetland types created equal?

A variety of wetland types exist, and they all have different characteristics and functions depending on their location in the landscape. Individual wetlands contribute to the overall functioning of an entire watershed. Wetland development should be evaluated on both an individual basis and considering the collective health of a watershed.

How much filling of wetlands is too much?

"Substantial declines in water quality may be expected after more than five percent of wetlands in a boreal watershed have been filled,"¹ though additional research is needed to confirm this. In some Mat-Su watersheds, around 10% of wetlands have already been filled. Many of these waterbodies have been designated as having "impaired" water quality.

Are some wetlands more critical for salmon populations than others?

Some wetlands directly support salmon populations while others do not; however, some wetlands may indirectly support salmon by contributing to the overall health of a watershed. In Alaska, individual wetlands and their ecological roles regarding salmon need to be continually identified and assessed.

References:

1. *Wetlands Management Plan*. Matanuska-Susitna Borough. 2012. <https://www.matsugov.us/environment/wetlands>
2. matsugov.us
3. *Wetland Functions and Values*. U.S. Environmental Protection Agency. <http://www.epa.gov/watertrain>
4. *The Economic Geography Of Salmon*. Cultural Research North. http://www.matsusalmon.org/dev/wp-content/uploads/2015/12/David_Holen-Mat-Su-Salmon-Symposium-2015.pdf
5. *A Comprehensive Inventory of Impaired Anadromous Fish Habitats in the Matanuska-Susitna Basin, with Recommendations for Restoration, 2013*. Alaska Department of Fish & Game. http://www.adfg.alaska.gov/static/regulations/regprocess/fisheriesboard/pdfs/2013-2014/uci/anadromous_fish.pdf
6. Gracz, Mike. *Wetland Loss Assessment by Wetland Type and Watershed in an Expanded Core Area of the Matanuska-Susitna Borough*. <http://matsusalmon.org/wp-content/uploads/2018/08/MatSuWetlandLoss2018-7.pdf>
7. Haserodt, Megan. *Effects of Roads on Groundwater Flow Patterns in Peatlands and Implications for Nearby Salmon Streams on the Kenai Peninsula, AK*.

Additional information:

- <http://greatlandtrust.org/priorities/habitat-conservation/>
- *Appendix 5.3 Wetland Habitats: Featured Species-associated Wetland Habitats: Freshwater Grass Wetland, Freshwater Sedge Wetland, Bog, and Salt Marsh (Estuarine)*. https://www.adfg.alaska.gov/static/species/wildlife_action_plan/appendix5_wetland_habitats.pdf
- *Conserving Salmon Habitat in the Mat-Su Basin: The Strategic Action Plan of the Mat-Su Basin Salmon Habitat Partnership, 2013*. <http://matsusalmon.org/wp-content/uploads/2012/10/2013-Strategic-Action-Plan.pdf>
- <https://www.fisheries.noaa.gov/national/habitat-conservation/coastal-wetlands-too-valuable-lose>
- *Alaska's Wild Salmon*. Alaska Department of Fish & Game. https://www.adfg.alaska.gov/static/home/library/pdfs/ak_wild_salmon.pdf

Alaska District Offices

Main Office

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Fax (907) 753-5567

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Fairbanks Field Office

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Fax (907) 474-2164

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(907) 790-4490
Fax (907) 790-4499

Kenai Field Office

805 Frontage Road #200C
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(907) 283-3519
Fax (907) 283-3981

Sitka Field Office

Post Office Box 16
Sitka, Alaska 99835
(907) 350-5102



U.S. Army Corps of Engineers
Regulatory Division
Alaska District

Mitigation in Alaska for Regulatory Permitted Activities



Summary of New Mitigation Rule

On April 10, 2008, the United States Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA) published a new rule, entitled "Compensatory Mitigation for Losses of Aquatic Resources; Final Rule". The rule became effective on June 9, 2008. The rule emphasizes the sequence to be followed for mitigating impacts to aquatic resources that result from work authorized by permit under the Corps Regulatory Program. All practicable steps to avoid and/or minimize impacts to aquatic resources must be taken before proposing compensatory mitigation to offset project impacts. The rule establishes standards and criteria for all types of compensatory mitigation, including mitigation banks, in-lieu fee (ILF) mitigation, and permittee-responsible mitigation, to offset authorized unavoidable impacts to waters of the United States (U.S.), including wetlands.

Mitigation Sequence

Avoid—Describe how, in your project planning process, you will avoid impacts to waters of the U.S. to the maximum extent practicable. Examples of avoidance measures include, but are not limited to, site selection, use of alternate routes, and modification of design configurations.

Minimize—Describe how your project design will incorporate measures that minimize unavoidable impacts to waters of the U.S. by limiting discharges of fill to the minimum amount/size necessary to achieve the project purpose.

Compensatory Mitigation—Once all efforts to avoid and minimize impacts have occurred, remaining impacts may be offset by compensatory mitigation. Describe how your proposed compensatory mitigation would offset unavoidable impacts to waters of the U.S., or, alternatively, why compensatory mitigation is not appropriate or practicable for your project.

