



Planning Commission Meeting Agenda
Regular Meeting Thursday, April 13, 2017– 6:30PM
CITY HALL COUNCIL CHAMBERS 300 CHIEF EDDIE HOFFMAN HIGHWAY

MEMBERS

Kathy Hanson
Chair
Term Expires 12/2018

Lorin Bradbury
Vice-Chair
Term Expires 12/2017

John Guinn
Commission Member
Term Expires 12/2018

Nikki Hoffman
Council Rep.
Term Expires 12/2017

Cliff Linderoth
Commission Member
Term Expires 12/2017

Jon Cochrane
Commission Member
Term Expires 12/2018

Alex Wasierski
Commission Member
Term Expires 12/31/18

Shadi Rabi
Alternate Member
Term Expires 12/31/19

Ted Meyer
Ex-Officio Member

Carole Jung
Recorder

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. PEOPLE TO BE HEARD – (5 Minute Limit)

IV. APPROVAL OF THE MINUTES FROM THE MARCH 30, 2017 SPECIAL MEETING

V. APPROVAL OF THE AGENDA

VI. NEW BUSINESS

A. Non-plumbing sanitary systems presentation by Jody Drew, City of Bethel Energy Committee member

B. PUBLIC HEARING: Applicant: Cezary J. Maczynski, dba Kusko Liquor Store is applying for a Conditional Use Permit in order to open a package liquor store. The legal description is a portion of United States Survey Number 1002. The physical address is 801 Front Street. (ACTION ITEM).

VII. PLANNER'S REPORT

VIII. COMMISSIONER'S COMMENTS

IX. ADJOURNMENT

City of Bethel, Alaska

Planning Commission Meeting

March 30, 2017

Special Meeting

Bethel, Alaska

I. CALL TO ORDER

A special scheduled meeting of the Planning Commission was held on Thursday, March 30, 2017, at 6:30 PM at the Log Cabin in Bethel, Alaska. Chair Hanson called the meeting to order at 6:30 pm.

II. ROLL CALL

Comprising a quorum of the Commission, the following members were present for roll call: John Guinn, Alex Wasierski, Kathy Hanson, Shadi Rabi, Jon Cochrane, and Nikki Hoffman. Also present was Planning staff member Ted Meyer and City Attorney Patty Burley.

III. PEOPLE TO BE HEARD

- Gloria Simeon, spoke out against the proposed liquor store.
- Jane Koski, " " " " " "
- Glen Koski, " " " " " "
- Sam White, spoke about the ONC housing lot 15; community dog park; concerned about the easement. Preliminary plat being prepared to be submitted—okay with both dog park as long as not at the expense of the easement.
- Justin Wintersteen, spoke out against the proposed liquor store.
- Nili Sundown, only against the location, does not want in a residential neighborhood.
- Mike Burley, spoke out against the proposed liquor store.
- Samatha Buckley, " " " " " "
- Fred Watson, " " " " " "

IV. MOTION TO APPROVE THE MINUTES OF THE MARCH 9, 2017 MEETING

MOVED:	Jon Cochrane	To approve the March 9 minutes.
SECONDED:	Jon Guinn	
VOTE ON MOTION	All in favor 6 yes and 0 opposed. Motion carries.	

V. APPROVAL OF THE AGENDA

MOTION TO APPROVE THE AGENDA OF MARCH 30, 2017

MOVED:	Lorin Bradbury	To approve the agenda.
SECONDED:	Jon Cochrane	
VOTE ON MOTION	All in favor 6 yes and 0 opposed. Motion carries.	

VI. NEW BUSINESS: A. PUBLIC HEARING: Applicant: Steven Chung, dba Tundra Liquor Cache, is applying for a Conditional Use Permit in order to open a package liquor store. The legal description is Plat number 80-14, Lot 3, Phase 1, Nunvak Estates. The physical address is 105 Hoffman (ACTION ITEM).

Chair Hanson opened the Public Hearing.

Planner Ted Meyer went over his facts and findings of the Conditional Use Permit for Tundra Liquor Cache.

Applicant Steve Chung presented his position.

The Planning Commission questioned both Ted and Steve.

Applicant Steve Chung rebutted. There are many businesses on the highway, such as GCI, Mud Hut, Post Office, Public Health, Post Office, Q2. Police and Fire Dept.—low level of incidences in the neighborhood. It is a very quiet neighborhood. There is a bus stop within my property lines to be used instead of the one at Q2. Q2 is popular, functions just fine. Alcohol cannot be sold to inebriates. Traffic on Hoffman Road, agrees there would be an increase in traffic, but this is a city-wide problem. Snow machines are a way of life/transportation—“it’s pretty much anything goes”, unwritten rules.

The Planning Commission deliberated.

MOTION TO APPROVE THE CONDITONAL USE PERMIT AS DRAFTED BY PLANNER

MOVED:	Jon Cochrane	To deny the Conditional Use Permit because 1. Lack of compatibility with the neighborhood; 2. Safety issues regarding the increased 4-wheeler and snow machine traffic coming off the river to the store will create for the residential neighborhood. The proximity to the highway, with the lack of parking coupled with the increased traffic and pedestrians will also be a safety issue so close to the highway; alcohol and the high rates of speed on the highway are a very dangerous mix, and 3. No adequate parking (barely meets minimum but not realistic for taxicab drivers and shoppers; traffic and congestion it will cause at the intersection of Hoffman Road and the State Highway.
SECONDED:	Alex Wasiserski	
VOTE ON MOTION	All in favor 0 yes and 6 opposed. Motion fails.	

Chair Hanson closed the Public Hearing.

VII. PLANNER'S REPORT: Ted went over the monthly report.

Commissioner Hoffman excused herself and had to leave the meeting.

VIII. COMMISSIONER'S COMMENTS: Jon: none; Alex: none; Shadi: none; John: none; Kathy: thanked everyone for being prepared and a good discussion.

IX. ADJOURNMENT

MOVED:	Jon Cochrane	Motion to adjourn the meeting at 9 40 pm.
SECONDED:	Alex Waserski	
VOTE ON MOTION	5 yes and 0 opposed. Motion carries.	

The next meeting will be on April 13, 2017

_____, Kathy Hanson, Chair
ATTEST: _____, Recorder

MASTER COPY

CITY OF BETHEL PLANNING OFFICE
Po Box 1388
Bethel, AK 99559

(907) 543-5306
(907) 543-4168 (facsimile)



RECEIVED

COS-PLANNING Dept. 12-13-16

**APPLICATION FOR A CONDITIONAL USE PERMIT
REGULATION OF ALCOHOLIC BEVERAGE USES
BETHEL MUNICIPAL CODE 5.08 AND BETHEL MUNICIPAL CODE 18.60.20**

Carefully read instructions and applicable City code. Fill out forms completely. Attach information as needed. Incomplete applications will create a delay in the review process.

Application Fee must be attached:	\$200.00	Conditional Use Permit
Payment Type:	<input type="checkbox"/> Credit Card <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Cash	

1. General Information

NAME OF APPLICANT:	Cezary J. Maczyuski
Physical Address:	801 B. Front St
Mailing Address:	P.O. Box 1805
Home Phone Number:	(907) 543-2307
Work Phone Number:	(907) 543-4241
Cell Phone Number:	(907) 545-4241
Email Address:	cezarysauto@live.com

Please note:

The City of Bethel will not communicate regarding the application with anyone other than the applicant or his/her designated agent. If applicant will be represented by an agent or attorney, proof of consent for representation must be submitted with the application.

NAME OF PROPERTY OWNER: (If different from Applicant)	
Physical Address:	
Mailing Address:	
Home Phone Number:	
Work Phone Number:	
Cell Phone Number:	
Email Address:	

2. Property Information / Legal Description *see attachment A

Township: 8N	Range: 71 W
Section: 9	Meridian: 5M
Subdivision:	Block(s):
Lot(s):	US Survey or Plat No.: 1002
Street Address: 801 B Front Street	

3. Conditional Use Description

a. Please provide a detailed description of the proposed conditional use (additional sheets of paper may be attached if necessary):

KUSKO LIQUOR STORE IN BETHEL

b. Please comment on any potential impacts on pedestrian and vehicular traffic circulation and safety on roads abutting the property.

There will be no adverse impacts on pedestrian or vehicular traffic with the proposed business.

c. Describe existing parking facilities and whether they can accommodate a reasonably expected increase in demand for parking created by issuing the permit. Include the number of regular and handicap parking spaces currently available and whether the applicant intends to add additional parking spaces.

Code calls for 3 parking spots. There is enough parking for 10 vehicles.

d. Describe existing and any planned access to and from the property.

Entrance to the parking is from 1st Avenue and exit is to the same. As depicted in the drawing

e. Describe water and sewer facilities and capacities on the property.

Water tank is 750 gallons

Sewer holding tank is 1,000 gallons

f. Describe special features and/or restrictions you have designed to minimize potential negative impacts from the proposed Conditional Use in order to ensure the public health, safety, and welfare of nearby structures and residents.

There will be one handicap parking and five normal parking spots.

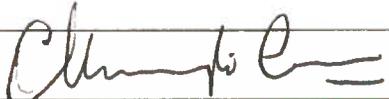
g. What are the dimensions of the structure within the proposed use?

