

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Edna DeVries, Mayor

PLANNING COMMISSION
Doug Glenn, District 1 – Vice Chair
Richard Allen, District 2
C. J. Koan, District 3 – Chair
Michael Collins, District 4
Linn McCabe, District 5
Wilfred Fernandez, District 6
Curt Scoggin, District 7



Michael Brown, Borough Manager

PLANNING & LAND USE DEPARTMENT
Alex Strawn, Planning & Land Use Director
Jason Ortiz, Planning & Land Use Deputy Director
Wade Long, Development Services Manager
Fred Wagner, Platting Officer
Lacie Olivieri, Planning Clerk

*Assembly Chambers of the
Dorothy Swanda Jones Building
350 E. Dahlia Avenue, Palmer*

April 21, 2025
REGULAR MEETING
6:00 p.m.

Ways to participate in the meeting:

IN PERSON: You will have 3 minutes to state your oral comment.

IN WRITING: You can submit written comments to the Planning Commission Clerk at msb.planning.commission@matsugov.us.

Written comments are due at noon on the Friday prior to the meeting.

TELEPHONIC TESTIMONY:

- Dial 1-855-290-3803; you will hear “joining conference” when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press *3; you will hear, “Your hand has been raised.”
- When it is your turn to testify, you will hear, “Your line has been unmuted.”
- State your name for the record, spell your last name, and provide your testimony.

OBSERVE: observe the meeting via the live stream video at:

- <https://www.facebook.com/MatSuBorough>
- Matanuska-Susitna Borough - YouTube

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

A. MINUTES

Regular Meeting Minutes: March 17, 2025

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

Resolution 25-04 A Conditional Use Permit In Accordance With MSB 17.60 - Conditional Uses For The Operation Of A Marijuana Retail Facility. The Proposed Location For Fort Green Alaska Is 7821 W Parks Highway, Tax ID# 1818000L001. (Applicant: Ryan McKay And Jana Wetzin; Staff: Natasha Heindel, Current Planner)

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 25-06 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB 17.60 To Include Permit Requirements And Standards For Homeless Shelters. (Staff: Alex Strawn, Planning And Land Use Director)

Resolution 25-07 A Resolution Of The Matanuska-Susitna Borough Planning Commission Supporting Assembly Adoption Of The 2025 Bogard/Seldon Corridor Access Management Plan. (Staff: Julie Spackman, Long Range Planner)

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

VII. LAND USE CLASSIFICATIONS

Resolution 25-05 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Classifying A Portion Of Land Located In The Core Area Known As Tax Account 18N01E31C013 As Reserved Use Land For The Purpose Of An Emergency Services Facility. (MSB008189) (Staff: Lisa Gray, Land Management Agent)

VIII. AUDIENCE PARTICIPATION *(Three minutes per person, for items not scheduled for public hearing)*

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

X. PUBLIC HEARING: LEGISLATIVE MATTERS

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

A. Upcoming Planning Commission Agenda Items

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (*Mandatory Midnight*)

Disabled persons needing reasonable accommodation in order to participate at a Planning Commission Meeting should contact the Borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.

MINUTES

March 17, 2025

(Pages 4-8)

MATANUSKA-SUSITNA BOROUGH

Edna DeVries, Mayor

PLANNING COMMISSION
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*Assembly Chambers of the
Dorothy Swanda Jones Building
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PLANNING COMMISSION MEETING MINUTES March 17, 2025

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

The Matanuska-Susitna Borough Planning Commission's regular meeting was held on March 17, 2025, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. Chair CJ Koan called the meeting to order at 6:00 p.m.

Present: 7 – Commissioner Doug Glenn
Commissioner C.J. Koan
Commissioner Michael Collins*
Commissioner Linn McCabe
Commissioner Wilfred Fernandez*
Commissioner Richard Allen
Commissioner Curt Scoggin

Absent/Excused: 0 –

Staff Present: 4 – Mr. Alex Strawn, Planning and Land Use Department Director
Ms. Lacie Olivieri, Planning Department Admin
Ms. Jamie Taylor, Civil Engineer
Mr. Rick Benedict, Current Planner
Ms. Shannon Bodolay, Assistant Borough Attorney

II. APPROVAL OF AGENDA

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

GENERAL CONSENT: The agenda was approved as amended without objection.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Scoggin.

IV. CONSENT AGENDA

- A. MINUTES: Regular Meeting Minutes – March 3, 2025
- B. INTRODUCTION FOR PUBLIC HEARING QUASI-JUDICIAL MATTERS
(There were no introductions for public hearing quasi-judicial matters.)
- C. INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE MATTERS
(There were no introductions for public hearing legislative matters.)

GENERAL CONSENT: The Consent Agenda was approved without objection.

V. COMMITTEE REPORTS

(There were no committee reports.)

VI. AGENCY/STAFF REPORTS

(There were no Agency/Staff Reports)

VII. LAND USE CLASSIFICATIONS

(There were no land use classifications.)

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)

There being no persons to be heard Audience Participation was closed without objection.

IX. PUBLIC HEARING QUASI-JUDICIAL MATTERS

Resolution 25-01 A Conditional Use Permit In Accordance With MSB 17.67 - Tall Structures Including Telecommunications Facilities, Wind Energy Conversion Systems, And Other Tall Structures, To Construct A 155-Foot-Tall Lattice Telecommunications Tower At 4075 S. Lindsey Circle, Tax ID# 17N03E30A012. (Applicant: Sierra Larson, New Horizons Telecom, Inc.; Staff: Rick Benedict, Current Planner)

Chair Koan read the Resolution title into the record.

Chair Koan read the ex-parte memo, asking questions of the Planning Commissioners.

Mr. Benedict presented his staff report.

Chair Koan invited the applicant to speak.

The commissioners posed questions to the applicant and staff.

Chair Koan opened the public hearing.

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

MOTION: Commissioner Glenn moved to approve Planning Commission Resolution 25-01. The motion was seconded by Commissioner Scoggin.

Discussion ensued.

MOTION: Commissioner McCabe moved to amend Resolution 25-01 to reflect the staff's recommended changes. The motion was seconded by Commissioner Glenn.

VOTE: The amendment passed without objection

VOTE: The main motion passed as amended without objection.

Resolution 25-02 A Conditional Use Permit In Accordance With MSB 17.30 - Conditional Use Permit For Earth Materials Extraction Activities To Extract Approximately 1,028,000 Cubic Yards Of Gravel Over 10 Years Located At 4120 E. Brenda Avenue, Tax ID#1341000T001 And 4101 E. Fairview Loop, Tax ID#1341000T002. Within Harold Gershmel Subdivision. (Applicant: Paul Minnick, Big Dipper Construction Inc.; Staff: Rick Benedict, Current Planner)

Chair Koan read the Resolution title into the record.

Chair Koan read the ex-parte memo, asking questions of the Planning Commissioners.

Mr. Benedict presented his staff report.

Chair Koan invited the applicant to speak.

The commissioners posed questions to the applicant and Mr. Benedict.

Chair Koan opened the public hearing.

The following people spoke regarding Planning Commission Resolution 25-02:
Angel O'Conner – in opposition
Dawn Macbeth – in opposition
Paul Minnick – Applicant

Staff addressed some of the public comments.

The applicant also addressed some of the public comments

MOTION: Commissioner Glenn moved to approve Planning Commission Resolution 25-02. The motion was seconded by Commissioner McCabe.

Discussion ensued

VOTE: The main motion passed without objection.

X. PUBLIC HEARING LEGISLATIVE MATTERS

Resolution 25-03 A Resolution Of The Matanuska-Susitna Borough Planning Commission Supporting Assembly Adoption Of The Matanuska-Susitna Borough Safe Streets For All Comprehensive Safety Action Plan. (Staff: Jamie Taylor, Civil Engineer)

Chair Koan read the Resolution title into the record.

Ms. Taylor presented her staff report.

The commissioners posed questions to Ms. Taylor

The following people spoke regarding Planning Commission Resolution 25-03:
Timothy Alley – in support

MOTION: Commissioner Allen moved to approve Planning Commission Resolution 25-03.
The motion was seconded by Commissioner Glenn.

Discussion ensued.

VOTE: The main motion passed without objection.

XI. CORRESPONDENCE AND INFORMATION
(Correspondence and information were presented and no comments were noted)

XII. UNFINISHED BUSINESS
(There was no unfinished business.)

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

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

XV. DIRECTOR AND COMMISSIONER COMMENTS

Commissioner Allen: No Comment.

Commissioner Fernandez: Thank you staff and everyone that participated today.

Commissioner Glenn: No Comment.

Commissioner McCabe: No Comment.

Commissioner Collins: Appreciate everyone's time today and everyone being here.

Commissioner Koan: No Comment.

Commissioner Scoggin: No Comment.

Alex Strawn: Introduced the new Development Services manager

XVI. ADJOURNMENT

The regular meeting adjourned at 7:00 p.m

C J KOAN
Planning Commission Chair

ATTEST:

LACIE OLIVIERI
Planning Commission Clerk

Minutes approved: _____

INTRODUCTION FOR PUBLIC HEARING QUASI-JUDICIAL

Resolution No. 25-04

A Conditional Use Permit In Accordance With MSB 17.60 - Conditional Uses For The Operation Of A Marijuana Retail Facility. The Proposed Location For Fort Green Alaska Is 7821 W Parks Highway, Tax ID# 1818000L001. (Applicant: Ryan McKay And Jana Wetzin; Staff: Natasha Heindel, Current Planner)



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-8158

Email: permitcenter@matsugov.us

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Mat-Su Borough
Development Services

CONDITIONAL USE PERMIT FOR MARIJUANA RELATED FACILITIES – MSB 17.60

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

Application fee must be attached:

X \$1,500 for Marijuana Retail Facility
\$1,500 for Marijuana Cultivation Facility

Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Applicants will be provided with a statement of advertising and mailing charges. Payment must be made prior to the application presentation before the Borough Planning Commission.