Mitigation Sequence (Continued)

Compensatory mitigation involves actions taken to offset authorized unavoidable adverse impacts to waters of the U.S., including wetlands, streams and other aquatic resources (aquatic sites) authorized. Compensatory mitigation may involve the restoration, enhancement, establishment (creation), and/or the preservation of aquatic resources.

What you are responsible for as an applicant

Pre-application meetings (recommended)

Nationwide Permit (NWP) Pre-Construction Notifications: Provide information as required by General Condition 20 of the NWPs with your pre-construction notification.

Standard Department of the Army (DA) Permit Application: Submit a mitigation statement with your application that describes how you will avoid and minimize impacts to waters of the U.S. **AND** include a compensatory mitigation plan.

Provide rationale that describes how your choice of compensatory mitigation will compensate for the impacts to the aquatic resource as a result of your project **OR** rationale as to why compensatory mitigation is not necessary.

If you are proposing compensatory mitigation by purchasing credits from a mitigation bank or paying an ILF, it is your responsibility to contact the bank or ILF sponsor for estimates.

In-kind/Out-of-kind, On-site/Off-site

While considering the type and the amount of mitigation to propose, consideration is given to the location of the mitigation in comparison to the location of the impacts and the type of waters of the U.S. to be improved in comparison to the type of waters of the U.S. to be impacted. The amount of mitigation proposed must be appropriate for the types of impacts and size of impacts that will be authorized.

Types of Compensatory Mitigation

Compensatory mitigation can be accomplished through one type of mitigation or a combination of types.

The following are the types of compensatory mitigation available:

- MITIGATION BANKS
- IN-LIEU FEE MITIGATION
- PERMITTEE-RESPONSIBLE MITIGATION

Mitigation Banks

Defined as a site, or suite of sites, where resources (e.g., wetlands, streams, riparian areas) are restored, established, enhanced, and/or preserved for the purpose of providing compensatory mitigation for impacts authorized by DA permits.

All mitigation banks must have an approved banking instrument signed by the sponsor and the district engineer prior to being used to provide compensatory mitigation for DA permits. Development of a mitigation bank requires site identification in advance, project-specific planning, and significant investment of financial resources.

When permitted impacts are located within the service area of an approved mitigation bank, and the bank has the appropriate number and resource type of credits available, the permittee's compensatory mitigation requirements may be met by securing those credits from the sponsor.

For information on the currently approved mitigation banks in your project area, please contact your local Corps office.

Types of Compensatory Mitigation (Continued)

In-Lieu Fee Mitigation

Defined as a program involving the restoration, establishment, enhancement, and/or preservation of aquatic resources through funds paid to a governmental or non-profit natural resources management entity to satisfy compensatory mitigation requirements for DA permits.

All ILF programs must have an approved instrument signed by the sponsor and the district engineer prior to being used to provide compensatory mitigation for DA permits.

Similar to a mitigation bank, when permitted impacts are located within the service area of an approved ILF program, and the ILF has the appropriate number and resource type of credits available, the permittee's compensatory mitigation requirements may be met by securing those credits from the sponsor.

For information on the current in-lieu fee programs in your project area, please contact your local Corps office.

Permittee-Responsible Mitigation

This is an aquatic resource restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or preservation activity undertaken by the permittee (or an authorized agent or contractor) to provide compensatory mitigation for which the permittee retains full responsibility.

The four types of permittee-responsible mitigation include:

Restoration means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions (e.g. flood retention, etc.) to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Types of Compensatory Mitigation (Continued)

Establishment means the manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area and functions.

Enhancement means the manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Preservation means the removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

A mitigation plan for permittee-responsible mitigation should include:

- Objectives
- Site Selection Criteria
- Site Protection Instrument
- Baseline Information
- Determination of Credits
- Mitigation Work Plan
- Maintenance Plan
- Performance Standards
- Monitoring Requirements
- Long-term Management Plan
- Adaptive Management Plan
- Financial Assurances
- Other relevant information

Resources

Corps Alaska District Webpage:
<http://www.poa.usace.army.mil/reg/>

Corps Compensatory Mitigation Webpage:
http://www.usace.army.mil/CECW/Documents/cecwo/reg/news/final_mitig_rule.pdf

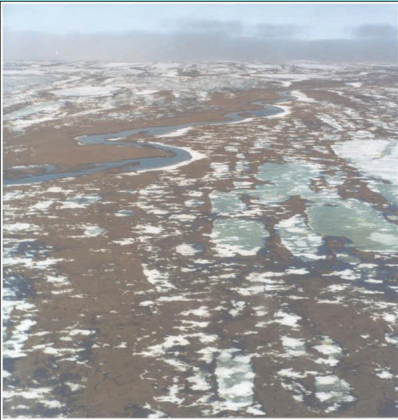
EPA Compensatory Mitigation Webpage:
<http://www.epa.gov/wetlandsmitigation/>

Questions and Answers about Compensatory Mitigation Rule:
http://www.usace.army.mil/CECW/Documents/cecwo/reg/news/comp_mitig_finalrule_qa.pdf

Wetlands Compensatory Mitigation Rule Fact Sheet:
<http://www.epa.gov/owow/wetlands/pdf/MitigationRule.pdf>

Mitigation Banking Fact Sheet:
<http://www.epa.gov/owow/wetlands/facts/fact16.html>

Guidelines for Specification of Disposal Sites for Dredged or Fill Material (404(b)(1) Guidelines):
<http://www.epa.gov/owow/wetlands/pdf/40cfrPart230.pdf>



Wetlands on Alaska's North Slope

Introduced: April 19, 2021
Public Hearing: May 3, 2021
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 21-07

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY ADOPTION OF ORDINANCE 21-025 ADOPTING MSB 17.31 SUPPLEMENTAL WETLANDS MITIGATION PROVISIONS FOR LARGE-SCALE PROJECTS REQUIRING UNITED STATES ARMY CORPS OF ENGINEERS INDIVIDUAL PERMITS UNDER SECTION 404 OF THE CLEAN WATER ACT; AND AMENDING MSB 1.45.100 SCHEDULE OF FINES FOR INFRACTIONS.