18' x 22' (22' x 18' is retail and 8' x 18')

4. Mapping

- a. Provide a Site Map of the property drawn to Scale. Please include the following:
 1. Name of property owner and date (in lower right hand corner)
 2. Map Scale
 3. North Arrow
 4. Property lines with dimensions
 5. Streets abutting the property with names
 6. Draw in locations of existing and planned buildings with dimensions
 7. Locations of water and sewage facilities, with capacities if applicable
 8. Property driveways and vehicle parking areas showing the number of 9'x 20' parking spaces
 9. Indicate access points to and from the property
- b. Provide a map or plat of the general area surrounding the parcel. The map must include street names and notations of the uses and structures that exist on the abutting and nearby lots.
- c. List all buildings and structures located within 600' of the property (whether or not owned by the applicant):

5. Owner's Statement

<p>1. I hereby apply for approval for an alcoholic beverage use conditional use permit on the above property as described in this application.</p> <p>2. I understand all activity must be conducted in compliance with all applicable standards of the Bethel Municipal Code, Chapters 5.08, 18.04 and 18.60 and with all other applicable State or Federal laws.</p> <p>3. The information submitted in this application is accurate and complete to the best of my knowledge.</p>	
Applicant's Signature:	
Printed Name:	Cezary J. Maczyuski
Date:	

If property is owned by someone other than the applicant, the owner must consent to the application:

Owner's Signature:	
Printed Name of Owner:	
Mailing Address for Owner:	
Contact Number for Owner:	

FOR OFFICIAL USE ONLY		
<p>For answers that indicate a deficiency, a detailed explanation must be attached explaining the deficiency and outlining the City's request to the applicant.</p>		
1. Will the granting of the conditional use permit be harmful to the public health, safety, convenience, and welfare?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Is there any potential negative impact on to the street from which access to and from the establishment is obtained?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3. Are there adequate parking facilities to accommodate a reasonably expected increase in demand for parking created by issuing the permit?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4. Will a reasonably expected increase in traffic to the property impact the abutting road or to the existing road system beyond?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5. Is the use compatible with the character of the surrounding neighborhood?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

6. Is the property located in a flood zone?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7. Does there appear to be adequate existing or proposed water supply and sewage capacity on the property?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. What is the zoning designation of the property?		

CONDITIONAL USE PERMIT (CUP) STANDARDS AND PROCEDURES

Sections:

- 18.60.010 Authorization.
- 18.60.020 Application.
- 18.60.030 Hearing and notification.
- 18.60.040 Staff review.
- 18.60.050 Planning commission review.
- 18.60.060 Standards for planning commission decision.
- 18.60.070 Lapse of approval.

18.60.010 Authorization.

The planning commission may grant a conditional use permit for those uses or structures authorized as a conditional use in the applicable land use district chapter of this title, subject to the standards provided in this chapter. An applicant does not have a right to a conditional use permit, but has a right only to have the planning commission give fair consideration to an application for a conditional use. The planning commission has discretion to deny a conditional use permit application if it is not convinced the proposed use is compatible with principal permitted uses, existing neighborhood development, the environment, the comprehensive plan or maintenance of compatible and efficient development patterns. [Ord. 01-05 § 8.]

18.60.020 Application.

- A. The applicant shall complete a conditional use permit application on a form provided by the planning department in which the applicant shall state and describe in narrative:
1. A legal description and street address of the parcel;
 2. The names and addresses of the owners of the parcel and of the applicant;

3. A description of the proposed conditional use;
 4. A map or plat of the general area surrounding the parcel, with notations of the uses and structures that exist on abutting and nearby lots;
 5. Potential impacts on pedestrian and vehicular traffic circulation and safety;
 6. Potential output of noise, fumes, dust, wastes and other forms of potential environmental pollution;
 7. Special features and restrictions designed to minimize negative impacts and to ensure the public health, safety and welfare of the residents;
 8. A complete site plan permit application for the proposed use, including fill placement, quantities and contours and drainage plans;
 9. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the proposal shall address the relevant matters and standards covered by BMC [15.08.160](#) through [15.08.180](#);
 10. The names and addresses of all persons who own property within six hundred (600) feet of the boundaries of the parcel.
- B. A fee shall be included as established by resolution of the city council. [Ord. 01-05 § 8.]

18.60.030 Hearing and notification.

- A. Upon receipt of a complete application for a conditional use permit, the land use administrator shall set a date for public hearing before the planning commission. The public hearing shall be scheduled no sooner than twenty (20) calendar days and no later than fifty (50) calendar days from the date of acceptance of a complete application.
- B. Notice of the public hearing on a proposed conditional use shall be provided as set out in BMC [18.04.070](#). [Ord. 01-05 § 8.]

18.60.040 Staff review.

- A. The land use administrator shall review the conditional use permit application and the accompanying site plan permit application for completeness and request any additional material required. Upon determining that the application is complete, the land use administrator shall prepare a staff report with analysis and recommendations. The report shall specifically address drainage on the parcel. The land use administrator may recommend any conditions reasonably necessary for the proposed use to permit the conclusions required under subsection B of this section. The written staff report

containing the analysis, proposed conditions and conclusions shall be provided to the planning commission with their meeting materials one (1) week prior to the public hearing.

B. The land use administrator may make a recommendation for approval only when the proposed use and conditions clearly support the following conclusions:

1. The proposed conditional use will not be detrimental to the general public health, safety or welfare or to the environment;
2. The conditional use meets the standards otherwise applicable to a use in the applicable land use district;
3. There are adequate existing or proposed sewage capacity, transportation facilities, parking area, drainage facilities and water supply to serve the proposed conditional use without causing a substantial negative impact on the existing level of services provided by such public facilities;
4. The conditional use conforms to the intent and purposes of the land use code that are set out in BMC [16.04.010](#); (attached)
5. The use and structures proposed are of an appropriate character and scale for the neighborhood in which the project will be located, including parts of the neighborhood that may lie outside the land use district within which the parcel is located;
6. The conditional use is in accordance with and furthers the goals and policies of the comprehensive plan;
7. The proposed use will not subject surrounding properties nor vehicles and pedestrians using nearby streets and ways to hazardous or substantially increased traffic conditions;
8. There is a demonstrated need for the conditional use limited primarily to the area proposed, or, if the use will generally serve a larger area, then a demonstration that the use is essential to the city generally, and because of a feature of the property, the general need can be met by the property, but cannot be met as a principal permitted use on other property in the city;
9. The use, under the conditions proposed, will be compatible with existing and principal uses authorized and will not cause negative impacts on nearby property, including impacts from drainage, that exceed the impacts that would ordinarily be expected from principal permitted uses of the property that is the subject of the application;
10. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the conditions

proposed adequately address the relevant matters and standards covered by BMC [15.08.160](#) through [15.08.180](#). [Ord. 01-05 § 8.]

18.60.050 Planning commission review.

- A. The applicant or an authorized representative shall be present at the public hearing, informed and available for questions relative to the proposed project. The planning commission may take action on the agenda item even if the applicant or an authorized representative is not present at the public hearing. The planning commission may deny the project based entirely on failure of the applicant or an informed, authorized representative to be available at the hearing.
- B. The planning commission shall consider the matter at a public hearing. The commission shall consider the application, the land use administrator's staff report, any written comments from members of the public submitted prior to the public hearing, and oral comments made at the public hearing.
- C. During all phases of the public hearing, any speaker shall address the chairperson prior to making any comment. If any person wishes to question any other person in attendance, the question shall be directed through the chairperson. All public hearings shall be conducted in the following manner:
1. The chairperson shall explain the hearing procedure;
 2. Planning department staff shall present a staff report and recommendations regarding the subject project;
 3. The planning commissioners shall ask staff any questions they may have regarding the staff review and recommendations;
 4. The applicant shall be given the opportunity to explain the nature of the project and any other relevant information, including rebuttal or additional information regarding any of the correspondence received and matters raised by the staff or the commission;
 5. Planning commissioners may ask the applicant any questions they may have about the project;
 6. The neighbors or any other interested persons will be given the opportunity to speak. The chairperson will read all written comments submitted regarding the proposed project or copies shall be provided to each commission member. Information provided should be limited to facts. Persons who have given testimony previously during the hearing may comment on any new information limiting comments to new information only. The chairperson may limit repetitious testimony based on time constraints or other situations which may arise;

7. Members of the planning commission may ask any questions of neighbors or other interested persons;
 8. The applicant shall be given the opportunity to rebut factual matters raised by the staff, neighbors and other interested persons;
 9. After the applicant has given rebuttal evidence and summarized, the staff shall be given an opportunity to comment on evidence presented and to make new or amended recommendations.
- D. The planning commission may make a decision to approve, conditionally approve, or deny the project. The commission may also decide to take the matter under advisement or continue the hearing or commission discussion to a future date in order to allow time to acquire more information as needed. The planning commission and the planning staff shall be given the opportunity to comment during and between any of these steps.
- E. The commission shall make a decision based upon the standards specified in BMC [18.60.060](#). The commission may impose any conditions reasonably necessary for the proposed use to comply with the standards listed in BMC [18.60.060](#). If the planning commission does not adopt the land use administrator's recommendations and conclusions, it must support its findings with a statement of findings and conclusions, which shall be included in the official minutes of the hearing and in the resolution approving or disapproving the conditional use. [Ord. 01-05 § 8.]

18.60.060 Standards for planning commission decision.

- A. The planning commission may approve a request for a conditional use permit only if it makes findings, supported by the record, as are set out in BMC [18.60.040\(B\)\(1\)](#) through (10).
- B. Where the approval of a conditional use permit application would result in a mix of residential and nonresidential uses, any approval of the conditional use may impose conditions and design standards necessary:
 1. To ensure the public health, safety, and welfare of residents; and
 2. To minimize or eliminate adverse impacts on residential property.
- C. All standards contained in this chapter are minimum standards. More restrictive conditions may be imposed by the planning commission where necessary to ensure the public health, safety, and welfare of Bethel's citizens and to maintain consistency with the comprehensive plan and the purposes of this title as set out in BMC [16.04.010](#).
- D. A site plan permit must be obtained following the granting of a conditional use permit and prior to the establishment of the use or structure for which the conditional use permit was sought. [Ord. 01-05 § 8.]

