



Planning Commission Meeting Agenda

Regular Meeting Thursday, August 18, 2016– 6:30PM
City Hall Council Chambers 300 Chief Eddie Hoffman Highway

MEMBERS

Joy Shantz
Chair
Term Expires
12/2017

John Guinn
Vice-Chair
Term Expires
12/2016

Nikki Hoffman
Council Rep.
Term Expires
10/2017

Kathy Hanson
Commission Member
Term Expires
12/2017

Cliff Linderoth
Commission Member
Term Expires
12/2017

Lorin Bradbury
Commission Member
Term Expires
12/2017

Vacant
Commission Member
Term Expires

Ted Meyer
Ex-Officio Member

Betsy Jumper
Recorder

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD – (5 Minute Limit)
- IV. APPROVAL OF THE MINUTES FROM THE JUNE 9, 2016 MEETING AND THE JULY 28, 2016 SPECIAL MEETING
- V. APPROVAL OF THE AGENDA
- VI. OLD BUSINESS
 - A. PUBLIC HEARING: Applicant: Baba's Pizza is applying for a Conditional Use Permit to obtain a liquor license. The Legal Description is United States Survey Number 4117, lot 38E of Park Place Subdivision. The physical address is 1725 State Highway. (Action Item)
- VII. PLANNER'S REPORT
- VIII. COMMISSIONER'S COMMENTS
- IX. ADJOURNMENT

City of Bethel, Alaska

Planning Commission Meeting

June 9, 2016

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Planning Commission was held on Thursday, June 9, 2016, at 6:30 PM at the City Hall back room in Bethel, Alaska. Chair Shantz called the meeting to order at 6:38 pm.

II. ROLL CALL

Compromising a quorum of the Commission, the following members were present for roll call: Joy Shantz, Lorin Bradbury, Kathy Hanson and Cliff Linderoth. John Guinn was absent and Nikki Hoffman was attending another City meeting.

Also present was Planning Director Ted Meyer and Recorder Betsy Jumper. City Attorney Burley came in to answer questions.

III. PEOPLE TO BE HEARD

Nobody wished to be heard.

IV. MOTION TO APPROVE THE MINUTES OF THE APRIL 14, 2016 MEETING

MOVED:	Kathy Hanson	To approve the April 14, 2016 minutes.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor 4 and 0 opposed. Motion carries.	

MOTION TO APPROVE THE MINUTES OF THE MAY 26, 2016 SPECIAL MEETING

MOVED:	Kathy Hanson	To approve the May 26, 2016 special meeting minutes.
SECONDED:	Lorin Bradbury	
VOTE ON MOTION	All in favor 4 and 0 opposed. Motion carries.	

V. APPROVAL OF THE AGENDA

MOTION TO APPROVE THE AGENDA OF JUNE 9, 2016

MOVED:	Kathy Hanson	To approve the agenda.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor 4 and 0 opposed. Motion carries.	

VI. NEW BUSINESS: A. PUBLIC HEARING: Applicant: Baba's Pizza is applying for a Conditional Use Permit to obtain a liquor license. The Legal Description is United States Survey Number 4117, lot 38E of Park Place Subdivision. The physical address is 1725 State Highway.

Chairman Shantz opened the public meeting.

The Planning Director gave his report on the Baba's Conditional Use permit application and his facts and findings.

Applicant Surasak Suwanprapa stated the reason why they submitted an application was to increase sales in the restaurant.

People to be Heard:

- Seth O'Brien - spoke in opposition against Baba's Restaurant selling liquor;
- Shantel O'Brien - spoke in opposition.

Due to a conflict of interest, Commissioner Linderoth recused himself.

Chairman Shantz closed the public meeting.

B. RESIGNATION OF COMMISSIONER KUHNE (Action item)

MOTION TO ACCEPT THE RESIGNATION OF COMMISSIONER KUHNE

MOVED:	Lorin Bradbury	To accept the resignation on the Planning Commission.
SECONDED:	Kathy Hanson	
VOTE ON MOTION	All in favor 4 and 0 opposed. Motion carries.	

VII. PLANNER'S REPORT: Ted went over the Planning Director's monthly activity report.

IX . COMMISSIONER'S COMMENTS: Cliff: no comments; Kathy: glad to see people came out to speak to the Planning Commission; Joy: happy to see 2 sided documents in the packet; Lorin: nice to see people come out to the meeting, and also concerned about the wetlands and development . And, one more thing, to see about getting zoning done, to make our lives easier.

X. ADJOURNMENT

MOVED:	Kathy Hanson	Motion to adjourn the meeting at 8:50 PM.
SECONDED:	Lorin Bradbury	
VOTE ON MOTION	4 yes and 0 opposed. Motion carries.	

The next meeting will be on July 21, 2016

_____, Joy Shantz, Chairman
ATTEST: _____, Betsy Jumper, Recorder

City of Bethel, Alaska

Planning Commission Meeting

July 28, 2016

Special Meeting

Bethel, Alaska

I. CALL TO ORDER

A special meeting of the Planning Commission was held on Thursday, July 28, 2016, at 6:30 PM at the City Hall Council Chambers in Bethel, Alaska. Chair Shantz called the meeting to order at 6:30 pm.

II. ROLL CALL

Compromising a quorum of the Commission were members Joy Shantz, Cliff Linderoth, Kathy Hanson and Lorin Bradbury. Excused was John Guinn and Nikki Hoffman.

Also present was Planning Director Ted Meyer, Haley Hanson, and Betsy Jumper.

III. PEOPLE TO BE HEARD

Nobody wished to be heard.

VI. NEW BUSINESS: A. ZONING OF MARIJUANA FACILITIES IN BETHEL

Ted presented the facts and findings of zoning of marijuana in the City of Bethel.

