



MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board

DATE: November 23, 2016

FROM: Cynthia Franklin
Director, ABC Board

RE: 907 Club #1034

This is an application for a transfer of ownership, location and a DBA change for a beverage dispensary license in the Matanuska-Susitna Borough.

The Mat-Su Borough (MSB) has maintained its protest because their Conditional Use Permit process is ongoing. The Department of Environmental Conservation objects to the transfer because the facility does not yet have a food service permit. Details are as follows:

Date Notification sent to MSB:	September 2, 2016
Date Protest received:	September 16, 2016
Basis for Protest:	Conditional Use Permit not yet issued. Hearing scheduled for November 7, 2016.
3 AAC 304.145(d) met?	Yes, notification for opportunity for hearing before Matanuska-Susitna Borough Planning Director sent to applicant on September 16, 2016
Update from MSB	Hearing held November 7, 2016. MSB approved Conditional Use Permit but their approval may be appealed. MSB will not lift protest until final decision on Conditional Use Permit is determined.
Recommendation:	Table matter to next ABC board meeting date after MSB's appeal process is over and a final decision has been reached.

From: [Mark Whisenhunt](#)
To: [AMCO Local Government Only \(CED sponsored\)](#)
Subject: Notice of Conditional Use Permit: 907 Club
Date: Thursday, November 10, 2016 1:37:00 PM
Attachments: [Permit 177020160002 & PC Reso 16-37.pdf](#)

Good Afternoon,

On November 7, 2016 the Borough Planning Commission approved the Conditional Use Permit for the operation of an alcoholic beverage dispensary (bar) at the 907 Club located at 2541 South Rosalie Court. The Commission based this decision set forth in Planning Commission Resolution No. 16-37. A copy of this resolution is attached to the conditional use permit.

Please be advised that in accordance with MSB 15.39 – Board of Adjustment and Appeals, an appeal may be filed within 21 days from the date on which the written decision was issued. Appeals are filed with the Borough Clerk's office.

The Borough will address its protest after the appeal period has ended. Should you have any questions or require additional information please let me know. Thank you.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
Fax: (907) 861-7876
mark.whisenhunt@matsugov.us



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7833 • Fax (907) 861-7876
Email: planning@matsugov.us

REGULATION OF ALCOHOLIC BEVERAGE USES CONDITIONAL USE PERMIT

PERMIT#: 177020160002

ACTION: In accordance with Matanuska-Susitna Borough Code 17.70, a Conditional Use Permit to operate an alcoholic beverage dispensary (bar) to be known as 907 Club is hereby granted as referenced within this document.

EFFECTIVE DATES: November 7, 2016

PERMITTED SITE: 2541 South Rosalie Court (MSB Tax ID# 5428000T00A)

**PERMITTEE &
PROPERTY OWNER:** Robert Mark Button, (dba: RMB, LLC;
Nine Oh Seven, Corporation; 907 Club)
PO Box 521115
Big Lake, AK 99652

General Requirements and Conditions:

All development and use of the permitted site shall occur as described in the approved application and site plan 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 for earth material extraction activities:

1. The owner and/or operator shall comply with all other 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; and an amendment to the Conditional Use Permit shall be required prior to any alteration or expansion of the conditional use.
3. The Matanuska-Susitna Borough driveway permit for access to 2541 S. Rosalie Court shall be finalized prior to operating the conditional use.