18.60.070 Lapse of approval.

A. Unless a longer time is specifically established as a condition for approval, a conditional use permit approval shall lapse and shall become void if not exercised within one (1) year from the date of approval. For a permit to be considered "exercised," substantial improvement to the land must be performed within one (1) year from the date of approval. Substantial improvement is the completion of fifty (50) percent or more of the total authorized improvements as specified on the subject permit as measured by cost. If the conditional use permit is primarily for a use not involving substantial improvements to the land, the permit is "exercised" when the use commences and continues for thirty (30) days or more.

B. A conditional use permit approval subject to lapse may be extended by the planning commission for an additional period of up to one (1) year; provided, that prior to the expiration date, a written request for extension is submitted to the planning commission and good cause for the extension is shown. [Ord. 01-05 § 8.]

Memo

TO: City of Bethel Planning Commission

FROM: Ted Meyer, Planner

SUBJECT: **Findings and Recommendation for a Conditional Use Permit Application Submitted by Cezary Maczyuski dba Kusko Liquor, for a Package Liquor Store License**

DATE: 4/7/17

Background

Cezary Maczyuski has applied for a Conditional Use Permit in order to obtain a package liquor store License to do business as Kusko Liquor. The property is located at 801 B. Front Street in Bethel, Alaska at the site of the existing Cezary's Auto, owned by Mr. Maczyuski. The conversion to a liquor store would occur underneath the 2-story residence behind the shop (*see photo #1*). If successful in obtaining a package liquor store license, Mr. Maczyuski plans to convert a portion of the first floor (an existing storage area) of the 2-story residence into a package liquor store. He would also convert most of the auto shop office into three parking spaces (*see photo #2*).

Per Bethel Municipal Code Section 5.08.060 (Alcoholic Beverages), a Conditional Use Permit is required for the sale of alcohol.

The Conditional Use Permit provides additional review of land uses which are generally considered appropriate in certain zoning districts provided that appropriate safeguards are considered to ensure their compatibility with permitted principal uses. The conditional use permit procedure is intended to allow more scrutiny on the impact of the proposed conditional use on surrounding property, and the application of controls and safeguards to assure that the conditional use will be compatible with the surrounding area.

Below is Code Section 18.60.040 (Conditional Use Permit) followed by 10 questions answered by staff regarding the location of the proposed conditional use. The answers to these questions form the basis for the Planner's recommendation to the Planning Commission.

BMC 18.60.040 Staff Review

A. The land use administrator shall review the conditional use permit application and the accompanying site plan permit application for completeness and request any additional material required. Upon determining that the application is complete, the land use administrator shall prepare a staff report with analysis and recommendations. The report shall specifically address drainage on the parcel. The land use administrator may recommend any conditions reasonably necessary for the proposed use to permit the conclusions required under subsection B of this section. The written staff report containing the analysis, proposed conditions and conclusions shall be provided to the planning commission with their meeting materials one (1) week prior to the public hearing.

B. The land use administrator may make a recommendation for approval only when the proposed use and conditions clearly support the following conclusions:

Staff Findings

1. The conditional use meets the standards otherwise applicable to a use in the applicable land use district.

The proposed Kusko Liquor site is located next to the Kuskokwim River in the middle of General Use Zoning District. (*see attached Bethel Zoning Map*). *The General Use District is intended to allow a mix of compatible residential and commercial uses.* Observations made while performing a land use survey of the 600-foot radius area are that this is a predominant commercial area.

2. There are adequate existing or proposed sewage capacity, transportation facilities, parking area, drainage facilities and water supply to serve the proposed conditional use without causing a substantial negative impact on the existing level of services provided by such public facilities.

The Auto body shop has been a business on the site since 1996. For converting to a package liquor store, there is no planned expansion of the structure. However, the footprint of the shop building will actually decrease, as approximately 600 square feet of the office will be demolished for three parking spaces.

Existing Parking

Customers currently park perpendicular to the shop. The shop is seven feet from the western property line resulting in vehicles parked partially across the line. This same property to the west of Cezary's has also been used for a row of customer parking for many years, with no problem.

Planned Parking

For off-street parking, BMC 18.48.160 D16 (Retail Sales and Services) requires one space per 300 feet of gross floor area.

The 18-foot x 30.7-foot structure (553.6 sq. feet) would require a minimum of two (2) parking spaces. *According to the attached site map drawing*, the new parking configuration shows three (9' wide by 20' long) parking spaces. An existing portion of the shop office would be demolished in order to accommodate the three parking spaces, which would make them now completely within Cezary's property line. As a result, the remaining building edge would now be 28.5-feet from the property line. BMC 18.48.200 (Driveway Standards) also calls for a 25-foot wide driveway, which would accommodate two-way traffic on and off the property. The required 20-foot parking lengths plus the 25-foot wide driveway equals 45 feet required for the parking space length plus driveway width. Cezary's property line falls 16.5-feet short to accommodate these requirements which would result in his driveway width extending 16.5 feet onto the neighboring property (*see photos #3 and #4*).

Water and Sewer

There is a water tank on the property with a capacity of 750 gallons and sewer tank with a capacity of 1,000 gallons.

Drainage

According to the COB Roads Foreman, there are no drainage issues associated with this property.

3. The conditional use conforms to the intent and purposes of the land use code that are set out in BMC 16.04.010;

16.04.010 Purposes.

A. In addition to the purposes set out in each title, the purposes of BMC Titles 15, 16, 17, and 18 together are to:

1. Promote a logical growth pattern within the city and the economic extension of public services and facilities;
 2. Encourage the most appropriate use of land throughout the city;
 3. Reduce congestion in the streets;
 4. Enhance safety from fire, flooding and other dangers;
 5. Provide adequate light, air and open space;
 6. Preserve property values;
 7. Prevent the overcrowding of the land;
 8. Avoid undue concentration of population;
 9. Facilitate adequate provisions for transportation, water, sewage, drainage, schools, parks and other facilities;
 10. Assure that development does not adversely affect either the ability of the city to deliver public services or the safety of property and the health, safety and welfare of persons;
 11. Assure that the burdens placed on public facilities by development are borne by the development;
 12. Promote the public health, safety and welfare.
- B. BMC Titles 15, 16, 17 and 18 shall be interpreted and administered to complement each other and so as to implement the purposes set out in subsection A of this section. [Ord. 10-15 § 4.]

Except for the highlighted Goal #3 above (Reducing Congestion in the streets), the proposed Conditional Use conforms to the intent and purposes of the land use code that are set out in BMC 16.04.010. Although this liquor store may cause congestion on Front Street because of limited parking spaces, it may actually help in reducing traffic congestion at the other package liquor store located on a much busier street in town.

4. The use and structures proposed are of an appropriate character and scale for the neighborhood in which the project will be located, including parts of the neighborhood that may lie outside the land use district within which the parcel is located.

Within the 600-foot radius of Cezary's Auto, there are the following uses:
(see attached *Land Use Map for reference*)

Main Street

AVCP office building

Front Street (formerly First Ave)

Bentley’s Bed & Breakfast, First National Bank, Bethel Spirits Liquor Store, AVCP storage building, barge & boat fuel and water delivery services, Cezary’s Auto with residence, café, one residence

Note: Bethel Spirits liquor store, located across the street from the proposed Kusko Liquor, was open for 30 days last year, starting at the end of September to November. For 2017, their plan is to open the store for 30 days in the summer.

Private Road (road between Bethel spirits and AVCP Storage across the street)

Swanson’s Lumber, Social House, Catholic Church.

Second Avenue

Swanson’s Store, Hardware Store

Total Uses by Type in the 600-foot Radius

One office building,

Bed & Breakfast

Bank

Liquor store

Storage building

Fuel and water delivery services (at the seawall – *see photo#5*)

Auto body shop

Café

Lumber store

Social house

Church

2 residences (one residence is behind Cezary’s shop and the other residence is 640-feet away (as the crow flies).

There are no schools or alcohol in/out-patient facilities in the area. The front entrance from Kusko Liquor to the front entrance of the Catholic Church next to Swanson’s is approximately 600 feet. This distance is well beyond the State of Alaska statute distance restriction of 200 feet (AS.04.11.410).

5. The conditional use is in accordance with and furthers the goals and policies of the comprehensive plan.

The conditional use is in accordance with the Bethel Comprehensive Plan 2035, adopted in 2011. Under the Goals and Strategies Section of Chapter 4 (Land Use, Housing, and the Environment). the relevant sections, “Growth Patterns” and “Land Use Compatibility” both concern development site location.

Goal #2 under “Growth Patterns” encourages future growth to locate near existing employment centers and public services (see page 4-8 of the attached section of the Bethel Comprehensive Plan). The site location of this proposed establishment into an existing commercial structure also adheres to the associated Action step #1b that encourages infill of development.

Under the Land Use Compatibility section (*see page 4-11 of the attached section of the Bethel Comprehensive Plan*), Goal #3 provides for compatibility among adjoining land uses so that future development maintains or improves the quality of life or land value of surrounding uses”. Except for the non-commercial structures (2 church buildings and 1 residence, each located on the fringe of the 600-foot radius, the Kusko Liquor Store would fit well into this commercial neighborhood.

Map 4.4 (*Future Land Use Plan Map - see page 4-10 of the attached section of the Bethel Comprehensive Plan*) is a long-term vision of how and where the city will grow and change over the next 20 years to accommodate expected population and job growth (versus the City’s current Zoning Map which designates how land can be used and what can be built on any given property today). The Future Land Use Map designates the current Cezary’s Auto site as being in the “Industrial/Commercial District. This future zoning designation encompasses most of the riverfront areas of Bethel, including the Port close by.

6. The proposed use will not subject surrounding properties nor vehicles and pedestrians using nearby streets and ways to hazardous or substantially increased traffic conditions.

