

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Edna DeVries, Mayor

PLANNING COMMISSION
Doug Glenn, District 1
Richard Allen, District 2
C. J. Koan, District 3
Mike Rubeo, District 4
Bill Kendig, District 5
Wilfred Fernandez, District 6
Curt Scoggin, District 7



Michael Brown, Borough Manager

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

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

January 16, 2023
REGULAR MEETING
6:00 p.m.

Ways to participate in the meeting:

IN PERSON: You will have 3 minutes to state your oral comment.

IN WRITING: You can submit written comments to the Planning Commission Clerk at msb.planning.commission@matsugov.us. Written comments are due at noon on Friday prior to the meeting.

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.” (There may be a delay, please be patient with the system.)
- 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.

Ways to observe the meeting:

FACEBOOK LIVE at www.facebook.com/MatSuBorough

- Questions or comments will **not** be answered; please call the number above if you have a comment or concern.

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

II. APPROVAL OF AGENDA

III. ELECTIONS

A. CHAIR

B. VICE-CHAIR

IV. PLEDGE OF ALLEGIANCE

V. CONSENT AGENDA

A. MINUTES

Regular Meeting Minutes: December 5, 2022

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

Resolution 23-01 A conditional use permit in accordance with MSB 17.70 – Regulation of Alcoholic Beverage Uses for an alcoholic beverage dispensary (bar) known as, Big Lake Brewing Company LLC, located at 5120 South Big Lake Road; Tax ID 9228000U012, within Township 17 North, Range 3 West, Section 28, Seward Meridian. Public Hearing: February 6, 2023. (Applicant: Whitney Dow for Big Lake Brewery Co., LLC; Staff: Rick Benedict, Planner II).

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 23-02 A resolution of the Matanuska-Susitna Borough Planning Commission recommending approval of an ordinance amending MSB 17.30 – Conditional Use Permit for earth materials extraction activities, to allow for an exemption of 10,000 cubic yards annually without a permit. Referred to by Assembly – due back to Assembly by February 20, 2023. Public Hearing: February 6, 2023. (Staff: Alex Strawn, Planning and Land Use Director)

VI. COMMITTEE REPORTS

VII. AGENCY/STAFF REPORTS

VIII. LAND USE CLASSIFICATIONS

IX. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)

- X. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (*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*).
- XI. PUBLIC HEARING: LEGISLATIVE MATTERS
- XII. CORRESPONDENCE & INFORMATION
- XIII. UNFINISHED BUSINESS
- XIV. NEW BUSINESS
- XV. COMMISSION BUSINESS:
 - A. Susitna Basin Recreation Rivers Board
 - B. Upcoming Planning Commission Agenda Items
- XVI. DIRECTOR AND COMMISSIONER COMMENTS
- XVII. ADJOURNMENT (*Mandatory Midnight*)

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

December 5, 2022

MINUTES

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
December 5, 2022**

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on December 5, 2022, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:05 p.m. by Chair Stafford Glashan.

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

Planning Commission members present and establishing a quorum:

Mr. Doug Glenn, Assembly District #1
Mr. Richard Allen, Assembly District #2
Mr. Michael Rubeo, Assembly District #4
Mr. Bill Kendig, Assembly District #5
Mr. Stafford Glashan, Assembly District #6, Chair
Mr. Curt Scoggin, Assembly District #7

Planning Commission members absent and excused were:

Ms. Patricia Chesbro, Assembly District #3, Vice-Chair

Staff in attendance:

Mr. Jason Ortiz, Development Services Manager
Mr. Alex Strawn, Planning and Land Use Director
Ms. Kim Sollien, Planning Services Manager
Ms. Kelsey Andersson, Planner III
Ms. Shannon Bodolay, Assistant Attorney
Ms. Karol Riese, Planning Depart. Administrative Specialist/Planning Commission Clerk

II. APPROVAL OF AGENDA

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

GENERAL CONSENT: The agenda was approved without objection.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Ms. Bodolay.

IV. CONSENT AGENDA

A. Minutes Regular Meeting Minutes: November 21, 2022

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

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS
(None)

GENERAL CONSENT: The consent agenda was approved without objection.

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

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
December 5, 2022**

XI. CORRESPONDENCE AND INFORMATION – Item presented out of turn

- A. Commissioner Patricia Chesbro Proclamation
- B. Commissioner Stafford Glashan Proclamation

Mr. Jason Ortiz read the proclamations into the record.

VI. AGENCY/STAFF REPORTS

- A. Long Range Planning Project Updates (MSB Planning Services Division)
Ms. Sollien and Ms. Anderson provided an overview of the project the Planning Services Division are working on to include the MSB Comprehensive Plan.

VII. LAND USE CLASSIFICATIONS - (There were no land use classifications.)

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)
There were no persons to be heard.

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS
(None)

X. PUBLIC HEARING LEGISLATIVE MATTERS
(None)

XII. UNFINISHED BUSINESS – (There was no unfinished business)

XIII. NEW BUSINESS - (There was no new business.)

XIV. COMMISSION BUSINESS

- A. Approval of 2023 Planning Commission Meeting Calendar

MOTION: Commissioner Kendig moved to approve the Planning Commission 2023 Meeting Calendar. The motion was seconded.

DISCUSSION: None

VOTE: Motion passed unanimously.

- B. Upcoming Planning Commission Agenda Items (*Staff: Jason Ortiz*)
(Commission Business was presented, Mr. Ortiz advised Planning Commissioners to review the list and refrain from any discussions regarding any of the Quasi-Judicial items.)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Ms. Riese: Thanked Commissioner Chesbro and Glashan for time served;
Merry Christmas

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
December 5, 2022**

Commissioner Scoggin: Training was great – do another in the next few months – the darker months are better.

Commissioner Glenn: Sorry I missed the training.

Commissioner Kendig: Thanked outgoing commissioners; enjoyed work session; would like a worksession on Findings of Facts and Conclusions of Law.

Commissioner Allen: Thanked Commissioner Glashan.

Commissioner Rubeo: Thank you and Happy Holidays.

Commissioner Glashan: It has been very interesting – fun and exciting

XVI. ADJOURNMENT

The regular meeting adjourned at 6:34 p.m.

Planning Commission Chair

ATTEST:

KAROL RIESE, Planning Commission Clerk

Minutes approved: _____

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**INTRODUCTION FOR PUBLIC HEARING
QUASI-JUDICIAL**

**Resolution No. 23-01
Alcoholic Beverage Dispensary (Bar)
Whitney Dow for Big Lake Brewer Co., LLC**

(Page 11 - 34)

INTRODUCTION FOR PUBLIC HEARING

RECEIVED
 AUG 17 2022
 PERMIT CENTER

CMP-7-6-3-22561

PLN - DVS - Permits - DVS - 9228000U012 -
 Beverage Dispensary - 177020220001 - Big Lake
 Brewing Company LLC



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

Email: permitcenter@matsugov.us

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

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

Application fee must be attached, check one:

- \$1,500 for Beverage Dispensary
- \$1,500 for Package Store

Required Attachments:

- Site plan as detailed on Page 3
- Narrative with operational details and all information required on Page 2
- State of Alaska Alcoholic Beverage License

Subject Property:

MSB Tax Account ID#(s): 9228000U012
 Street Address: 5120 S Big Lake Road, Big Lake Alaska 99652
 Facility/Business Name: Big Lake Brewing Company, LLC

Name of Property Owner

South Shore, LLC
 Mailing: 4237 E Meridian Loop
Wasilla, AK 99654
 Phone: Cell N/A
 Wk 907-376-4711 Hm _____
 E-mail: Todd@howdieinc.com

Name of Agent / Contact for application

Nathan J Hickman
 Mailing: 2505 Barrow Street, Ste B
Anchorage, AK 99503
 Phone: Cell 907-229-2028
 Wk 907-278-4546 Hm N/A
 E-mail: nathan@hmicak.com

	Attach a narrative explaining, in detail, how the applicant will meet the following requirements of MSB 17.70.	Attached
#1	How the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	
#2	How the granting of the conditional use permit will not be harmful to the public health, safety, convenience and welfare?	
#3	Are sufficient setbacks, lot area, buffers and other safeguards being provided?	
#4	Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?	
#5	Is there any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?	
#6	What measures are being proposed to reduce any negative effect upon adjacent and nearby properties? (Example: visual buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors) Where the surrounding area is predominantly residential in character, do site and building design features that contribute to the residential character of the development?	
#7	Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?	
#8	Will access to the premises create an unreasonable traffic hazard?	
#9	Will a reasonably expected increase in traffic overtax the existing road system?	
#10	Is the use compatible with the character of the surrounding neighborhood?	
#11	Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area?	
#12	Does the applicant or a person with an interest in the application have an interest in a liquor license which was suspended or revoked in the 12 months preceding the application?	No
#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?	No
#14	What is the maximum occupancy capacity of facility as determined by Fire Marshall?	600
#15	What is the number of employees proposed to work on largest work shift?	30
#16	How many regular parking spaces will the use provide?	38
#17	How many handicapped parking spaces will the use provide?	4
#18	Is the use a sole occupant in a building or a tenant in a building?	Yes
#19	How much square footage will the proposed use occupy in the building?	18,500
#20	What are the proposed hours of operation?	11am - 12am
#21	What noise mitigation measures are proposed?	

	Submit a detailed site plan, <i>drawn to scale</i>. Drawings under the seal of an engineer or surveyor are recommended but not required.	Attached
A.	Show proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the liquor use. Draw lot dimensions and indicate setback distance of structure(s) from the lot lines, rights-of-way, and waterbodies.	A1.3
B.	Show the dimensions of all structures.	A1.3
C.	Show signage, existing and proposed.	Ex 1
D.	Provide interior floor plans specifying the location of the use or uses to be made of the development. Provide dimensions on the interior floor plan.	A1.3
E.	Provide the location and dimensions for all access points to and from the site to public rights-of-way.	Ex 1+2
F.	Indicate any existing or proposed land contouring.	N/A
G.	Indicate any existing or proposed vegetation or other landscaping.	Existing
H.	Indicate any existing or proposed buffering – fences, trees, or berms.	Existing
I.	Provide a drainage plan.	Existing
J.	Provide vehicular and pedestrian circulation patterns.	Ex 1+2
K.	Indicate exterior lighting plans.	A1.3
L.	Show the distance(s) to the nearest road intersection in all directions from proposed permit site along roads adjacent to the site.	Ex 1
M.	Provide the location and dimensions of proposed or existing parking areas.	Ex 1+2
N.	Indicate a scale and north arrow.	Ex 1

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

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

MSB Tax Account ID #(s) 9228000U012 and, I hereby apply for approval an alcoholic beverage use conditional use permit on that property as described in this application.