4. The applicant shall install indoor sound dampening panels in the bar structure, as detailed in the application. Proof of installation of the sound damping panels shall be provided to the Borough prior to operating.
5. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sound and Vibration.
6. Patrons shall enter and exit the enclosed smoking room through the bar only.
7. All parking for the conditional use shall be on-site.
8. There shall be no outdoor amplified sound or entertainment of any kind.
9. Access related to this conditional use shall be made onto South Rosalie Court only. There shall be no access to Rocky Lake Dr. from Marjorie's Manor Tract A.
10. Signage and lighting shall be:
 - a. Non-glare, 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. Lights in the parking lot and signage must be mounted no more than 20 feet above ground.
 - c. Flashing lights are prohibited, with the exception of seasonal holiday lights used during the period directly associated with the holiday.
11. An earthen berm, at least eight feet in height, shall be constructed and maintained adjacent to the north and west sides of the parking lot. The berm shall be vegetated with a wild grass mix to prevent soil erosion. Atop the berm shall be a row of trees, planted approximately eight feet apart and shall be four to six feet in height at the time of planting. As suggested by the applicant the trees shall alternate between deciduous and conifer atop the berm. All vegetation including that shown on the site plan dated July 15, 2016, shall be planted by August 1, 2017.
12. Due to the proximity of the utility easement from the vegetated berm, the applicant shall obtain and provide to the Borough, non-objection letters from all applicable utility companies prior to operating.
13. A wooden fence, at least eight feet in height, shall be constructed and maintained in good repair along the northeast property line as shown on the site plan dated July 15, 2016.
14. In the case where one or more utility company objects to the earthen berm, a wooden fence at least eight feet in height shall be constructed and maintained adjacent to the north and west sides of the parking lot. This fence shall connect to the wooden fence referenced in condition #13.

15. Prior to operating, the applicant shall submit an updated site plan, showing the location of the eight foot tall earthen berm identified in condition #11 or the fence identified in condition #14.
16. Hours of operation shall not exceed: 6:00 a.m. – 10:00 p.m., Sunday through Thursday; and 6:00 a.m. – 12:00 a.m., Friday and Saturday.
17. The operation shall provide parking lot security daily, starting at 10 p.m. until the premises are vacated. Security shall ensure patrons are not loitering or violating the Borough's noise ordinance.

This permit is approved by Matanuska-Susitna Borough Planning Commission Resolution #16-37, passed on November 7, 2016. The decision may be appealed within 21 days of the date of approval by the Planning Commission in accordance with MSB 15.39 – Board of Adjustment and Appeals.



Eileen Probasco, Director
Planning & Land Use Department



Date of Issuance

By: Mark Whisenhunt
Introduced: Oct. 17, 2016
Public Hearing: Nov. 7, 2016
Action: Approved

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 16-37**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF AN ALCOHOLIC BEVERAGE DISPENSARY (BAR) AT THE 907 CLUB, LOCATED WITHIN TOWNSHIP 17 NORTH, RANGE 3 WEST, SECTION 21; TAX ID# 5428000T00A, SEWARD MERIDIAN.

WHEREAS, an application had been received from RMB LLC, dba. Nine Oh Seven, Corporation for a conditional use permit for the operation of an alcoholic beverage dispensary (bar) at the 907 Club, located within Township 17 North, Range 3 West, Section 21; Tax ID# 5428000T00A, Seward Meridian; and

WHEREAS, MSB 17.70.020(A)(1) requires a conditional use permit for the operation of an alcoholic beverage dispensary (bar); and

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

WHEREAS, an operation of such a land use without a permit is prohibited; and

WHEREAS, Goal LU-1 of the Borough-Wide Comprehensive Plan (2005 Update) is to Protect and enhance the public safety, health, and welfare of Borough residents; and

WHEREAS, Policy LU1-1 Borough-Wide Comprehensive Plan (2005 Update) is to Provide for consistent, compatible, effective, and efficient development within the Borough; and

WHEREAS, Goal LU-2 of the Borough-Wide Comprehensive Plan (2005 Update) is to Protect residential neighborhoods and associated property values; and

WHEREAS, Policy LU2-1 of the Borough-Wide Comprehensive Plan (2005 Update) is to Develop and implement regulations that protect residential development by separating incompatible uses, while encouraging uses that support such residential uses including office, commercial and other mixed-use developments that are shown to have positive cumulative impacts to the neighborhood; and

WHEREAS, Goal LU-3 of the Borough-Wide Comprehensive Plan (2005 Update) is to Encourage commercial and industrial development that is compatible with residential development and local community desires; and

WHEREAS, Policy LU3-1 of the Borough-Wide Comprehensive Plan (2005 Update) is to Develop and implement regulations that provide for non-residential development; and

WHEREAS, the Big Lake Comprehensive Plan (2009) Guide Map shows this parcel within the "*Gateway Corridor*", which is defined as "*mixed-use corridor*" that includes the first row of lots on either side of the road; and