WHEREAS, in 2012 the Borough adopted the Wetlands Management Plan which documented the beneficial ecological services wetlands provide to Borough citizens along with best practices regarding wetland management that included consideration of a local wetland management ordinance; and

WHEREAS, beneficial and valuable ecological services wetlands provide include fish and wildlife habitat, flood control, groundwater recharge, erosion control, stormwater management, and improving water quality; and

WHEREAS, in 2017 over \$57 million in direct spending on sport fishing was generated that was supported by the prevalence of wetlands in the Borough; and

WHEREAS, since 2001, the Borough's fish passage program has invested over 20 million dollars to construct over 100 fish passage

culverts, opening up 66 miles of stream and 6,224 lake acres of fish habitat; and

WHEREAS, the Borough continues to be the fastest growing region in Alaska and has lost significant portions of its wetlands in particular watersheds to development; and

WHEREAS, water quality within the Borough has declined as evidenced by four water bodies being listed on the state's impaired waters list; and

WHEREAS, in March 2019 a special Assembly wetlands workshop presentation from agency stakeholders further explored wetland mitigation; and

WHEREAS, in May of 2019 the Borough's Fish and Wildlife Commission passed FWC19-03 supporting supplemental wetland mitigation on large development projects; and

WHEREAS, in August 2019 the Assembly adopted Resolution 19-074 directing planning staff to research a supplemental wetlands mitigation ordinance; and

WHEREAS, the supplemental wetland mitigation ordinance meets several goals in the Borough's Comprehensive Plan including Land Use Goal 4, Public Open Space Goal 2, Community Quality Goal 1, and Community Quality Goal 2; and

WHEREAS, this supplemental wetland mitigation ordinance supports adopted code on the Borough mitigation bank and flood damage prevention; and

WHEREAS, further loss of wetlands from large development projects without requiring full mitigation is contrary to the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends assembly adoption of ordinance 21-025 adopting MSB 17.31 Supplemental Wetlands Mitigation Provisions for large-scale projects requiring United States Army Corps of Engineers individual permits under section 404 of the Clean Water Act; and amending MSB 1.45.100 Schedule of Fines for Infractions.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this ____ day of ____, 2021.

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Planning Clerk

(SEAL)

YES:

NO:

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**PC Reso 21-07
Supplemental
Wetlands Mitigation
Provisions - Email
received 04/23/2021
from Ray Nix**

Pages 379-386

HANDOUTS

Karol Riese

From: Ray Nix <raynixsr@gmail.com>
Sent: Friday, April 23, 2021 12:12 PM
To: Planning; Karol Riese; Theodore Eischeid
Subject: public comments MSB Draft Ordinance 21-025
Attachments: cover.rgnrevised.final draft.odt

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

public comments for PC hearing on May 3, 2021

additional useful Information at::

<https://www.ktoo.org/2021/04/15/future-of-donlin-gold-mine-permit-uncertain-after-judge-recommends-state-regulators-to-rescind-key-certificate/>

please call if you have any questions

ray
355-8826

Overview of MSB DRAFT Ordinance 21-025

Draft MSB Ordinance 21-025 (a copy of which is attached) is the next and biggest step so far in preserving and protecting the wetlands within the Mat Su Borough boundary. Borough Assemblies have been moving for more than twenty years to meet the goal outlined in the 2012 MSB Wetland Management Plan, and provide Borough oversight of wetland issues that affect our Borough at the local government level. This Overview summarizes the Ordinance and sets out the changes to the Ordinance necessary to preserve those wetlands.