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

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

I understand that 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 changes from the approved conditional use permit may require further authorization by the Borough Planning Commission.

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

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

	Todd Nugent	8/17/22
Signature: Property Owner	Printed Name	Date

	Nathan J Hickman	8.17.2022
Signature: Agent	Printed Name	Date

MAT -SU BOROUGH

Back to Intranet (<https://intranet.matsugov.us/>) Home (/kmm)

Other Permits Master (/kmm/Lists/OtherPermitsMaster)

Permit ID	6058
Date Created	8/17/2022 1:54 PM
Customer Name	Big Lake Brewing Company
Customer Id	
Order Number	
Order Placed On	
Order Total	\$1,500.00
ConfirmationNumber	
PermitCreatedDate	
Payment Status	Paid
PermitStatus	
PermitAmount	\$1,500.00
Order Item Id	
PermitObjectID	
Ordered Product Details	
Customer Phone	9073518800
Facility Name (Optional)	Big Lake Brewing Company, LLC

Content Type: Other Permits
Version: 3.0

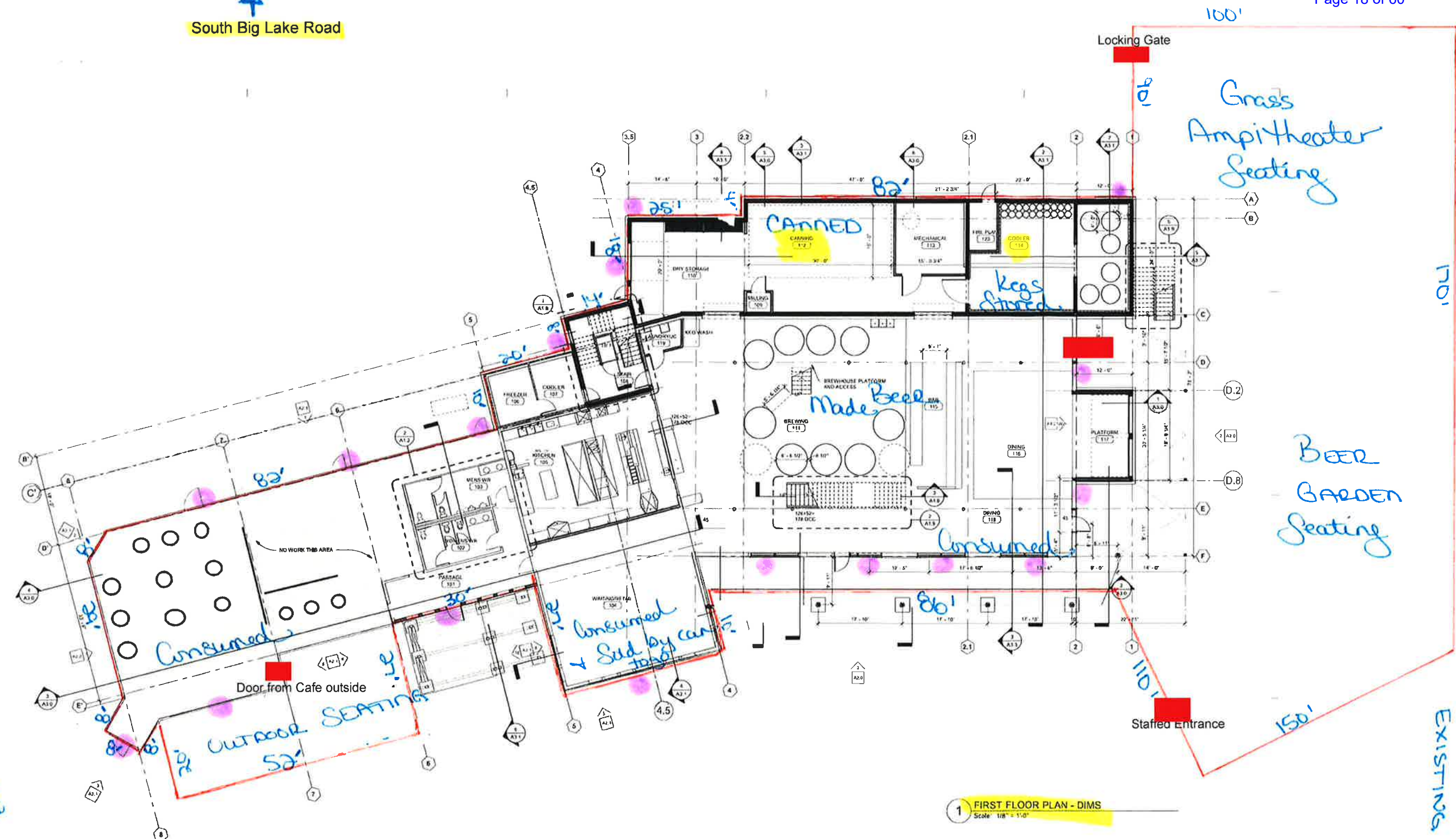
Created at 8/17/2022 1:54 PM by Darcy Hickman (/kmm/_layouts/15/listform.aspx?PageType=4&ListId=(47131ed3-ca79-485a-807e-26d5f921a524)&ID=25955)

Last modified at 8/17/2022 2:09 PM by System Account (/kmm/_layouts/15/listform.aspx?PageType=4&ListId=(47131ed3-ca79-485a-807e-26d5f921a524)&ID=1073741823)

Close

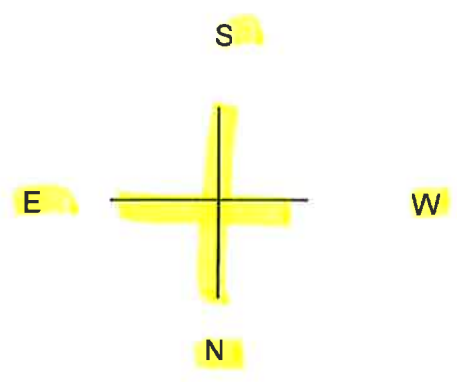
↑
South Big Lake Road

Tanner Court G



1 FIRST FLOOR PLAN - DIMS
Scale: 1/8" = 1'-0"

● = EXTERIOR LIGHTING



Wolf
ARCHITECTURE
518 E FIREWEED PALMER, AK
T: 907.746.6670
F: 907.746.6680
wolfarchitecture.com

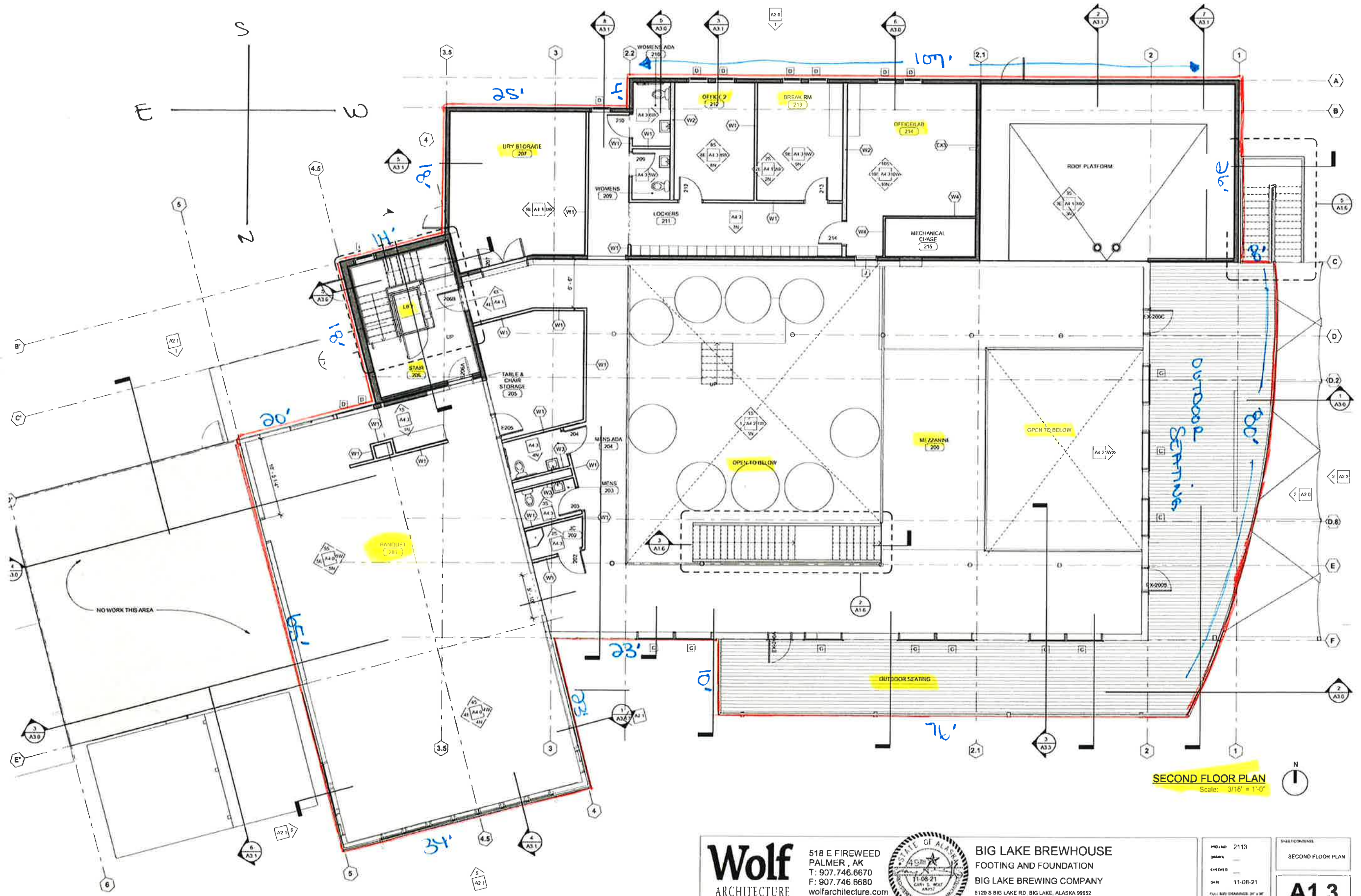
BIG LAKE BREWHOUSE
CONSTRUCTION DRAWINGS--NOT FOR CONSTRUCTION
BIG LAKE BREWING COMPANY
BIG LAKE, ALASKA 99652