Required Attachments for a Marijuana Cultivation Facility:

Wastewater and Waste Material Disposal Plan – 17.60.160 (A)
Odor Mitigation and Ventilation Plan – 17.60.160 (B)
Hazardous Chemicals Information – 17.60.160 (C)
Security plan – 17.60.160 (D)

Required Attachments for Both Retail and Cultivation Facilities:

X Documentation demonstrating full compliance with applicable fire code – 17.60.150 (D) (2)

Subject Property: Township: _____, Range: _____, Section: _____, Meridian: _____

MSB Tax ID# 51818000L001

SUBDIVISION: KILBOURNE RALPH BLOCK(S): _____, LOT(S): 1

STREET ADDRESS: 7821 W Parks Hwy, Wasilla, Alaska 99623

FACILITY / BUSINESS NAME: Fort Green Alaska

Ownership: A written authorization by the owner must be attached for an agent or contact person, if the owner is using one for the application. Is authorization attached? ☒ Yes ☐ No ☐ N/A

Name of Property Owner

KR&W Management, LLC

Mailing: 2174 E Red Fox Drive

Wasilla, Alaska 99654

Phone: Hm _____ Fax _____

Wk _____ Cell (360) 292-3280

E-mail algunlimited1@gmail.com

Name of Agent / Contact for application

Ryan McKay / Attorney Jana Weltzin

Mailing: 901 Photo Avenue, Second Floor

Anchorage, Alaska 99503

Phone: Hm 907-231-3750 Fax _____

Wk _____ Cell _____

E-mail jana@jdwccounsel.com & algunlimited1@gmail.com

Site Plan – Attach a detailed, to scale, site plan clearly showing the following information:	Attached
Proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the proposed use. Dimensions and locations of all existing and proposed structures on the site in relationship to all property lines.	Attached
Signage – Existing and Proposed.	Attached
Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	Attached
Buffering – Fences, vegetation, topography, berms, and any landscaping	Attached
Drainage	Attached
Vehicular and pedestrian circulation patterns.	Attached
Exterior site lighting.	Attached
Location and dimensions of parking areas to be provided	Attached
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	Attached

Map – Attach a detailed, to scale, vicinity map clearly showing the following information:	Attached
Identify all existing land uses within 1,000 feet.	Attached
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	Attached

In order to grant a conditional use permit under MSB 17.60, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:	Attached
Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	Yes, Please review narrative
Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?	No
Are sufficient setbacks, lot area, buffers and other safeguards being provided?	Yes
Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use in this section?	Yes
Describe measures taken to prevent any potential negative effect upon other properties in the area due to such factors as noise and odor.	Contained in narrative
Describe measures taken to reduce negative effects upon adjacent properties by: <ul style="list-style-type: none"> Increased property line and right-of-way buffers Planted berms and landscaping Site and building design features which contribute to the character of the surrounding area 	Contained in narrative
Describe how this use is compatible with the character of the surrounding area.	Contained in narrative
Current status of State License application process – 17.60.150 (D) (1)	Approved at June 2023 MCB

17.60.170 Standards for Marijuana Retail Facilities:	Attached
Describe how the subject parcel is appropriate for the proposed conditional use. Include information detailing: <ul style="list-style-type: none"> • The proximity of the proposed use to existing businesses; • The proximity of parcels developed with residential uses; • Whether the roads associated with the proposed use have been, or will be, appropriate for commercial use; and • Proposed hours of operations. 	Attached
Provide information showing minimum parking standards have been met as required by MSB 17.60.170 (B) and (C).	Attached

Floor Plan for Marijuana Retail Facilities – Attach a detailed, to scale, floor plan clearly showing the following information:	Attached
• Dimensions of all structures.	Attached
• Interior floor plans (specific location of the use or uses to be made of the development).	Attached
• Net floor area square footage calculations.	Attached

OWNER'S STATEMENT: I am owner of the following property:

MSB Tax account #(s) 51818000L001 and, I hereby apply for approval of a conditional use permit to operate a marijuana related facility on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.60 and with all other applicable borough and state.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, and at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 10px;">DocuSigned by:</div> </div>			Ryan McKay - Member of KR&W Management, LLC	8/8/2024
Signature: Property Owner	Printed Name	Date		
<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 2px; margin-right: 10px;">DocuSigned by:</div> </div>			Ryan McKay	8/8/2024
Signature: Agent	Printed Name	Date		

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Mat-Su Borough
Development Services

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

Re: Owner Permission Letter for Use and Occupancy of Premises at 7821 W Parks Hwy, Wasilla, Alaska 99623 for Fort Green, LLC DBA Fort Green Alaska


Dear Planning Office,

KR&W Management, LLC, hereby grants permission for Fort Green, LLC DBA Fort Green Alaska to lease the building and associated parking on the property located at 7821 W Parks Hwy, Wasilla, Alaska 99623, build and operate a marijuana retail store. KR&W Management, LLC is aware that Fort Green Alaska will be operating a marijuana retail store and commercially selling marijuana on this property once the application is approved by the Alcohol & Marijuana Control Board.

I, Ryan McKay, as a Member of Fort Green, LLC, hereby authorize Jana Weltzin, Esq. and her firm JDW, LLC to take all necessary actions to apply for and obtain one (1) conditional use permit for the operation of a retail marijuana store on the property owned by KR&W Management, LLC, located at 7821 W Parks Hwy, Wasilla, Alaska 99623.

If you have any questions regarding this correspondence, please feel free to contact us at the contact information listed on the Conditional Use Permit Application.

Sincerely,

DocuSigned by:

6788F5859E58479...
Ryan McKay – Member of
Fort Green, LLC

Owner of property
DocuSigned by:

6788F5859E58479...
Ryan McKay
Member of KR&W Management, LLC

RETAIL MARIJUANA FACILITY CONDITIONAL USE PERMIT NARRATIVE

Fort Green, LLC, DBA Fort Green Alaska

A locally owned and operated business

Submitted: _____, 2024

Prepared by:



JDW, LLC
Jana D. Weltzin, Esq.
901 Photo Avenue
Anchorage, AK 99503
jana@jdwcounsel.com
630-913-1113
907-231-3750

On behalf of:
Fort Green, LLC

Introduction:

We are pleased to re-introduce Ryan McKay and Kyler J. Dias and introduce to you, Robin Backus. Ryan McKay and Kyler J. Dias are the members of Fort Green, LLC, you will remember them from their approved Conditional Use Permit for AK Legacy Genetics, LLC, their Standard Marijuana Cultivation Facility that is currently active operating in the Mat Su Valley.

Ryan McKay is a lifelong Alaskan who grew up in the city of Palmer. After graduating from Colony High School, Ryan joined the Navy and completed a tour before moving to Arizona where he first embraced his entrepreneurial spirit creating a successful pool service and repair company. Ryan used the proceeds from the sale of his pool service to invest in Arizona's emerging Medical Cannabis Market and open a Cannabis Dispensary. As a very hands-on entrepreneur, Ryan, the owner-operator of the Arizona Cannabis Dispensary spent the vast majority of his time working as his own budtender where he learned valuable knowledge about the cannabis industry. Ryan then decided to take the knowledge he had gained in the medical cannabis industry to one of the first legal recreational markets in Washington State. Ryan not only increased his knowledge on how to run a successful retail dispensary he also gained valuable horticultural knowledge. When an opportunity presented itself after the legalization of recreational marijuana in Alaska, Ryan moved back to his hometown of Palmer and founded Matanuska Cannabis Company with a small group of cannabis enthusiasts. After launching into his new venture for a cultivation facility in the Mat Su Valley, he is looking to expand his business and add a marijuana retail store in the Mat Su Valley, the best place to work and to call home.

Kyler Dias is a lifelong Alaskan who grew up in the city of Palmer. After graduating from Colony High School, he attended the University of Anchorage Alaska where he obtained a degree in Civil Engineering. Upon graduation, Kyler learned his passion was to build things not just design them. So, upon graduation he joined a successful general contractor and is currently a Project Manager in the construction industry. Having gained valuable business skills throughout his career, Kyler decided that he not only wanted to apply these skills for others but for his own company as well.

Robin Backus is a lifelong Alaskan who grew up in Chugiak. Robin is a licensed hairdresser and esthetician, who's passion for gems and minerals led her to gold and precious metal mining with her longtime fiancé, Riley. During the summer you can also find Robin in her bee yard, raising bees, as well as producing and selling local honey from her small business, Bee True Love. She is a loving mother to her young son, and they enjoy spending as much time together as they can outdoors in our great State of Alaska.

This Conditional Use Permit ("CUP") application for a Retail Marijuana Store is requesting consideration and approval from this Honorable Planning Commission. Fort Green Alaska's Retail application was approved by the Alaska Alcohol & Marijuana Control office ("AMCO") on June 2, 2023.

Required attachments for a marijuana retail facility conditional use permit narrative:

Is the conditional use compatible with and will it preserve or not materially detract from the value, character, and integrity of the surrounding area?

✓ The proposed use is compatible with adjacent properties and fits succinctly into the area as there is a mix of uses in the area – the area consists of a mixture of commercial uses and some residential uses. The property is on W Parks Highway and is situated for commercial use. The entire retail licensed area, including the office space, will be housed in a 23' x 29'6" two story building totaling approximately 1237.4 sqft. The proposed use fits into the harmony of the surrounding uses both in size and design. The facility is located on a 1.04-acre parcel located in the KILBORNE RALPH Subdivision of the Matanuska-Susitna Borough. The surrounding area of the property is bordered by a mixture of vacant lands, commercial use, and residential homes. Therefore, the proposed use will not detract from the character, value, and integrity of the surrounding area, however, the applicant is aware of the residential uses nearby, and will take extra care to be responsive to neighbors if any concerns arise regarding the commercial nature of this proposed use. The facility will not produce any undue noise pollution and has an odor control method in place. It is not expected that the retail facility will generate smell, but regardless the retail will have odor controls. Exterior lights will be installed downward facing to ensure mitigation of light pollution. This retail facility will be operated by a knowledgeable licensee who has done extensive research, has many friends in the industry that have provided invaluable advice, and who lives in the Valley, and will ensure that this use does not detract from the value, character, and integrity of the surrounding area. The neighboring uses off W Parks Highway include Roadside Bar & Grill, Denali Refuse, Yukon Equipment, Builders Choice Truss yard, Prism Design & Construction, LLC, All Steel Roofing Supply Store, and Underdog Feeds. Residential Homes are on the back side of the 1.04-acre lot that Fort Green Alaska is located.

✓ The applicant will ensure that the proposed use will not emit odor, will not produce excess dust, will have limited noise, and will have sufficient parking and loading in order to cut down on traffic generation in front of the premises and on the street thus fitting in with adjacent property uses. As detailed in the attached site plan, there will be ample parking available with room for turning and maneuvering and will have appropriate accessibility spaces under the Americans with Disabilities Act.