MOTION TO AMEND BETHEL MUNICIPAL CODE (BMC) CHAPTER 18.20.030 TO ADD OUTDOOR MARIJUANA CULTIVATION FACILITIES AS A CONDITIONAL USE PERMIT (CUP) DESIGNATION IN THE PRESERVATION ZONING DISTRICT

MOVED:	Kathy Hanson	To amend BMC 18.20.020, adding "indoor cultivation" as well.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor 4 yes and 0 opposed. Motion carries.	

MOTION TO AMEND BMC CHAPTER 18.36.030 TO ADD INDOOR MARIJUANA CULTIVATION FACILITIES, MARIJUANA TESTING FACILITIES, MARIJUANA TESTING FACILITIES, AND MARIJUANA RETAIL STORES AS CUP DESIGNATIONS IN THE GENERAL USE ZONING DISTRICT

MOVED:	Kathy Hanson	To amend the BMC Chapter 18.36.030, adding "Standard Manufacturing Facilities" as well.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor 4 yes and 0 opposed. Motion carries.	

MOTION TO AMEND BMC CHAPTER 18.40.030 TO ADD OUTDOOR AND INDOOR CULTIVATION FACILITIES AND MARIJUANA MANUFACTURING FACILITIES AS CUP DESIGNATIONS IN THE INDUSTRIAL ZONING DISTRICT

MOVED:	Kathy Hanson	To amend BMC 18.40.030.
SECONDED:	Lorin Bradbury	
VOTE ON MOTION	All in favor 4 yes and 0 opposed. Motion carries.	

X. ADJOURNMENT

MOVED:	Kathy Hanson	Motion to adjourn the meeting at 7:40 pm.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	4 yes and 0 opposed. Motion carries.	

_____, Joy Shantz, Chairman
 ATTEST: _____, Betsy Jumper, Recorder

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

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



**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:	Surasak Suwanprapa DBA.BABA PIZZA & SUB
Physical Address:	1725 State Hwy. Bethel,AK,99559
Mailing Address:	P.O. BOX. 1268 Bethel,AK,99559
Home Phone Number:	
Work Phone Number:	(907) 543-3500
Cell Phone Number:	(907) 545-4666
Email Address:	NUMALASKA@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.

MAY 11 2016

NAME OF PROPERTY OWNER: (If different from Applicant)	Samuel Delon Chavez
Physical Address:	1736 Moss creek Ave. Anchorage, Ak, 99507
Mailing Address:	1736 Moss creek Ave. Anchorage, Ak, 99507
Home Phone Number:	
Work Phone Number:	
Cell Phone Number:	(907)903-4196
Email Address:	delonak@yahoo.com

2. Property Information / Legal Description

Township:	Range:
Section:	Meridian:
Subdivision:	Block(s):
Lot(s):	US Survey or Plat No.:
Street Address:	

3. Conditional Use Description

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

Restaurant with Dine in service. Serve Beer and Wine
This building has been there over 20 years under Brothers Pizza Business. We took over this building in 2012 under Baba Pizza & Sub. There is no problems in the neighborhood with our business.

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

No large impact on roadway expected.
Only traffic we have is if our customers want to come and pick up there food orders and access to trailer court. Very quiet in where we are located.

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.

We have 12 parking spots and all employees are picked up for work.
We will reconfigure parking area to accommodate the required 11.5 parking spaces. (9'x20')per space. Please see site map for reconfiguration.

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

Property fronts road. Plenty of access.

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

Water - 1,000 gal , Sewer - 1,500 gal. One time per week
This capacity is currently more than enough. If we need more we'll increase the capacity.

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.

Will keep alcohol locked in secure location with surveillance camera inside and outside of property. Our customers have been driving to our restaurant for years with no complaints from neighbors.

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

Gross floor area 1,152 sqft. (Please see site map)

4. Mapping

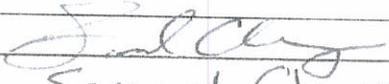
- a. Provide a Site Map of the property drawn to Scale. Please include the following:
 1. Name of property owner and date (in lower right hand corner)
 2. Map Scale
 3. North Arrow
 4. Property lines with dimensions
 5. Streets abutting the property with names
 6. Draw in locations of existing and planned 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 18' 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

1. I hereby apply for approval for an alcoholic beverage use conditional use permit on the above property as described in this application.
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.
3. The information submitted in this application is accurate and complete to the best of my knowledge.

Applicant's Signature:	
Printed Name:	SURASAN BUWANPRAPA.
Date:	05-02-2016.

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

Owner's Signature:	
Printed Name of Owner:	Samuel Chavez
Mailing Address for Owner:	1736 Moss Creek Ave Anchorage, AK 99507
Contact Number for Owner:	907-903-4196

FOR OFFICIAL USE ONLY		
For answers that indicate a deficiency, a detailed explanation must be attached explaining the deficiency and outlining the City's request to the applicant.		
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?		

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 Surasak Suwanprapa, owner of Baba’s Pizza Restaurant.**
DATE: 6/2/16, Updated 8/10/16

Background

Surasak Suwanprapa, owner of Baba’s Pizza Restaurant seeks a Conditional Use Permit to supplement his existing restaurant business with alcohol sales. The property is located at 1725 State Highway in Bethel, Alaska. 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.

Baba’s Restaurant is located in the General Use District (*see attached Bethel Zoning Map*). This district is intended to allow a mix of compatible residential and commercial uses.

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 building that the Baba's Restaurant occupies has been a restaurant business site for 21 years. The restaurant has a 1,000 gallon water tank and a 1,500 gallon sewer tank. The City delivers water and hauls away sewage once per week.

Existing Parking

Existing, off-street parking at the restaurant has customers parking in front of and perpendicular to the restaurant. Customers also park in front of and perpendicular to the office/staff house located on the north side of the property.