PROJ NO	2113	DATE	10-8-21
DRAWN	Aulter	CHECKED	Chackler
FIRST LEVEL DIMENSION PLAN		A1.3	

EXISTING 6' FENCE

↑ SOUTH BIG LAKE ROAD ↑

↑ Tannery Yards Court ↑

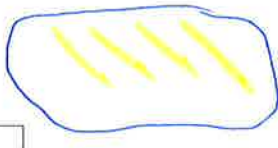



SECOND FLOOR PLAN
 Scale: 3/16" = 1'-0"

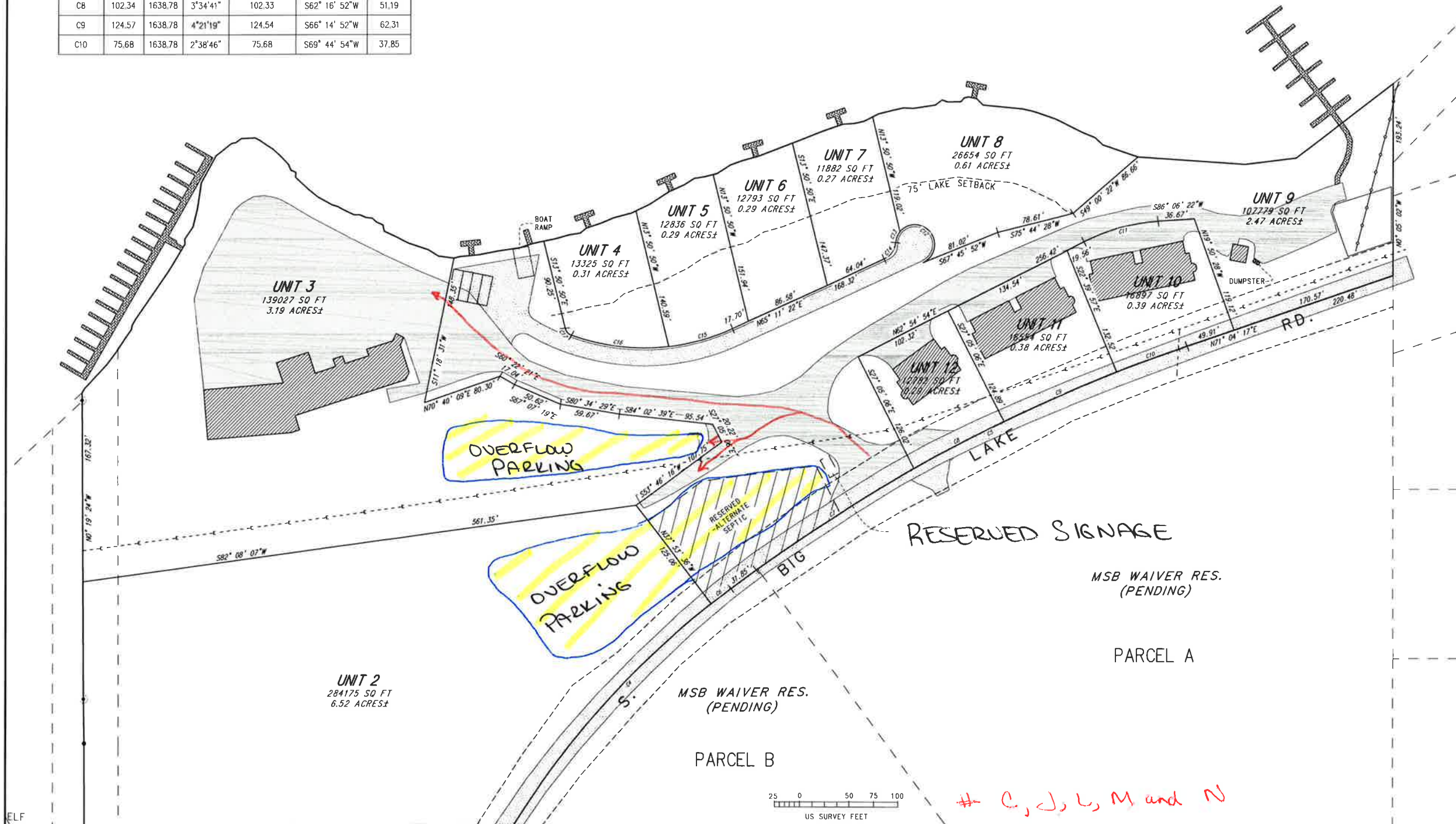
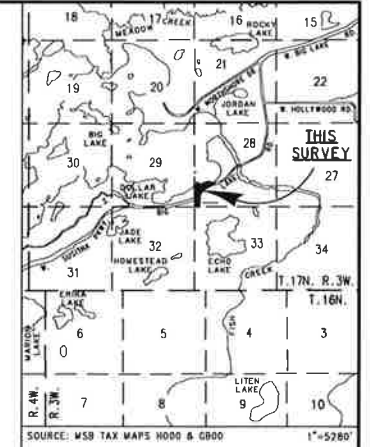
	518 E FIREWEED PALMER, AK T: 907.746.6670 F: 907.746.6680 wolfarchitecture.com		BIG LAKE BREWHOUSE FOOTING AND FOUNDATION BIG LAKE BREWING COMPANY 5120 S BIG LAKE RD, BIG LAKE, ALASKA 99852	PROJECT: 2113 DRAWN: [blank] CHECKED: [blank] DATE: 11-08-21 FULL SIZE DRAWING BY: [blank]	SHEET CONTENTS SECOND FLOOR PLAN A1.3

CURVE TABLE						
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING	TANGENT
C1	485.34	819.67	33°55'34"	478.29	N50° 18' 08"E	250.02
C2	311.69	819.67	21°47'15"	309.81	N56° 22' 18"E	157.75
C3	173.66	819.67	12°08'19"	173.33	N39° 24' 31"E	87.15
C4	293.78	820.21	20°31'20"	292.22	S43° 35' 41"W	148.48
C5	491.85	1638.78	17°11'47"	490.01	S62° 28' 24"W	247.79
C6	25.04	820.21	1°44'58"	25.04	S52° 58' 52"W	12.52
C7	189.26	1638.78	6°37'01"	189.15	S57° 11' 01"W	94.73
C8	102.34	1638.78	3°34'41"	102.33	S62° 16' 52"W	51.19
C9	124.57	1638.78	4°21'19"	124.54	S66° 14' 52"W	62.31
C10	75.68	1638.78	2°38'46"	75.68	S69° 44' 54"W	37.85

CURVE TABLE						
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING	TANGENT
C11	78.20	193.20	23°11'28"	77.67	S74° 30' 38"W	39.64
C12	71.72	20.00	205°27'53"	39.02	N37° 32' 35"W	88.51
C13	12.06	20.00	34°32'07"	11.87	N22° 27' 25"E	6.22
C14	20.94	20.00	60°00'00"	20.00	N35° 11' 22"E	11.55
C15	67.94	215.00	18°06'23"	67.66	S74° 14' 34"W	34.26
C16	99.42	215.00	26°29'40"	98.54	S83° 27' 25"E	50.61
C17	9.84	10.00	56°21'45"	9.45	S42° 01' 42"E	5.36

 = yellow dash is overflow parking

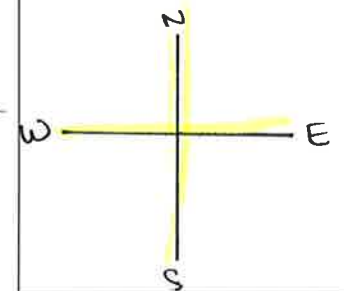
 = RED is vehicle traffic pattern



SECTION 34.08.170 OF THE COMMON INTEREST OWNERSHIP ACT REQUIRES THAT A CERTIFICATION BE MADE WHICH STATES THE PLAT CONTAINS THE INFORMATION AS SET FORTH IN SECTION 34.08.170.

I DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT LAYOUT OF UNITS ACCURATELY SURVEYED TO DEPICT A BOUNDARY AND AS-BUILT SURVEY, AND THAT THE INFORMATION AS REQUIRED BY ALASKA STATUTE 34.08.170 IS PROVIDED FOR ON THIS PLAT FILED HERewith

PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. LS 12312



A CONDOMINIUM PLAT OF
BIG LAKE CONDOS
CREATING
UNITS 1 THRU 12
LOCATED ON
PARCEL 2
SOUTH PORT CONDOMINIUMS
PHASE II
(2007-138)