Front Street is not a very busy street. The liquor store across the street is open 30 days out of the year. The driveway of the nearest daily commercial activity is 170 feet away (the bank). In the summer months, fuel and water trucks access the property to the west as a driveway to deliver water and fuel to barges and boats docked behind the seawall.

Cezary’s Auto currently attracts customers and vehicles to the premises. Kusko Liquor would attract customers and vehicles as well. There will be a difference though regarding the frequency of vehicles coming into the neighborhood as the liquor store will experience peak - rush hour traffic to the premises, especially one hour before store closure. The question to consider in this case is how much of an impact will there be for peak-rush hour traffic in this highly commercialized neighborhood with low volume traffic?

7. There is a demonstrated need for the conditional use limited primarily to the area proposed, or, if the use will generally serve a larger area, then a demonstration that the use is essential to the city generally, and because of a feature of the property, the general need can be met by the property, but cannot be met as a principal permitted use on other property in the city.

Customers to Cezary’s Auto currently come from all over the city. If the auto shop is converted to a liquor store, customers would continue to come from a broad area of the city.

As this site is located in a big commercial/industrial area of Bethel, and away from residential neighborhoods, the site may be more appropriate for a liquor store than most other areas of Bethel. A second liquor store would certainly reduce congestion at the other store in town.

However, there is an existing package liquor across the street, but open only 30 days out of the year. This may or may not be an impact.

8. The use, under the conditions proposed, will be compatible with existing and principal uses authorized and will not cause negative impacts on nearby property, including impacts from drainage, that exceed the impacts that would ordinarily be expected from principal permitted uses of the property that is the subject of the application.

The proposed use is in a strictly commercial area and is located across the street from a former fish processing plant, now used for storage.

There are no drainage issues on the property.

9. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the conditions proposed adequately address the relevant matters and standards covered by BMC 15.08.160 through 15.08.180. [Ord. 01-05 § 8.]

Cezary's's Auto is located in the floodplain. However there will be no new construction nor expansion of the existing structures footprint that would require flood proofing.

10. The proposed conditional use will not be detrimental to the general public health, safety or welfare or to the environment.

Concern for the public's health, safety, and general welfare are reflected in the regulations of the Bethel Municipal Code. Below is a summary of findings relative to the Code:

Summary of Findings

- a) The proposed package liquor store site complies with location restrictions contained in BMC Section 5.08.30 and Alaska Statute 04.11.410 regarding proximity to sensitive establishments such as schools, alcohol in/outpatient facilities and churches. The closest church is 600-feet away.
- b) The location for the Conditional Use Permit request is consistent with the City of Bethel's General Use Zoning District. Also, the closest residence is 640 feet away.
- c) The conditional use is in accordance with two land use goals in the Bethel Comprehensive Plan's Land Use Goals and Strategies section. It is consistent with the encouragement of the "infill" of development, and consistent with the encouragement of future growth to locate near existing employment centers and public services. According to the Future Land Use Plan Map, Kusko Liquor is located in an Industrial/Commercial district.
- d) Regarding 16.04.010 A3 (Reducing Congestion in the Streets): Although this liquor store may cause congestion on Front Street because of limited parking spaces, it may actually help in reducing traffic congestion at the other package liquor store located on a much busier street in town.

- e) The property will meet the two parking space BMC requirement for retail sales and services. However, the availability of only 3 parking spaces combined with peak hour traffic demand may cause congestion in the neighborhood. During peak demand sales, there would be many more vehicles parked offsite than onsite.

- f) Cezary's property line falls 16.5-feet short of accommodating the required 20-foot parking length plus the 25-foot wide, two-way driveway. The required 45-feet would extend 16.5 feet beyond the neighboring property line. This circumstance would require a lease or easement from the neighboring property owner to accommodate this requirement.

Recommendation to the Planning Commission

Most of the findings are consistent with the BMC except for non-compliance with the 25-foot width standard for the two-way driveway. This driveway cannot cross another property line unless there is a lease or easement obtained from the property owner.

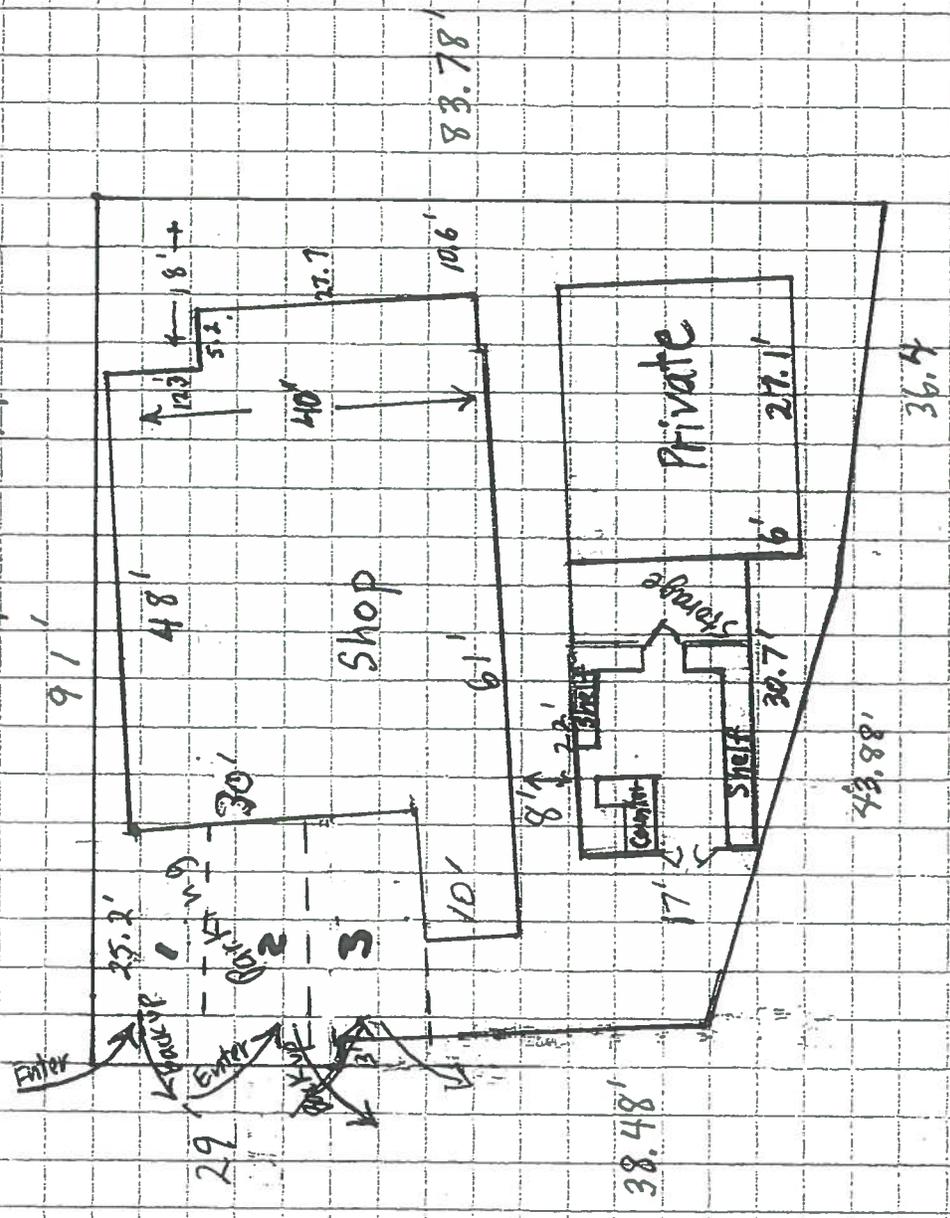
As the proposed liquor store size is only 554 square feet, this small size requires only two parking spaces. Yet peak hour demand will be far greater than the offering of only two parking spaces. During these peak times, there would be more cars looking for a place to park on the street than on the premises.

It is for these two issues, that I recommend against approval of the Conditional Use Permit for Kusko Liquor for package liquor store sales on the property located at 801 B Front Street in Bethel, Alaska.

Scale 1" = 20'

