

By: Public Works Department
Adopted: June 12, 2017
Yes: Dryden, Graham, Harvey, Ledford, O'Barr
No: Burney
Absent: None

**City of Wasilla
Resolution Serial No. 17-21**

A Resolution Of The Wasilla City Council Recommending That The Matanuska-Susitna Borough Planning Commission Deny The Conditional Use Permit Application For The Operation Of A Marijuana Retail Facility Located At 3361 W. Machen Road, Adjacent To The City Of Wasilla Boundary.

WHEREAS, the City of Wasilla prohibits marijuana retail stores within the city limits in accordance with Wasilla Municipal Code 9.40.062; and

WHEREAS, in 2016 the City of Wasilla requested a minimum setback of 1,000 feet be established in Borough Code for the location of marijuana facilities from any city property; and

WHEREAS, the City of Wasilla prohibits marijuana facilities to protect the health, welfare and safety of Wasilla city residents and businesses as outlined in the City Comprehensive Plan and Title 16, Land Development Code; and

WHEREAS, the proposed marijuana retail facility located at 3361 W. Machen Road is in an area for possible annexation by the City of Wasilla; and

WHEREAS, the state license for the proposed marijuana retail facility will be void after 90 days of an annexation in accordance with the Alaska Administrative Code 3 AAC 306.250.

NOW THEREFORE BE IT RESOLVED, the Wasilla City Council recommends denial of the Borough Conditional Use Permit Application for the operation of a marijuana retail facility located at 3361 W. Machen Road, adjacent to the City of Wasilla boundary.

BE IT FURTHER RESOLVED, that the City of Wasilla is opposed to the location of any other marijuana facility within 1,000 feet of any city property.

ADOPTED by the Wasilla City Council on June 12, 2017.


BERT L. COTTLE, Mayor

ATTEST:

JAMIE NEWMAN, MMC, City Clerk

[SEAL]

CITY COUNCIL LEGISLATION STAFF REPORT

Resolution Serial No. 17-21: Recommending that the Matanuska-Susitna Borough Planning Commission deny the Conditional Use Permit Application for the operation of a marijuana retail facility located at 3361 W. Machen Road, adjacent to the City of Wasilla Boundary.

Originator: Administration

Date: May 31, 2017

Agenda of: June 12, 2017

Route to:	Department Head	Signature	Date
X	Public Works Director		5/31/17
X	Finance Director		5/31/17
X	Deputy Administrator		5/31/17
X	City Clerk		5/31/17

Reviewed by Mayor Bert L. Cottle:

 5/31/2017

Fiscal Impact: yes or no

Account name/number:

Attachments: Borough Notification (2 pages)

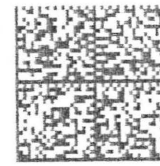
Resolution Serial No. 17-21 (2 pages)

Summary Statement: The administration received notification of a Borough Conditional Use permit application for a Marijuana Retail Facility located at 3361 W. Machen Road next to the city boundary of Wasilla. The Borough Planning Commission will conduct a public hearing concerning the application on July 17, 2017. Comments are due to the Borough on or before June 23, 2017. Resolution Serial No. 17-21 is proposed to provide comment by the City Council and Mayor against the proposed conditional use permit.

Recommended Action: Adopt resolution.



Matanuska-Susitna Borough
 Planning & Land Use Department
 Development Services Division
 350 East Dahlia Avenue
 Palmer, Alaska 99645

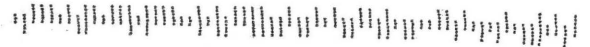


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 CITY OF WASILLA
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 WASILLA, AK 99654

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

Application: Conditional Use Permit for a Marijuana Retail Facility

MSB Code Section: MSB 17.60 – Conditional Uses

Applicant: Sean Tower (dba Rosebuds Shatter House & Cultivation)

Location: 3361 W. Machen Road (Tax ID# 2420B02L001);
 within Township 17 North, Range 1 West, Section 07, Seward Meridian

Request: An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility.