✓ The facility will be equipped with a 24-hour monitoring alarm system, exterior lighting, and video surveillance. All exterior doors are secured by commercial locking mechanisms and video surveillance to capture individuals within 20 feet of any facility entrance and the walk up/drive through exterior window. Inside the licensed premises, video surveillance will cover all areas of the facility (except for the bathroom) 24/7 (which is stored for a minimum of 40 days) to monitor and identify all activity. Customers must have their identification checked immediately upon entering the marijuana store or when they approach the walk up/drive through exterior

window. On the exterior entrance, walk up/drive through exterior window signage will warn the public that only persons over the age of 21 may enter the retail establishment or utilize the exterior window. Any drive-through customers with children in the car must confirm that they are the legal guardian of the children in the vehicle and all children are under the age of seven (7) as required by AMCO regulations. The walk up/drive through exterior window will have video surveillance cameras that will capture the license plate number of any vehicle, persons within a vehicle, persons walking up to and all sales transactions of the exterior window. All customers will be observed for signs of impairment to ensure that Fort Green Alaska does not sell marijuana and marijuana products to a person that is already intoxicated.

✓ In the event a non-employee/agent of the company needs to go into a restricted access area, the company visitor policy will be adhered to. A visitor will need to show their valid photo identification, and obtain a visitor badge, to be worn and clearly always displayed while visiting the restricted access areas. All visitors must be pre-approved by a Licensee or management (with the exception of AMCO and/or MSB agents, and law enforcement) - there should be no unscheduled and unexpected visitors. To maintain the security of the facility and all marijuana products, access to the facility will always be monitored and restricted. Access will only be granted to employees and licensees, AMCO agents, law enforcement, and the limited exception of scheduled pre-approved visitors. Additionally, Fort Green Alaska's exterior signage will indicate that any members of the public are not allowed unescorted access and will be clearly displayed on the door. Distinct and apparent cameras will be placed throughout and around the facility to encourage people to not attempt access.

Will the granting of the conditional use permit be harmful to public health, safety, convenience, and welfare?

✓ No. Fort Green Alaska's retail establishment has a security system and plan, diversion control policies, and loitering check plan for the retail facility.

✓ The facility is a commercial retail facility and will only allow access to those who are at least 21 years of age or older. No persons will be allowed access to any marijuana or marijuana products at any time, unless under direct supervision of a Fort Green Alaska licensee or employee, as all marijuana and marijuana product must be stored in the restricted access area as per AMCO regulations. There is no onsite consumption allowed at this retail establishment – and no customers will be allowed to consume in their vehicles in the parking lot. A Fort Green Alaska employee will perform regular parking lot and perimeter checks throughout the day, every hour or so, to ensure no persons are loitering and to ensure no customers are consuming products on the property and/or in their vehicles.

✓ All marijuana and marijuana products will be displayed in locked display cabinets for customers to view. No marijuana or marijuana products will be visible to the public from the walk up/drive through exterior window. The area behind the cabinets will be a restricted access area and signage will be displayed accordingly. Employees will open the cabinet from within the restricted

access area and place the product into exit packaging at the cash register before handing it to the customer. Once a customer's transaction is complete, they will be instructed by an employee to exit the store or walk/drive away from the exterior window.

✓ In order to ensure Fort Green Alaska will only allow access to persons over the age of 21, the retail establishment will check the ID of every person attempting to enter the retail store or utilize the walk up/drive through exterior window. Anyone under the age of 21 or who does not produce a valid form of photo ID issued by a federal or state agency authorized to issue ID cards will be asked to leave the premises. Any employee checking ID's will have a valid marijuana handler permit and be trained to recognize altered/forged photo ID's.

Additional protections to ensure the prevention of any negative impact on the public health, safety, convenience, and welfare:

✓ The facility will be equipped with a 24-hour monitoring alarm system, bright prominent exterior lighting, and video surveillance. All entrances are secured by commercial locking mechanisms and video surveillance to capture individuals within 20 feet. Inside the licensed premises, video surveillance will cover all areas of the facility (with the exception of the bathroom) 24/7 (which is stored for a minimum of 40 days) to monitor and identify all activity. All visitors must be preapproved by a licensee or a manager (with the exception of AMCO and/or MSB agents, and law enforcement). To maintain the security of the facility and all marijuana products, access to the facility will always be monitored and restricted. Access to restricted areas will only be granted to employees and licensees, AMCO agents, law enforcement and the limited exception of scheduled pre-approved visitors over the age of 21. As previously discussed, distinct and apparent cameras will be placed throughout and around the facility to encourage people to not attempt unauthorized access.

✓ On-site video surveillance will continuously monitor all areas of the premises where marijuana is present, including areas where marijuana packaged, sold, and stored. Employees will perform mandatory inventory counts each week, check counts against METRC records, and document the reports as official business records. Fort Green Alaska will not tolerate any theft and diversion, and all employees will complete mandatory training in recognizing such activity. Fort Green Alaska's licensees and management understand that diversion can happen in two ways - inversion and diversion - and is equally profitable diverting product out of the legal system as it is diverting product from the illegal system into the legal market. In the event that an employee is caught stealing marijuana, OR infusing the facility with non-regulated black-market product, Fort Green Alaska will notify local law enforcement immediately, comply with all directives, and provide all necessary information and records for the investigation. The Licensees will take the necessary steps to ensure that illegal conduct by an employee does not compromise the facility's license and legitimate business operations. Once a theft is reported, a Licensee or a manager will update the product records in the tracking system, as needed, to maintain an accurate and comprehensive accounting for all marijuana products and inventory. The Licensees and manager

will comply with all inquiries and investigations lodged by AMCO as a result. Documentation related to marijuana theft will be maintained as a business record for five (5) years and made available to AMCO upon request. Video recordings will be stored for forty (40) days. Cameras will provide a full view of the entryway, retail sales area, point of sale system and cash registers, safes, money counting areas, and marijuana/marijuana product storage areas. Security monitors and video recording equipment will be located onsite.

✓ Qualified candidates will be hired on a probationary period during which time they will receive training and evaluation specific to their position. Training will include marijuana industry trends; customer care; food handling; safety precautions and procedures; legal issues; and state and federal regulations. Training will be refreshed as needed, as well as when new regulations or products are introduced. Employees will be required to demonstrate their knowledge of these concepts before their training will be considered complete. Informative packets will be provided to employees and supplemented/updated as needed. These packets will cover; Marijuana cannabinoids; strain ratios; marijuana benefits and risks; local community concerns to address, general Alaska marijuana law; employment regulations; store policies; security and safety procedures; measures for the prevention of diversion, inversion and theft; recognizing forged, altered, or invalid identification, as well as signs of intoxication; in-depth information about job duties and responsibilities; response procedures for robberies, earthquakes, and other emergencies; statutes regarding confidentiality. Employees will receive semi-annual performance evaluations to ensure that they have retained their training information, and the store remains compliant. As proper safety and security procedures are of the utmost importance to Fort Green Alaska, the most up-to-date reading materials will always be available to employees. Prior to beginning work, employees will be expected to understand: (1) Alaska laws, regulations, and codes governing the marijuana industry and marijuana establishments; (2) all of the permitting requirements to act as a marijuana handler (including obtaining a Marijuana Handler card from a state approved course provider prior to commencing employment) and to work in a marijuana establishment; (3) Fort Green Alaska standards, operational protocol, and best practices with regard to retail and sale of marijuana; (4) general safety procedures and security protocol; (5) how to think defensively if threatening situations occur, and how to recognize the signs of impairment, drug abuse, and instability; (6) in-depth information about our particular strains and marijuana related products; (7) in-depth information on the requirements of each room, task, and system; (8) the general federal, state, and local employment regulations by which Fort Green Alaska, is governed; and (9) retail-specific education. To ensure full coverage for each position, all employees will be cross trained on the requirements of each job.

✓ Fort Green Alaska will have a "No Loitering" sign clearly posted on the exterior of their facility. If an employee suspects that a person is loitering outside the licensed premises, they will be given a verbal warning that law enforcement will be notified and asked to leave the premises. Trained employees will maintain regular periodic checks around the property to deter any unauthorized entrance or loitering around the facility. Bright lighting (downward facing to avoid causing light pollution) on the exterior of the facility will assist in deterring loitering, vandalism,

and unauthorized access to the premises. Bright, prominent lighting will be installed all around the exterior of the building to facilitate high-quality video surveillance. Lighting will be frequently checked by an employee to ensure that all fixtures are fully operational. An employee will also check surveillance footage to ensure that lighting is adequate to prevent dark spots and capture the best facial image of every person who approaches the facility and person/vehicle that approaches the walk up/drive through exterior window. If there are any issues with the quality of the surveillance capture, the lighting will be calibrated and/or additional lighting will be installed. All outdoor lighting will be shielded to protect against inclement weather and vandalism. The shielding will also prevent light pollution on the surrounding properties by directing light downwards.

✓ The facility's architectural design incorporates downward lighting that will project light onto the building and downward. The alarm system will monitor for intrusions with motion detectors on the facility windows, entrance and exits, restricted access area which includes secured storage, the downstairs office, processing and storage areas during closed hours. Live security footage will also be accessible to Ryan, Kyler, Robin and a manager via their cellular phones, so they may keep an eye on the facility even when they are away. Any unauthorized or attempted intrusion will prompt an automatic, electronic alert to the security company who will then contact local law enforcement and ownership. All alarm systems and devices will be tested every six (6) months.

Are there sufficient setbacks, lot area, buffers, and other safeguards being provided?

✓ As described above, Fort Green Alaska is located within a 1.04-acre parcel. This application and the layout of Fort Green Alaska meet the required setbacks, buffers, and lot area. The entire retail operation is enclosed in a commercial-grade building.

✓ There will be plenty of onsite parking developed on the site for this use, including accessible spaces. Fort Green Alaska's facility is 1237.4 square feet, per MSB 17.60.150, the retail store requires 1 space per 350 square feet totaling 3.5 parking spaces. Fort Green Alaska has 8 10'w x 20'L parking spaces and 2 ADA 11'W x 20'L parking spaces with a 7' access aisle.

✓ The facility has incorporated measures to reduce the negative effects it may have on the surrounding properties including, but not limited to, incorporating an inconspicuous modern-commercial architectural facility design to enhance the appearance of the facility on W Parks Hwy. Fort Green Alaska has cleaned up the property where the new retail store will be located and have plans to develop a landscaped grassy area on the side of the new retail store.