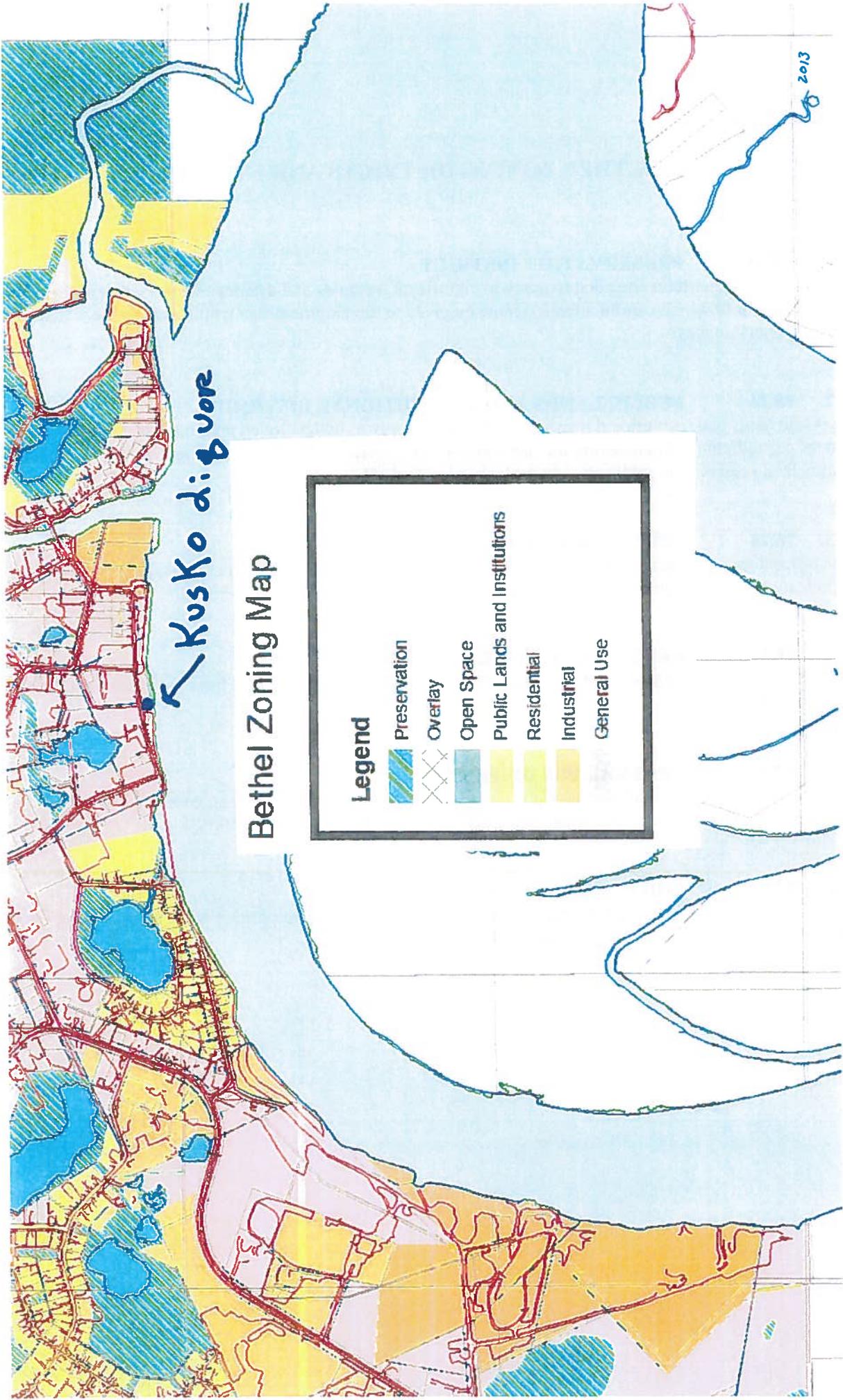
Cezary J. Maczynski
Kusko Liqueur

First Avenue



store hrs 374
Storage hrs 318

KUSKOKWIM RIVER



← Kusko di g uore

Bethel Zoning Map

Legend

- Preservation
- Overlay
- Open Space
- Public Lands and Institutions
- Residential
- Industrial
- General Use

2013

BETHEL ZONING DISTRICTS AND INTENTS

1. 18.20 PRESERVATION DISTRICT

The preservation district is intended to apply to significant wetlands and drainage ways that should be preserved as open areas or to which careful attention must be given to development that would disturb the wetlands or affect the drainage ways.

2. 18.24 PUBLIC LANDS AND INSTITUTIONAL DISTRICT

The public lands and institutional district is intended to apply to undeveloped public lands not dedicated for open space, and public and quasi-public institutional uses, including government office buildings, facilities, and existing land reserves for public and institutional use. [Ord. 01-05 § 8.]

3. 18.28 OPEN SPACE DISTRICT

The open space district is intended to provide undeveloped open space, to protect trails, to provide open areas for recreation, and to provide buffers between incompatible districts. [Ord. 01-05 § 8.]

4. 18.32 RESIDENTIAL DISTRICT

The intent of the residential district is to provide protection to residential areas from encroachment from nonresidential activities.

5. 18.36 GENERAL USE DISTRICT

The general use district is intended to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district. [Ord. 01-05 § 8.]

6. 18.40 INDUSTRIAL DISTRICT

The industrial district is intended to apply to areas where industrial development is the predominant, or is expected to be the predominant use. [Ord. 01-05 § 8.]



BETHEL

COMPREHENSIVE PLAN

2035

ADOPTED
SEPTEMBER 2011

prepared by AGNEW::BECK Consulting
for the City of Bethel, Alaska



Growth Patterns

GOAL 2: Encourage future growth to locate near existing employment centers and public services. Coordinate plans affecting the location of growth with plans for the location of water, wastewater and roads, as economically feasible.

Strategy 1: Explore policies (including infill and redevelopment) that could be used to encourage development of lands within or adjoining existing developed areas that have the potential to accommodate new growth.

Action 1a: Identify and map areas within or adjoining existing developed areas that have the potential to accommodate new growth; these include vacant or underutilized lands served by roads, with good access to public services and employment.

Candidate areas include:

- The developed areas of "downtown Bethel."
- Undeveloped land immediately adjoining downtown Bethel, for example, the land adjoining the easternmost of the possible "donut hole" road routes – a new north-south road and water/sewer line just west the existing downtown Bethel.
- River front land downriver from the existing port, and the vicinity of the East Harbor.

Action 1b: Review and work to remove barriers that discourage infill and redevelopment (e.g., lack of access to properties, excessive restrictions in the BUC).

Action 1c: Create appropriate incentives for individual landowners to redevelop property and/or carry out infill projects that would otherwise not be feasible.

This might include assisting land owners apply for façade improvement grants, energy-related building upgrades or temporary reductions in taxes (this latter is a strategy that typically applies in communities with property taxes, and may not be possible in Bethel).

Action 1d: Plan for and develop expanded infrastructure, as needed, to support priority uses.

For example, water and sewer lines serving expanded or relocated port facilities.

Policy 1e: Protect the interests of current users as land is redeveloped.

For example, if the City partners with a private developer in redeveloping land currently used for housing, take steps to provide affordable housing available to households currently living on the property.

Strategy 2: Remove regulatory hurdles and/or create incentives for more concentrated development.

Action 2a: Review and revise (as necessary) Bethel's existing parking requirements; where possible, reduce parking requirements and encourage shared parking or access for alternative transportation modes (e.g., pedestrian facilities, public transit).

Public discussion indicated some concern about new retail businesses having adequate off-street parking. BMC Chapter 18.48 Article II. Off-Street Parking and Loading includes parking requirements for all uses. If there is a lack of parking, this code could be revised to require additional spaces. However, if development is concentrated (particularly in central commercial areas) and transportation policies promote alternative modes (e.g., sidewalks for walking or bicycling, legal access for snowmachines), the need for off-street parking can be reduced. Likewise, the need for larger parking areas can be reduced through the use of shared parking arrangements.

Land Use Compatibility

GOAL 3: Provide for compatibility among adjoining land uses, so future development maintains or improves the quality of life or land values of surrounding uses.

Strategy 1: Review and revise Bethel land use regulations.

Action 1a: Examine existing Bethel code and existing land uses; revise and simplify land use designations to better fit the reality of Bethel's mixed use land use patterns.

A first suggestion for these uses includes the following categories:

- *Low density residential areas*
- *Mixed use - residential primary (residential and limited, residential-compatible uses)*
- *Mixed use (mix of commercial & residential, fewer constraints on size and character of commercial)*
- *Industrial/heavy commercial zone,*
- *Public Use*
- *Airport and related uses*

Action 1b: Use the generalized future land use designations in the Land Use Plan Map (Map 4.4), which broadly identifies areas intended for various uses, as the starting point for revising the zoning code in BMC Title 18 (Bethel zoning code).

For example,

- *Low density residential areas. This zone takes in several specific subdivisions, e.g., Tundra Ridge, Larson and Blueberry. In these areas uses should be generally limited to residential uses. Exceptions would be for small home-based businesses with minimal off-site impacts, or perhaps neighborhood serving commercial, such as a small grocery store.*
- *Mixed use. This use is intended to be the most common land use zone, made up of residential and residential-compatible uses. Examples of residential compatible uses include schools and other community serving, non-industrial facilities, and churches, office and professional services uses (e.g. health facilities), and neighborhood-serving commercial*
- *Industrial/Heavy Commercial. This zone is intended for uses that are generally incompatible with residential, and consequently need to be located where they do not disrupt adjoining residential or residential-compatible uses. This zone includes such uses as warehousing, storage, construction-related industries, marine and aviation-related industries. Key industrial locations include the tank farm, the port, the airport and portions of the waterfront between Second Avenue and the waterfront and the airport.*

Action 1c: Modify code to require a conditional use review process for large-scale uses or any other use likely to have significant off-site impacts

Examples of such projects include a large scale public building, or a private use such as car repair



Map courtesy of the USGS
 BLM, DNR and Agnew, Beck. This map was
 compiled for the City of Bethel with assistance
 from Agnew, Beck, Consulting
 File: Bethel_Ownership 11/22/10
 Zone 4, NAD 1083

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Examples of such projects include a large scale public building, or a private use such as car repair.

