

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on June 17, 2024, 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 Koan.

**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  
Ms. C. J. Koan, Assembly District #3  
Mr. Andrew Shane, Assembly District #4\*  
Ms. Linn McCabe, Assembly District #5

Planning Commission members absent and excused were:

Mr. Wilfred Fernandez, Assembly District #6  
Mr. Curt Scoggin, Assembly District #7

Staff in attendance:

Mr. Rick Benedict, Current Planner  
Mr. Alex Strawn, Planning and Land Use Director  
Ms. Shannon Bodolay, Assistant Attorney  
Ms. Corinne Lindfors, Development Services Division Administrative Specialist

\*Indicates that the individual attended telephonically.

**II. APPROVAL OF AGENDA**

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

GENERAL CONSENT: The agenda was approved without objection.

**III. PLEDGE OF ALLEGIANCE**

Commissioner McCabe led the pledge of allegiance.

**IV. CONSENT AGENDA**

- A. Minutes Regular Meeting Minutes: June 3, 2024  
Special Meeting Minutes: June 3, 2024
- B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
- C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

**Resolution 24-14** A resolution of the Matanuska-Susitna Borough Planning Commission recommending that the Assembly reactivate the South Lakes Community Council. Public Hearing: July 15, 2024; (Staff: Julie Spackman, Long Range Planner)

GENERAL CONSENT: The consent agenda was approved without objection.

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

**VI. AGENCY/STAFF REPORTS** - *(There were no Agency/Staff Reports.)*

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

**VIII. AUDIENCE PARTICIPATION (Three minutes per person.)**

Karen Crandall spoke regarding a marijuana business coming to the Big Lake area.

Shannon Bodolay, Assistant Borough Attorney, commented on CUP Procedures.

Suzanna Biederman spoke regarding the South Lakes Community Council.

**IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS**

**Resolution 24-08** A Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses for the Operation of a Marijuana Retail Facility. The proposed operation is at 4200 E. Snider Drive, Tax ID# 5274B03L007A. (Applicant: Justin Benson, on behalf of Shoreline Cannabis; Staff: Rick Benedict, Current Planner)

Chair Koan read the resolution title into the record and the ex-parte memo asking questions of the Planning Commissioners.

Mr. Rick Benedict presented the staff report.

Commissioners questioned staff regarding the Knik Charter School location.

Chair Koan requested a motion to postpone until the next meeting for staff to gather information.

**MOTION:** Commissioner Glenn moved to postpone Planning Commission Resolution 24-08 until the next scheduled Planning Commission Meeting on July 15, 2024. Commissioner McCabe seconded the motion.

Discussion ensued.

**VOTE:** The main motion passed without objection.

Commissioner Andrew Shane joined the meeting via the call-in line.

**Resolution 24-09** A Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses for the Operation of a Marijuana Retail Facility. The proposed operation is at 10600 E. Max Drive Tax ID# 2209B02L001A. (Applicant: Anthony Wells, on behalf of Smoke Out Point; Staff: Rick Benedict, Current Planner)

Chair Koan read the resolution title into the record and the ex-parte memo asking questions of the Planning Commissioners.

Mr. Rick Benedict presented the staff report.

Chair Koan invited the applicant to speak.

Ms. Jana Weltzin, attorney for the applicant, addressed the Planning Commission on behalf of her client.

Chair Koan opened the public hearing.

The following persons spoke regarding Planning Commission Resolution 24-09:  
Myron Rosenberg \*telephonic participation

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

Chair Koan invited the applicant to respond. Ms. Weltzin addressed concerns.

**MOTION:** Commissioner Glenn moved to approve Planning Commission Resolution 24-09. Commissioner Allen seconded the motion.

Discussion ensued.

**VOTE:** The main motion passed without objection.

**Resolution 24-11** A Conditional Use Permit in accordance with MSB 17.60 - Conditional Uses, for the operation of a Marijuana Retail Facility. The facility is moving from 1204 North Hyer Road to 6199 East Mountain Heather Way. The new location is on Tax ID # 6932000L002. (Applicant: Teresa Zell; on behalf of Higher By Bad Gramm3r; Staff: Peggy Horton, Current Planner)

Chair Koan read the resolution title into the record and the ex-parte memo asking questions of the Planning Commissioners.