1. **17.31.010 (page 2)** describes the purpose of the Ordinance. Stated simply, the purpose is to protect health and safety, property, and infrastructure, and to promote economic stability while maintaining the functions of wetlands and aquatic resources; the intent is to seek full compensatory mitigation for loss of aquatic resources.
2. **17.031.020A (page 3)** specifies that this chapter applies to all public and private lands in the Borough.
3. **17.31.020C and 17.31.020C1b (page 3)** describes the triggers that require a project that disturbs wetlands to mitigate. That is, the size of the impact must be at least 10 acres, and the MSB Compensatory Mitigation Certificate of Compliance (CMCC) must be obtained prior to filling the wetlands. **The Ordinance does not require projects of less than 10 acres to get a CMCC.**
4. **17.31.030B (page 4)** describes the USACE documentation required to process a CMCC application to determine whether full compensatory mitigation to offset the function and aquatic loss has been provided. If they fall within the scope of the Ordinance, projects have to get a CMCC, even if the USACE has imposed other requirements or no requirements.
5. **17.31.060A1 (page 5) and 17.31.060 (pages 5-6)** states that the Ordinance does not apply to USACE Individual permit applications that have been issued a permit decision document prior to June 1, 2021. These sections should be stricken from the draft ordinance. The MSB CMCC is not subject to any Federal, State or other applications or Permits; nor does it fit the purpose and intent of the Draft Ordinance. These sections make the Ordinance applicable only to projects that are conceived in the future and put forward in the future or that have not been addressed by the US Army Corps of Engineers. These provisions intentionally target and exclude the Donlin Creek Mine project that is on everybody's minds. Put another way, they are intended solely to relieve the Donlin Creek Mine project from having to obtain a CMCC. The Donlin Creek project is the only project on the horizon for the foreseeable future. This project threatens to damage or destroy hundreds of acres of important and pristine wetland within the Borough's boundary. There is no reason why this project, with this impact on the Borough's natural resources, should be shielded from this important Ordinance, an Ordinance the purpose of which has been under discussion since before 2012. To repeat, these sections of the draft Ordinance should be stricken and the Ordinance should be applied to the Donlin Creek Mine project.

(<https://www.ktoo.org/>).

[Alaska's Energy Desk \(https://www.ktoo.org/category/news/special-coverage/alaskas-energy-desk/\)](https://www.ktoo.org/category/news/special-coverage/alaskas-energy-desk/) | [Energy & Mining \(https://www.ktoo.org/category/news/topics/economy-2/energy-mining/\)](https://www.ktoo.org/category/news/topics/economy-2/energy-mining/) | [Environment \(https://www.ktoo.org/category/news/topics/environment/\)](https://www.ktoo.org/category/news/topics/environment/) | [Federal Government \(https://www.ktoo.org/category/news/topics/government/national-government/\)](https://www.ktoo.org/category/news/topics/government/national-government/) | [Southwest \(https://www.ktoo.org/category/news/alaska/southwest/\)](https://www.ktoo.org/category/news/alaska/southwest/) | [State Government \(https://www.ktoo.org/category/news/topics/government/state-government/\)](https://www.ktoo.org/category/news/topics/government/state-government/)

Future of Donlin Gold mine permit uncertain after judge recommends state regulators to rescind key certificate

April 15, 2021 by Anna Rose MacArthur and Krysti Shallenberger, Alaska's Energy Desk - Bethel (<https://www.ktoo.org/author/kyuk-bethel/>)



*The proposed Donlin Gold mine would be one of the biggest gold mines in the world if completed.
(Photo by Dean Swope/KYUK)*

On Monday, an administrative law judge issued a recommendation (<https://www.kyuk.org/post/judge-recommends-state-not-uphold-donlin-mine-water-certificate>) that the Alaska Department of Environmental Conservation rescinds a state water quality certificate that was issued to the Donlin Gold mine in 2018. The certificate is required under the Clean Water Act. Here's what rescinding the certificate could mean for the proposed mine, and how the parties involved in the decision have responded to the judge's recommendation.

The judge's proposed decision (https://www.kyuk.org/sites/kyuk/files/202104/2021-04-12_notice_of_proposed_decision.pdf) throws doubt over the future of the Army Corps of Engineers' permit that Donlin obtained back in August 2018.

The state water quality certificate is a big one. It's required under Section 401 of the Clean Water Act. Under Section 401, states have the legal authority to review an application for a project that requires a federal permit. James Rypkema, a program manager at DEC's Division of Water, told KYUK in 2018 (<https://www.kyuk.org/post/deadline-donlin-water-quality-permit-approaching>) that the U.S. Army Corps of Engineers has to permit the project since it impacts 3,500 acres of wetlands. Without the state water quality certificate, Donlin could not receive its federal permit from the Corps.

The Orutsararmiut Native Council in Bethel is the organization that challenged the certificate. The tribe contended that the state cannot guarantee that the mining operations will maintain Alaska's water quality standards for mercury levels, water temperature, and fish habitat. Administrative law judge Kent Sullivan's proposed decision agrees with the tribe.

In a press release

(https://www.kyuk.org/sites/kyuk/files/202104/onc_press_release_on_donlin_401_decision__1_.pdf), ONC Executive Director Mark Springer celebrated the judge's recommendation.

Springer wrote: "This decision by Judge Sullivan demonstrates that the concerns of the People of the Kuskokwim River surrounding development of the Donlin Prospect were, and are legitimate."

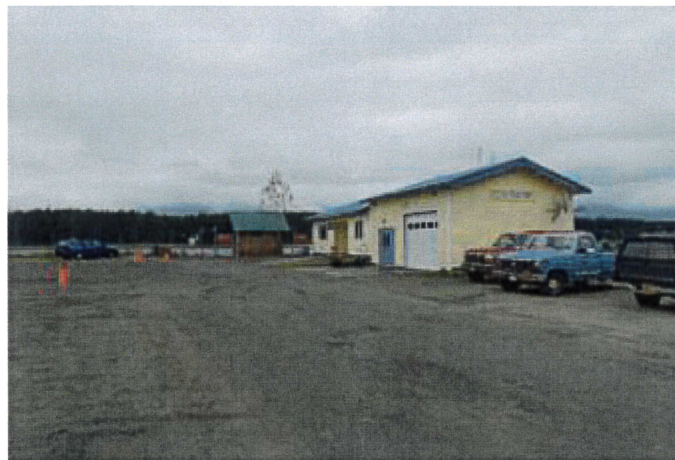
Springer claimed that the state "erred in their hasty issuance" of the water certificate, and he urged ADEC Commissioner Jason Brune "to take to heart the conclusions" in the judge's recommendation and "ensure protection of salmon streams."