Planned Parking

For off-street parking, BMC 18.48.160(D16) requires one parking space per 100 square feet of restaurant gross floor area. With a floor area of 1,152 square feet, 11.5 (12) off-street parking spaces are required. According to the attached scaled, site map drawing, the parking area will be reconfigured into three rows of four vehicles. Two rows are in front of the building (parking spaces are the required 9' x 20-feet). The two rows of parking spaces will be separated by the required 24-foot aisle (*see photo #1, 2, and 3*).

July 15 Update

At the May 26th hearing, there was concern about the row of four parking spaces in front of Baba's staff house in which customers would have to back out into the street when leaving the premises (*see photo #4*). In response, Baba's owner reconfigured the parking spaces from perpendicular parking to parallel in front of the staff house. Customers would use the access easement on the west side to enter and exit from the newly configured parking spaces (*see photos #8 & #9*). When leaving, the customers would back into the easement and drive head first out into the street (*photo #9*). With this new parking arrangement, one parking space was lost (from 12 total parking spaces to 11).

It is anticipated that traffic to and from the Baba's should increase as their objective in supplementing their pizza business with alcohol sales is to increase the number of customers. There are currently no drainage issues on the 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;

The proposed Conditional Use conforms to the intent and purposes of the land use code that are set out in BMC 16.04.010 (*see code directly below*)

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.]

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 Baba’s Restaurant, below are the following uses from west to east:
(see attached Land Use Map for reference)

On Hoffman Road, Behind Baba’s to the West
 Automotive shop, 8 residences, and one warehouse.

**East Side of “Our Own “ Street
 (addresses are listed as on Chief Eddie Hoffman)**
 Q2 Store, 6 residences, 1 shop, Baba’s Restaurant

West Side of “Our Own “ Street and East Side of Raven Road
 A residential trailer court that includes 68 trailers, one office/shop, and 4 houses.

West Side of Raven Road
 2 residences

Total Uses by Type in the 600-foot Radius

- 20 single family residences
- 68 trailer court residences (located across the street from Baba’s in the GU District as well)
- 3 shops
- 1 warehouse
- 1 convenience store
- 1 restaurant

There are no churches, schools, or alcohol inpatient/outpatient centers in the area. Three hundred and thirty-five feet to the west begins a PLI Zoning District (Public Lands and Institutions). To the east (315 feet away) begins a residential-zoned area. There is an Open Space Zone located 460 feet to the north.

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 deal with 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 addition of the new service in an existing retail establishment of Baba's Restaurant 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". The associated 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 current City's 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 Baba's site as being in the "Mixed Use Residential" District (defined as, "residential primary (residential and limited, residential-compatible uses). Compared to the Mixed Use Commercial District, the Mixed Use Residential requires more scrutiny of proposed commercial uses which is the purpose of this CUP process.

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.

It is anticipated that there will be an increase in customers to and from the Baba's if alcohol sales begin. Access to and from the site is currently from "Our Own" Road (*see photo #5*), a small private road that accesses Chief Eddie Hoffman Highway (CEH). The road has a 20- Right-of Way.

Most daily traffic to "Our Own" Road is to the Q2 Store, the residences in the trailer court across the street, and to Baba's. There are 7 side streets inside the trailer court with 68 trailers and 4 houses. I understand the traffic pattern has vehicles coming from the west on CEH will access the trailer court from Raven Street (*photo #6*) and vehicles coming from the east on CEH will access the trailer court from "Our Own" Road. However, 3 (of 7) side streets have blocked, dead ends and allow no access to and from "Our Own" Road.

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 Baba's Restaurant come from all over the city. Business to Baba's also comes from the trailer court across the street. The Q2 store on the corner attracts customers from all over the city as well.

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.

Although Baba's Restaurant is located in the General Use Zoning District, the site is located across the street from a residential trailer court located in the GU District as well.

The restaurant has operated on the site since 1995. Alcohol sales would be added to the existing Baba's restaurant, in which vehicles currently come and go. There are no drainage problems 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.]

Baba's is located outside the floodplain.

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:

Summary of Findings

1. The location for the Conditional Use Permit request by Baba's Restaurant is consistent with the City of Bethel's General Use Zoning District.
2. The proposed use would be generally compatible with other uses in the surrounding area. However, I'd like to see what the turnout is of residents who live within the 600-foot radius and the type of statements made regarding the proposed Conditional Use.
3. 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, Baba's would be located in a Mixed Use Residential area (limited residential-compatible uses), which requires more scrutiny, which is the purpose of this CUP.

4. There is current safe access to and from Baba's Restaurant from "Our Own" Road. This road is claimed to be a not-too-busy-road. There will be no significant increase in traffic around Baba's due to the anticipated increase in customers.

July 21, 2016 Update

5. The planned parking area is shy ½ parking space of the 11 ½ parking space requirement. However, there will be no backing out into the street as was the case in the initial parking configuration.

Recommendation to the Planning Commission

Previous May 26 Recommendation

The findings are generally consistent with the BMC. However, due to the concentration of residences in the trailer court across the street from Baba's, I'm hoping there is turnout from residents in the neighborhood to this CUP public hearing. The content of opinions would provide the best gauge for compatibility of alcohol sales in the neighborhood. I tentatively recommend approval of the Conditional Use Permit for Surasak Suwanprapa, owner of Baba's Restaurant for the sale of alcohol on the property located at 1725 State Highway in Bethel, Alaska.

July 21, 2016 Recommendation Update

Since the first hearing held on May 26, Baba's Restaurant mitigated concerns about having to back into the street from the western row of parking when leaving, by putting in parallel parking spaces instead of perpendicular spaces. This increased safety when leaving the premises.

Depending on the turnout and opinions of neighborhood residents to the August 18 hearing, I tentatively recommend approval of the Conditional Use Permit for Surasak Suwanprapa, owner of Baba's Restaurant for the sale of alcohol on the property located at 1725 State Highway in Bethel, Alaska.