WHEREAS, the comprehensive plan states the "Gateway Mixed Use Corridor" area is intended to balance two objectives: *"to allow for a range of uses and, at the same time, to ensure this corridor provides an attractive entry to Big Lake."* Specific objectives for this area include: Allow a mix of uses, including commercial activities and residential uses; and discourage large scale, industrial uses; and

WHEREAS, the developed properties along South Big Lake Road are predominantly commercial, but some industrial and residential uses are also present; and

WHEREAS, the nearest operating alcoholic beverage dispensary in the Big Lake area is Floaters on Big Lake Road, about one quarter mile from this site; and

WHEREAS, the subject parcel was originally Lots 2, 3, & 4, of Block 1 of the "Rocky Big Lake Subdivision". The "Rocky Big Lake Subdivision" has since been re-subdivided and is now known as, Rocky Lake Subdivision, Rocky Big Lake Subdivision, and Marjorie's Manor. Covenants that apply to the subject property are recorded with the State of Alaska's Recorder's office, in Book 186 Page 928; and

WHEREAS, Rocky Lake Subdivision abuts the proposed conditional use; and

WHEREAS, Alaska Administrative Code 11 AAC 20.922 - Use of Power Boats at Rocky Lake State Recreation Site, prohibits the use of jet skis, jet boats with inboard motors, and airboats; and

WHEREAS, Rocky Lake State Recreation Site is less than 600 feet from the proposed conditional use; and

WHEREAS, Rocky Lake State Recreation Site has quiet hours of 10:00PM to 6:00AM, daily; and

WHEREAS, the application material shows a 2,496 square foot bar with a 150 square foot enclosed smoking room, and an arctic entryway; and

WHEREAS, the application material states the proposed hours of operation are: restaurant/food service is 6:00 a.m. to 12:00 a.m. and liquor service is 10:00 a.m. to 2:00 a.m.; and

WHEREAS, the nearest developed residential lot abuts the subject parcel to the northeast; and

WHEREAS, MSB 8.52.010(A) declares: "The borough hereby finds and declares that noise, volume-enhanced sounds and their concomitant vibration are significant sources of environmental pollution which represent a present and increasing threat to public peace and to the health, safety, and welfare of the residents of the borough. Loud noise and amplified sounds have an adverse effect on the psychological and physiological well-being of persons."; and

WHEREAS, the proposed structure will have a log sided "cabin look"; and

WHEREAS, the applicant has signed an agreement with some neighboring property owners to further make the conditional use compatible with, preserve, and not materially detract from the value, character and integrity of the surrounding area by imposing the following four conditions:

1. No access to Rocky Lake Dr. from Marjorie's Manor Tract A.
2. Establish and maintain a vegetative screening buffer based on the existing 8' high earth berm which we are fine with. The buffer shall also include a continuous row of trees to mitigate noise, 4'-6' tall, spaced 8' apart. Buffer berm shall be hydro-seeded with natural wild grass mix.
3. No outside band stand, outdoor concerts or amplified audio performances.
4. Meet the Dark Sky lighting standards. All lighting shall be downcast with half lens luminaires on the building and parking lot to limit illuminations to adjoining properties. No flashing lights to distract drivers or create a nuisance to neighbors; and

WHEREAS, according to the application material, a combination of foam insulation, sheetrock and a noise reduction product known

as Acoustica Barrier (DB-3, Model #DB348X96BX) will be used in the walls and ceiling to achieve a 90% reduction in noise; and

WHEREAS, according to the application material, triple paned windows will be installed in the proposed structure to achieve a 68% reduction in noise; and

WHEREAS, the nearest school is Big Lake Elementary which is about 4,200 feet from this site. State regulations preclude beverage dispensary licenses within 200 feet of a school; and

WHEREAS, the nearest church is about 1,200 feet from this site. State regulations preclude beverage dispensary licenses within 200 feet of a church; and

WHEREAS, the operator of the proposed use is required to operate in accordance with Alaska Statute, which includes but is not limited to, mandatory alcohol server education; and

WHEREAS, according to the application material, measures which include contacting law enforcement, will be taken to ensure individuals who may be impaired do not leave the premises operating a vehicle, ATV, snow-machine or by walking; and