✓ The facility will not produce any noise pollution and has an odor control method in place. A robust security plan and no loitering policy will be implemented and thoroughly communicated to all employees. Additional safeguards include the following:

✓ The lighting fixtures will be positioned at an inaccessible height with sturdy housings to deter vandalism and common obstructions. The bulbs will be extremely bright to maximize

visibility and deter crime. The exterior lighting will be checked daily by a licensee, manager on duty, or a designated employee to ensure that each light in the system is operational and that each mount is positioned for optimum recording clarity and to deter unauthorized presence on the premises. The building's architectural design incorporates downward lighting into the canopies that will project light onto the building in a downward direction to prevent light from encroaching on neighboring properties or right of ways.

✓ A third-party security company will install the alarm system and monitor the electronic notifications in the event the alarm is triggered 24/7. The installation company will periodically come and check and maintain the equipment.

Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use of this section?

✓ Yes.

Describe measures being taken to prevent potential negative effects upon other properties in the area due to such factors as noise and odor.

✓ The proposed use will have limited noise compared to adjacent properties. Fort Green Alaska does not anticipate any noise to come from the retail facility, and if any noise is to be produced it will be comparable to surrounding land uses. The roads that serve the facility and surrounding uses do not appear to be used currently to their maximum capacity as the fluctuation of traffic varies during different times of the day such as; morning and evening rush hour, therefore, any increase in traffic flow on the roads serving the area will be sufficient to serve the area with this new proposed retail use.

✓ Fort Green Alaska will abide by a strict no odor policy per MSB 17.60.150(A)(1) that will ensure no odor is detectible by the public from outside the facilities. This use is a retail establishment and should not have any issues with odor seeping out from the retail to the outside air. However, in an abundance of caution, odor control methods will be utilized and will consist of a number of methods meant to eliminate odors by utilizing methods including sealed containers and air sanitizers throughout the building and when transporting marijuana to/from the premises. All marijuana at the retail facility will be either pre-packaged in smell-proof packaging for sale, or in deli-style enclosed jars that are only opened to take the product out for sale to a customer and are repackaged prior to exiting the facility, or in enclosed jars in small amounts for customers to smell.

Describe how use is compatible with the character of the surrounding area.

✓ The facility is compatible with the character of the surrounding area as it borders on commercial use parcels of land, parcels that have yet to be developed, other existing businesses, off of W Parks Hwy, and residential homes on heavily wooded parcels of land behind the Fort Green Alaska on W Swan Drive. There are also a couple of vacant land parcels in the vicinity that

have yet to be developed. The character of the surrounding parcels and uses are a good fit for a retail facility.

Current status of State License Application Process.

✓ The Application was submitted to AMCO on May 25th, 2022. It was approved with delegation by the Marijuana Control Board at the June 2023 control board meeting in Anchorage.

Misc. Items and Information.

Please see attached parking layout diagram, which complies with MSB 17.60.170(B)&(C).

Proposed hours of operation for the retail store shall be 8 am to 12 am Monday-Sunday, however, that is the max hours of operation that the store will be open, and the store will likely have reduced hours on certain days, depending on customer demand.

The number of employees on-site for the retail will be between 2-3, depending on the customer flow and shifts.

Fort Green Alaska has been reviewed and approved by the State Fire Marshal – see the certificate of approval attached.

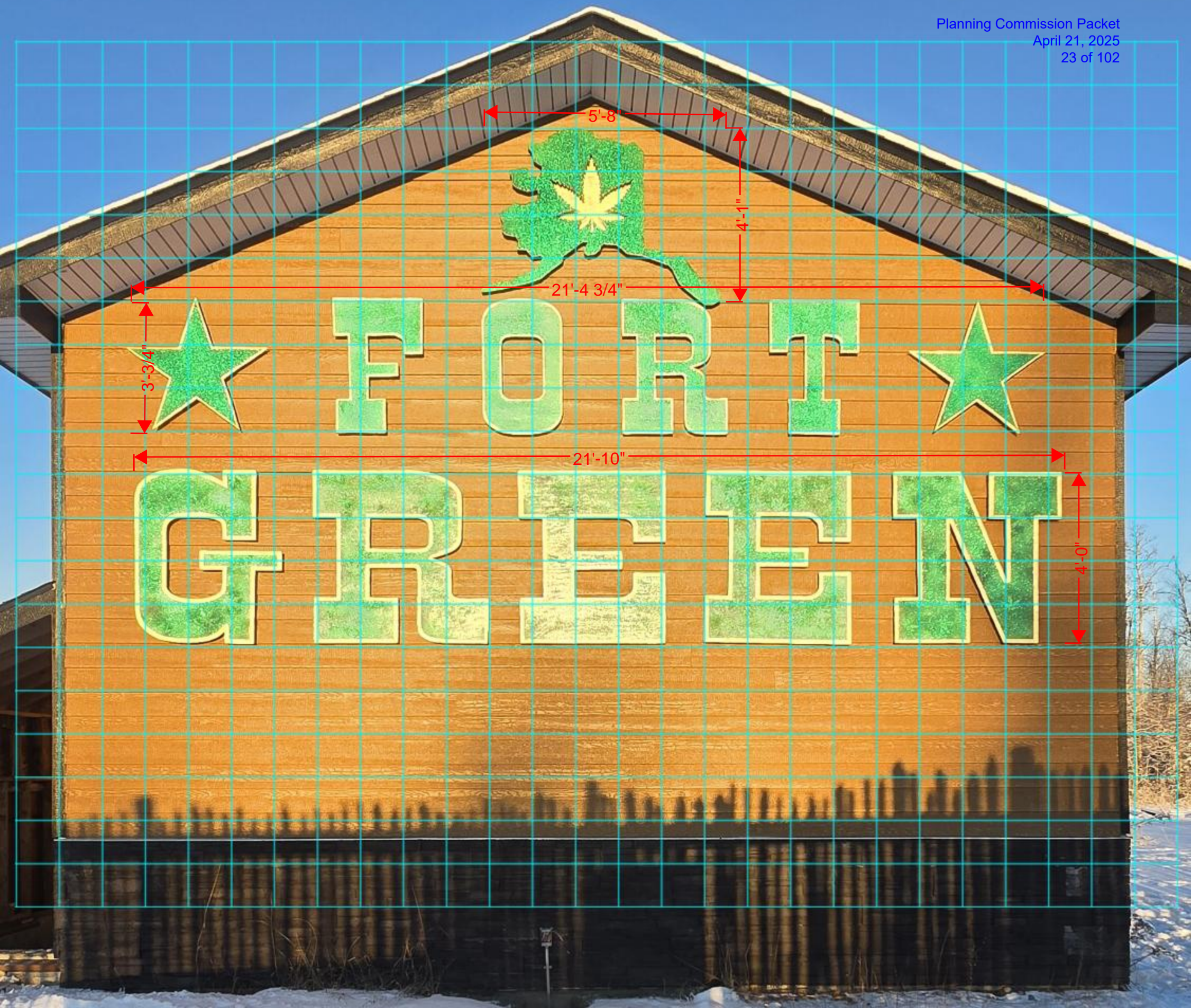
As shown below, the logo for the store has a clean, military style. The logo has a black outlined, mallard green, rounded square shape, “Fort Green” is placed on both sides of the top point of the star, the middle of the star has the Alaska flag and the American flag on each side. The inside of the white star contains the abbreviated version of Fort Green (FG) and Alaska (AK) with a marijuana leaf between the abbreviations followed by; est. 2024 Alaska.



Fort Green Alaska will have individually mounted mallard green wood letters with a gold outline around each individual wood letter illuminated with LED backlighting reading “Fort Green”. The word “Fort” will have a 5-point star on each side of the word, also in mallard green with a gold outline. In addition, there will be a mallard green outlined cut out of the state of Alaska outlined in gold with a cannabis leaf in the center mounted above the words “Fort Green” at the roofs peak. The size of the Alaska state cutout measures 5’x8’W x 4’1”L, also illuminated with LED backlighting to accent the cannabis leaf located in the center of the Alaska state cutout. The stars and the word “Fort” are contained in a 3’3/4”L x approximately 21’10”W area and the word

“Green” is contained in a 21’10”W x 4’0”L area. Signage will be mounted with secure fasteners on the southside of the building facing the W Parks Hwy. Sign will be mounted 8’ from the ground level high enough to be seen from both sides of the W Parks Hwy above the spruce fence, which is located just inside the property line facing the W Parks Hwy in front of the building.

Thank you for your dedication to the Community and for your thoughtful consideration of this conditional land use application.





CONSULTANT:

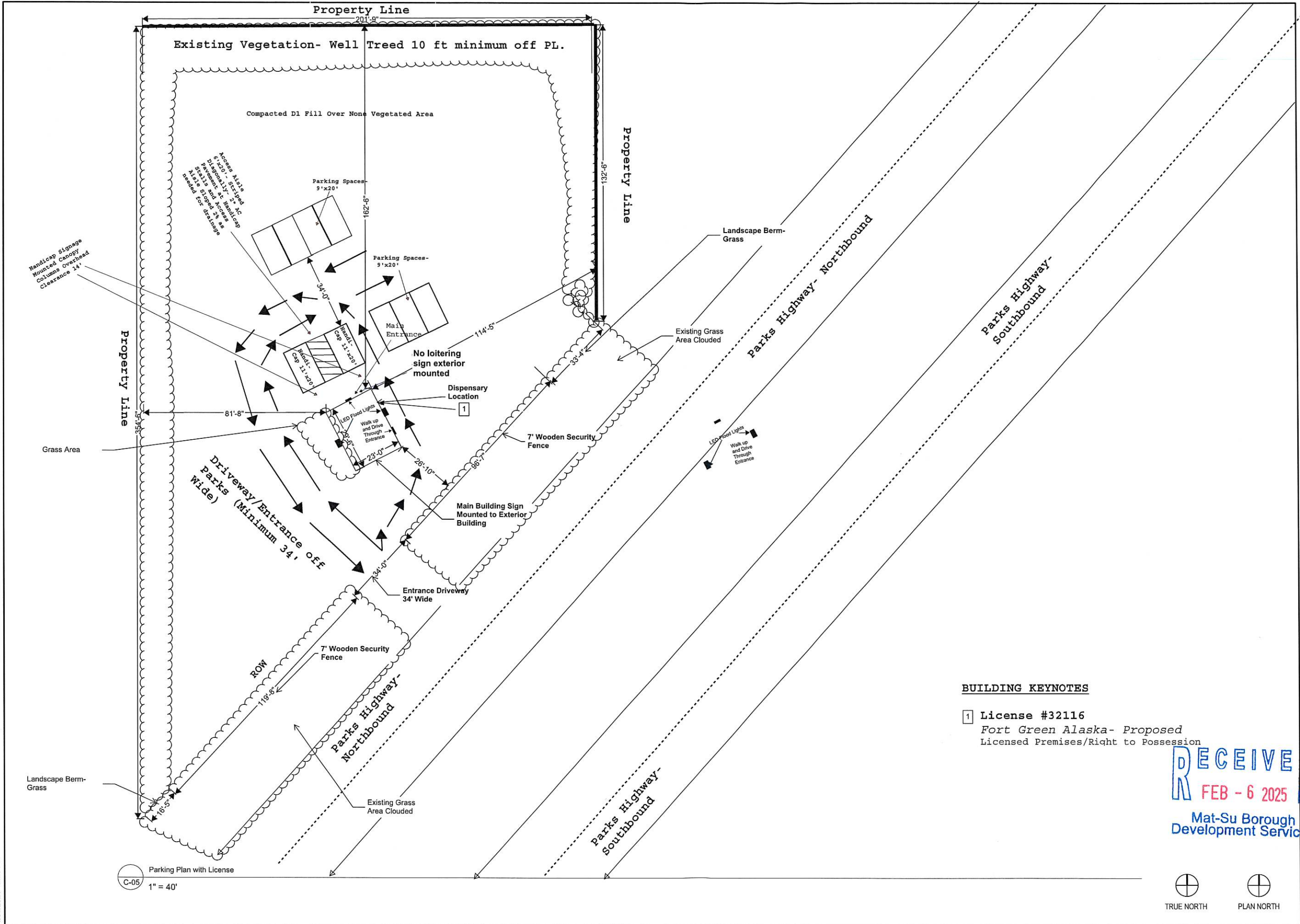
PROJECT NO: 01
DATE: 02/22/2022
DRAWN BY: Kyler Dias,
(CE, EIT)
CHECKED BY: NA