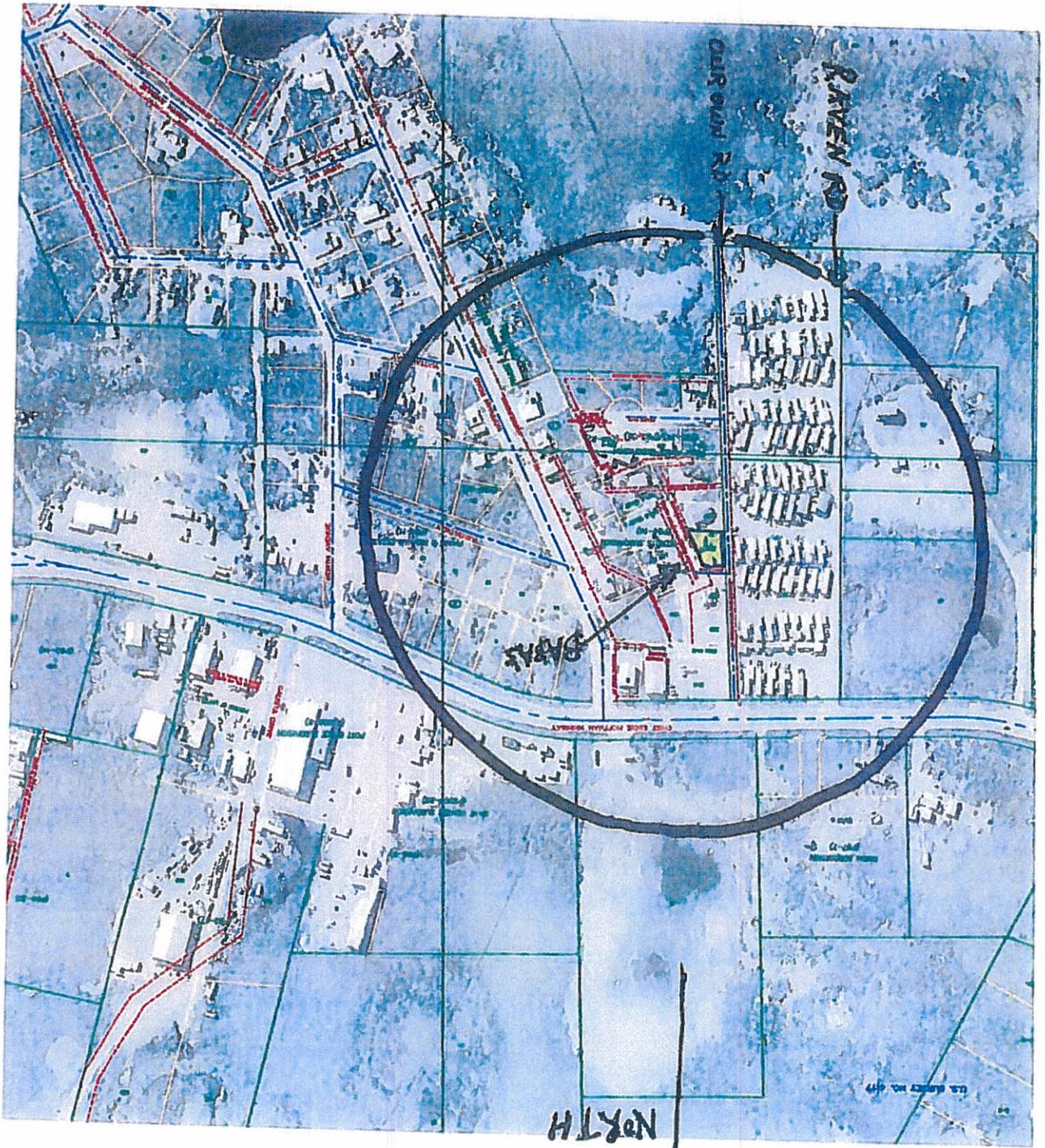


Photo 1



1 of 3 RECENTLY ROADS OF PARKING
ON Southside.