5.08.030 City council review of license.

The city council shall determine whether to protest or recommend with conditions, the issuance, renewal or transfer of a liquor license application and shall consider the following factors it believes are pertinent. Such factors shall include, but not be limited to:

- A. City records indicating whether the applicant and/or transferor is in violation of the city sales tax ordinances or regulations, has failed to comply with any of the filing, reporting or payment provisions of the city ordinances or regulations, or has any unpaid balance due on tax accounts for which the applicant and/or transferor is liable;
- B. The character and public interests of the surrounding neighborhood;
- C. Actual law enforcement problems with supporting data;
- D. The concentration of other licenses of the same and other types in the area;
- E. The adequacy of parking facilities;
- F. The safety of ingress to and egress from the premises;
- G. Compliance with state and local fire, health and safety codes;
- H. The degree of control the licensee has or proposes to have over the conduct of the licensed business. In determining the applicant's demonstrated ability to maintain order and prevent unlawful conduct, the city council may consider police reports, the appearance of a readily identifiable pattern or practice of recurring violent acts or unlawful conduct on the licensed premises, testimony presented before the council, written comments, or other evidence deemed to be reliable and relevant to the purpose of this subsection;
- I. Whether the applicant can demonstrate prospective or continued compliance with operations procedures for licensed premises set forth in BMC [5.08.110](#);
- J. The proximity to a school or alcohol inpatient or outpatient treatment;**
- K. Any history of convictions of the applicants and affiliates of the applicants for:
 - 1. Any violation of AS Title [4](#);
- L. Any other factor the city council determines is relevant to a particular application. [Ord. 15-32 § 2]

5.08.040 Council action on liquor license applications.

- A. If a city council member wishes to protest the application, a resolution shall be prepared and introduced at the next regularly scheduled council meeting or earlier if necessary to meet the requirements of AS [04.11.480](#)
- B. At least seven (7) calendar days prior to the council meeting, the city clerk shall provide the applicant with:
 - 1. A copy of the proposed resolution; and

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 March 15, 2017 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
Kusko Liquor (801 Front Street) 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 # 2017Anch1072

By

Diana C. Parks

Diana Parks
Supervisor

Authority AS 18 70 089

Form 12-741

(6-01)

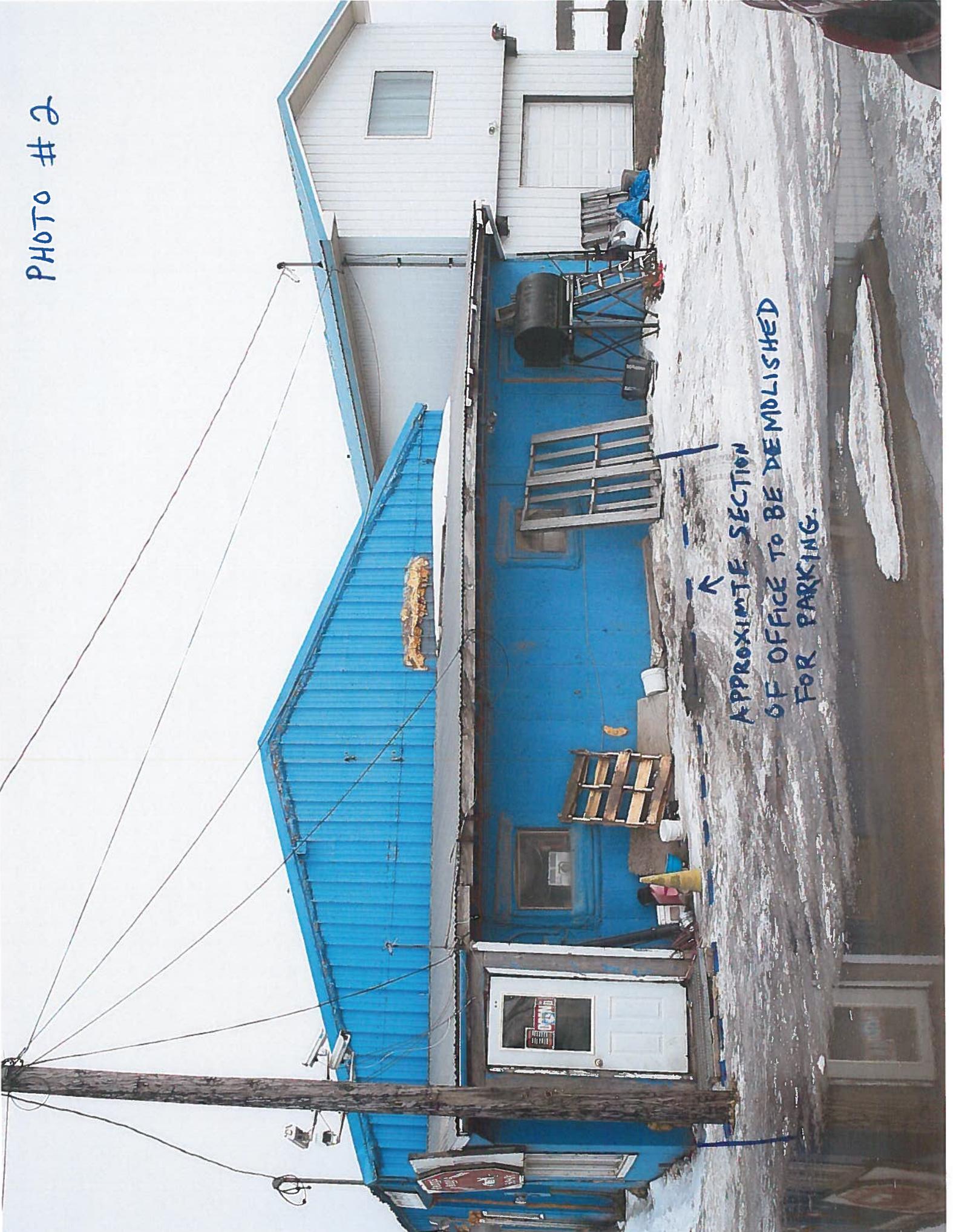
Renovation / Remodel ONLY

PHOTO #1



↑
PLANNED
LIQUOR
STORE
(1ST FLOOR)

PHOTO #2



APPROXIMATE SECTION
OF OFFICE TO BE DEMOLISHED
FOR PARKING.

PHOTO
#3

SAMPLE
NEW PARKING
LENGTH

Property
Line - approximate

OFFICE SECTION TO
BE DEMOLISHED
FOR PARKING

PAINT BODY
Cezary's
Auto Body & Paint
543-4241

801

PAIR

FRONT STREET



PHOTO #4

APPROXIMATE
PROPERTY
LINE

NEED 16.5 FEET →
FOR 35' DRIVEWAY

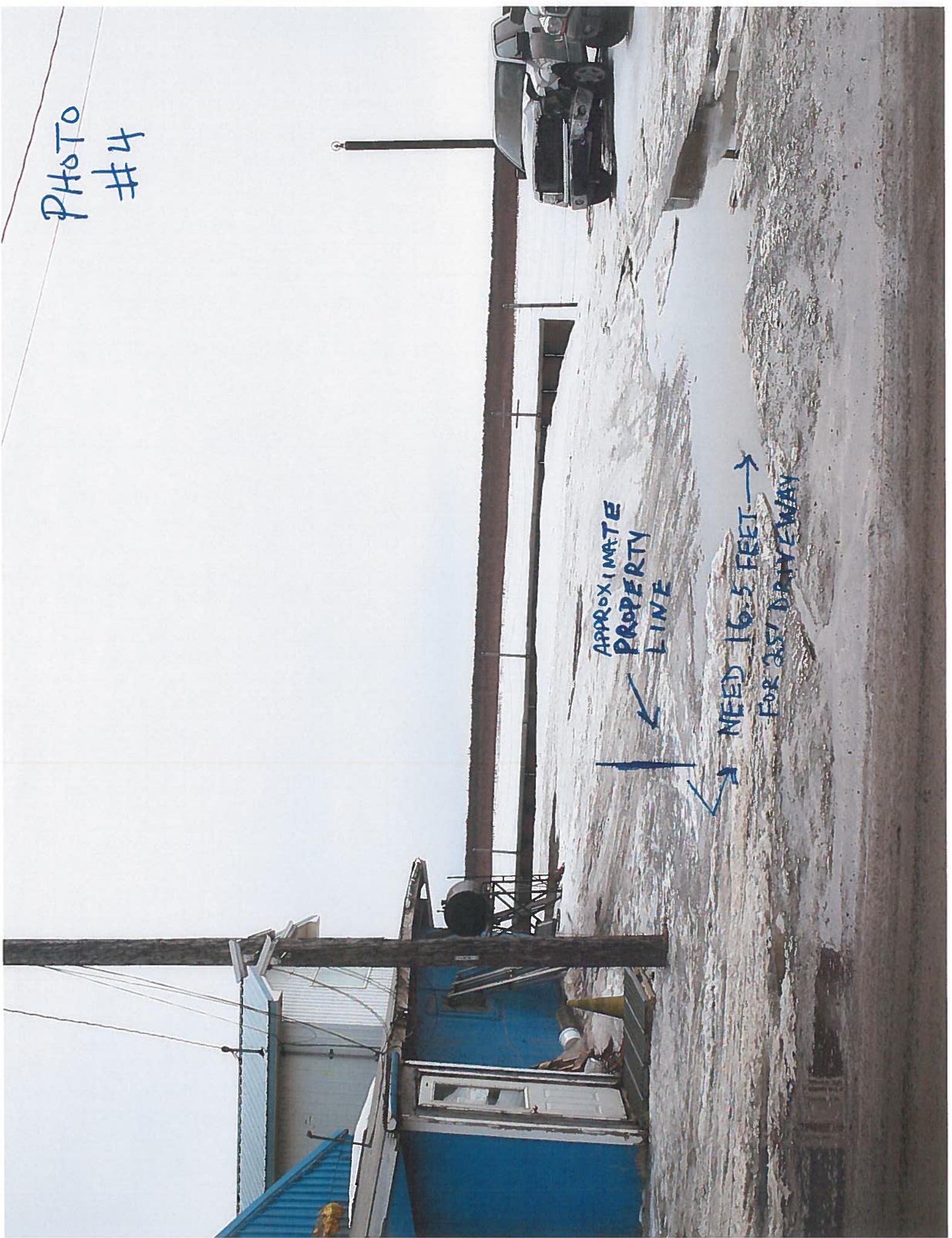


PHOTO #5



FUEL & WATER DELIVERIES

Chapter 18.48 SUPPLEMENTAL REGULATIONS

Sections:

Article I. Zero Lot Line Development

[18.48.030](#) Zero lot line development.

Article II. Off-Street Parking and Loading

[18.48.150](#) Purpose of off-street parking, loading and driveway requirements.

[18.48.160](#) Off-street parking requirements.

[18.48.170](#) Parking area location.

[18.48.180](#) Off-street parking design standards.

[18.48.190](#) Disabled parking standards.

[18.48.200](#) Driveway standards.

[18.48.210](#) Loading standards.

Article III. Height Restrictions

[18.48.250](#) Air navigation hazards – Purpose.