WHEREAS, the subject property is 4.96-acres in size. The proposed conditional use will occupy approximately 1.85-acres on the east side of the property, which accesses South Rosalie Court; and

WHEREAS, a Matanuska-Susitna Borough driveway permit is required for access onto South Rosalie Court. The applicant has

requested the Borough to conduct a final inspection for the constructed driveway; and

WHEREAS, according to the application material, an arctic entry will be constructed and its door will face east towards Rosalie Court to minimize noise spilling from the building; and

WHEREAS, according to the site plan dated July 15, 2016, an 8-foot tall wooden fence is to be constructed along the northeast property line that abuts a residential development; and

WHEREAS, the adjacent properties to the back (north and northwest) side of this lot are developed with residential homes; and

WHEREAS, the parking lot and driveway have been paved; and

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

WHEREAS, South Rosalie Court is not a Matanuska-Susitna Borough maintained road; and

WHEREAS, only two properties, including the proposed conditional use access onto South Rosalie Court; and

WHEREAS, according to a report dated April 30, 2014, by Alaska Rim Engineering, South Rosalie Court has been built to Matanuska-Susitna Borough standards; and

WHEREAS, ITE Trip Generation 7th Edition shows a "Drinking Place" of 2,400-square feet in size is expected to produce 37 trips

per peak PM hour, which does not require a traffic impact analysis;
and

WHEREAS, the Alaska Department of Transportation (ADOT) was solicited for comments. ADOT did not submit any comments for the proposed conditional use; and

WHEREAS, the borough does not have parking standards, however, according to the site plan dated July 15, 2016, 44 parking spaces and two handicap accessible spaces will be provided; and

WHEREAS, the building and parking lot have been designed by Brian McMillen, a registered professional architect in the state of Alaska; and

WHEREAS, the Alcoholic Beverage Control Board (ABC) has no record of violations by Robert Mark Button; and

WHEREAS, no information has been submitted to the borough indicating 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; 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 November 7, 2016 on this matter; and

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 16-37:

1. The conditional use is compatible with, will preserve, and will not materially detract from the value, character and integrity of the surrounding area (MSB 17.70.100(A)(1)(a)).
2. The proposed use with conditions, 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 have been provided (MSB 17.70.100(A)(1)(c)).
4. There will not be 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. 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 (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 being provided (MSB 17.70.100(A)(2)(d)).

8. Access to the premise 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 conditional use is compatible with the character of the surrounding neighborhood (MSB 17.70.100(A)(2)(g)).
11. There is no evidence that the proposed conditional use will 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 has demonstrated that he is trustworthy and fit to conduct business in the borough or that the he is not a potential source of harm to the public (MSB 17.70.110(B)(3)).

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of MSB 17.70 and does hereby approve the conditional use permit for the operation of an alcoholic beverage dispensary (bar), with the following conditions:

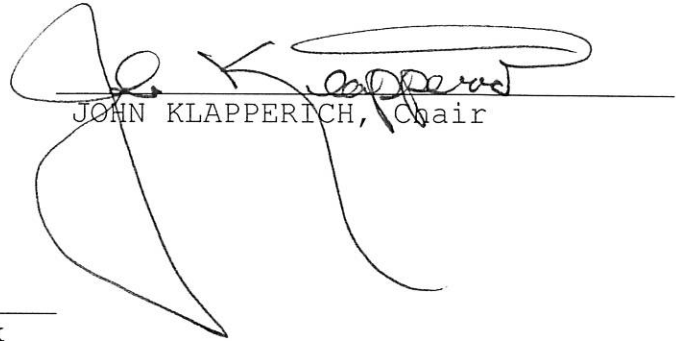
1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit; and an amendment to the Conditional Use Permit shall be required prior to any alteration or expansion of the conditional use.
3. The Matanuska-Susitna Borough driveway permit for access to 2541 S. Rosalie Court shall be finalized prior to operating the conditional use.
4. The applicant shall install indoor sound dampening panels in the bar structure, as detailed in the application. Proof of installation of the sound damping panels shall be provided to the Borough prior to operating.
5. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound and Vibration.
6. Patrons shall enter and exit the enclosed smoking room through the bar only.
7. All parking for the conditional use shall be on-site.
8. There shall be no outdoor amplified sound or entertainment of any kind.