PHOTO 2



1 OF 3 REQUIRED PARKING ROWS
- ON NORTH SIDE.

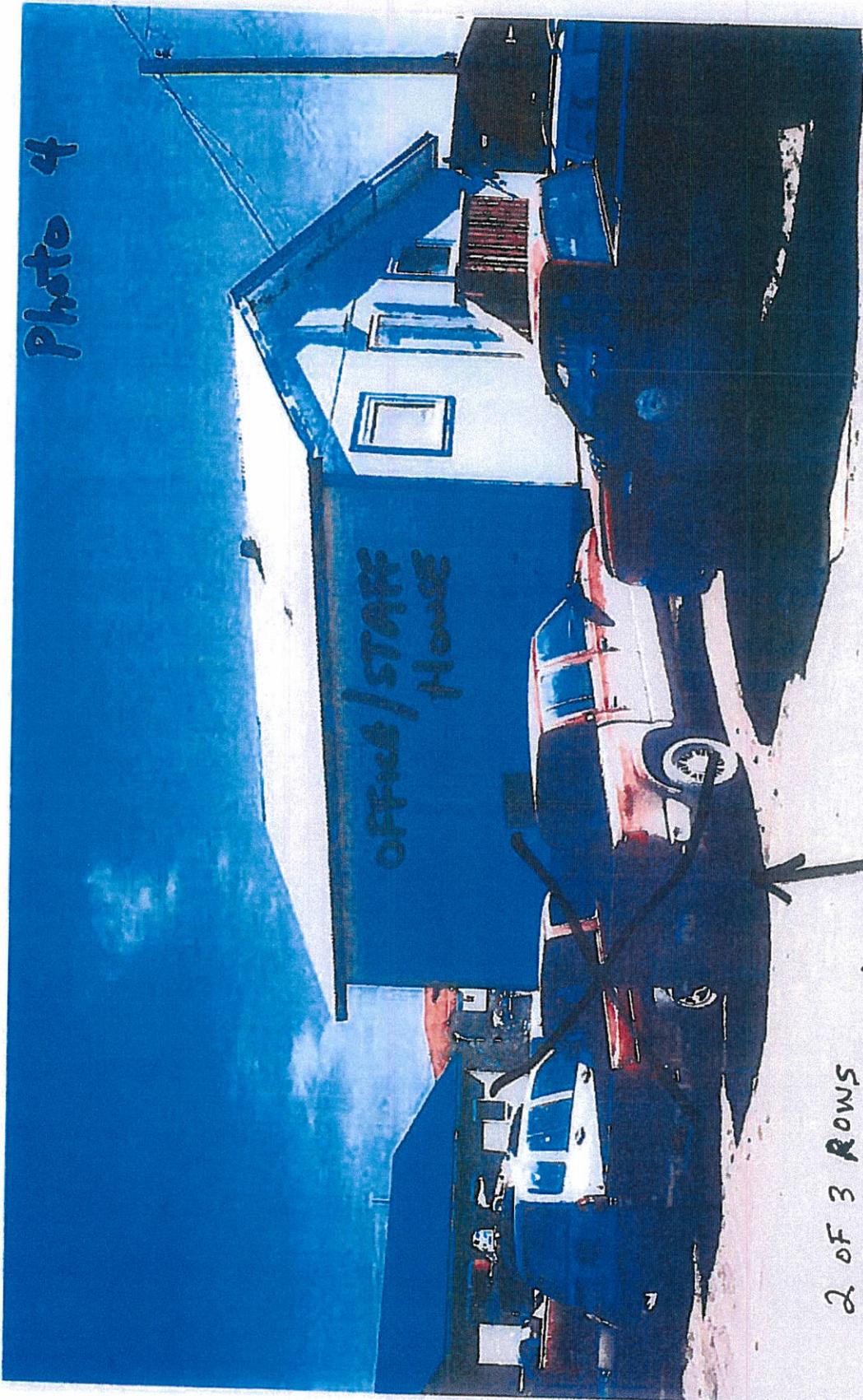


Photo 3

Another Angle of 3 Rows
of Parking

1
2
3

Photo 4



2 OF 3 ROWS
OF REQUIRED PARKING

NEW PARKING
CONFIGURATION
ON PHOTOS 8 & 9

Photo 5



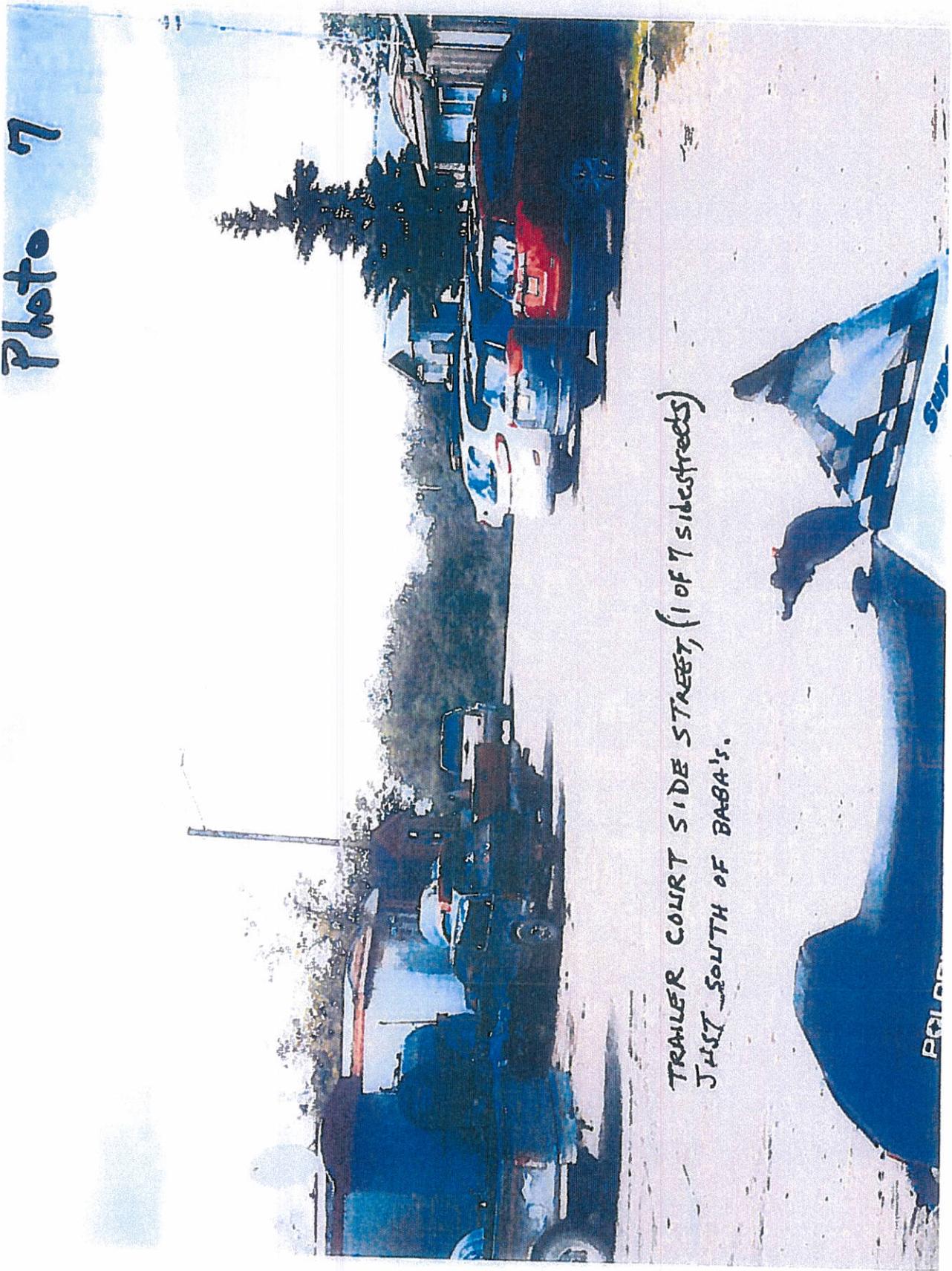
"OLIVER OWN" STREET -
Photo taken in front of Q2 STORE