[18.48.260](#) Height restrictions.

[18.48.270](#) Airport height map.

Article I. Zero Lot Line Development

18.48.030 Zero lot line development.

A. The purpose of this section is to allow more flexibility in site design and to provide for increased open or yard space.

B. The planning commission may approve a residential zero lot line development following the conditional use procedures pursuant to Chapter [18.60](#) BMC. Except as provided in subsection C of this section, the development requirements shall be in conformance with all other requirements of the district. The required yard on the side of the lot opposite the property line on which the party wall rests shall be increased by the amount of yard otherwise required adjacent to the party wall property line. A site plan permit is required prior to construction of a structure exempted from a yard requirement under this section.

C. Single-family, duplex and triplex residential structures may be exempted from a side or the rear yard requirements by the planning commission if:

1. The party wall of the separate residential units rests on the lot line;
2. A signed party wall agreement is submitted to the planning commission and approved by the commission; and

3. The planning commission determines that the yard adjacent to the party wall lot line is not necessary for drainage, access, circulation, parking or for use as a buffer area from adjacent uses. [Ord. 01-05 § 8.]

Article II. Off-Street Parking and Loading

18.48.150 Purpose of off-street parking, loading and driveway requirements.

The purpose of off-street parking, loading and driveway requirements is to establish and maintain areas for efficient and convenient driveway access and parking for residential, civic, commercial and industrial uses, and to provide a safe means for discharging people and products from ground transportation. BMC [18.48.150](#) through [18.48.210](#) may be referred to as the off-street parking and loading code. [Ord. 01-05 § 8.]

18.48.160 Off-street parking requirements.

A. No parking area provided for the purpose of complying with the provisions of this code shall be eliminated, reduced, or converted to another use unless equivalent facilities are provided in conformance with this chapter and approved by the planning department on a site plan permit. **New structures or uses on a lot must provide parking space as required by this chapter.** Additions or expansions to any structure or a change in use on a property shall be accompanied by parking facilities to replace parking lost or to achieve conformance with this chapter.

B. Space computations for any parking requirements that result in fractional requirements shall be increased to the next higher whole number.

C. Parking requirements for types of structures or uses not specifically listed in this section shall be determined by the land use administrator based on comparable uses listed in this chapter or on standards recommended by a professional planning or engineering organization.

D. Off-street parking space shall be provided as set out in this subsection:

1.	Single-family and duplex	2 spaces per dwelling unit
2.	Multifamily, including triplex	1.5 spaces per dwelling unit
3.	Religious assembly	1 space per 4 seats or 8 feet of bench in the main assembly
4.	Library, cultural exhibits	1 space per 400 square feet gross floor area

5.	Primary and secondary schools	1 space per classroom plus 1 space per administrative employee, and 1 space per 6 students design capacity or 1 space per 4 seats/8 feet of bench in the main auditorium, whichever is greater
6.	College/trade school	1 space per 1 faculty FTE plus 1 space per 5 student FTE design capacity
7.	Stadium/fairground	1 space per 4 seats or 1 space per 8 feet of bench, whichever is greater
8.	Other public assembly, recreation, or entertainment	1 space per 4 seats or 1 space per 8 feet of bench, or 1 space per 100 square feet of gross floor area, whichever is greater
9.	Hospital	1 space per two beds
10.	Professional/administrative offices	1 space per employee plus 1 space per 400 square feet gross floor area
11.	Medical offices and clinics	1 space per employee plus 1 space per 200 square feet gross floor area
12.	Retail sales and service	1 space per 300 square feet gross floor area
13.	Retail sales and service of large items such as furniture and appliances	1 space per 750 square feet gross floor area
14.	Personal service	1 space per 300 square feet gross floor area

15.	Shopping center/department store	5 spaces per 1,000 square feet gross floor area, except restaurant space shall be provided as set out in subsection (D)(16) of this section
16.	Restaurant	1 space per 100 square feet gross floor area
17.	Motel, hotel, bed and breakfast, boarding and lodging facilities	1 space per guestroom
18.	Warehouse, wholesale, distribution, manufacturing	1 space per employee plus 1 space per commercial vehicle plus 1 space per 700 square feet of patron service area
19.	Heavy industrial	1 space per each 1.5 employees

[Ord. 01-05 § 8.]

18.48.170 Parking area location.

A. Required parking facilities for long-term residential uses shall be located on the same lot as the use the parking facilities are intended to serve.

B. Required parking facilities shall be located on the same lot as the use such parking facilities are intended to serve or, except for uses other than long-term residential use on a lot under the same ownership if such parking is located adjoining or in close proximity to the actual use or uses served, and there is a safe, convenient pedestrian connection between the lots.

C. Except for long-term residential uses, required parking facilities of two (2) or more uses, structures or contiguous lots or parcels may be satisfied by the same parking facilities used jointly if the parking facility meets the total requirement for all uses and situations; provided, an overlap of up to twenty (20) percent of the highest overlapping single user's requirement may be permitted if, but only for so long as, the hours of operation of the overlapping users do not overlap and the right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing the joint use which remains effective for so long as the users' requirements must be met by overlapping use. [Ord. 01-05 § 8.]

18.48.180 Off-street parking design standards.

A. All off-street parking spaces shall be no less than nine (9) feet by twenty (20) feet in size, except that all parallel parking spaces shall be no less than nine (9) feet by twenty-two (22) feet in size.

B. The aisle width between parking spaces shall be no less than:

1. Sixteen (16) feet between rows of parking spaces angled thirty (30) degrees or less;
2. Eighteen (18) feet between rows of parking spaces angled at greater than thirty (30) degrees but not greater than sixty (60) degrees;
3. Twenty-five (25) feet between rows of parking spaces angled at greater than sixty (60) degrees;
4. Twelve (12) feet for one-way aisles and twenty-four (24) feet for two-way aisles between parallel parking spaces.

C. Each parking space shall have access to a circulation isle which shall access a street or alley.

D. Maneuvering and access aisle area shall be sufficient to permit vehicles to enter the space in a forward motion except that residential and employee parkers may back in from alleys.

E. Parking lots with four (4) or more stalls shall have an improved surface approved by the city engineer; provided, the overall finished grade of a parking lot shall not exceed a five (5) percent slope.

F. The lot shall be graded so that it will drain as required by the city engineer.

G. All boundaries of the lot directly abutting public or private property shall have a landscaped setback of at least eight (8) feet or shall have a suitable barrier to prevent vehicle encroachment beyond the property line.

H. Neither the landscaped setback required in subsection G of this section nor any landscaping or sign shall block the visibility of drivers exiting across a public sidewalk or entering a public street. If located closer than eight (8) feet to the nearest sidewalk or twenty (20) feet from the nearest improved edge of the street, any closed fence, wall, ground-mounted sign, bush, or hedge line shall not exceed twenty-four (24) inches in height along any side having a driveway exit across a sidewalk or to a street.

I. Parking facilities available for night use by employees or patrons shall be lighted during the night hours of use.

J. Covered parking spaces shall have a vertical clearance of a least seven (7) feet six (6) inches above the parking lot surface for all uses except residential. [Ord. 01-05 § 8.]

18.48.190 Disabled parking standards.

A. Parking lots which contain six (6) to twenty-five (25) required spaces shall provide one (1) space for restricted use of disabled persons. Parking lots that contain twenty-six (26) to fifty (50) required spaces shall contain two (2) spaces for restricted use of disabled persons. Parking lots which contain more than fifty (50) required spaces shall contain one (1) additional space for restricted use of disabled persons for each additional one hundred (100) parking spaces or fraction thereof that are required.

- B. Parking spaces required by this section shall be at least nine (9) feet wide and shall have an adjacent aisle that is at least six (6) feet wide. Two (2) adjacent parking spaces that meet the requirement of this section may share an aisle.
- C. A sign shall be posted for each disabled person parking space. The sign shall be clearly visible, and be marked with the international symbol of handicap access.
- D. All other design considerations must comply with the Americans With Disabilities Act. [Ord. 01-05 § 8.]

18.48.200 Driveway standards.

- A. Driveways serving residential uses on lots served by piped sewer and water shall have a minimum width of not less than nine (9) feet when serving four (4) or fewer dwelling units and a driveway width of not less than sixteen (16) feet when serving five (5) or more dwelling units or in lieu thereof, two (2) separate driveways not less than nine (9) feet in width.
- B. Driveways serving other than residential uses on lots served by piped sewer and water shall have a minimum width of fifteen (15) feet to accommodate one-way traffic and a minimum width of twenty-five (25) feet to accommodate two-way traffic.
- C. Driveways serving any use on a lot that is not served by both piped water and piped sewer shall have a minimum width of not less than twenty-five (25) feet unless the land use administrator determines that practical considerations such as lot frontage, proximity to a street intersection, lot size, lot topography, drainage patterns, the location of preexisting structures or the proposed principal structure and other considerations require a lesser width be provided. Before authorizing a lesser width, the land use administrator shall obtain and consider the recommendations of the director of public works.
- D. Parking areas for two (2) or more vehicles shall be designed to prevent or discourage cars from backing out into a public street, public or private pedestrian walk, or public alley, in order to leave the area or to maneuver out of the parking space. Parking lots shall be designed and improved so as to prevent ingress and egress at any point other than designated entrance or exit drives.

E. Access driveways to parking areas containing four (4) or more spaces shall be located and designed as follows:

1. Parking area entrance and exit driveways shall be located a minimum of fifty (50) feet from the nearest street intersection, as measured from the centerline of the driveway to the nearest line of the nearest travel lane of the intersecting street.
2. Driveways crossing the street property line of a single lot shall be limited to one (1) entrance and one (1) exit driveway along the frontage of a single street. The centerline of the driveways on the same lot shall be separated by a minimum of thirty (30) feet.
3. A combined entrance and exit driveway shall be perpendicular to the street centerline for a distance of twenty-five (25) feet from the street property line.