REVISION	DESCRIPTION	DATE

C-04

IF THIS DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING
HAS BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES

1/31/2021 12:20 PM



BUILDING KEYNOTES

- 1 License #32116
Fort Green Alaska- Proposed
Licensed Premises/Right to Possession

RECEIVED
FEB - 6 2025
Mat-Su Borough
Development Services

CONSULTANT:

PROJECT NO: 01
DATE: 02/22/2022
DRAWN BY: Kyler Dias,
(CE, EIT)
CHECKED BY: NA

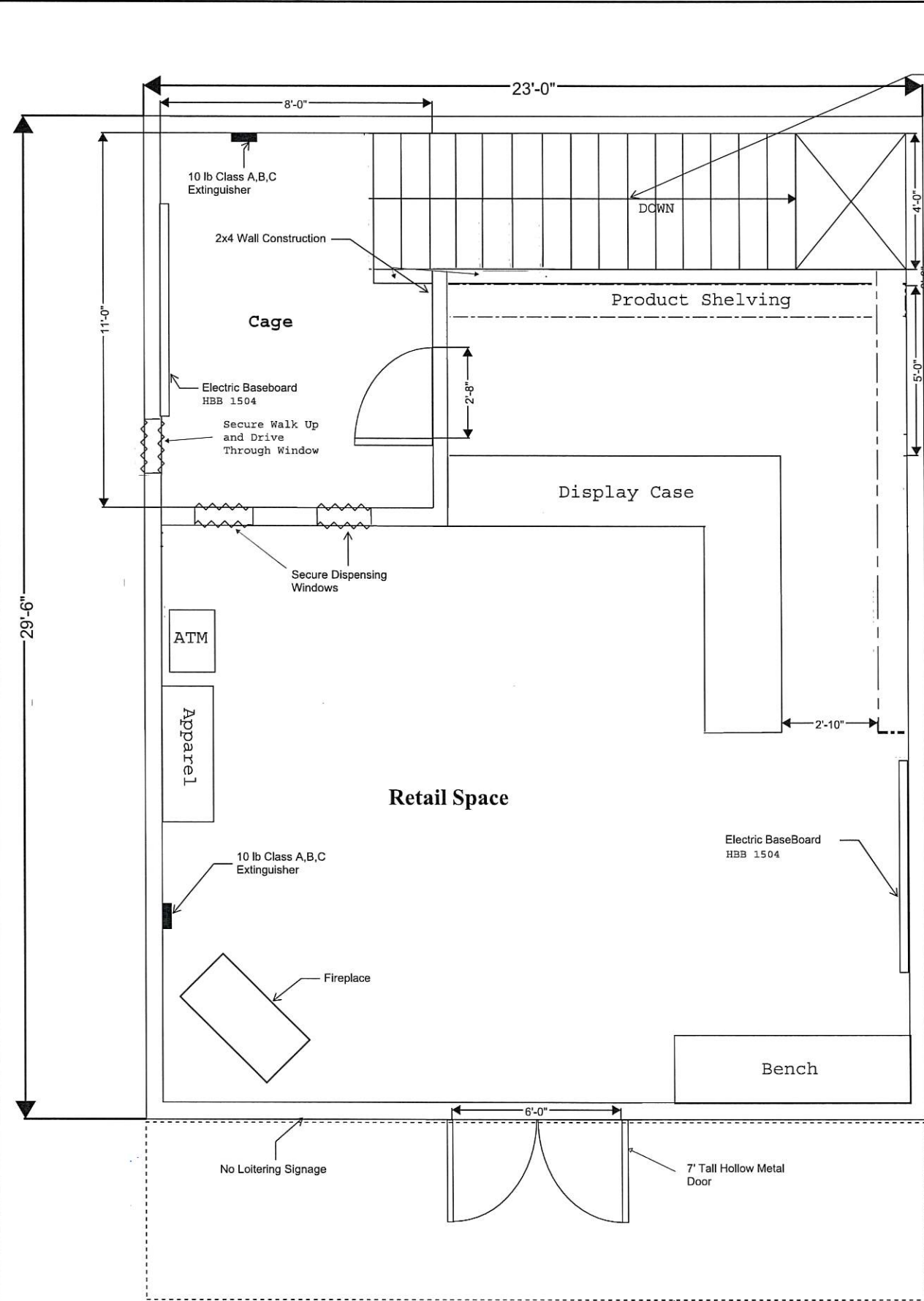
REVISION	DESCRIPTION	DATE

C-05

100% FOR CONSTRUCTION

IF THIS DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING
HAS BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES

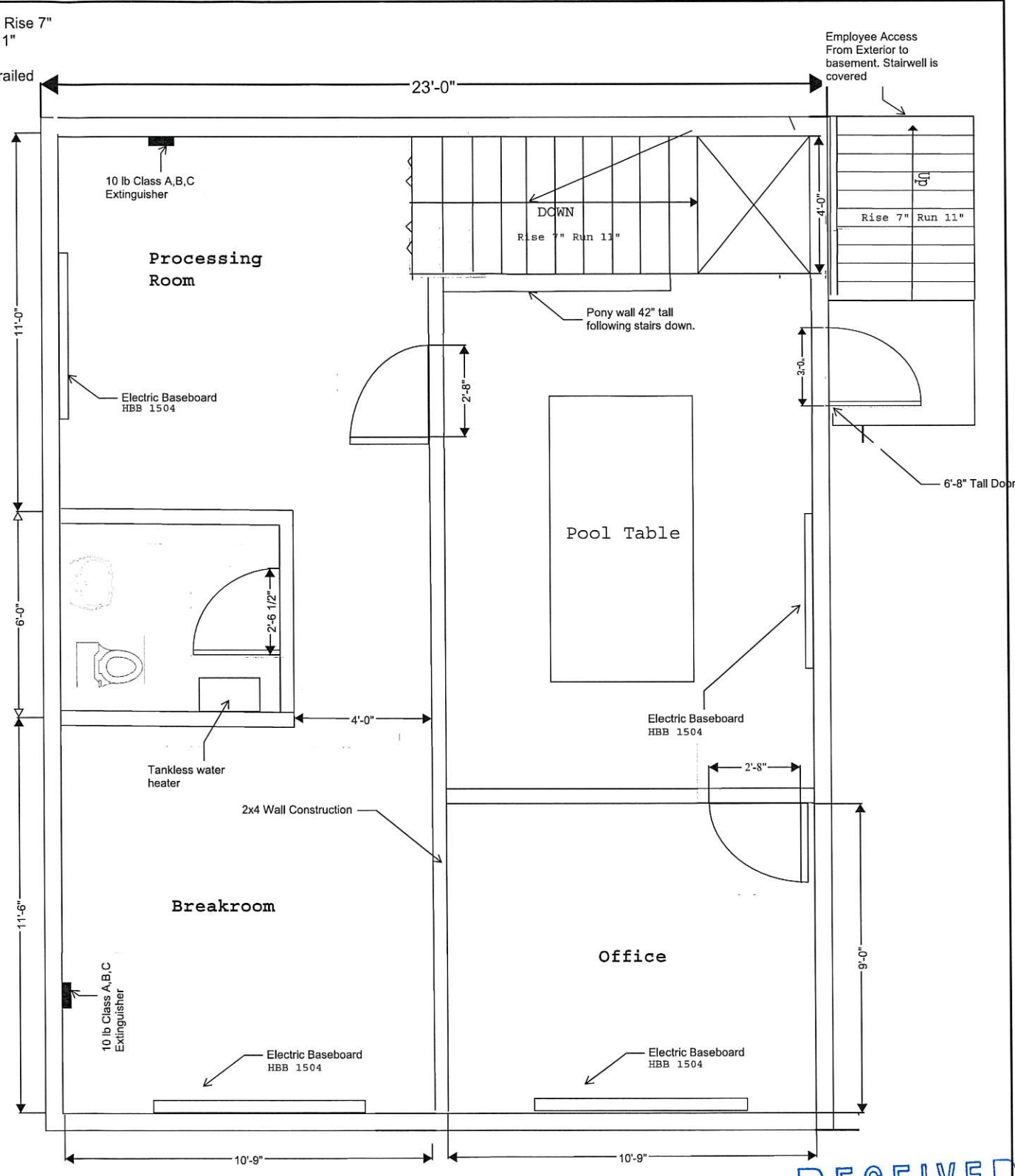
1/31/2021 12:20 PM



1 FIRST FLOOR PLAN
1/2" = 1'-0"

See Drawing A-03 for exterior deck and stairs

Steps Rise 7"
Run 11"
Fully
Handrailed



2 BASEMENT FLOOR PLAN
1/2" = 1'-0"

RECEIVED
FEB - 6 2025
Mat-Su Borough
Development Services



100% FOR CONSTRUCTION

CONSULTANT:

PROJECT NO: 01

DATE: 01/31/2021

DRAWN BY: Kyler Dias,
(CE, EIT)

CHECKED BY: NA

REVISION	DESCRIPTION	DATE

A01



Face Deck
- 6' fully
handrailed

CONSULTANT:

PROJECT NO: 01
DATE: 01/31/2021
DRAWN BY: Kyler Dias,
(CE, EIT)
CHECKED BY: NA

REVISION	DESCRIPTION	DATE

A03

 **FIRST FLOOR PLAN**
1/2" = 1'-0"

From: [Kyler Dias](#)
To: [Peggy Horton](#)
Cc: [ALG Alaska](#); [Jana Weltzin](#); [Brenda Butler](#); [Randi Baker](#)
Subject: Fwd: Fort Green Alaska CUP application
Date: Thursday, February 20, 2025 2:09:17 PM
Attachments: [winmail.dat](#)

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Afternoon Peggy-

I wanted to reach out to you and confirm that the proposed facility does meet the standards/requirements listed in MSB 17.60.150(B) for a 1000' setback from facilities as required in the code including schools.