9. Access related to this conditional use shall be made onto South Rosalie Court only. There shall be no access to Rocky Lake Dr. from Marjorie's Manor Tract A.
10. Signage and lighting shall be:
 - a. Non-glare, 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. Lights in the parking lot and signage must be mounted no more than 20 feet above ground.
 - c. Flashing lights are prohibited, with the exception of seasonal holiday lights used during the period directly associated with the holiday.
11. An earthen berm, at least eight feet in height, shall be constructed and maintained adjacent to the north and west sides of the parking lot. The berm shall be vegetated with a wild grass mix to prevent soil erosion. Atop the berm shall be a row of trees, planted approximately eight feet apart and shall be four to six feet in height at the time of planting. As suggested by the applicant the trees shall alternate between deciduous and conifer atop the berm. All vegetation including that shown on the site plan dated July 15, 2016, shall be planted by August 1, 2017.

12. Due to the proximity of the utility easement from the vegetated berm, the applicant shall obtain and provide to the Borough, non-objection letters from all applicable utility companies prior to operating.
13. A wooden fence, at least eight feet in height, shall be constructed and maintained in good repair along the northeast property line as shown on the site plan dated July 15, 2016.
14. In the case where one or more utility company objects to the earthen berm, a wooden fence at least eight feet in height shall be constructed and maintained adjacent to the north and west sides of the parking lot. This fence shall connect to the wooden fence referenced in condition #13.
15. Prior to operating, the applicant shall submit an updated site plan, showing the location of the eight foot tall earthen berm identified in condition #11 or the fence identified in condition #14.
16. Hours of operation shall not exceed: 6:00 a.m. - 10:00 p.m., Sunday through Thursday; and 6:00 a.m. - 12:00 a.m., Friday and Saturday.
17. The operation shall provide parking lot security daily, starting at 10:00 p.m. until the premises are vacated.

Security shall ensure patrons are not loitering or violating the Borough's noise ordinance.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 7th day of November, 2016.



JOHN KLAPPERICH, Chair

ATTEST



MARY BRODIGAN, Planning Clerk
(SEAL)

YES: Klapperich, Anderson, Healy, Kendig, Adams, and Rauchenstein
NO: Vague



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907)861-7822 Fax (907) 861-7876

E-mail: permitcenter@matsugov.us

September 16, 2016

Alcoholic Beverage Control Board
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501

SUBJECT: **907 Club– License #1034**
Beverage Dispensary – Transfer of ownership, location and name change

A review of the files relating to the subject business and liquor license application has been completed. Based on that review, the Planning Department hereby recommends the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

1) Delinquent Real Property Taxes owed:

2) Bed Tax owed:

3) Other debts owed:

4) The required Conditional Use Permit has not been issued: **The MSB Conditional Use Permit has not been approved. The Planning Commission public hearing is scheduled for November 7, 2016.**

5) There is a violation of the Conditional Use Permit:

6) There is an Assembly protest of renewal on file:

Upon curing the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest recommended above.

The applicant(s) has been sent a copy of this letter by certified mail, only if a protest has been issued. Should you have any questions, please feel free to contact my office.

YOU MAY REQUEST A MEETING WITH THE MATANUSKA-SUSITNA BOROUGH PLANNING DIRECTOR WITHIN 30 DAYS OF THE DATE OF THIS NOTICE WHEREIN YOU WILL BE AFFORDED A REASONABLE OPPORTUNITY TO DEFEND AGAINST THE PROTEST.

It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

Sincerely,

Susan Lee
Planner II

From: [Jenna Lundy](#)
To: [Alcohol Licensing, CED ABC \(CED sponsored\)](#)
Cc: ["Robert M Button"](#)
Subject: License #1034
Date: Sunday, November 27, 2016 5:59:33 PM
Attachments: [image003.png](#)
[BLCC Rocky Lake Condition Agreement.pdf](#)
[Meeting-Minutes-2016-10-11.pdf](#)
[BLCC President Email.pdf](#)
[Rocky Lake Campground Email.pdf](#)

Hello AMCO,
In reference to the BLCC protest of 2015, please see the attached documents regarding the BLCC protest of license transfer.