PALMER RECORDING DISTRICT
LOCATED WITHIN
SEC. 28, T.17N. R.3W. SM. AK
CONTAINING 19.53 ACRES MORE OR LESS

HANSON
LAND SOLUTIONS
ALASKA BUSINESS LICENSE #1525
305 EAST FIREWEED AVENUE
PALMER, ALASKA, 99645
(907)746-7738

FILE:FB21-205 | CEN | SCALE:1"=100' | 10/12/21 | 2 OF 3

Exhibit 1

C, D, L, M and N

PARKING / TRAFFIC PATTERNS

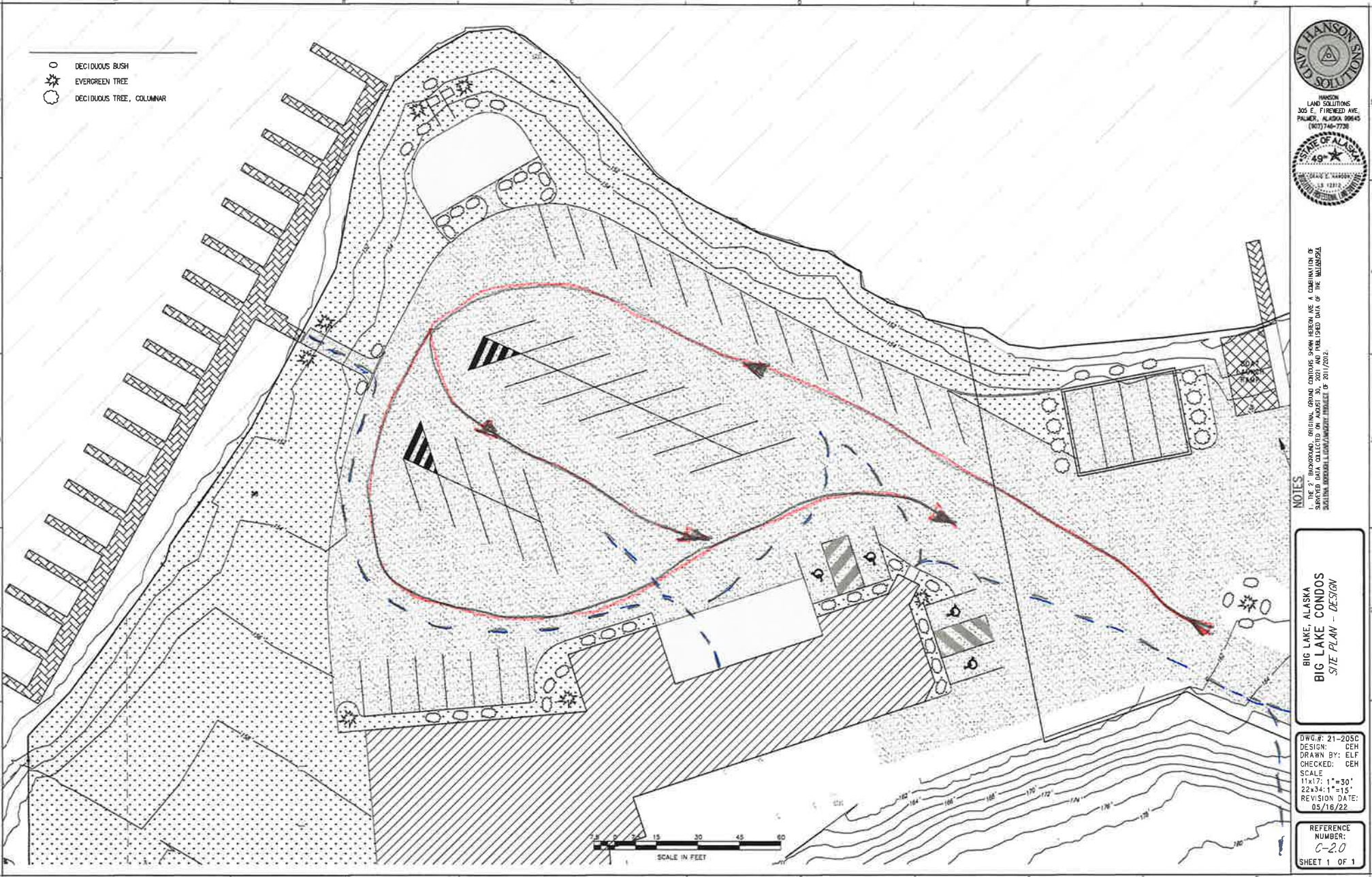


Exhibit 2
J & M

--- BLUE LINE = PEDESTRIAN TRAFFIC

→ RED = VEHICULAR TRAFFIC PATTERN



5120 S Big Lake Road, Big Lake Alaska 99652
907-892-BEER (2337)

In consideration of the conditional use permit MSM 17.7 for Big Lake Brewing Company, see following narrative:

(Item 1) The owners have procured said property that was previously used for

- Storage and repair of boats, snowmobiles, ATV's and highway vehicles, which left behind many truckloads of the same as well as parts and abandoned equipment. The owners have removed and remediated all existing property hazards including a 20,000-gallon fuel tank, fuel lines, and old docks.
- Aardvark Catering/Pizza Thyme utilized a smaller single-story portion of this facility to operate an establishment with a restaurant license and a beverage dispensary license.
 - This shows a pattern that the same location has been deemed safe and contributes to the surrounding community.

(Item 2) We have met with local fire stations and safety personnel on a several occasions and have coordinated efforts to continue safe egress and population welfare.

(Item 4, 10, 11) The property has been improved immensely to include new landscape, asphalt helping to keep the dust down. Drainage swales and docks, along with new siding and decks installed with natural colors that sync and agree with the surrounding vegetation adjacent properties and structures.

The updated facility has not only enhanced the lake and curb side appeal, but it has also proven to invite the local's and visitors alike, providing a sense of community and a safe gathering space. The owners intend to be a venue that can host many local events, such as markets, local music and art talents inside and out. Due to the community involvement and a responsible presence, and the implementation of security cameras will discourage and reduce crime. Hours of operation will agree with the neighbors, city ordinances and local partnership.

The use of the property will be similar to the adjacent property of Sunset View which hosts similar venues, so the noise should not be a factor.

(Item 3, 5, 7, 8 & 9) All roadway access has been improved to include asphalt, extended parking to the South and an existing boat ramp has been removed to further allow more safe parking and flow

of the same. The parking lot has been striped with parking stalls and arrows making the direction and flow clear.

(Item 6) The entrance from the main road has been widened and visually modified to allow safer traffic easement and flow. New signage will be installed using natural timbers and mild but adequate lighting for wintertime (no fluorescent or blinking lights). Landscaping has been added to match the properties next door, creating a uniform resort style look.

The facility enjoys patrons from the lake as well as the road and the addition of watercraft and floatplane docks has been embraced and continues to enhance the safe flow and access of guests from properties on Big Lake as well as outlying water ways.

(Item 10) Our facility is compatible with the surrounding area and the property has been operating in a similar capacity in excess of 10 years. Prior to Big Lake Brewing Company taking over the space at 5120 S Big Lake Road, The Aardvark Catering and Pizza Thyme operated in the space as a restaurant with a beer, wine and beverage dispensary license. Prior to their arrival on the property, there was a bar operating as the Play Buoy. On the adjacent property is the Sunset View Est operating as an establishment serving beer and wine that catered similar venues.

(Item 12, 13, 14, 15, 16) See CUP application page 2 of 4.

(Item 21) Noise mitigation is already in place due to the previous and current uses.

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

0261

LIQUOR LICENSE 2022 - 2023

5992

ISSUED

02/22/2022

ABC BOARD

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

THIS LICENSE EXPIRES MIDNIGHT
FEBRUARY 28, 2024 UNLESS DATED BELOW

TYPE OF LICENSE:

Restaurant/Eating Place

LICENSE FEE:

\$600.00

1130

CITY / BOROUGH:

Outside City Limits

Matanuska-Susitna Borough

D/B/A:

Big Lake Brewing Company LLC
5120 S Big Lake Road, Big Lake

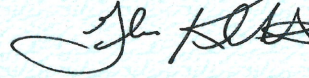
Mail Address:

Big Lake Brewing Company LLC
2505 Barrow Street Ste B
Anchorage, AK 99503

This license cannot be transferred without permission
of the Alcoholic Beverage Control Board

Special restriction - see reverse side

ISSUED BY ORDER OF THE
ALCOHOLIC BEVERAGE CONTROL BOARD



DIRECTOR

04-900 (REV 7/21)

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES



State of Alaska

Alcoholic Beverage Control Board RESTAURANT DESIGNATION PERMIT

AS 04.16.010(c), AS 04.16.049, and 3 AAC 304.715 - 795



This permit designates the licensed premises as a bona fide restaurant, hotel, or eating place for the following purposes:

- 1. Dining after standard closing hours: AS 04.16.010(c)
- 2. Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
- 3. Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- 4. Employment for persons 16 or 17 years of age: AS 04.16.049(c)

NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

License #	5992
Fee	\$50

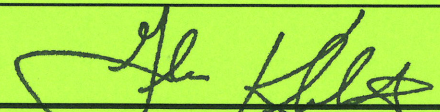
5. Limitations:

Items 2, 3 & 4 approved.

Items #2 & #3 - Unaccompanied minors may not dine at
at the bar or during live entertainment.

Item #4 - Underage employees restricted to kitchen,
cleaning, host(ess) and various duties that do not involve
serving alcohol.

Big Lake Brewing Company LLC
5120 S Big Lake Road
Big Lake, AK 99654
Big Lake Brewing Company LLC
2505 Barrow Street Ste B
Anchorage, AK 99503



DIRECTOR

This permit must be displayed in close proximity to the posted liquor license.

This permit terminates upon transfer/expiration of license.

Alaska Business License # **2130648**

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

Big Lake Brewing Company, LLC

2505 Barrow Street, Ste B, Anchorage, AK 99503-2737

owned by

Big Lake Brewing Company, LLC

is licensed by the department to conduct business for the period

April 28, 2021 to December 31, 2022
for the following line(s) of business:

31 - Manufacturing



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner



Matanuska-Susitna Borough Business License #: 43892

350 E. Dahlia Ave, Palmer, Alaska 99645

Effective Date: JAN 17 2022

Expiration Date: DEC 31 2023

**This license must be prominently displayed.
It is not transferable or assignable.**

This license shall not be taken as permission to do business in the State without having complied with the other requirements of the laws of the State of Alaska or the United States.

DEPARTMENT OF FINANCE

BIG LAKE BREWING COMPANY, LLC

DARCY HICKMAN
2505 Barrow Street, Ste B
Anchorage, AK 99503

Business Location(s): 5120 S Big Lake Road

This is to certify that the licensee named above holds a Matanuska-Susitna Borough business license covering the period listed above.

Detach Here

BIG LAKE BREWING COMPANY, LLC

DARCY HICKMAN
2505 Barrow Street, Ste B
Anchorage, AK 99503

Fee Paid: \$100

License No.: MBL **43892**

Effective: JAN 17 2022 To DEC 31 2023

The above business has been licensed to conduct business in the Matanuska-Susitna Borough. The borough business license must be prominently displayed. When a business has more than one location, the original license shall be displayed at the main location and a copy of the license shall be displayed at each branch location. If the business is continued at the same location but there is a change in its form of organization, such as from a single proprietorship to a partnership or a corporation, the admission or withdrawal of a partner, or any other change, the seller making the change shall surrender his old borough business license to the borough for cancellation. When there is a change of location for the sellers place of business, a new business license is required showing the new address. Application for renewal of license shall be made before February 1 of the license year.



Mat-Su Borough Ecommerce Order Confirmation

Thank you for your recent order from the [Mat-Su Borough](#).

Click here to view [your services](#). Use this link to print/view licenses, permits, etc.