Mr. Rick Benedict presented the staff report.

Commissioners question staff regarding the location.

Chair Koan invited the applicant to speak.

Ms. Jana Weltzin, attorney for the applicant, Terry Zell, addressed the Planning Commission on behalf of the applicant.

Commissioners inquired of the applicant.

Chair Koan opened the public hearing.

The following persons spoke regarding Planning Commission Resolution 24-11:  
Suzanna Biederman

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

Chair Koan invited Staff to respond.

Mr. Benedict addressed Ms. Biederman's concerns.

Commissioners question staff.

Commissioner Koan invited the applicant to respond.

Discussion ensued.

Chair Koan sought clarification on Ordinance 17.60.170 from Shannon Bodolay, MSB Assistant Attorney.

Discussion ensued.

**MOTION:** Commissioner Glenn moved to approve Planning Commission Resolution 24-11. Commissioner Allen seconded the motion.

Discussion ensued.

**VOTE:** Main motion passed 4-1 with Commissioner Koan in opposition.

## **X. PUBLIC HEARING LEGISLATIVE MATTERS**

**Resolution 24-13** A Resolution of the Matanuska-Susitna Borough Planning Commission recommending repeal of MSB 17.48 Mobile Home Park Ordinance in its entirety; (Staff: Alex Strawn, Planning and Land Use Director)

Chair Koan read the resolution title into the record.

Director Strawn provided a staff report.

Commissioners questioned staff regarding Resolution 24-13.

Chair Koan asked for objections. Commissioner Allen objected.

**VOTE:** Resolution 24-13 failed by the following vote:  
No: Commissioner Allen, Commissioner Koan, Commissioner McCabe,  
Commissioner Glenn, & Commissioner Shane.

Director Strawn commented on procedure options for a failed resolutions.

Discussion ensued.

*The meeting recessed at 7:40 p.m. and resumed at 8:00 p.m.*

Chair Koan called the meeting back to order at 8:00 p.m. A quorum was confirmed.

Director Strawn stated that a procedural error occurred. The commission failed to hold a public hearing. As a remedy to the error, Director Strawn proposed a motion to reconsider.

**XI. MOTION TO RECONSIDER RESOLUTION 24-13**

**MOTION:** Commissioner Glenn moved to Reconsider Resolution 24-13 and have a public hearing. Commissioner McCabe seconded the motion.

**VOTE:** Motion to Reconsider passed unanimously.

Chair Koan opened the public hearing for Resolution 24-13.

The following persons spoke regarding Planning Commission Resolution 24-13:  
Myron Rosenberg \*Telephonic participation

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

**MOTION:** Commissioner McCabe moved to approve Planning Commission Resolution 24-13. Commissioner Shane seconded the motion.

Director Strawn informed the commission of modifications made to 24-13 that he worked on with Commissioner Allen during the recess.

Director Strawn read aloud the changes made to Resolution 24-13.

**Title:** A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING FAILURE OF AN ORDINANCE REPEALING MSB 17.48 MOBILE HOME PARK ORDINANCE IN ITS ENTIRETY.

Commissioner McCabe raised a Point of Order to inquire as to the need to explain events leading up to the amendment.

Director Strawn clarified that everything was still a matter of record. The matter is being reconsidered.

Director Strawn read the changes to Resolution 24-13 aloud.

The first original WHEREAS is stricken and replaced with the following language: WHEREAS, the commission opposes the loss of public notice and the ability for a public hearing in front of the planning commission that is included with the mobile home park ordinance.

The next WHEREAS is stricken in its entirety and is replaced with the following verbiage. WHEREAS, mobile home parks present unique risk to public safety based on the risk factors associated with fire entrapment and higher crime.

The third WHEREAS is completely stricken.

The paragraph that begins with NOW, THEREFORE, BE IT RESOLVED, the word approval is replaced with failure, and it reads as follows: NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends failure of Assembly Ordinance 24-053.

Then, BE IT FURTHER RESOLVED is stricken and replaced with the following: BE IT FURTHER RESOLVED, that the commission recommends the assembly direct staff to require a public hearing for multifamily developments and to incorporate within MSB 17.48 into the multifamily code.