Photo 6



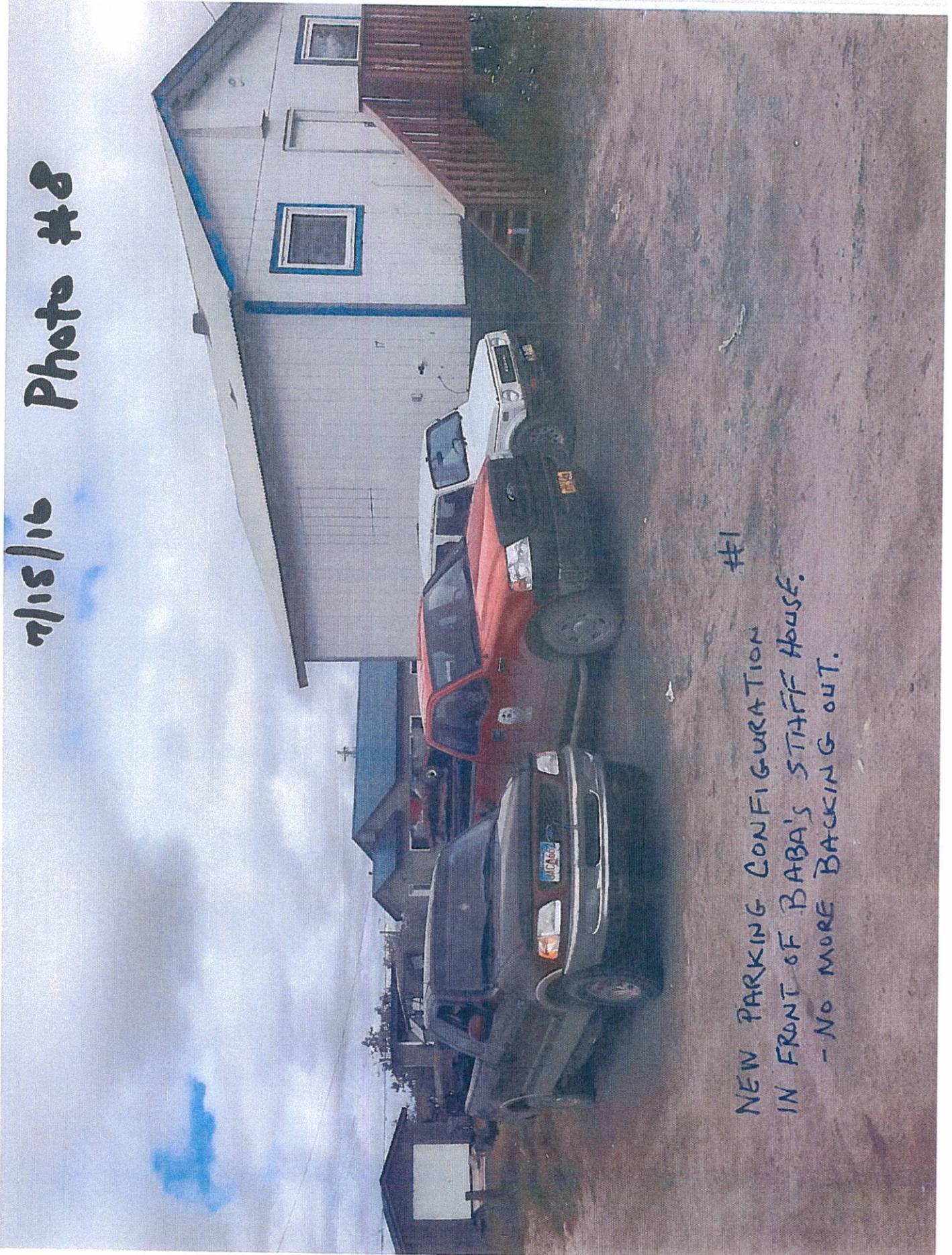
RAVEN RD -
South Entrance to the TRAILER COURT

Photo 7



TRAILER COURT SIDE STREET, (1 OF 7 SIDESTREETS)
JUST SOUTH OF BABA'S.

7/15/16 Photo #8



#1

NEW PARKING CONFIGURATION
IN FRONT OF BABA'S STAFF HOUSE.
- NO MORE BACKING OUT.