Respectfully,

Kyler Dias

From: Peggy Horton <Peggy.Horton@matsugov.us>
Date: February 19, 2025 at 9:33:08 AM AKST
To: "Ryan, Riley McKay, Walther" <algunlimited1@gmail.com>, Jana@jdwcounsel.com, Brenda Butler <brenda@jdwcounsel.com>
Cc: Randi Baker <randi@jdwcounsel.com>
Subject: Fort Green Alaska CUP application

Hello,

I noticed that the narrative did not mention the 1000' setback requirement from the facility to the nearest school grounds. Per MSB 17.60.150(B), provide your determination as to whether this facility meets that standard.

Respectfully,
Peggy Horton
Current Planner
Matanuska-Susitna Borough
350 E. Dahlia Avenue
Palmer AK 99645
907-861-7862



Mat-Su Borough
Development Services

720 N Yeti Street
Palmer, AK 99645

KR&W Management LLC
2174 E Red Fox Dr.
Wasilla, AK 99654

November 29, 2024

Re: Building setback from Parks highway- Lot 1, Ralph Kilbourne Subdivision, plat 79-461 PRD, 7821 W Parks Hwy, MSB Parcel Id No. 12398

Dear KR&W Management LLC,

On September 19, 2024, I surveyed the location of the main building and the ADOT & PF right-of-way line of W. Parks Highway for Lot 1, Ralph Kilbourne Subdivision, plat 79-461 PRD, 7821 W Parks Hwy, MSB Parcel Id No. 12398.

I found the southeast and southwest property corners as set by ADOT & PF. Both corners are aluminum caps, flush with grade in good condition. The building is sitting at an angle to the right-of-way and the closest corner to the right-of-way is the southeast building corner. Said building corner measures 26.8' away from the right-of-way line.

The Matanuska-Susitna Borough right-of-way setback is 25.00'. Your building is outside of the required set back.

Sincerely,

A handwritten signature in blue ink that reads "Dan M. R." followed by a stylized flourish.

Dayna Rumfelt, PLS, CFedS
Lavender Survey & Mapping
Owner



Crop



Photo 



Done



Crop



Crop





Fire Department Access Letter

Kyler Dias <kyler@x907.com>
Draft

Wed, Nov 27, 2024 at 12:13 PM

Thanks

On Thu, Oct 17, 2024 at 1:37 PM Lage, Oscar (DPS) <oscar.lage@alaska.gov> wrote:

Kyler,

The change is small enough that I can just update the file. No further action is needed on your part.

Oscar

From: Kyler Dias <kyler@x907.com>

Sent: Monday, October 14, 2024 11:30 AM

To: Lage, Oscar (DPS) <oscar.lage@alaska.gov>; Brenda Butler <brenda@jdwcounsel.com>; ALG Alaska <algunlimited1@gmail.com>

Subject: Re: Fire Department Access Letter

Morning Oscar-

Below is a similar window to what we will be installing. It will likely be smaller than this but is inaccessible either way for entry. Also attached previously submitted floorplan with location of window shows. Respectfully, Kyler Dias

11:22
◀ Messages

LTE

AA

🔒 bavis.com



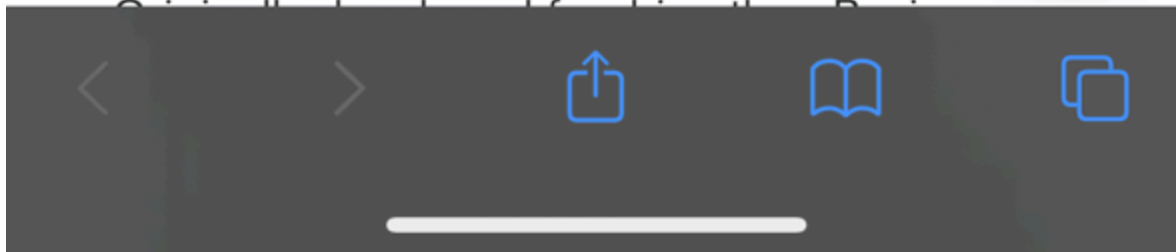
Home // Products // Window- // Dispensary

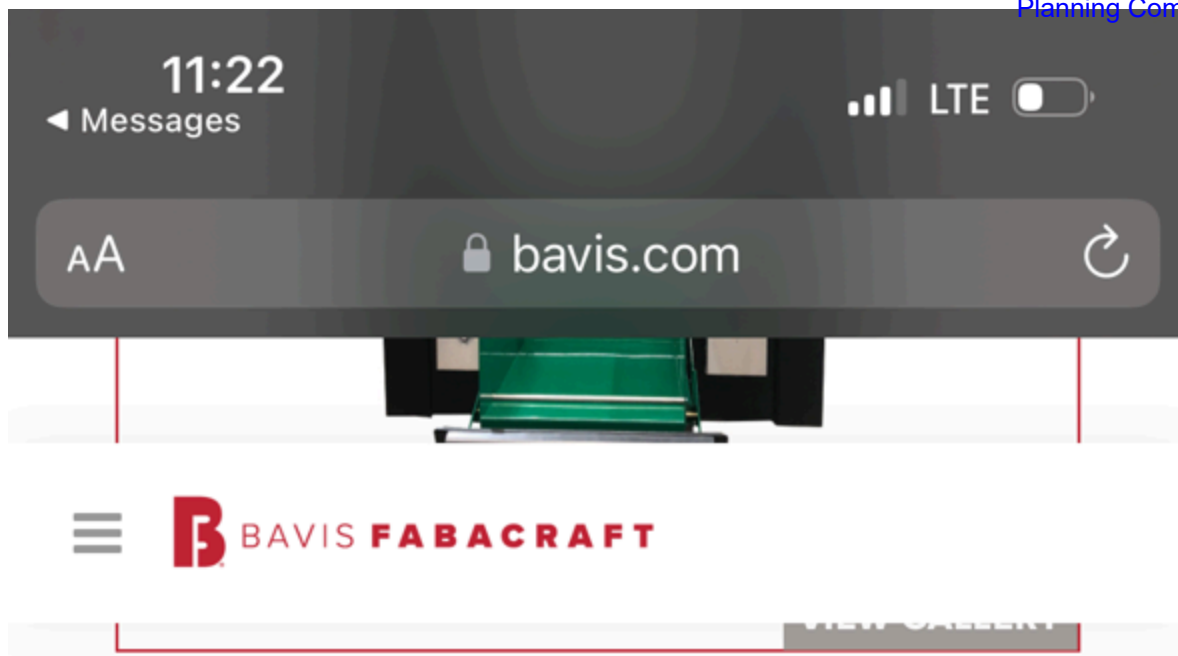


[VIEW GALLERY](#)

DISPENSARY 32X48 WINDOW-DRAWER COMBINATION UNIT - 12000992

Planning Commission Packet
April 21, 2025
36 of 102



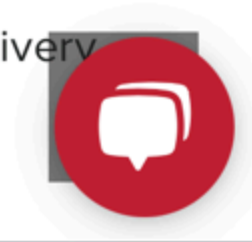


DISPENSARY 32X48 WINDOW-DRAWER COMBINATION UNIT - 12000992

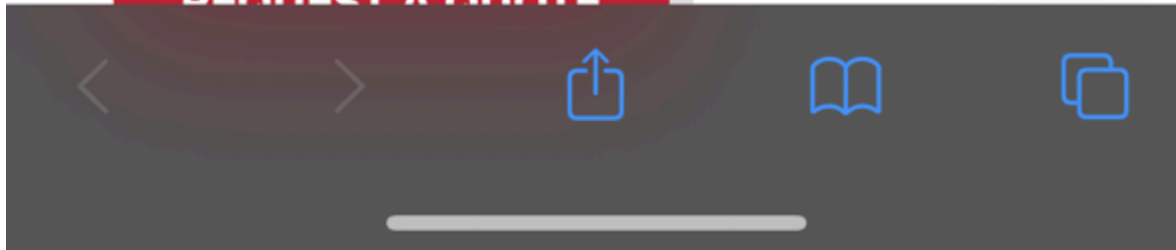
Originally developed for drive-thru, Bavis Fabacraft's window-drawer combination units have found a new application with dispensaries as a more secure solution for interior customer check-in areas. The UL-listed window glass comes standard as level-1 bullet-resistant (but can be upgraded upon request), and is paired with our industry-best large electric transaction drawer.

Our most popular combo unit for dispensaries is the 32x48 with a green drawer (pictured), but

is the 32x40 with a green drawer (pictured), but other sizes are available. Combos are shipped assembled as a single unit for easier delivery and installation.



REQUEST A QUOTE



On Wed, Oct 9, 2024 at 2:05 PM Lage, Oscar (DPS) <oscar.lage@alaska.gov> wrote:

Good afternoon Kyler,

Can you send me updated plans to show the drive through window? That way I can evaluate how big of a change it is and see what we need to do. If it is small we may only need to do a change order.