Chair Koan asked the commissioners for comments.

Discussion ensued.

Director Strawn stated a motion to amend should be made incorporating all of these changes into it, and then open it up for discussion and vote.

Chair Koan invited a motion to make the amendment.

**MOTION:** Commissioner Allen made a motion to make the amendment presented by Mr. Strawn. Commissioner Glenn seconded the motion.

Discussion ensued seeking clarification from Director Strawn and possible language changes.

Director Strawn responded and clarified the language.

Discussion continued as the commissioners considered requiring a study by staff to be added to the resolution.

Director Strawn drafted a secondary amendment.

Discussion continued as Commissioners discussed language and procedure.

Chair Koan clarified language from the previous motion and read it aloud.

MOTION for Secondary Amendment: Commissioner Koan made a motion to amend the amendment, a secondary amendment. BE IT FURTHER RESOLVED that the commission recommends that the assembly direct staff to produce an ordinance that combines and streamlines MSB 17.73 and MSB 17.48 making mobile home parks a chapter within MSB 17.73 that requires a public hearing before the Planning Commission. Commissioner Glenn seconded the motion.

VOTE: Secondary amendment passed unanimously.

Chair Koan inquired as to the procedure and proposed an additional amendment.

Discussion ensued:

Director Strawn clarified the procedure and Chair Koan withdrew the potential amendment.

VOTE: The primary amendment passed unanimously.

Director Strawn clarified the procedure that the commission still needed to vote on the main motion as amended.

VOTE: The main motion for Resolution 24-13 passed without objection.

**XII. CORRESPONDENCE AND INFORMATION**  
*(There was no correspondence and information.)*

**XIII. UNFINISHED BUSINESS -** *(There was no unfinished business.)*

**XIV. NEW BUSINESS**

**XV. COMMISSION BUSINESS**

A. Upcoming Planning Commission Agenda Items *(Staff: Alex Strawn)*  
*(Commission business was presented, and no comments were noted.)*

**XVI. DIRECTOR AND COMMISSIONER COMMENTS**

Director Strawn reminded commissioners on Quasi-Judicial procedure and commented on the work and challenges with tonight's meeting.

Commissioner Allen felt it was a very productive meeting. This is what the public expects from us. I think that we did a good job today.

Commissioner Glenn seconded Commissioner Allen's comments. We did a good job putting pressure on people looking for permits and got some good information from them. Appreciate all of you and everyone who shows up for these meetings.

Commissioner McCabe stated her thanks for everything staff does to prepare for these meetings. I appreciate all the comments, and listening to all of the back and forth on the trailer park really helped me cement in my mind what my perspective should be. Thank you.

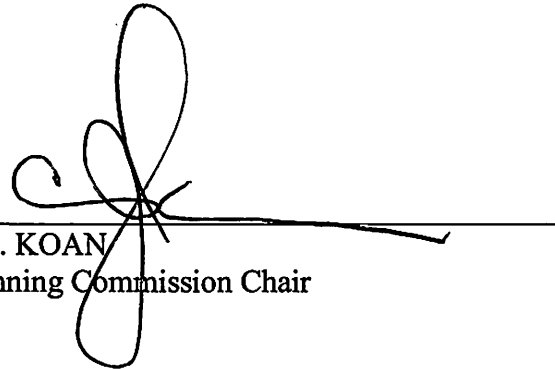
Commissioner Shane stated a quick thank you to our clerk, Corinne, for helping. I apologize for the last-minute changes in my ability to be there in person. Thank you to everyone who was present today and helped us get through all of it.

Commissioner Koan thanked staff for the Open Meetings Act training and Robert's Rules training. It was a good training. Thank you to legal for all of their assistance. I don't like for us to feel like we are a stamp of approval when things come through. I felt like this was one of the better meetings even though it was a challenge. Thank you to all.

**XVII. ADJOURNMENT**

**MOTION:** Commissioner McCabe moved to adjourn. Commissioner Glen seconded the motion. There were no objections.

The regular meeting adjourned at 8:35 p.m.



C. J. KOAN  
Planning Commission Chair

ATTEST:

  
for Corinne Lindfors, Planning Commission Clerk

Minutes approved: 8/5/24