7/15/16

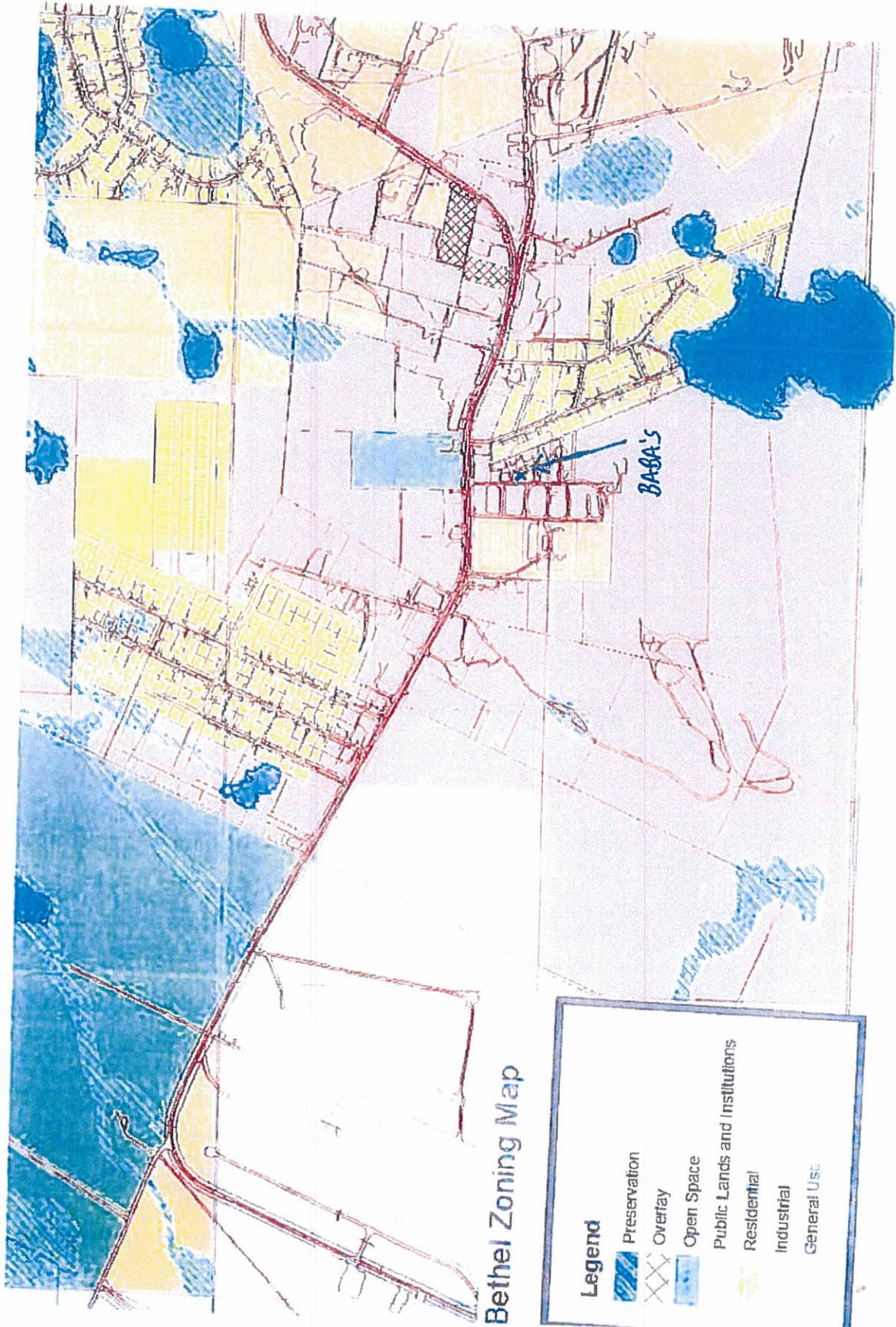
Photo # 9



#2

NEW PARKING
CONFIGURATION

12' WIDE ACCESS
EASEMENT WILL BE
CLEARED OF PARKED VEHICLES
& LEVELED FOR DRIVING INTO
NEW PARKING CONFIGURATION.



Bethel Zoning Map

Legend

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

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

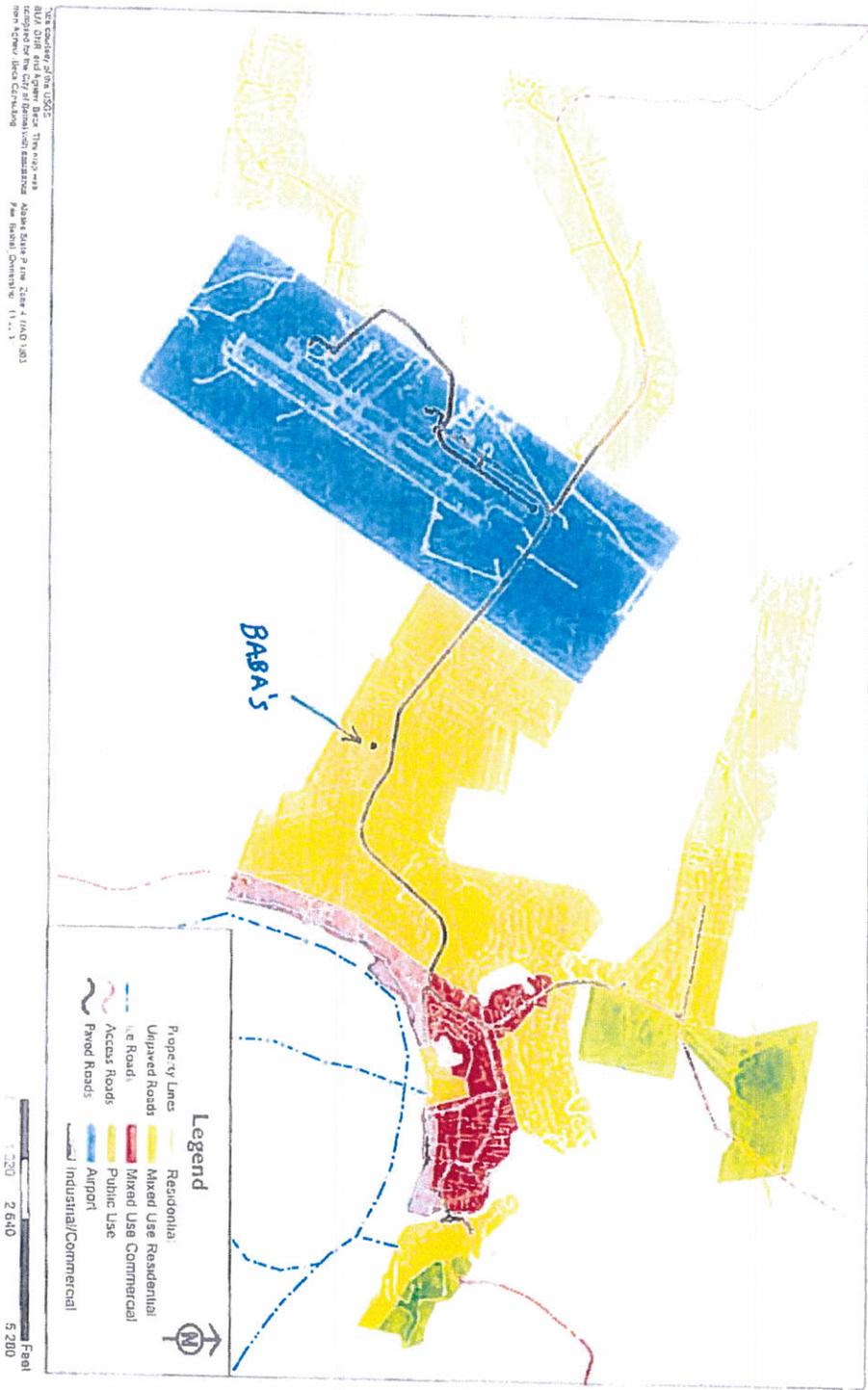
For example, if the City partners with a private developer in redeveloping land currently used for housing, take steps to provide affordable housing available to households currently living on the property