DEC spokesperson Laura Achee would not respond to KYUK's questions on the judge's proposed decision or what it means for Donlin Gold. In 2018, Rypkema told KYUK (<https://www.kyuk.org/post/deadline-donlin-water-quality-permit-approaching>) that it is rare for any permit to get denied.

In a statement (https://www.kyuk.org/sites/kyuk/files/202104/401_cert_-_alj_prop_decision.pdf), Donlin Gold spokesperson Kristina Woolston wrote that the company "strongly disagrees" with the judge's proposed decision and that the decision "does not affect Donlin Gold's commitment to the Project's Alaska Native landowners, The Kuskokwim Corporation and Calista Corporation, to build an environmentally responsible mine that enriches the lives of those in the Yukon-Kuskokwim region."

Achee said that under state law, the department's commissioner has 45 days from the release of the judge's recommendation to issue a decision, which would be a deadline of May 27.

READ NEXT



(<https://www.ktoo.org/2021/04/19/gustavus-calls-for-halt-to-state-construction-project-after-officials-find-more-toxins-at-citys-airport/>)

CORRESPONDENCE & INFORMATION

Board of Adjustments and Appeals Decision on Resolution PC 20-47 Green Degree

Pages 387-400

CORRESPONDENCE & INFORMATION

MATANUSKA-SUSITNA BOROUGH

BOARD OF ADJUSTMENT AND APPEALS

IN RE:)
)
Appealing the hours of operation for)
a marijuana retail facility located at)
3361 West Machen Road)
Permit #176020200012)
)
Kerby Coman,) BOAA Case No. 21-03
Appellant)
_____)

CERTIFICATE OF SERVICE

1. I am the Staff Support for the Board of Adjustment and Appeals.

2. I certify that on April 22, 2021, I served true and accurate copies of the following document:

NOTICE OF RIGHT TO APPEAL AND FINAL DECISION

To: BOAA Members
Via Email
Terry Nicodemus
Claudia Roberts
Jesse Rongitsch
Tina Crawford

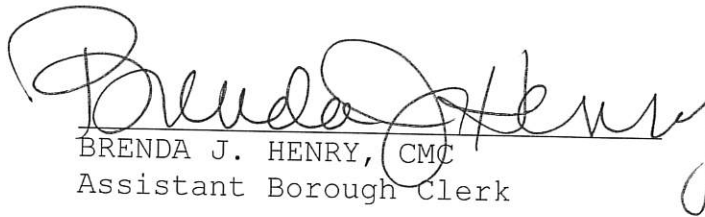
Kerby Coman, Appellant
kerby@greendegree.net
Via Email
124 West Swanson Avenue
Wasilla, AK 99654

Nick Spiropoulos, Borough Attorney
hand delivery

Mark Whisenhunt, Planner II
hand delivery

DATED at Palmer, Alaska, this 22 day of April, 2021

MATANUSKA-SUSITNA BOROUGH
BOARD OF ADJUSTMENT AND APPEALS


BREND A J. HENRY, CMC
Assistant Borough Clerk

MATANUSKA-SUSITNA BOROUGH
BOARD OF ADJUSTMENT AND APPEALS

IN RE:

Appealing the hours of operation for
a marijuana retail facility located at
3361 West Machen Road
Permit #176020200012

Kerby Coman,
Appellant

)
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)
)
) BOAA Case No. 21-03
)
)

NOTICE OF RIGHT TO APPEAL AND FINAL DECISION

NOTICE IS HEREBY GIVEN, that the Matanuska-Susitna Borough Board of Adjustment and Appeals, on April 22, 2021, rendered the following final decision regarding the appeal filed in the above referenced matter. This final decision may be appealed within 30 days of the date of this decision pursuant to MSB 15.39.250 and the Alaska Rules of Appellate Procedure, Part VI.

FINDINGS

1. The appeal in the captioned case was filed in a timely manner.
2. On July 17, 2017, Rosebud's Shatter House, now Green Degree, was issued a conditional use permit (CUP) for the operation of a retail marijuana facility at 3361 West Machen Road, Wasilla.