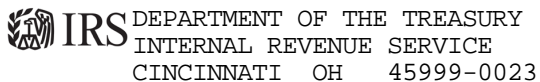
Order Details

Name: Darcy Hickman
Email: accounting@hmicak.com
Company:

Billing Address: 2505 Barrow Street, Ste B, Anchorage, Alaska, 99503, United States
Order Number: ORD-25955-74255-20220119
Order Placed On: Wednesday, January 19, 2022 1:05 PM
Payment Status: Paid

Product	Details	Price	Quantity	Total
MatSu Other Permit	Not downloadable or shippable product.	\$100.00	1	\$100.00

Order Subtotal: \$100.00
Total: \$100.00



Date of this notice: 04-28-2021

Employer Identification Number:
86-3547602

Form: SS-4

Number of this notice: CP 575 A

BIG LAKE BREWING COMPANY LLC
DARCY N HICKMAN MBR
2505 BARROW ST STE B
ANCHORAGE, AK 99503

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 86-3547602. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 941	10/31/2021
Form 940	01/31/2022
Form 1065	03/15/2022

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.



P.O. Box 1906
Big Lake, Alaska 99652
541-505-15311

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OCT 24 2022

Mat-Su Borough
Development Services

October 24, 2022

Mark Whisenhunt
Planner II- Matanuska-Susitna Borough
350 East Dahlia Avenue
Palmer, Alaska 99645

SUBJECT: CUP Application for Alcoholic Beverage Use- Request for Required Information
LOCATION: 5120 South Big Lake Road (TAX ID# 92280000U012)

Dear Mr. Whisenhut,

Thank you for your letter of September 9, 2022 regarding your questions regarding our conditional use permit to operate Alcoholic Beverage Use (Beverage Dispensary). Below is the narrative addressing your concerns with back-up site plans attached for your files and reference.

In regards to the Mat-Su Bourghs questions:

1. Submitted site plan is insufficient.

- a. **Updated floor and site plans with legends (Hanson Land Solutions site plan & Wolf Architectutre G1.02)**
- b. **Updates site plan-design prepared by Hanson Land Solutions show all set-backs**
- c. **Updated floor plans & site plan to scale with legend**
- d. **Outdoor areas are drawn to scale per Hanson Land Solutions Sit plan design**

2. Site plan shows unit as unit 3 not 12

- a. **Please see referenced Hanson Land Solutions site plan design.**



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OCT 24 2022

Mat-Su Borough
Development Services

3. Please detail what the proposed use is.

- a. ***The entire building consists of a small restaurant/cafe, Brewery and meetings space with full bar service with music venues indoor and outdoor area for various events including music***

4. Please detail noise mitigation measures as related to music and outdoor activities per MSB 8.52

- a. ***Interior and exterior walls are 8 & 10 inches thick with R30-60 insulation to buffer sound and vibration, with double pane windows to deaden any inside activities including music. Outdoor activities have a natural treeline/landscape buffer to the South and West with the Building itself providing a sound buffer on the East. Any and all outdoor activities including live music start no earlier than 1:00PM and end by 10:00PM on weeknights and no later than 11:00PM on weekend nights per MSB 8.25. In addition the main stage for outdoor activities is the stage illustrated on Wolf Architecture drawing G1.02 and buffered on 3 sides by 10 inch walls and insulated to R30 to buffer sound, noise, and vibration.***

5. Please provide a copy of the most recent fire marshall review/approval

- a. Please find attached

Mark, thank you for your help and please let us know if there is any further information required. We would love to have you come by the end of this week to discuss any questions you may have. Please feel free to call myself or our colleague Marty Metiva on site @ 907-355-7934 to schedule a meeting.

Sincerely,

Whitney Dow
Vice-President
541-505-1531

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OCT 24 2022

Mat-Su Borough
Development Services

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 December 21, 2021 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 Southport Marina/Fuel (Aardvark /Pizza/Retreat) 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 #: **2021Anch1759**

By: 

Steven Josten
Plans Examiner

Authority: AS 18 70.080
Form: 12-741
Foundation ONLY
(6/01)

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 December 23, 2021 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 Southport Marina/Fuel (Aardvark /Pizza/Retreat) 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*.

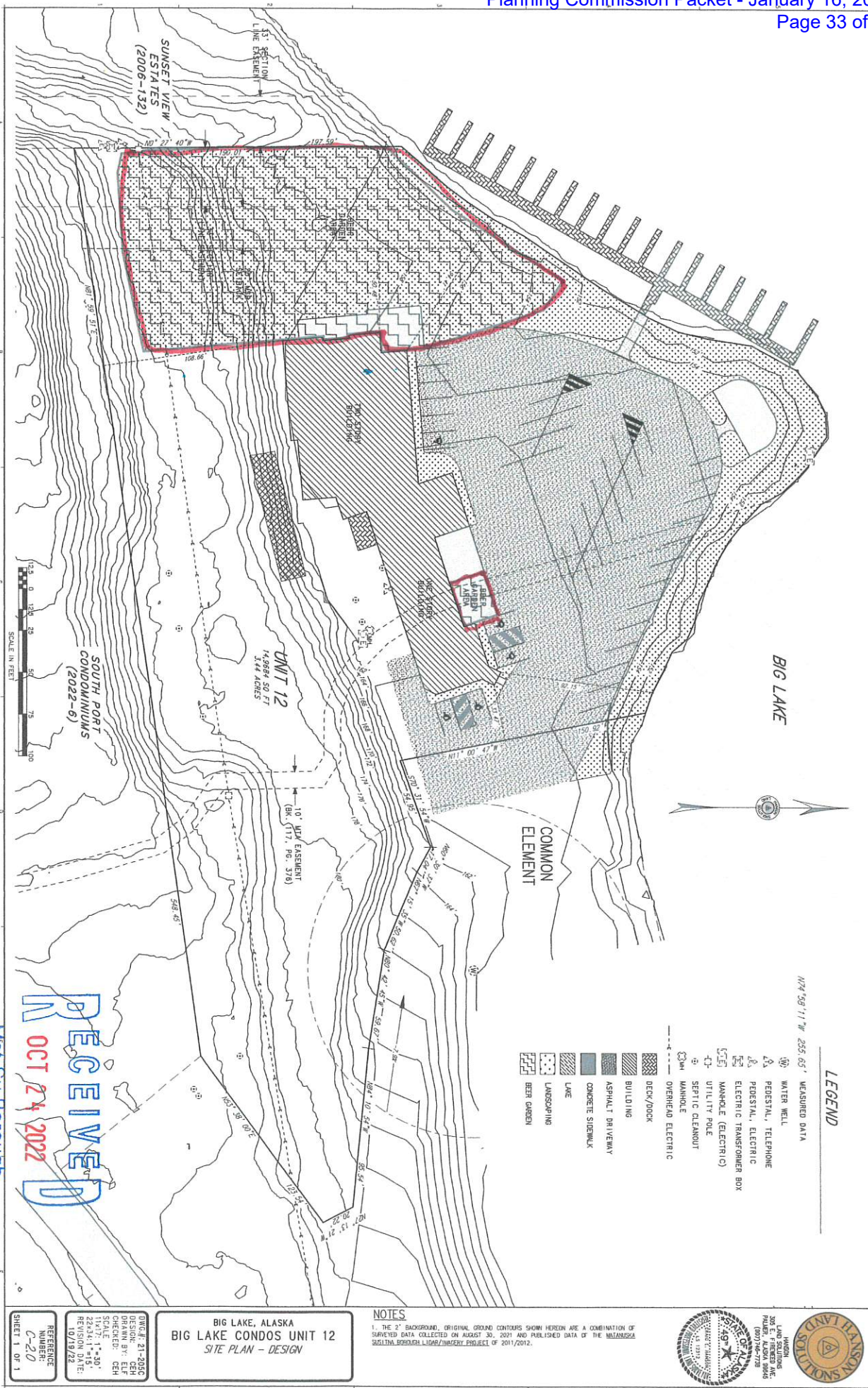
Plan Review # 2021Anch1760 BY: *Steven Josten*

Steven Josten
Plans Examiner

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

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OCT 24 2022
Mat-Su Borough
Development Services