Casey Steinau is the BLCC President (email).

I will be calling on Monday to follow-up and ensure you received these four documents in order to allow time for the AMCO Board to receive copies prior to the December 5th meeting.

Thank you,

Jenna Lundy-Conner

Project Manager

Nine-OH-Seven Corp.

jlsagesse@gmail.com

Cell: (907) 203-7713



Conditions for Mark Button to submit as amendments to his 907 Club CUP application. Amendments shall be submitted to MSB Planning not later than October 18, 2016.

1. No access to Rocky Lake Dr. from Marjorie's Manor Tract A.
2. Establish and maintain a vegetative screening buffer based on the existing 8' high earth berm which we are fine with. The buffer shall also include a continuous row trees to defer noise, 4'-6' tall, spaced 8' apart. Buffer berm shall be hydro-seeded with natural wild grass mix.
3. No outside band stand, outdoor concerts or amplified audio performances.
4. Meet the Dark Sky lighting standards. All lighting shall be downcast with half lens luminaires on the building and parking lot to limit illuminations to adjoining properties. No flashing lights to distract drivers or create a nuisance to neighbors.

Mark Button
Mark Button

10/14/2016
Date

[Signature]
Rocky Lake Residents Representative

10 14 - 16
Date

[Signature]
Rocky Lake Residents Representative

10/14 / 16
Date

Matanuska - Susitna Borough
Development Services

OCT 17 2016

Received



Po Box 520931-0931
Big Lake, AK 99652-0931
Biglakecommunitycouncil.com
Big Lake Lions Rec Center

General Membership Meeting Minutes October 11, 2016

Meeting was called to order at 7.04p quorum was established with all board members in attendance.

Approval of agenda. Cathy made motion, Sandy seconded.

Approval of minutes Sandy made a motion, Cathy seconded.

Election: 3 seats open, 3 candidates.

Margaret has been here for 20 years, would like see Big Lake grow in a proper way. Would like to help Big Lake continue grow, she is a realtor. Past president of the Big Lake Community Council (BLCC) and was on the BLCC for 10 years.
PO Bo

Diane Lada is a nurse, mom of 4, enjoys the environment in Big Lake. Works closely with the Mat Su Borough with healthcare. Doesn't have a problem with confrontation and is a doer.

Cathy Mayfield has been around Big Lake for 58 years. Been on the BLCC board for 2 years. Have been deeply involved with the Big Lake community council, comp plan, big lake trails, and many others.

Persons to be heard

Greg jones- main concerned is with people. Public safety, drug epidemic vote for him to make Alaska great again.

Bill Heairet- at the BLCC and RSA board write letters of support to the MSB and the MSB doesn't pay attention, proven true when the MSB received a letter of support for the Heariets and so did Mokie Tew who does great work. Resicently he saw an email that said he did Dan Mayfield's drive way in June in swap of something and it is an absolute lie.

Ken Walch- wrote a leter to the MSB about the fish crossing on Beaver Lake. Asking for barricades temp and long term.. it is a real life, health, and safety issue. Ask for a resolution with out delay to give to the borough to put temporary barricade up and have long term solution

Mark button- owner of Big Lake and Knik super store. Lived here for 40 years. Here for the 907 club, a restaurant and bar between the superstore and Yamaha

shop. Estimated the restaurant will employ 15 people. Wants to keep the area nice understanding it's the entrance of Big Lake. Willing to speak to anyone about any concerns they may have and hopes to come to a conclusion.

Jenna Lundy- works for Mark, with the 907 club, lived in Big Lake for many years, last meeting there was concerns of serving in alcohol in Big Lake. State laws protect and requires tap certificates, in addition they are creating a training manual.

Tim McGann- lives on Rocky Lake. The outside venue with live music was what upset the community the before. Would like to make sure that the band stand is not on the application. The berm is not on the plan either. Also request lighting and would like some assurance.

John Gardner- Big lake elementary assistant principle. Before and after school tutoring program with 55 students. Basketball court fence and goals are up. New gym floor this summer, led lighting upgrade in the gym. Power screen and projector and backboards. Widening the net preschool in the need for help

Andy Michelson- lived here since 2004, has taught 5th, 4th, 2nd and now preschool getting 4 year olds ready for kindergarten.