The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **July 17, 2017 at 6:00 p.m.** in the Borough Assembly Chambers, 350 E. Dahlia Avenue, in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request for more information from the applicant at the time of introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing. Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on 'All Public Notices & Announcements'. Application material may also be reviewed at the Borough Permit Center. For additional information, you may contact Mark Whisenhunt, Planner II, at 861-8527. Written comments can be mailed to: MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may fax comments to 861-8158 or e-mail to mwhisenhunt@matsugov.us. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party" - see MSB 15.39.010 for the definition of "interested party". The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

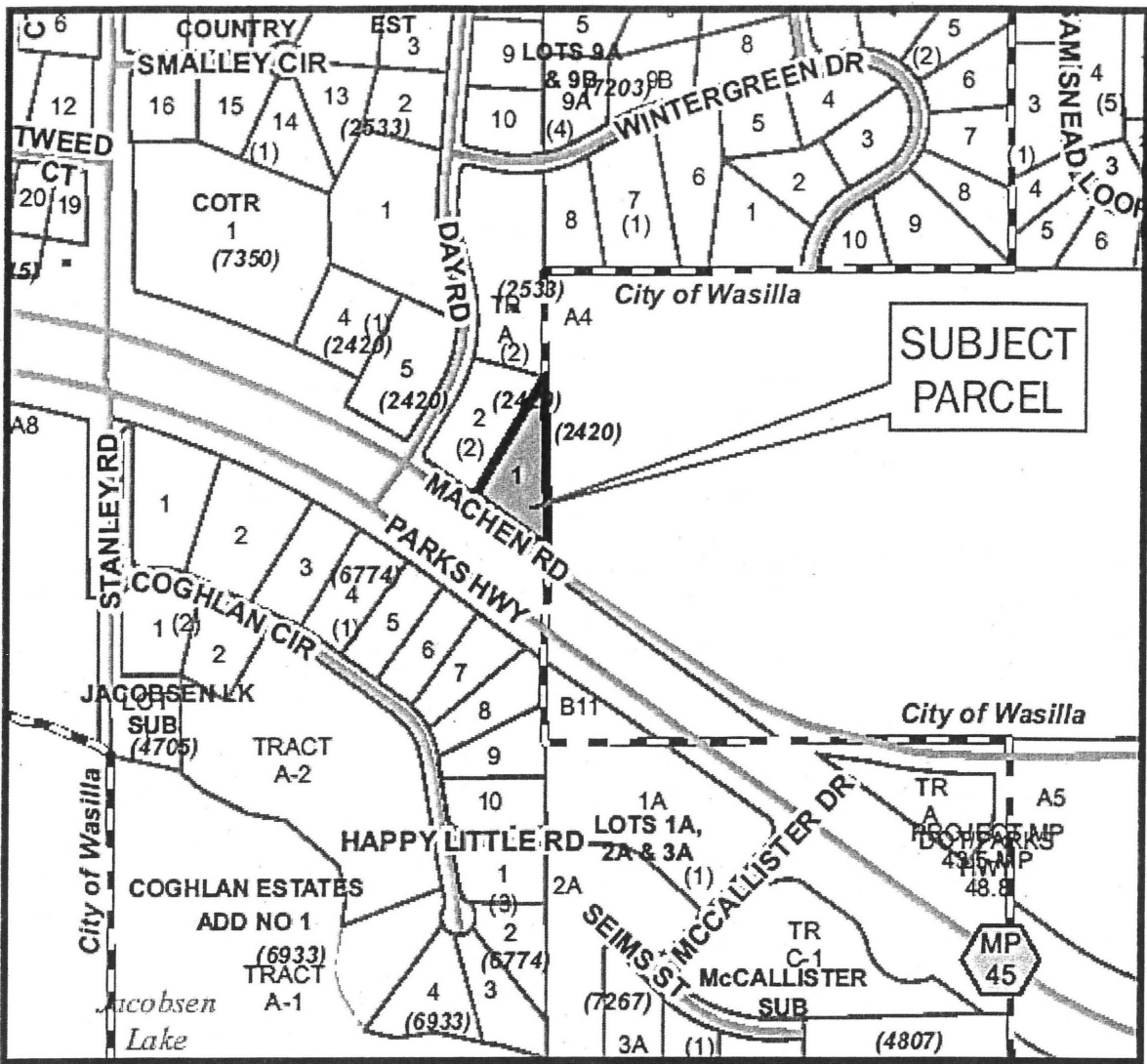
Comments are due on or before **June 23, 2017** and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission

Name: _____ **Mailing Address:** _____

Location/Legal Description of your property: _____

Comments: _____

Note: Vicinity Map Located on Reverse Side



2420B02L001



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MSS Information Technology/GIS
May 13, 2017