3. This facility has been in operation since 2017 with no violations or citations from the Borough.
4. The appellant has obtained an Alaska State Retail Marijuana License No. 12023, a copy of which has been provided to the Development Services Department.
5. The appellant has ownership in at least two businesses that operate under the same, one on Knik Goose Bay Road and one on Machen Road; both operate under the name Green Degree. The property that is the subject of this appeal is the Machen Road property.
6. The appellant filed a request to modify an existing CUP, on October 15, 2020, for the Machen Road location.
7. The appellant is proposing to move the retail facility to a different portion of the existing structure, increase the size of the retail facility, and to expand the hours of operation.
8. The request, if granted, will increase the size of the retail facility from approximately 750-square feet to approximately 990-square feet.
9. A marijuana facility that is 990 square feet in size is required to provide three parking spaces, with one of them being Americans with Disabilities Act (ADA) compliant. ADA guidelines require one van accessible parking space that is

- 11-feet wide with a 5-foot wide parking aisle, for every 1 to 25 spaces.
10. There will be 13 customer parking spaces provided with one of them being a van accessible parking space that is 11-feet wide with a 5-foot wide parking aisle.
 11. As part of the modification, a small addition or arctic entry is under construction to the area that will be the new location of the retail facility.
 12. Central Mat-Su Fire Department has issued a nonstructural fire and life safety certificate of occupancy and the structure is in full compliance with applicable Alaska State Fire Code.
 13. The appellant also requested to expand the hours of operation from 10 a.m. to 10 p.m. Monday through Saturday, to 8 a.m. to 5 a.m. daily.
 14. The Alaska State Alcohol and Marijuana Control Office by way of Alaska Administrative Code, allows retail marijuana facilities to operate from 8 a.m. to 5 a.m. daily.
 15. The Borough currently has no ordinance with time restrictions on hours of operation. The Planning Commission has been determining hours of operation for retail marijuana facilities through the CUP process.

16. The subject property is Lot 1, Block 2, of the Parks Highway Industrial Subdivision, which is located on Machen Road.
17. West Machen Road is dominated by commercial and industrial uses on its frontage. To the south and west are additional commercial uses and a church. To the north and east, there is a mix of residential and vacant land. The city of Wasilla abuts the subject property to the east.
18. The Parks Highway right-of-way abuts the parcel to the south. The Parks Highway and Machen Road are both in the same right-of-way.
19. The use does not border any parcels with residential homes, and it is not visible from any residential homes. The nearest residential structure is located to the north and is approximately 680 feet from the subject property.
20. The nearest school is Bright Minds Learning Center, located at 172 South Lamont Circle, on the left hand side of the Parks Highway traveling north. This school is approximately 3,060 feet from the proposed use. The Machen Road property is on the right hand side frontage road of the Parks Highway traveling north.

21. If the requested hours of operation are expanded, the appellant has testified that he intends to test hours of operation to see what works for this location and wants the option to operate from 8 a.m. to 5 a.m. daily.
22. It is understandable to limit hours of operation based on certain locations and code provides for that discretion. The CUP in question is located in an industrial and commercial area, in which homes, residences, and other businesses would not be impacted by later hours of operation.
23. Comments were provided by several Planning Commissioners at the Planning Commission public hearing, which anticipated inebriated drivers, when there is no factual evidence to back up those comments anywhere in the record. The Planning Commission takes an oath to uphold Borough code.
24. Comments were made about dangerous traffic and the location of the CUP being located on a highway safety corridor. The CUP is located on Machen Road, which is a frontage road off the Parks Highway. Machen Road is not a highway safety corridor.
25. Staff recommended approval of the modification to the CUP to allow the hours of operation to be 8 a.m. to 5 a.m. daily.

CONCLUSIONS

Based upon the above findings, the Board of Adjustment and Appeals makes the following conclusions:

1. The BOAA has jurisdiction over this appeal per MSB 15.39.030.
2. MSB 17.60.040(A), Application Procedures, provides for a process for a property owner or authorized agent to apply for a modification to a CUP.
3. AAC 306.310(b)(1) states that "a licensed retail marijuana store may not conduct business or allow a consumer to access the retail marijuana's licensed premises between the hours of 5 a.m. to 8 a.m. each day."
4. Based on the above findings, the modification to the CUP will not detract from the value, character, and integrity of the surrounding area as required by MSB 17.60.100(B)(1).
5. Based on the above findings, the modification to the CUP will not be harmful to the public health, safety, convenience, and welfare as required by MSB 17.60.100(B)(2).
6. Based on the above findings, there are sufficient setbacks, lot area, buffers, and other safeguards that are being provided as required by MSB 17.60.100(B)(3).

7. The application materials to modify the CUP have met all of the requirements of MSB 17.60.100(B)(4).
8. Based upon the above findings, the proposed use will not negatively impact other properties due to noise and odor as required by MSB 17.60.150(A)(1).
9. Based upon the above findings, measures are in place to reduce negative affects upon adjacent properties as required by MSB 17.60.150(A)(2)(a) through (c).
10. Based upon the above findings, the modification to the CUP is compatible with the character of the surrounding area as required by MSB 17.60.150(A)(3).
11. Based upon the above findings, the use is more than 1,000 feet away from any school grounds as required by MSB 17.60.150(B)(1).
12. Based upon the above findings, the applicant has provided a copy of documents which demonstrate that all applicable licenses required by 3 AAC 306.005 have been obtained as required by MSB 17.60.150(D)(1).
13. Based upon the above findings, the use is in full compliance with all applicable fire codes, as required by MSB 17.60.150(D)(2).