Lois Parker- thanks everyone for help and encouragement, got flags flying at the east lake mall. Process in planning for next year, going to expand next year. Now working on Christmas lights.

John Rush- has a place on Rocky Lake, lives in Anchorage. In 2014 BLCCn wrote a letter in opposition of the 907 club. It is recreational and residential area. Camp grounds don't allow alcohol. Urge to oppose it.

John Rada- has a place on Rocky Lake for 15 years. Some of the conditions have not changed. The location is close to residents and campground. Spent a lot of time and money to protect their property. Doesn't want a bar in his backyard. Vegetation was taken out. Asking to pass a resolution to not support this.

David Wilson- running unopposed for senate seat d. learning more about the community every time. Wish his community had the community gather for the city council he sits on.

Sammy Taylor- sees bags in the trees. All stretchy plastic is recyclable there are monitors that help sort out your recyclables.

Birdie Rutter- believes in free enterprise. All the lots on that lane are commercial. Maybe we should pass the hat and tell Rim that he can have vegetation on his side. If the residents had the money they would've bought the lots there and not

on Rocky Lake. The community council butts in on many things. Shouldn't comment about road contract. BLCC should allow new business.

Butch Moore- real estate developer. Does not believe we should oppose it. We should tell him what we want so he will work with us.

Cindy Bettine- a conditional use permit ask if a bar can be a good neighbor. Did not have the chance to ask not put the entrance away from the neighborhood.

Treasurer's report- \$13624.17 in the checking, savings \$281.03

Membership report- 127 members

Reports- Mark Newman state report pfd lawsuit, Beaver Lake Road culvert and lights asked dot and doing a study on it. Gov trying to sell bonds under performing not the time with the economy. Public safety 4 million dollars coming out for reform. Troops staying at Mat Su West. Next week there will be town hall meetings with dot. Talked with Mat Su regional that is expected to have 90million in expansion.

Asked about the LIO- bank is going to staying at the bottom and the lio moved to the stop.

Dan Mayfield- MSB wanted to pass on the cost to the guard rail for Beaver Lakes to the RSA. Endorsed Kens temporary fix. 907 club approval is a planning commission approval not assembly. 10/4 MSB election. Ban of marijuana failed. Approved a Conditional Use Permit process. Bond package passed. Marijuana 5% tax passed

Waste management is an enterprise fund, it is not paid for by area wide tax. It is supposed to make money off the operation. Taxes still go into the general fund. There is gravel tax ordinance apply 25 cents cubic yard tax out of a gravel pit and paid directly to an RSA so, if it comes out of a gravel pit out of RSA 21 introduced 10/18

Kathy Kramer- will make driveways signs for \$25 they will be 4 inch numbers to meet borough requirement. Fire department is working with red cross to install detectors. Fire fighter 1 class going on now with 11 new fire fighters being trained.

Park- installed curb stops at Jordan Lake park. No Vandalism at the porta potty. There has been vandalize in the park in the last month so if you see someone in the park doing something they shouldn't please say something to them. The tree has electric to it.

Bill Kramer- road service there was meeting on the 5th. A lot of participation. 2017 CIP list was on the agenda. \$166,000 this year was moved to the RSA's CIP fund. The list goes to the assembly and gets approved and then public works

works through the list. Looked at the issue Ken talked about, the fish crossing on Beaver Lakes Road and is supportive of it.

Grants- Applications due 18th.

Correspondence.

TAX and LID foreclosure bid package available and bids due..

Big lake community council boundary comments

New business: public hearing is November 7th at the MSB chambers 6pm.

Thanks Mark Button for being here. Is there anything different now than last time. Mark : the outdoor stand. Someone from Rocky Lake did change where the power came from and move to his side of the road and that took out a lot of vegetation.

Did you state in your application that you were going plant trees on the berm? The difference between this application form the last application is they took the comments from the last time and really listened. On the first application one this was identified was the noise from the 907 club and Rocky Lake. Landscaping for the site plan they put in the berm for noise and they are going to landscape it and plant grass and trees.

If you want it in the staff report you need that by 10.18.

If the noise is out of control late at night do they have a policy to bring down the noise.