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.

Map 4.4
City of Bethel Future Land Use Plan Map



All the requirements of BMC 18.04.070 Notice were followed/done.



PUBLIC HEARING NOTICE CONDITIONAL USE PERMIT

Notice is hereby given that on May 11, 2016, the City of Bethel Planning Office received an application for a Conditional Use Permit for a liquor license. The legal description is United States Survey 4117, lot 38E of Park Place Subdivision. The physical address is 1725 State Highway, Bethel, Alaska 99559.

Land Owner: Samuel Delon Chavez, 1736 Moss Creek Ave., Anchorage, AK. 99507.
Phone 907-903-4196.

Applicant: Surasak Suwanprapa, DBA Baba's Pizza, P.O. Box 1268, Bethel, AK. 99559.
Phone 907-543-3500.

Purpose: To obtain a liquor license in order to sell alcohol at Baba's Restaurant.

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

Time and Place: The re-scheduled regular meeting of the City of Bethel Planning Commission, 6:30 PM August 18, 2016 at City Hall, located at 300 Chief Eddie Hoffman Highway in Council Chambers.

Posted at AC Quick Stop, Corina's Caselot Groceries, City Hall, and the Post Office on August 12, 2016.

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 any part of which is within six
(600) feet of the exterior boundary that is the subject of the application".*

PUBLIC HEARING NOTICE **CONDITIONAL USE PERMIT**

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CLASSIFIEDS

Employment

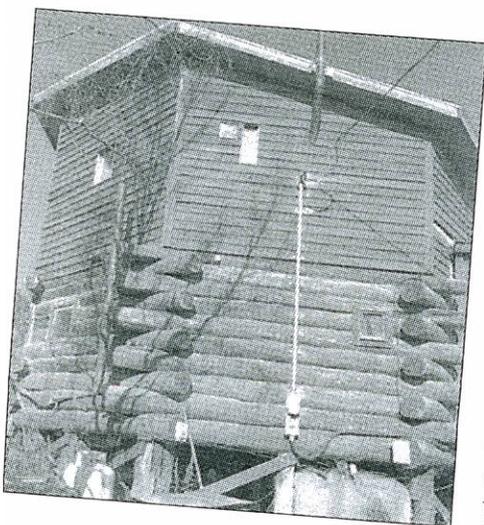
KYUK is hiring a temporary reporter.

The position is a three-month, full-time position with a possibility of extending longer. Job duties include producing daily stories on local and regional issues, hosting newscasts and specials, producing web-based content, and covering special events. Preferred qualifications include experience reporting in rural Alaska, Yupik fluency, and a bachelor's degree. To apply please send a letter of interest, resume, and three audio samples to annarose@kyuk.org by August 12, 2016. (74)(8/10)

Real Estate

For Sale 23,500 square foot lot/down-town location on Chief Eddie Hoffman Highway (or State Highway) across from Fire Station. Serious offers only. 907-543-3552. (23)(7/28-cn)

For Sale Rental Property. 7 units located Mission Rd area. 543-2750 or 545-0929. (13)(5/27-cn)



For Sale: 2-hdrm, 1000 sq ft

Request for Proposal/Bids. It is the Bidder's sole responsibility to check this website for additional information and/or addendums. Any RFB may also be requested by contacting the Purchasing Agent. If you have any questions, email the Purchasing Agent listed in this document.

Sealed Bids are due prior to the deadline of August 25, 2016 at 3:00 pm. Bids must be delivered to the City of Bethel, City Purchasing Agent's Office, located at 300 State Highway (PO Box 1388), Bethel, Alaska, 99559. Late bids will not be accepted. It is the Bidder's responsibility to confirm the bid documents are received. The City reserves the right to waive informalities not inconsistent with law and to reject any and all bids. (195)(8/3-10)

Request for Statements

RFSQ - The City of Bethel seeks statements of qualifications from architectural / engineering firms for design of a new office building at the Port of Bethel. Interested firms may obtain electronic copies of the request by contacting proposals@projdevelopment.com Please provide contact information in your request. Responses due 3pm August 23, 2016. (52)(8/10)

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-cn)

Case No. 4BE-16-00074 PR NOTICE TO CREDITORS

Notice is hereby given that Frank Hughes has been appointed Personal Representative of the above-named estate. All persons having claims against the decedent are required to present their claims within four months from the date of first publication of this Notice or said claims will be forever barred. Claims must be presented to the Personal Representative, Frank Hughes, 11667 SW Boones Bend Dr., Beaverton, OR 97008, or filed with the court. DATED this 31st day of July, 2016 at Bethel, Alaska.
Frank Hughes
Personal Representative (118)(8/3-17)

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Notice of Availability:
Association of Village Council Presidents Tribal Transportation Program (TTP)