— Outdoor Beer Garden



DWG.#: 21-205C
DESIGNER: CEH
CHECKER: CEH
SCALE: 1"=40'
DATE: 22/01/15
REV: 10/19/22

BIG LAKE, ALASKA
BIG LAKE CONDOS UNIT 12
SITE PLAN - DESIGN

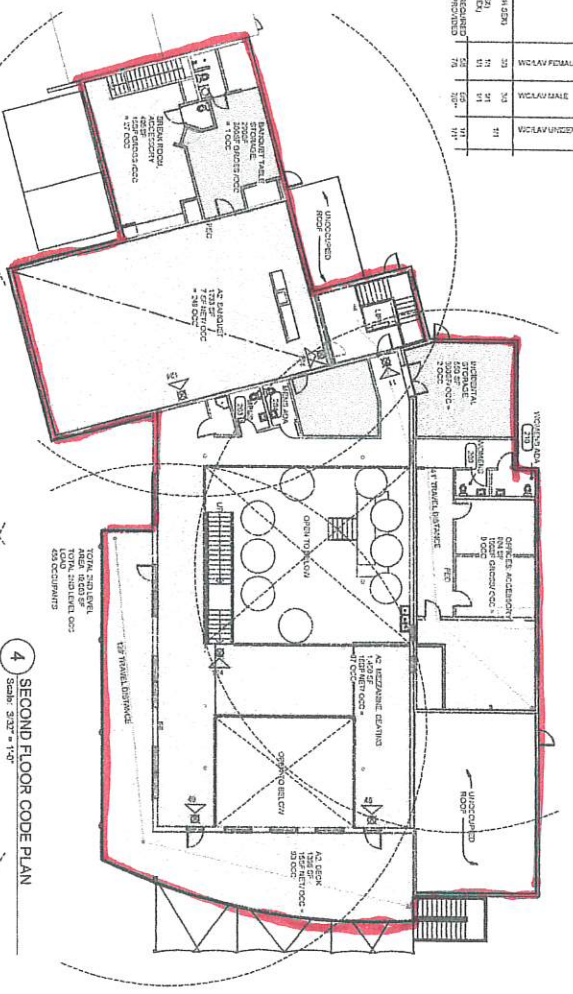
REFERENCE NUMBER: C-20
SHEET 1 OF 1



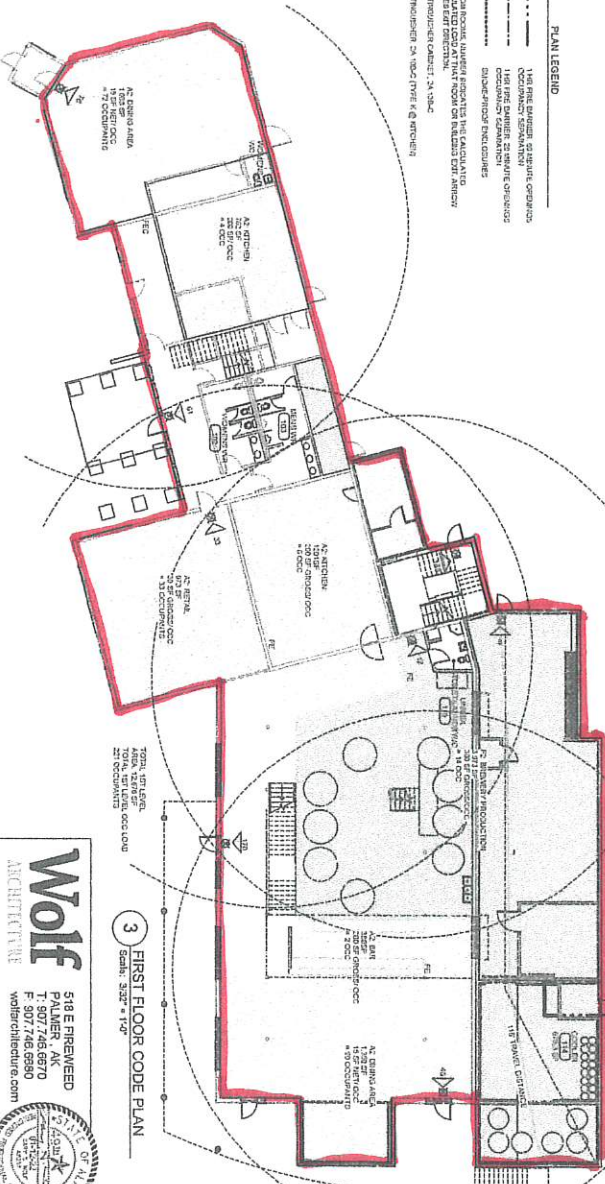
PLUMBING FIXTURE CALCULATIONS

PLUMBING FIXTURES: 1.0000
PLUMBING FIXTURES: 1.0000
PLUMBING FIXTURES: 1.0000

FLOOR	AREA 1ST FLOOR	AREA 2ND FLOOR	OCCUPANT LEAD	WOMEN/MALE	WOMEN/MALE	WOMEN/UNSEX
FLOOR 1	3,444 SF	2,818 SF	311	23	23	23
FLOOR 2	3,444 SF	2,113 SF	311	23	23	23
TOTAL REQUIRED	6,888 SF	4,931 SF	622	46	46	46
PLUMBING FIXTURES	118	78	196	14	14	14



4 SECOND FLOOR CODE PLAN
Scale: 3/8" = 1'-0"



3 FIRST FLOOR CODE PLAN
Scale: 3/8" = 1'-0"

Indoor Liquor Serving area

BUILDING CODE ANALYSIS

CONVERTED CODES: 2018 INTERNATIONAL BUILDING CODE (IBC) AND AMERICAN NATIONAL STANDARD FOR THE DESIGN AND CONSTRUCTION OF STEEL BUILDINGS (AISC 360-16) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018)

SECTION	SECTION CODE	SECTION CODE	SECTION CODE
ALLOWABLE FLOOR AREA	F-2	F-2	F-2
STAIRS	1001	1001	1001
ELEVATORS	1002	1002	1002
MECHANICAL	1003	1003	1003
ELECTRICAL	1004	1004	1004
PLUMBING	1005	1005	1005
MECHANICAL	1006	1006	1006
ELECTRICAL	1007	1007	1007
PLUMBING	1008	1008	1008
MECHANICAL	1009	1009	1009
ELECTRICAL	1010	1010	1010
PLUMBING	1011	1011	1011
MECHANICAL	1012	1012	1012
ELECTRICAL	1013	1013	1013
PLUMBING	1014	1014	1014
MECHANICAL	1015	1015	1015
ELECTRICAL	1016	1016	1016
PLUMBING	1017	1017	1017
MECHANICAL	1018	1018	1018
ELECTRICAL	1019	1019	1019
PLUMBING	1020	1020	1020
MECHANICAL	1021	1021	1021
ELECTRICAL	1022	1022	1022
PLUMBING	1023	1023	1023
MECHANICAL	1024	1024	1024
ELECTRICAL	1025	1025	1025
PLUMBING	1026	1026	1026
MECHANICAL	1027	1027	1027
ELECTRICAL	1028	1028	1028
PLUMBING	1029	1029	1029
MECHANICAL	1030	1030	1030
ELECTRICAL	1031	1031	1031
PLUMBING	1032	1032	1032
MECHANICAL	1033	1033	1033
ELECTRICAL	1034	1034	1034
PLUMBING	1035	1035	1035
MECHANICAL	1036	1036	1036
ELECTRICAL	1037	1037	1037
PLUMBING	1038	1038	1038
MECHANICAL	1039	1039	1039
ELECTRICAL	1040	1040	1040
PLUMBING	1041	1041	1041
MECHANICAL	1042	1042	1042
ELECTRICAL	1043	1043	1043
PLUMBING	1044	1044	1044
MECHANICAL	1045	1045	1045
ELECTRICAL	1046	1046	1046
PLUMBING	1047	1047	1047
MECHANICAL	1048	1048	1048
ELECTRICAL	1049	1049	1049
PLUMBING	1050	1050	1050
MECHANICAL	1051	1051	1051
ELECTRICAL	1052	1052	1052
PLUMBING	1053	1053	1053
MECHANICAL	1054	1054	1054
ELECTRICAL	1055	1055	1055
PLUMBING	1056	1056	1056
MECHANICAL	1057	1057	1057
ELECTRICAL	1058	1058	1058
PLUMBING	1059	1059	1059
MECHANICAL	1060	1060	1060
ELECTRICAL	1061	1061	1061
PLUMBING	1062	1062	1062
MECHANICAL	1063	1063	1063
ELECTRICAL	1064	1064	1064
PLUMBING	1065	1065	1065
MECHANICAL	1066	1066	1066
ELECTRICAL	1067	1067	1067
PLUMBING	1068	1068	1068
MECHANICAL	1069	1069	1069
ELECTRICAL	1070	1070	1070
PLUMBING	1071	1071	1071
MECHANICAL	1072	1072	1072
ELECTRICAL	1073	1073	1073
PLUMBING	1074	1074	1074
MECHANICAL	1075	1075	1075
ELECTRICAL	1076	1076	1076
PLUMBING	1077	1077	1077
MECHANICAL	1078	1078	1078
ELECTRICAL	1079	1079	1079
PLUMBING	1080	1080	1080
MECHANICAL	1081	1081	1081
ELECTRICAL	1082	1082	1082
PLUMBING	1083	1083	1083
MECHANICAL	1084	1084	1084
ELECTRICAL	1085	1085	1085
PLUMBING	1086	1086	1086
MECHANICAL	1087	1087	1087
ELECTRICAL	1088	1088	1088
PLUMBING	1089	1089	1089
MECHANICAL	1090	1090	1090
ELECTRICAL	1091	1091	1091
PLUMBING	1092	1092	1092
MECHANICAL	1093	1093	1093
ELECTRICAL	1094	1094	1094
PLUMBING	1095	1095	1095
MECHANICAL	1096	1096	1096
ELECTRICAL	1097	1097	1097
PLUMBING	1098	1098	1098
MECHANICAL	1099	1099	1099
ELECTRICAL	1100	1100	1100

FIRE STOPPING NOTES

1. ALL FIRE STOPPING SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018)

2. ALL FIRE STOPPING SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018)

3. ALL FIRE STOPPING SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018)

4. ALL FIRE STOPPING SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018)

5. ALL FIRE STOPPING SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 INTERNATIONAL BUILDING CODE (IBC) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018) AND THE 2018 INTERNATIONAL CODE BOOK (ICC 700-2018)

Wolf Architecture

510 E BREWERY
SUITE 200
T. 907.746.6570
F. 907.746.6590
wolfarchitecture.com

Big Lake Brewery
CONSTRUCTION DOCUMENTS
BIG LAKE BREWING COMPANY
512 BREWERY AVE. SE, BIG LAKE, ALASKA 99557

DATE: 10/24/2022
DRAWN BY: JLV
CHECKED BY: JLV
PROJECT: G1.02

Mat-Su Borough
Development Services

OCT 24 2022

**INTRODUCTION FOR PUBLIC HEARING
LEGISLATIVE**

Resolution No. 23-02

**Ordinance Amending MSB 17.30 -
Conditional Use Permit for Earth Materials
Extraction Activities, to allow for an
exemption of 10,000 cubic yards annually
without a permit**

(Pages 35 - 50)

INTRODUCTION FOR PUBLIC HEARING

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 22-238

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.30 CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION ACTIVITIES TO ALLOW FOR AN EXEMPTION OF 10,000 CUBIC YARDS ANNUALLY WITHOUT A PERMIT.

AGENDA OF: November 22, 2022

ASSEMBLY ACTION:

MANAGER RECOMMENDATION: Refer to Planning Commission for 90 days

APPROVED BY MICHAEL BROWN, BOROUGH MANAGER: MB

Route To:	Department/Individual	Initials	Remarks
	Originator - A. Strawn	AS	for Assemblymember Tew
	Planning Director	AS	
	Borough Attorney	NS	
	Borough Clerk	MB	

ATTACHMENT (S): Fiscal Note: YES ___ NO X
 Planning Commission Resolution No. 22-__ (pp)
 Ordinance Serial No. 22-131 (9 pp)

SUMMARY STATEMENT: This ordinance is sponsored by Assemblymember Tew to amend MSB 17.30 Conditional Use Permit for Earth Materials Extraction Activities to allow for an annual extraction of earth material up to 10,000 yards annually without a permit.

Currently, MSB 17.30 regulates earth materials extraction activities. Extraction of 2,000 cubic yards or less annually on any one parcel does not require an administrative or conditional use permit. For extraction activities which do not exceed 2 years or do not exceed an annual volume of 7,000 yards, an administrative permit is allowable. Beyond those limits, a conditional use permit from the Matanuska-Susitna Borough Planning Commission is required to engage in earth materials extraction activities as defined in the code.