The MSB has one of the strictest sound ordinances 50 decibels after 10p. Mr Button hired someone from sound engineer from Hollywood California has material to reduce noise and has a separate entrance. 2am is closing, everyone is out, cameras, walks out in the parking after. Has guardian security at the superstore.

Ken Walch recommends to form a small well informed committee and look at the site plan. It will have a better chance of working than it does here.

Sandy unanimous consent of the 3 candidates running: Margaret Billinger, Cathy Mayfield, and Diane Lada now in office, Yvonne seconds. Unanimous consent.

Mid Valley Recycle needs a community member on the recycle board and needs volunteers and if not we run the risk of loosing a recycling. The next meeting is Nov 1, 6.30p at Big Lake Family Restaurant. Joe would like a report from mid valley recycle.

Yvonne Ruth was elected to the school board.

Certified backyard composter class free.

Dinner theater \$60/plate October 22. Yoga classes \$40 a month at the Big Lake Rec Center.

First time in Houston High football history made it state will be Saturday at 4 at Palmer

Board comments
Yvonne thanks for voting
9.29 adjured

Respectfully Submitted,

Jennifer Tew, Secretary

DRAFT

Jenna Lundy

From: caseyinalaska . <caseysteinau@gmail.com>
Sent: Monday, November 14, 2016 11:16 AM
To: Jenna Lundy
Subject: Re: 907 Club

Hi Jenna.

As we discussed earlier, I cannot retract the letter in writing without the agreement of the entire council. However, I have talked with Naomi and left her my information to speak with whomever is necessary to clarify that we have no protest against the 907 and in fact were not asked for a statement.

However, if this is something that we can be settled with a letter from the council after the 13th of December I can ask the council at that time. Please let me know.

Casey

On Mon, Nov 14, 2016 at 10:56 AM, Jenna Lundy <jlsagesse@gmail.com> wrote:

Good morning Casey,

The Planning Commission passed the Conditional Use Permit for the 907 Club on the November 7th meeting! The next step is the license transfer through AMCO.

I know when we were communicating around October 26th, you were going to call the AMCO Director to discuss the BLCC protest. Were you ever able to reach her?

Attached is a formal request from Mark, requesting BLCC retract the written letter of protest AMCO has.

Thank you and if you have any questions, please do not hesitate to call me.

Jenna Lundy-Conner

Project Manager

Jenna Lundy

From: hollyinak@gmail.com on behalf of Holly Petersen <info@biglakeparks.com>
Sent: Thursday, September 22, 2016 11:31 AM
To: Jenna Lundy
Cc: Biessel, Wayne A (DNR); Amyot, Daniel J (DNR); mark.whisenhunt@matsugov.us
Subject: Re: Rocky Lake Campground
Attachments: comment 907 club-signed_2015.pdf; 907-club-2016-ap-material.pdf

Hello Ms. Lundy,

Thank you for your email regarding the proposed 907 Club in Big Lake. I have reviewed the most recent CUP permit application, filed July 22, 2016.

This application differs significantly from the first in two areas. First, it appears the 907 Club will be operated as a restaurant catering to family dining, while serving alcoholic beverages. Second, there is no mention of an out door seating area, called a Bandstand in the previous application, or of possible outdoor music events or concerts.

If this is the case, Great Holiday Campgrounds has no objection to the 907 Club permit application.

If the 907 Club has plans for outdoor seating as described previously as a 'Bandstand', with nightly or weekend long events, Great Holiday Campgrounds will remain opposed to that Bandstand venue portion of the CUP without strong, enforceable restrictions for noise levels and hours.

As stated in our comments dated January 13, 2015; We do not oppose the establishment of the restaurant and bar and we would not be immediately opposed to single day outdoor events.

We would like to encourage the 907 Club to increase the length of the proposed wood privacy fence to either encompass the parking area or extend it along W. Rocky Lake Dr to create a definitive boundary and increase both the safety of it's patrons and noise reduction between the business and adjacent residential subdivision and Rocky Lake Campground.

Thank you for the opportunity to share our concerns with you. I have attached a copy of Great Holiday Campgrounds 2015 comments on the proposed 907 Club and the most recent CUP application for reference.

Best Regards,
Holly Petersen
General Manager