14. Based upon the above findings, the use is located on a parcel that is appropriate for commercial use as required by MSB 17.60.170(A)(1) through (3).
15. Based upon the above findings, the modification to the use complies with current ADA parking space guidelines as required by MSB 17.60.170(C).
16. Staff recommended approval of the modification of the CUP as the proposed use meets all the standards in MSB 17.60.100, 17.60.150, and 17.60.170.
17. The BOAA concludes that the Planning Commission erred in adding a condition of approval to limit the hours of operation. There were no evidence nor findings that supported this condition of approval.
18. The BOAA concludes that the Planning Commission erred in making decisions based on an ordinance that the Assembly may or may not adopt and that was not in effect when the application for modification of the CUP was received. The Planning Commission made comments about being consistent with an ordinance that does not exist.

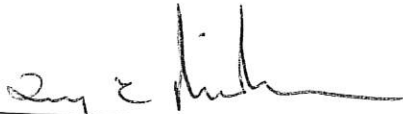
DECISION

Based upon the above Findings and Conclusions, the Matanuska-Susitna Borough Board of Adjustment and Appeals modifies in part and affirms in part, the decision of the Planning Commission in Resolution No. 20-047, as follows:

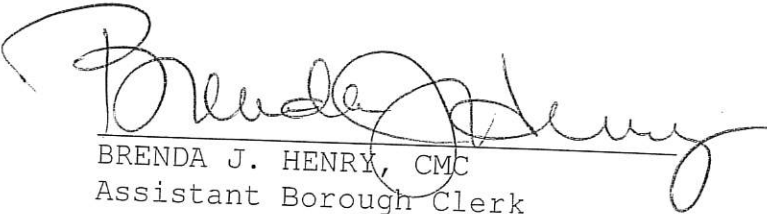
1. Modifies: strike current hours of operation in condition no. 4 of PC Resolution No. 20-47, page 7 of 8, of "8 a.m. to 12 a.m." daily and insert in its place, "8 a.m. to 5 a.m."
2. Affirms: All other requirements and conditions associated with conditional use permit No. 176020200011, remain in effect and must be adhered to. Any variation from the requirements or conditions of this permit or from Borough code may be grounds for penalties as authorized by Borough code.

Dated this 22 day of April, 2021.

MATANUSKA-SUSITNA BOROUGH
BOARD OF ADJUSTMENT AND APPEALS


TERRY NICODEMUS, Chairperson

Attest:


BRENDA J. HENRY, CMC
Assistant Borough Clerk

COMMISSION BUSINESS

Upcoming PC Agenda Items

Pages 401-407

COMMISSION BUSINESS




MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822
www.matsugov.us

MEMORANDUM

DATE: April 23, 2021

TO: Planning Commissioners

FROM: Alex Strawn, Director of Planning and Land Use 

SUBJECT: Items tentatively scheduled for future PC Meetings and Updates on PC items sent to the Assembly

May 17, 2021 (*MSB Assembly Chambers*)

Introduction For Public Hearing: Quasi-Judicial

1. **Resolution PC 21-11**, A Conditional Use Permit Modification In Accordance With MSB 17.70 - Regulation of Alcoholic Beverage Uses; Allowing For The Expansion Of The Beverage Dispensary (Bar And Beer Garden) Associated With Moonsstone Farm At 2141 S. Church Street; Tax ID #17N04W25D005; Within Township 17 North, Range 1 East, Section 16, Seward Meridian (Applicant: Michelle Church dba Moonstone Farm; Staff: Peggy Horton).

Introduction For Public Hearing: Legislative

(None)

Agency/Staff Reports

(None)

Land Use Classifications

(None)

Public Hearing: Quasi-Judicial

1. **Resolution PC 21-10**, A Conditional Use Permit In Accordance With MSB 17.60 - Conditional Uses; Allowing For The Operation Of A Marijuana Cultivation Facility, Located Along The North Shore Of Big Lake (No Site Address); Tax ID #17N04W25D005; Within Township 17 North, Range 4 West, Section 25, Seward Meridian (Applicant: Casey Wilkins for Northern Alliance; Staff: Peggy Horton).

Public Hearing: Legislative
(None)

Unfinished Business
(None)

New Business
(None)

Commission Business

- Upcoming Planning Commission Agenda Items

June 7, 2021 (MSB Assembly Chambers)

Introduction For Public Hearing: Quasi-Judicial
(None)

Introduction For Public Hearing: Legislative
(None)

Agency/Staff Reports
(None)

Land Use Classifications
(None)

Public Hearing: Quasi-Judicial

1. **Resolution PC 21-11**, A Conditional Use Permit Modification In Accordance With MSB 17.70 - Regulation Of Alcoholic Beverage Uses; Allowing For The Expansion Of The Beverage Dispensary (Bar And Beer Garden) Associated With Moosnstone Farm At 2141 S. Church Street; Tax ID #17N04W25D005; Within Township 17 North, Range 1 East, Section 16, Seward Meridian (Applicant: Michelle Church dba Moonstone Farm; Staff: Peggy Horton).