The annual exemption limit of 2,000 yards is too low. The intent

of raising the exemption is to allow the citizens and owners of this resource to use and develop the resource without unnecessary regulation and expense. Resource development is one of the primary activities in the State of Alaska and the Matanuska-Susitna Borough should be encouraging development and use of our natural resources. By lowering costs of development, materials prices will be lower which will benefit everyone in our community as we continue to experience the highest population growth rate in Alaska.

This ordinance will raise the annual exemption limit for earth materials extraction to 10,000 cubic yards. Below that amount, no permit will be necessary. Above that amount, a permit from the Matanuska-Susitna Borough Planning Commission is required. There will no longer be a need for an administrative permit process because the current levels of extraction for needing that permit are below 10,000 cubic yards. Therefore, the administrative permitting process for earth materials extraction activities will be deleted from the code.

CODE ORDINANCE

Sponsored by: Assemblymember Tew
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 22-131**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.30, CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION ACTIVITIES, TO ALLOW FOR AN EXEMPTION OF 10,000 CUBIC YARDS ANNUALLY WITHOUT A PERMIT.

WHEREAS, the intent and rationale for this ordinance are found in the accompanying Informational Memorandum No. 22-238.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 17.30.020 is hereby amended to read as follows:

17.30.020 APPLICABILITY.

(A) This chapter applies to all private and public lands in the borough except where the use is prohibited by ordinance within a special land use district. Where a special land use district regulates earth materials extraction as a conditional use, the granting of a conditional use permit shall require compliance with this chapter. Where this chapter is in conflict with the conditional use permit conditions of the special land use district, the more restrictive conditions shall

apply.

(B) This chapter does not apply within the cities of Houston, Palmer, or Wasilla, or the Port MacKenzie Special Use District.

(C) This chapter applies to commercial earth materials extraction activities where the principal activity of use of the property is the extraction of earth materials.

(D) This chapter does not apply when earth material extraction activity is not intended for sale or barter.

(E) Annual extraction of more than [2,000] 10,000 cubic yards of earth materials on property that has not been granted a permit or pre-existing legal nonconforming status as of the date of the enactment of this chapter is required to obtain a conditional use permit [OR ADMINISTRATIVE PERMIT].

(F) [Repealed by Ord. 11-153, § 13, 2011]

(G) Extraction of [2,000] 10,000 cubic yards or less annually on any one parcel does not require [AN ADMINISTRATIVE OR] a conditional use permit. Where a site is exempt under this subsection the exemption is revoked if operations proceed within four feet of the seasonal high water table.

(H) This chapter shall not apply to earth material extraction activities on land owned by the state of Alaska that are in existence as of the date of adoption of the ordinance codified in this chapter except for such operations that extract materials within four feet of the water table. Where a site is exempt under this subsection the exemption is revoked if operations proceed to within four feet of the water table.

Section 3. Amendment of section. MSB 17.30.030 is repealed as follows:

[17.30.030 TYPES OF PERMITS AVAILABLE.

(A) THERE ARE TWO TYPES OF PERMITS AVAILABLE FOR EARTH MATERIALS EXTRACTION:

(1) ADMINISTRATIVE PERMIT - A USE PERMIT APPROVED BY THE DIRECTOR WITH PUBLIC NOTIFICATION MAY BE ISSUED IF THE PROPOSED DEVELOPMENT MEETS THE MINIMUM THRESHOLDS FOR AN ADMINISTRATIVE DECISION.

(2) CONDITIONAL USE PERMIT - A CONDITIONAL USE PERMIT GRANTED BY THE PLANNING COMMISSION AFTER A PUBLIC HEARING, WHEN THE PROPOSED DEVELOPMENT GOES BEYOND THE MINIMUM THRESHOLD FOR AN ADMINISTRATIVE PERMIT.]

Section 4. Amendment of section. MSB 17.30.035 is amended as follows:

17.30.035 APPLICATION PROCEDURES.

(A) For all permits required under this chapter, the following shall be submitted to the department:

(1) a completed application form provided by the department;

(2) a site development plan in accordance with MSB 17.28.050 and 17.28.060;

(3) the fee in the amount designated in MSB 17.99; and

(4) reclamation plan in accordance with MSB 17.28.063.

(B) The director may reject any application which is incomplete or fails to meet the requirements of this section. The rejection shall be in writing and shall state the deficient items. Once the deficiencies have been corrected, the complete application will be processed.

[(C) IF THE MINIMUM CRITERIA FOR AN ADMINISTRATIVE PERMIT CAN BE MET, THE DIRECTOR WILL NOTIFY SURROUNDING PROPERTY OWNERS IN ACCORDANCE WITH MSB 17.03, PUBLIC NOTIFICATION, EXCEPT THAT THE NOTIFICATION AREA WILL BE ONE-HALF MILE. WITHIN 30 DAYS OF ACCEPTANCE OF THE APPLICATION, THE ADMINISTRATIVE PERMIT WILL BE ISSUED

WITH CONDITIONS TO ADDRESS CONCERNS RAISED BY NEIGHBORING PROPERTY OWNERS, AND AS DEEMED APPROPRIATE BY THE DIRECTOR, TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.]

(D) [Repealed by Ord. 11-153, § 15, 2011]

(E) [IF THE PROPOSED DEVELOPMENT EXCEEDS THE MINIMUM CRITERIA FOR AN ADMINISTRATIVE PERMIT, A] A public hearing before the planning commission shall be conducted within 45 calendar days of the acceptance of a complete application in accordance with MSB 17.03, public notification, except that the notification area will be one-half mile. The applicant may waive the 45-day limit.

(F) The planning commission shall hear any interested parties and shall render a decision on the application for a conditional use permit within 30 calendar days from the date of public hearing, unless the applicant agrees to a time extension. In the granting of a conditional use permit, the planning commission shall state in writing the conditions of approval of the permit.

Section 5. Amendment of section. MSB 17.30.040 is repealed as follows:

[17.30.040 CRITERIA TO QUALIFY FOR AN ADMINISTRATIVE PERMIT.

(A) TO QUALIFY FOR AN ADMINISTRATIVE PERMIT, ALL OF THE FOLLOWING CRITERIA MUST BE MET:

(1) [REPEALED BY ORD. 16-102, § 11, 2016]

(2) EXTRACTION ACTIVITIES SUBJECT TO THE PERMIT SHALL NOT EXCEED:

(A) TWENTY-FOUR MONTHS. A ONE-TIME EXTENSION OF SIX MONTHS MAY BE GRANTED ADMINISTRATIVELY UPON WRITTEN REQUEST FROM THE APPLICANT; PROVIDED, THAT ALL CONDITIONS OF THE PERMIT HAVE BEEN MET; OR

(B) ANNUAL VOLUME OF 7,000 CUBIC YARDS (ONE CUBIC YARD EQUALS ONE AND ONE-HALF TONS) OR LESS; AND

(3) ANY PROPOSED BATCH PLANT USE SHALL NOT EXCEED 24 MONTHS.

(B) THE DIRECTOR MAY ALSO SET BASIC CONDITIONS OF APPROVAL FOR ISSUANCE OF THE ADMINISTRATIVE PERMIT, AS APPROPRIATE FOR THE AREA IN WHICH THE DEVELOPMENT IS SITED, FOR THE FOLLOWING:

(1) SETBACKS (NO LESS THAN MINIMUM SETBACK REQUIREMENTS AS ESTABLISHED IN MSB 17.55; HOWEVER, MAY BE INCREASED AS APPROPRIATE FOR EXISTING SURROUNDING DEVELOPMENT);

(2) VISUAL SCREENING, NOISE MITIGATION, LIGHTING RESTRICTIONS AND ROADS/ACCESS RESTRICTIONS AS APPROPRIATE FOR SURROUNDING DEVELOPMENT AND IN ACCORDANCE WITH DEVELOPMENT STANDARDS REFERENCED IN MSB 17.28.060, SITE DEVELOPMENT STANDARDS; AND

(3) ROAD MAINTENANCE MAY BE REQUIRED BY PERMITTEE.]

Section 6. Amendment of section. MSB 17.30.060 is amended as follows:

17.30.060 GENERAL STANDARDS FOR APPROVAL.

(A) In granting [AN ADMINISTRATIVE PERMIT OR] a conditional use permit, the [DIRECTOR OR] commission must make the following findings:

(1) that the use is not inconsistent with the applicable comprehensive plan;

(2) that the use will preserve the value, spirit, character, and integrity of the surrounding area;

(3) that the applicant has met all other requirements of this chapter pertaining to the use in question;

(4) that granting the permit will not be harmful to the public health, safety and general

welfare; and

(5) that the sufficient setbacks, lot area, buffers or other safeguards are being provided to meet the conditions listed in MSB 17.30.050(B).

Section 7. Amendment of section. MSB 17.30.150 is amended as follows:

17.30.150 APPEAL PROCEDURES.

(A) The provisions of MSB 15.39 govern appeals from a decision of the planning commission granting, denying, modifying, or revoking a conditional use permit under this chapter. [THE PROVISIONS OF MSB 15.39 GOVERN AN APPEAL OF A PLANNING DEPARTMENT ENFORCEMENT ACTION OR DECISION.]

Section 8. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2022.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

By:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 23-02**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.30 CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION ACTIVITIES TO ALLOW FOR AN EXEMPTION OF 10,000 CUBIC YARDS ANNUALLY WITHOUT A PERMIT.

WHEREAS, MSB 17.30 regulates earth materials extraction activities within the Borough; and

WHEREAS, currently, extraction of 2,000 cubic yards or less annually on any one parcel does not require an administrative or conditional use permit; and

WHEREAS, the annual exemption limit of 2,000 cubic yards is too low; and

WHEREAS, raising the exemption limit will allow citizens and owners of gravel resources to use and develop the resource without unnecessary regulation and expense; and

WHEREAS, resource development is one of the primary activities in the State of Alaska and the Matanuska-Susitna Borough should be encouraging development and use of our natural resources; and

WHEREAS, by lowering costs of development, materials prices will be lower which will benefit everyone in our community as we continue to experience the highest population growth rate in Alaska.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Assembly Ordinance 22-131.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this -- day of --, 2023.

, Chair

ATTEST

KAROL RIESE, Planning Clerk

(SEAL)

YES:

NO:

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COMMISSION BUSINESS

COMMISSION BUSINESS

Susitna Basin Recreation Rivers Advisory Board



The Advisory Board is a statutory requirement of the Susitna Basin Recreation Rivers legislation.

AS 41.23.430 Advisory Board.