Oscar

From: Kyler Dias <kyler@x907.com>

Sent: Wednesday, October 9, 2024 1:43 PM

To: Lage, Oscar (DPS) <oscar.lage@alaska.gov>; Brenda Butler <brenda@jdwcounsel.com>

Subject: Fwd: Fire Department Access Letter

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Afternoon Oscar-

We are working through the CUP Application process for our property at [7821 W. Parks Highway](#). The plan review was completed earlier this year but we added a drive through window to the plans. Peggy with the borough said we may have to do something with the approved plan review to get this added. See below email from the James Keel, the AHJ stating that it will not affect the access letter since it is a minor change. If you could let me know whether this would require any changes to the approved plan review I'd appreciate it. Hoping it is a minor enough change that we can continue moving forward.

Respectfully,

Kyler Dias

----- Forwarded message -----

From: **James Keel** <James.Keel@matsugov.us>

Date: Fri, Sep 27, 2024 at 7:55 AM

Subject: RE: Fire Department Access Letter

To: Kyler Dias <kyler@x907.com>

Copt. Thank you for the update. Your add on for drive up window will not effect your access letter all should be good. Just a reminder to give me a heads-up approximately a week before opening so I can complete a pre-fire plan of your building. Thank you

Respectfully

James Keel

Assistant Chief

West Lakes fire.

Desk 907-861-8085

From: Kyler Dias <kyler@x907.com>

Sent: Thursday, September 26, 2024 11:13 AM

To: James Keel <James.Keel@matsugov.us>

Subject: Fire Department Access Letter

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Morning James-

We are getting closer and closer to opening the store at [7821 W. Parks Highway](#) that you sent us the below ALB Access Letter on for the Plan Review. Recently it was approved that drive through windows are now allowed and I updated our drawings to include this. The window might not be put in until next year but I wanted to send you over the revised plans. Do you know if I would need to do a full plan review.

Respectfully,

Kyler Dias

907-602-4293



Department of Public Safety

DIVISION OF FIRE AND LIFE SAFETY

Plan Review Bureau – Anchorage

5700 East Tudor Road

Anchorage, Alaska 99705-1225

Main: 907.269.2004

Fax: 907.269.0098

06/12/2024

Return to Applicant: Kyler Dias
4395 W Beverly Lakes Rd
Wasilla, AK 99623

SUBJECT: Fort Green - Full Plan Review
ADDRESS: 7821 W Parks Hwy
CITY: Wasilla
PLAN REVIEW: 2024ANCH0137
TYPE OF CONSTRUCTION: V-B
OCCUPANCY: M Mercantile
ADDITIONAL OCCUPANCY: F-1 Factory and industrial, moderate hazard
2021 INTERNATIONAL BUILDING AND FIRE CODE

Dear Kyler Dias:

Plans for the Full Plan Review have been reviewed by this office for conformity with the State Fire Safety Regulations and are hereby approved. Enclosed is a certificate of approval that must be posted on the premises until completion of the above project.

Other requirements have been identified for your project. An application with shop drawings for the Automatic Fire System must be submitted for review and approval within ninety (90) days and prior to the installation on the system.

It is prohibited to occupy this building until construction is completed, and if applicable, the Automatic Fire System(s) is installed, tested, and certified as operable. Any changes to the approved plans must be submitted to this office for review and approval.

Approval of submitted plans is not approval of omissions or oversights by this office or noncompliance with any applicable regulations of the Municipal Government. The plans have not been reviewed for compliance with the federal Americans with Disabilities Act or structural requirements.

It must be understood that the inclusion of and compliance with State Fire Safety Regulations does not preclude the necessity of compliance with the requirements of local codes and ordinances.

If we can be of further assistance in this matter, please feel free to contact us at the address above.

Approved By:
Oscar Lage
Building Plans Examiner I
oscar.lage@alaska.gov

Enclosure: Approval Certificate

Plan Review Approval Letter & Certificate
Grantor: State of Alaska, Department of Public Safety, Division of Fire & Life Safety
Grantee: DIAS DAVID T & MERRI B
Recording District:
Legal Description:

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 6/10/2024 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 Fort Green 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 #: 2024ANCH0137

By: 

Oscar Lage
Building Plans Examiner I

Authority: AS 18.70.080

Form: 12-741

(6/01) **Full Plan Review**



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Planning Commission Packet
April 21, 2025
42 of 102

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

June 13, 2023

Fort Green, LLC
DBA: Fort Green Alaska
Via: algunlimited1@gmail.com

Re: Fort Green Alaska #32116

Dear Fort Green, LLC:

At the June 1 - 2, 2023 meeting of the Marijuana Control Board in Anchorage, Alaska, the board voted to approve your new marijuana retail store application with delegation to the director. Delegation means that the board has authorized me to issue the license once all outstanding approvals are received.

Attached are post-approval instructions and the pre-inspection checklist, which provide information on your next steps. Please note that the pre-inspection checklist is informational. You will be provided with an individualized checklist at the appropriate time.

Please contact marijuana.licensing@alaska.gov with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carrie Craig".

Carrie Craig
Records and Licensing Supervisor

For
Joan Wilson, Director

cc: License File
Matanuska – Susitna Borough



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce,
Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 27, 2024

Fort Green LLC
DBA: Fort Green Alaska
Via: algunlimited1@gmail.com

Re: Fort Green Alaska #32116

Dear Ryan Mckay,

At the November 19, 2024, meeting of the Marijuana Control Board in Anchorage, Alaska, the board passed a motion to approve your new Drive up Exterior Window, with delegation to the director. Delegation means that the board has authorized the director to issue the license once all outstanding approvals are received, including fire marshal approval, local government, Department of Environmental Conservation-Food Safety Program.

Please contact marijuana.licensing@alaska.gov with any questions.

Sincerely,

A handwritten signature in dark ink, appearing to be "Regina T. Cruz".

Regina T. Cruz
Licensing Examiner 3- Supervisor

cc: License File
Matanuska-Susitna Borough



Alaska Department of Transportation and Public Facilities

STATEWIDE DESIGN & ENGINEERING SVCS.

You are here: [DOT&PF](#) > [Statewide Design & Engineering Services](#) > [Design & Construction Standards](#) > ePermits



Driveway and Approach Road Permit Application Display

Application Information

Application Number: [33837](#)

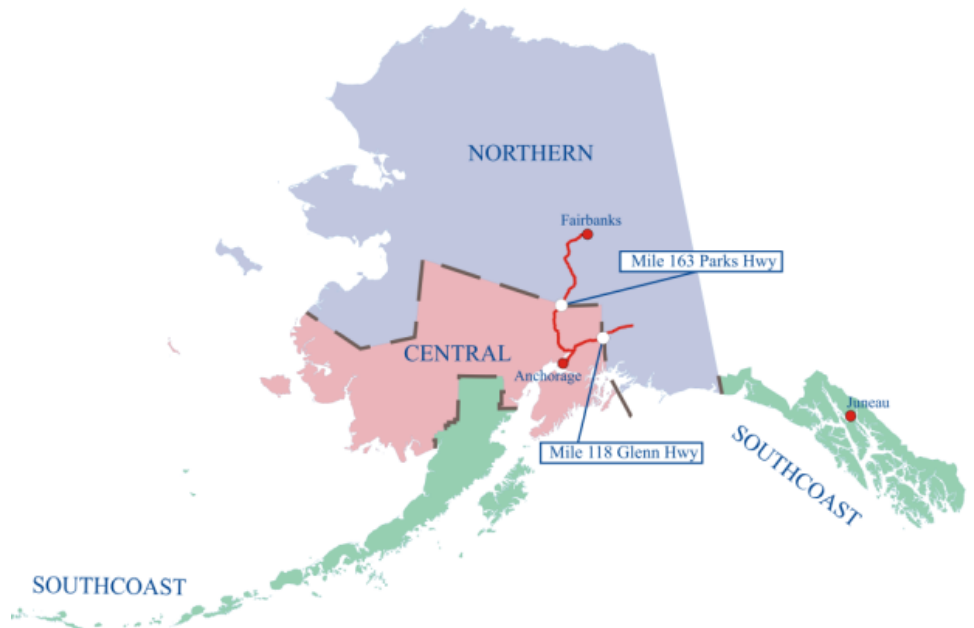
Status: [Initial Status](#)

Customer Information

JDW, LLC
Mrs Brenda Butler
Senior Paralegal
901 Photo Avenue
Second Floor
Anchorage, AK 99507
(907) 231-3750

Location Information

Central Region



7821 W Parks Highway Wasilla 99623 1 KILBOURNE Seward 17N 2W 9 79-461 61.57814 -149.64777 51818000

Physical Address

Street Number	7821
Milepost	
Street Name	W Parks Highway
Address Line 2	
City	Wasilla

Survey Number
Survey Number Type
Lot
Block
Subdivision
Property Tax ID Number

1

KILBOURNE
51818000

Meridian
Township
Range
Section
Recording District
Plat Number

Seward
17N
2W
9

79-461

GPS Coordinates

Latitude
Longitude

Decimal
61.5781
149.6478

Degrees
61
149

Minutes
34
38

Seconds
41
52

Driveway Information

Is access available from other public rights of way:
Is driveway/road within a platted right of way:
How many lots will the driveway/road serve:
Size of the tract served by driveway/road:
Is driveway located within a zoning authority:
Zoning designation:
Is the driveway/road proposed or existing:
Date applicant/permittee to complete work in accordance with attached plan:
Maximum number of vehicles which will use the driveway/road in any one hour:
Driveway/approach road main use:
Speed Limit:
Sight distance left:
Sight distance right:
Proposed land use for tract served by driveway/road:

NO
YES
1
1.04 acres
YES
Matanuska Susitna Borough
Existing
09/27/2024
6
Commercial
45 mph
1771 feet
1560 feet
Marijuana Retail

Driveway Specifications





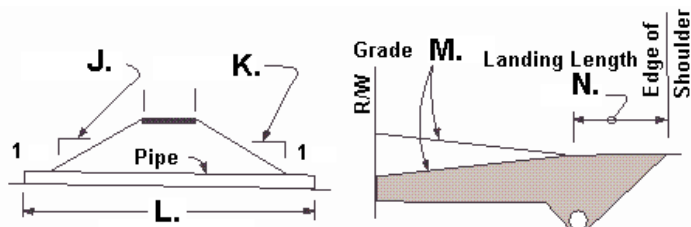
CURB RETURN (SHOWN SOLID)
CURB CUT (SHOWN DASHED -- DIMENSIONS D & E NOT REQUIRED)



A. Driveway width
B. Left edge clearance
C. Right edge clearance
D. Left return radius

34 feet
152 feet
132 feet
20 feet

E. Right return radius **20** feet
 F. Shoulder width
 G. Approach angle **82** degrees
 H. Curb type
 I. Curb to sidewalk distance



J. Left culvert foreslope **1:**
 K. Right culvert foreslope **1:**
 L. Culvert length **60** feet
 M. Landing grade **2** percent
 N. Landing length **60** feet
 O. Culvert diameter **28** inches
 P. Culvert type **Plastic**
 Q. Ditch depth **4** feet
 R. Shoulder type **Paved**
 S. Road surface type **Paved**
 T. Driveway landing surface type **Asphalt**

Attachments

Site Plan
 Other
 Proof of Ownership

[FT Green- Site Map- License- Revision 1.pdf](#) (271.55 KB)
[As-Built.pdf](#) (13.85 KB)
[Proof of ownership.pdf](#) (50.82 KB)

Add Attachment

Provisions

This permit applies only to the State right of way.