Public Hearing: Legislative
(None)

Unfinished Business
(None)

New Business
(None)

Commission Business

- Upcoming Planning Commission Agenda Items

June 21, 2021 (*MSB Assembly Chambers*)

Introduction for Public Hearing: Quasi-Judicial
(None)

Introduction For Public Hearing: Legislative
(None)

Agency/Staff Reports
(None)

Land Use Classifications
(None)

Public Hearing: Quasi-Judicial
(None)

Public Hearing: Legislative
(None)

Unfinished Business
(None)

New Business
(None)

Commission Business

- Upcoming Planning Commission Agenda Items

Upcoming PC Actions

Quasi-Judicial

- D&S Alaskan Trail Rides, Inc. – Denali SpUD, 29N05W33D012 and 29N05W33D028 (Staff: Mark Whisenhunt)
- QAP – Sylvan Pit – Conditional Use Permit For Earth Materials Extraction, 17N02W10C001 (Staff: Mark Whisenhunt)
- Alaskan Originals – Marijuana Retail Facility, 5060B01L001A (Staff: Mark Whisenhunt)
- Bad Gramm3r – Modification to Conditional Use Permit for Marijuana Retail Facility, 1068000L020 (Staff: Mark Whisenhunt)
- BAM Alaska, Inc. – Marijuana Cultivation Facility – 2080B02L007 (Staff: Peggy Horton)
- 2nd Amendment, LLC – Marijuana Cultivation Facility – 17N04W35C001 (Staff: Peggy Horton)
- Green Degree (Clapp) – Marijuana Retail Facility – 1011B01T001-2 (Staff: Peggy Horton)

Legislative

- Lake Management Plan update (Staff: Kelsey Anderson)
- Historical Preservation Plan (Staff: Adam Bradway)
- Municipal Separate Storm Sewer System⁴ (Staff: Ted Eischeid)
- Metropolitan Planning Organization (Staff: Kim Sollien)
- Capital Improvement Program (CIP) (Staff: Kelsey Anderson)
- Official Streets And Highway Plan (Staff: Kim Sollien)
- MSB Borough-Wide Comprehensive Plan (Staff: Kim Sollien)

PC Decisions Currently Under Appeal

- **Resolution PC 20-29**, A Resolution Of The Matanuska-Susitna Borough Planning Commission Adopting Findings Of Fact And Conclusions Of Law Supporting The Denial Of PC Resolution 20-18 Concerning A Request For A Variance From MSB 17.55 To Allow An Existing Single-Family Residence To Encroach Into The Required 75-Foot Waterbody Setback At 5782 S. Big Lake Road (Tax ID# 6142000L006); Within Township 17 North, Range 3 West, Section 29, Seward Meridian (Applicant: Dennelle Seetomona on behalf of Janice Ellsworth, Staff: Mark Whisenhunt).
BOAA Case #20-03.
The decision of the Planning Commission was upheld.
Filed in Superior Court.
- **Resolution PC 20-46 (PC 20-41)**, A Conditional Use Permit Request In Accordance With MSB 17.70 – Regulation Of Alcoholic Beverage Uses; Has Been Submitted By Ashlee Stetson, On Behalf Of The Office, For The Operation Of A Beverage Dispensary (Bar) Located At 1987 E. Bogard Road, Tax ID #9057000L002; Within Township 17 North, Range 1 West, Section 2, Seward Meridian (Applicant: Ashlee Stetson, on behalf of The Office; Staff: Mark Whisenhunt).
BOAA Case #21-02
BOAA Hearing: March 22, 2021
BOAA reversed the Planning Commission decision; they approved the Conditional Use Permit with four conditions.
- **Resolution PC 20-47**, A Resolution Of The Matanuska-Susitna Borough Planning Commission Approving The Modification Of An Existing Conditional Use Permit For the Operation Of A Marijuana Retail Facility At 3361 West Machen Road, Tax ID# 2420B02L001; Located Within Township 17 North, Range 1 West, Section 7, Seward Meridian (Applicant: Kerby Coman, Staff: Mark Whisenhunt).
BOAA Case # 21-03
BOAA Hearing: April 22, 2021 @ 10:00 AM.

Updates on PC items before the Assembly (Pending/Complete)

Reso		ORD/Reso #	IM
Resolution PC 21-02 , Approval Of An Ordinance Amending 17.73.095 Domestic Wastewater System Plan Review (Staff: Alex Strawn).		ORD # 21-013	IM # 21-020
Actions:	01/18/21 – PC Introduction 02/01/21 – PC Public Hearing – Approved 03/23/21 – Assembly Introduction 04/06/21 – Assembly Public Hearing - Approved		
Reso		ORD/Reso #	IM
Resolution PC 21-03 , A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB 17.55 To Exempt Signs From Setbacks To Rights-Of-Way And Property Lines (Staff: Alex Strawn).		ORD # 21-019	IM # 21-047
Actions:	03/15/21 – PC Introduction 04/05/21 – PC Public Hearing – Approved 05/04/21 – Assembly Introduction 05/18/21 – Assembly Public Hearing		
Reso		ORD/Reso #	IM
Resolution PC 21-07 , A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Adopting MSB 17.31 Supplemental Wetlands Mitigation Provisions For Large-Scale Projects Requiring United States Army Corps Of Engineers Individual Permits Under Section 404 Of The Clean Water Act; And Amending MSB 1.45.100 Schedule Of Fines For Infractions (Staff: Ted Eischeid).		ORD # 21-025	IM # 21-051
Actions:	04/05/21 – PC Introduction 05/03/21 – PC Public Hearing 05/18/21 – Assembly Introduction 06/01/21 – Assembly Public Hearing		