(a) A thirteen-member Recreation Rivers Advisory Board is established. Board members serve without compensation and are not entitled to per diem and travel expenses authorized by law for boards and commissions under AS 39.20.180. The governor shall appoint members representing:

- (1) commercial fishing;
- (2) sport fishing;
- (3) sport hunting;
- (4) conservation;
- (5) subsistence
- (6) forest products;
- (7) mining;
- (8) powerboat users;
- (9) recreationally-oriented commercial users;
- (10) other recreational users;
- (11) private property owners within the recreation river corridors;
- (12) the Matanuska-Susitna Borough Planning Commission from the membership of the planning commission; and
- (13) the mayor of the Matanuska-Susitna Borough or the designee of the mayor.

(b) The commissioner shall consult with the advisory board in preparing, adopting, and revising the recreation river management plan and regulations affecting use and management of the recreation rivers.

Current Board Members

MEMBER	USER GROUP	TERM EXPIRES
Donald Redick Email: don.redick.ak@gmail.com	Commercial Fishing	7/1/2024
Bruce Knowles	Sport Fishing	7/1/2024
Mike DeMaria Email: blue.ridge.drilling@gmail.com	Sport Hunting	7/1/2024
Emma Pokon Email: epokon@gmail.com	Conservation	7/1/2023
Nancy Conklin Email: blackfox1@juno.com	Subsistence	7/1/2025
Tim Dabney Email: timothyadabney@gmail.com	Forest Products	7/1/2025
Aaron Benjamin	Mining	7/1/2025
Israel Mahay Email: izzymahay@gmail.com	Powerboat Users	7/1/2023
<i>Vacant</i>	Recreationally Oriented Commercial Users	
Joseph Wright Email: stkagn@mtaonline.net	Other Recreational Users	7/1/2023
Mike Overcast Email: mikeovercast@me.com	Private Property Owners within the Recreation River Corridor	7/1/2024
Stafford Glashan	Matanuska-Susitna Borough Planning Commission Representative	N/A
Stephanie Nowers Email: stephanienowersdistrict2@gmail.com	Matanuska-Susitna Borough Designee of the Mayor	N/A

Meeting Information

Regular Meetings, Fourth Wednesday of the month, November 2022 through March 2023. The Board will meet virtually using Microsoft Teams on these dates:

- 10:00am-12:00pm on November 23, 2022
- 10:00am-12:00pm on December 28, 2022
- 10:00am-12:00pm on January 25, 2023
- 10:00am-12:00pm on February 22, 2023
- 10:00am-12:00pm on March 22, 2023

From: [Burridge, Shelby D \(DNR\)](#)
To: [Karol Riese](#)
Cc: [Alvarez, Monica M \(DNR\)](#); [Earl, Rob E \(DNR\)](#)
Subject: RE: Susitna Basin Recreation Rivers Advisory Board Meetings (November-March)
Date: Thursday, December 22, 2022 2:36:08 PM
Attachments: [image001.png](#)

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

Hi Karol,

I think a great starting place would be to check out the Advisory Board's webpage. There is a section at the bottom that contains some documents that I think might be helpful on what the roles of an Advisory Board member are. In particular, I'd review the Advisory Board Bylaws and the Roles & Responsibilities documents. The webpage also contains recordings of the past meetings, meeting minutes and meeting agendas.

The Advisory Board Webpage can be found here: <https://dnr.alaska.gov/mlw/susitna-advisory-board/>

We also have a webpage dedicated to the revision of the plan outside of what the Board is doing. This page has updates on where we are in the planning process as well as other resources that may be useful such as newsletters and a link to the original 1991 plan. The revision page can be found here: <https://dnr.alaska.gov/mlw/planning/mgtplans/susitna-revision/>

As far as the process for becoming a board member goes, even though there is a seat designated for the Matanuska-Susitna Borough Planning Commission, the person you appoint still has to submit an application to Boards and Commissions and receive approval from the Governor. A link to the application can be found here: <http://www.boards.alaska.gov/apply>

If you have any more questions, feel free to give me a call and we can chat.

Happy Holidays!

Shelby Burridge

Natural Resource Specialist III
Alaska Department of Natural Resources
Resource Assessment & Development Section
Phone: (907) 269-8593



From: Karol Riese <Karol.Riese@matsugov.us>
Sent: Thursday, December 22, 2022 11:45 AM
To: Burridge, Shelby D (DNR) <shelby.burridge@alaska.gov>
Subject: RE: Susitna Basin Recreation Rivers Advisory Board Meetings (November-March)

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

Good Morning,

I am the clerk for the Matanuska-Susitna Borough Planning Commission. I am working on finding a replacement for the MSB Commission seat on the Susitna Basin Recreation Rivers Advisory Board and would like to provide the commissioners with an understanding of what this seat means and how they are to become part of the board once the MSB Planning Commission has appointed someone. Please reach out to me with the information. I have placed this vacancy on the Planning Commissions January 16th agenda.

Thank you,

Karol L. Riese

Department Administrative Specialist

Planning Commission Clerk

Planning and Land Use Department

Matanuska-Susitna Borough

907-861-7851 Office

Msb.Planning.commission@matsugov.us

[Matanuska-Susitna Borough - Planning Commission \(matsugov.us\)](http://Matanuska-Susitna Borough - Planning Commission (matsugov.us))

From: Burridge, Shelby D (DNR) <shelby.burridge@alaska.gov>

Sent: Monday, October 31, 2022 10:01 AM

To: DNR DMLW Recreation Rivers (DNR sponsored) <recreationrivers@alaska.gov>

Subject: Susitna Basin Recreation Rivers Advisory Board Meetings (November-March)

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

The Susitna Basin Recreation Rivers Advisory Board will hold a reoccurring meeting on the fourth Wednesday of the month through March. The Board will meet virtually using Microsoft Teams on these dates:

- 10:00am-12:00pm on November 23, 2022
- 10:00am-12:00pm on December 28, 2022
- 10:00am-12:00pm on January 25, 2023
- 10:00am-12:00pm on February 22, 2023
- 10:00am-12:00pm on March 22, 2023

Please see the online Public Notice or the Advisory Board webpage for a link to join the meetings. The link to join will be the same for all of the meetings. Meeting agendas will be posted at both locations when they become available.

Advisory Board: <https://dnr.alaska.gov/mlw/susitna-advisory-board/>

Online Public Notice: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=208651>

Thank you,

Shelby Burrige

Natural Resource Specialist III
Alaska Department of Natural Resources
Resource Assessment & Development Section
Phone: (907) 269-8593

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645


Phone (907) 861-7822

www.matsugov.us

MEMORANDUM

DATE: January 5, 2023

TO: Planning Commissioners

FROM: Alex Strawn, Planning and Land Use Director 

SUBJECT: Tentative Future PC Items

Upcoming PC Actions

Quasi-Judicial

- Talkeetna Connection – Marijuana Retail Facility; 24N04W29D002 (Staff: Peggy Horton)
- Dime Bag – Marijuana Retail Facility; 6298B01L002 (Staff: Peggy Horton)
- Green Go, LLC – Marijuana Cultivation Facility; 17N01W11A020 (Staff: Rick Benedict)
- The Aardvark – Alcoholic Beverage Dispensary; 1454000L001 (Staff: Peggy Horton)
- Durham School Services – Core Area CUP; 7954000L002 & 8913000L009A (Staff: Peggy Horton)
- Smoke Out Point – Marijuana Retail Facility; 2209B02L001A (Staff: Peggy Horton)
- Harmon Schrock – Earth Materials Extraction; 18N01W15B010 (Staff: Peggy Horton)
- Jewels Acres – Earth Materials Extraction; 6469B02L006 (Staff: Peggy Horton)
- Debach Auto Salvage – Junk Yard; 17N02W22A009 & A010 (Staff: Peggy Horton)
- MSB Mile 56 Glenn Highway – Earth Materials Extraction; 18N02E01A005 (Staff: Peggy Horton)
- Fairview Inn – Alcoholic Beverage Dispensary; 7000B12L0020-1 (Staff: Peggy Horton)
- Luiten on Big Lake – Variance; 6285000T001A (Staff: Peggy Horton)

Legislative

- Historic Preservation Plan (HPP) (Staff: Gerrit Vebeek)
- Municipal Separate Storm Sewer System (MS4) (Staff: Rick Antonio)
- Bike and Pedestrian Plan (Staff: Kelsey Anderson)
- MSB Borough-Wide Comprehensive Plan (Staff: Kelsey Anderson)
- Glacier View Comprehensive Plan Update (Staff: Leda Borys)
- Coordinated Human Services Transportation Plan (Staff: Kim Sollien)
- Metropolitan Planning Organization (MPO) Formation (Staff: Kim Sollien)
- Corridor Studies (Staff: Kim Sollien/Adam Bradway)
- Long-Range Transportation Plan Scoring Criteria and Project List Update (Staff: Adam Bradway)
- Public Transit Plan (Staff: Kim Sollien and Maija DiSalvo)
- Facilities Plan (Staff: Gerrit Verbeek)

Items Before the Assembly

- Resolution 22-36 Resolution 22-103/IM 22-221 A Resolution adopting the 2022 Capital Improvement Program.
ACTION: Adopted with no objections
- Resolution 22-37 Ordinance 22-136/IM 22-243 An Ordinance amending MSB 17.60 – conditional uses, to add hours of operation for marijuana retail facilities and adding additional standard for retail facilities that allow on-site consumption of marijuana.
ACTION: Postponed Indefinitely
- Resolution 22-38 Ordinance 22-137/IM 22-245 An Ordinance amending MSB 17.60 – conditional uses, to change the applicability and standard for marijuana cultivation facilities.
ACTION: Failed with Assemblyperson Hale and Sumner In Support
- Resolution 22-20 Ordinance 22-078/IM 22-139 An Ordinance adopting MSB 15.24.030, Beverly Lake, Lake Management Plan; and amending MSB 17.59, Lake Management Plan Implementation.
ACTION: Reconsideration Passed With Assemblypersons Hale and McKee Opposed; Main Motion Passed with Assemblyperson McKee Opposed.

Referred

- Resolution 23-03 A Resolution of the Matanuska-Susitna Borough Planning Commission recommending assembly approval of amending MSB 17.55 – setbacks and screening easements; and MSB 17.80 – nonconforming structures, to allow buildings to be built within 75-feet of a waterbody. (OR 22-078/IM 22-139) - referred to the MSB Fish and Wildlife Commission