No
backing
out →

RESOLUTION

Bethel Planning Commission

Resolution No. 2017 – 04

A RESOLUTION OF THE PLANNING COMMISSION **APPROVING/DISAPPROVING** THE CONDITIONAL USE PERMIT APPLICATION BY CEZARY J. MACZYNSKI, DBA KUSKO LIQUOR STORE, FOR A PACKAGE LIQUOR LICENSE LOCATED AT 801 FRONT STREET, IN BETHEL, ALASKA, A PORTION OF UNITED STATES SURVEY 1002.

WHEREAS, Bethel Municipal Code (BMC) Section 5.08.060 states that any use which includes the retail sale or dispensing of alcoholic beverages is permitted only by a Conditional Use Permit; and

WHEREAS, Kusko Liquor has submitted a Conditional Use Permit Application for obtaining a Package Liquor License; and

WHEREAS, the Planner for the City of Bethel has reviewed and wrote findings of fact and recommendation for the Conditional Use Permit application and determined that it **DOES/DOES NOT** conform to the requirements pursuant to BMC 18.60 (Conditional Use Permit Standards and Procedures) and 16.04 (Planning, Land Use, Platting, and Site Development), and recommends the Conditional Use Permit be **DENIED/APPROVED**; and

NOW THEREFORE BE IT RESOLVED that the **PLANNING COMMISSION** has reviewed the Conditional Use application and staff's findings and has determined that it **DOES/DOES NOT** conforms to the requirements pursuant to BMC 18.60 and BMC 16.04, and hereby **APPROVES/DENIES** the permit with the following conditions: **LIST THE REASONS WHY DENIED OR LIST THE CONDITIONS IF ACCEPTEED**:

- 1.
- 2.
- 3.

PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this 30th day of April 13, 2017 by the City of Bethel City Planning Commission Action:

Vote: In Favor: _____ Opposed: _____ Abstained: _____

ATTEST: _____

Kathy Hanson, Chairman
City of Bethel Planning Commission

Recorder

Bethel Recording District:

After recording please return to:

City of Bethel Planning Department

P.O. Box 1388

Bethel, Alaska 99559

ALL NOTICES WERE DONE IN ACCORDANCE OF BMC 18.04.070

Classifieds from page 14

Bid Opening: 1:00 PM on April 13, 2017
Telephone: (907) 269.0767
TTD: (907) 269.0473
TTY: (800) 770.8973

Copies of the Contract bid documents may be obtained at the Napakiak Post Office or the M&O Bethel Station Airport Manager's Office.

Up to date and additional information is available on the web at (<http://dot.alaska.gov>). Under the Section called Find it Fast!, select DOT&PF Public Notices. Look through the section called Procurement for the Invitation for Quotes. (107)(3/29-4/5)

Public Notice

VFW MEMBERSHIP Freedom isn't free, and millions of Americans have paid the price for the freedom we enjoy today. Since 1899, the Veterans of Foreign Wars has served those who served America. From writing veterans legislation and then leading the fight to get it through Congress, to community projects that benefit all Americans, the VFW is an opportunity for veterans to continue to serve. Contact the VFW Robert V. Lindsey Post #10041 at 543-2241 and ask what you can do for your community. (83)(3/26-cnx)

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA FOURTH JUDICIAL DISTRICT AT BETHEL

In the Matter of the Estate of:
SETH GRANT FAIRBANKS, Deceased.
Case No. 4BE-17-6PR

NOTICE TO CREDITORS

You are notified that the court appointed DEBORAH FAIRBANKS as Personal Representative of this estate. All persons having claims against the person who died are required to present their claims within four months after the date of first publication of this Notice or said claims will be forever barred.

the Estate of SETH GRANT FAIRBANKS, or filed with the Court.
DATED this 22nd day of March 2017 at Bethel, Alaska
DEBORAH FAIRBANKS
Personal Representative (115)(3/22-4/5)

**PUBLIC HEARING NOTICE
CONDITIONAL USE PERMIT**

Notice is hereby given that on March 23, 2017, the City of Bethel Planning Office received an application for a Conditional Use Permit for a liquor license. The legal description is a portion of United States Survey 1002. The physical address is 801

Front Street.

Land Owner: Cezary J. Maczynski, dba Kusko Liquor, P.O. Box 1805, Bethel, AK 99559 phone 907-543-4241.

Applicant: same as above.
Purpose: To obtain a package liquor store license in order to sell alcohol.

City of Bethel Contact: Ted Meyer, Planning Director, City of Bethel Planning Dept., phone 907-543-5603.

Time and Place: The regular scheduled meeting of the City of Bethel Planning Commission, 6:30 PM April 13, 2017 at City Hall, located at 300 Chief Eddie Hoffman Highway in Council Chambers. (131)(4/5)

Goose from page 5

Learn more about the Alaska M Bird Co-management Council at: www.gov/alaska/ambcc/. The public reg booklet, Emperor Goose Management and other information will be avail this site.

The Alaska Migratory Co-Management Council was formed in 2000 to collaboratively manage the summer subsistence migratory bird in Alaska. Members include representatives of Alaska Native peoples, the U.S. Fish Wildlife Service and the Alaska Dept. of Fish and Game.

ARCTIC CHIROPRACTIC THERAPY AND REHA

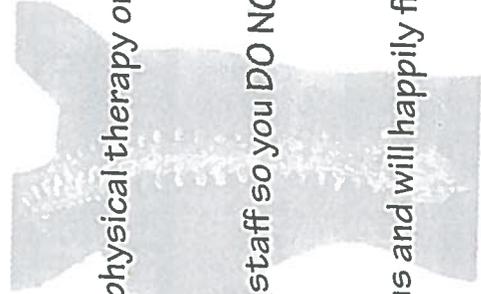
Physical Therapy Chiropractic Massage



Sheri Schoenberg, Physical Therapist
Dr. Garrett Hussion, Chiropractor



If you have been told you need physical therapy or rehabilitation now you have a choice.



We have our own physicians on staff so you DO NOT need a referral-just call us directly.

We accept most insurance plans and will happily file your claims for you in a timely and correct manner.

LKSD, YKHC, City of Bethel, State of Alaska, BCBS, Meritain, United, Premier, Truusted, Wells Fargo, ASEA52. Actma

April 5, 2017

To Whom this May Concern:

You are receiving this notice of a Public Hearing pursuant to Bethel Municipal Code 18.04.070 "Notice shall be mailed to the owners of each parcel of property part of which is within six (600) feet of the exterior boundary that is the subject of the application". If you are not the owner, please pass this notice on.

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Ted Meyer, Planning Director

I hereby certify that this Notice of Public Hearing - Conditional Use Permit Application, has been posted at AC Quick Stop, Bethel Native Corporation, City Hall, and the Post Office on or before April 7. It is further certified that this Notice will be published in the Delta Discovery weekly newspaper beginning the week of April 5, 2017 for one week.

To: Pete Williams, City Manager
From: Ted Meyer, Planner
Subject: **March 2017 Manager's Report**
Date: March 31, 2017

1. ONC Proposed Easement for Access to Planned Subdivision

An easement by deed is currently being drafted for Council review.

2. Planning Commission Business

The Planning Commission recommended approval of the ROW vacation located on the hospital campus in a hearing held on March 9. An ordinance is being drafted for Council review.

The Conditional Use Permit application for the Tundra Liquor Cache located at 105 Hoffman Road was denied approval at a March 30 Planning Commission hearing.

3. RFP Scoring

Met to review and score an RFP for City health insurance on March 31.

4. The following are all active applications at various stages in the permitting process:

Site Plan Permit Applications

- YKHC 54-unit apartment building
- YKHC Man Camp
- LKSD building addition

Conditional Use Permit Applications (2)

- YKHC hospital expansion project - A workgroup consisting of YK consultants, DOT&PF and City Planning staff teleconferences every other Friday to review traffic mitigation alternatives. The Planning Commission hearing is now tentatively scheduled for May.
- The Kusko Liquor Store CUP application is scheduled for a Planning Commission hearing on April 13.

Preliminary Plats (3)

One preliminary plat was determined complete and is scheduled for PC hearing in April/May. Two more preliminary plats are to follow.

**City of Bethel
Grant Summary
Calendar Year 2017**

Preparing

Sponsor	Name	Products/Services	City Depts. (Partners)	Date	\$ Grant \$ City Match
AK Dept. of Health & Social Services	Community Service Patrol Grant	Fund 3 CSPs, gasoline, minor equipment	Police	4/26/17	\$323,081 \$32,308 in-kind
USDA-RD and DEC	Water and Sewer grants and loan	Sewer Lagoon Rehabilitation Project	Public Works	Ongoing	USDA: \$3,332,358 DEC: \$4,464,167

Submitted in Calendar Year 2017

Most recent first

Sponsor	Name	Products/Services	City Depts.	Date	\$ Grant \$ Match
AK Division of Homeland Security & Emergency Mgmt.	State Homeland Security Program	Video camera system, repeaters for radio signals, police active shooter training.	Police, Fire, Port, Public Works	2/17/17	\$350,000 est.
State of Alaska	State Capital Requests	Institutional Corridor, Road Around H-Marker Lake, Ladder Truck, Small Boat Harbor.	PW, Fire, Port	12/16	\$9,670,752

Approved in Calendar Year 2017

Most recent first

AK Dept. of Transportation & Public Facilities	FY 2018 Community Transit Grant	Bethel Transit System operations.	Public Works	12/16	\$250,597 \$80,580
Alaska Public Entity Insurance	Surface Material Grant	Playground surface material (woodchips)	Parks & Rec.	1/16	\$10,000 \$10,000
Total					\$260,597

Not Approved

Most recent first

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