This permit grants permission for a driveway allowing access to and from your property onto a State maintained highway. It does not permit the following within the right of way or within that portion of a driveway that is within the right of way: (1) Parking of vehicles "for sale"; (2) Obstructions of any kind (i.e. logs, cables, fencing, etc.); (3) Advertising signs or banners/flags; (4) Parking vehicles with signs/advertising on the side.

A driveway or approach road constructed under permit within a highway right-of-way is the property of the State, but all cost and liability arising from the construction, operation, or maintenance of a driveway or approach road is at the sole expense of those lands served. The Department is not obligated to change its maintenance practices to accommodate a driveway or approach road constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway or approach road within a right of way resulting from the Department's activities, or activities under a permit issued under 17 AAC 15.

Permittee is responsible for adjusting or relocating the driveway or approach road without cost or liability to the Department if the use or safety of the highway requires that the driveway or approach road be adjusted or relocated.

This permit is not a property right but a temporary authorization, revocable by the State upon violation of any permit terms or conditions, or for other reasons. All reasonable attorney's fees and costs associated with legal or enforcement actions related to the terms and conditions of this permit will be borne by the Permittee.

Any survey monument or monument accessory that is disturbed or destroyed during construction or maintenance of the driveway will be restored or replaced by a Land Surveyor licensed in the State of Alaska.

The Permittee will be responsible for all necessary Federal, State, and Municipal permits and licenses required by law, pay all taxes and special assessments lawfully imposed upon the permitted area, and pay other fees and charges assessed under applicable law.

Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization from the U.S. Army Corps of Engineers. It is the responsibility of the owner to contact the Corps before filling activities take place.

The Permittee shall construct and maintain a driveway in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.020(b) If you damage any improvements within the State owned right of way, you will be responsible for returning them to their previous condition. The Department will inspect and approve the restored improvements. (17 AAC 10.065)

Permittee shall indemnify, defend and hold harmless the State, and its officers, employees, and contractors, from any and all claims or actions resulting from injury, death, loss, or damage sustained by any person or personal property resulting directly or indirectly from Permittee's use of or activities in the permitted area.

Landings from all paved roads must be paved and maintained from edge of the road to the length of the landing as stipulated in this permit.

If a culvert is required by this driveway permit, culvert ends must be installed at the time of installation and maintained continuously by the owner.

No person shall place, leave or deposit upon any street, avenue, alley, sidewalk or other public right of way any snow or ice which has been removed from a private driveway, private parking area, or the adjacent property. Permittee is responsible for his snow removal contractor's actions concerning placement of snow from Permittee's property.

If driveway construction or maintenance interferes with the public's safety and/or use of facilities within State owned right of way, you will be directed to stop work until adjustments are made.

While doing construction or maintenance activities do not park equipment or stockpile material on the shoulder during non-working hours.

Permittee is responsible for sight distance clearing of brush and obstructions adjacent to their property.

Driveway landings as stipulated in the permit must be paved and maintained from pavement edge on all paved roads.

Please contact the Department for information about acceptable driveway markers (i.e., size, materials, distance, etc.) for placement within the right of way.

The State will not change its maintenance practices to accommodate your driveway or incur additional expense to clear snow berms or other obstacles resulting from the Department's activities.

Special Conditions

Fees and Payments Information

Please make all checks payable to the **State of Alaska**.

Fee Type	Amount When to pay
Application Fee	\$ 100.00 Submit with permit application.

Payments

Date	Fee Type	Payment Type	Amount
-------------	-----------------	---------------------	---------------

Please send fees and attachments to the following address:

State of Alaska
 Department of Transportation and Public Facilities
 Right of Way Section
 PO Box 196900
 4111 Aviation Way
 Attn:Right of Way - Mail Stop: 2525
 Anchorage, AK 99519-6900
 Attachments may be faxed to: (907) 269-0489

AS-BUILT

DOT informed our client to reference the project – Parks Highway Expansion Phase III, mp 48.8 to 52.3, 7821 W. Parks Highway, Wasilla, Alaska 99623. According to information provided by DOT the as-built will be pulled during the review of this driveway permit as the driveway was constructed as part of the Parks Highway Expansion Phase III project.

PERMIT CENTER – FEE RECEIPT FORM

Planning Commission Packet
 April 21, 2025
 49 of 102

Property Location: 18180000001

Applicant: KR+W MANAGEMENT

USE PERMITS (100.000.000.341.300)		Fee
8.35 Public Display of Fireworks		\$25.00
8.40.010 Liquor License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)		\$100.00
8.40.060 Liquor License Relocation		\$500.00
8.41.010 Marijuana License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)		\$100.00
8.52 Temporary Noise Permit		\$1000.00
8.55 Special Events Permit 500 – 1000 Attendees 1000+ Attendees 8.55 Special Events Permit Site Monitor Fee / Per Day		\$500.00 \$1,000.00 \$300.00
17.02 Mandatory Land Use Permits Commercial		\$50.00
17.04 Nancy Lake Special Land Use District CUP		\$1,500.00
17.06 Electrical Generating & Delivery Facility Application		\$500.00
17.08 Hay Flats Special Land Use District Exception Application		\$1000.00
17.17 Denali State Park Conditional Use Permit		\$1500.00
17.18 Chickaloon Special Land Use District CUP		\$1500.00
17.19 Glacier View Special Land Use District CUP		\$1500.00
17.23 Port MacKenzie Development Permit		\$1000.00
17.25 Talkeetna Special Land Use CUP		\$1500.00
17.25 Talkeetna Conditional Use Permit – Variance		\$1500.00
17.27 Sutton Special Land Use District CUP		\$1500.00
17.29 Flood Damage Prevention Development Permit		\$100.00
17.29 Flood Damage Prevention Development Permit –Variance		\$500.00
17.30.040 Earth Materials Extraction Admin. Permit		\$1000.00
17.30.050 Earth Materials Extraction CUP		\$1500.00
17.36 Residential Planned Unit Development Application – Concept Plan – up to 50 Lots Additional Lots or tracts being created – Per Lot		\$500.00 \$100.00
17.48 Mobile Home Park Application		\$500.00
17.52 Residential Land Use District App (Rezone)		\$1,000.00
17.52 Residential Land Use District CUP		\$1,500.00
17.55 Shoreline Setback Exception Application		\$300.00
X 17.60 Conditional Use Permit Application <u>MARIJUANA</u>		<u>\$1500.00</u>
17.60 Transfer of Junkyard CUP		\$500.00

April 21, 2020

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17.61 Commercial/Industrial Core Area Conditional Use Permit	\$250.00
17.62 Coal Bed Methane Conditional Use Permits	\$1500.00
17.63 Racetracks Conditional Use Permit	\$1500.00
17.64 Waste Incinerator Conditional Use Permit	
17.65 Variance	\$1500.00
17.67 Tall Structures -	
Network Improvement Permit	\$100.00
Nonconforming Use	\$200.00
Administrative Permit	\$500.00
Conditional Use Permit	\$1500.00
17.70 Regulation of Alcoholic Beverage Conditional Use Permit	\$1500.00
17.73 Multi-Family Land Use Permit – add \$25.00 for each additional unit beyond 5 units.	\$500.00
17.75 Single-Family Residential Land Use District CUP	\$1500.00
17.76 Large Lot Single-Family Residential Land Use District	\$1500.00
17.80 Nonconforming Structures (Amnesty)	\$300.00
Pre-Existing Legal Nonconforming (Grandfather)	\$300.00
17.90 Regulation of Adult Businesses – Conditional Use Permit	\$1500.00

RIGHT-OF-WAY FEES:	
Driveway	\$50.00
<input type="checkbox"/> Driveway Deposit {100.226.100}	\$150.00
Construction	\$200.00
Utility (Application Fee = \$100 ~ Distance Fee \$0.25/per lineal foot)	
Encroachment	\$150.00
Construction Bond {100.227.000}	

PLATTING PRE-APPLICATION CONFERENCE:	
Pre-Application Fee	\$50.00

FEES:	
Flood Plain Development Survey CD	\$10.00
CD/DVD/DVD-R	\$7.50
Construction Manual/Title 43	\$5.00
Plat Map/Tax Map Copies/Mylar	\$5.00
Color Maps	\$12.00
Xerox Copies (B/W = \$0.25 ~ Color \$1.00/page 11X17 Color \$1.75/page)	
Advertising Fees	
Cultural Resources Books or Maps	
<input type="checkbox"/> Citation Payment (If sent to collections – use total due from Courtview)	
Thumb Drive 8GB = \$10; 16GB = \$15; 32GB = \$20	

\$ 1,500.00 Amount Paid Date: 8/27/24 Receipt # 3033 By: MC

Matanuska-Susitna Borough
Finance
350 E Dahlia Avenue
Palmer, AK 99645
907-861-8610
Welcome

08/27/2024 02:40PM Madeline C
000154-0032 000003033
Payment Effective Date 08/27/2024

MISCELLANEOUS RECEIPT

100000000 341300 -	
Planning - Platting -	
2024 Item: 57	
1 @ \$1,500.0000	
100000000 341300 -	
Planning - Platting -	
Map Fees	\$1,500.00

	\$1,500.00
Subtotal	\$1,500.00
Total	\$1,500.00
 CHECK	 \$1,500.00
Check Number 4960	

Change due	\$0.00

Paid by: JDW LLC

Comments: CONDITIONAL USE PERMIT
APPLICATION

Thank you for your payment

CUSTOMER COPY

INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE

Resolution No. 25-06

A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB 17.60 To Include Permit Requirements And Standards For Homeless Shelters. (Staff: Alex Strawn, Planning And Land Use Director)

(Page 52 - 83)

MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM

IM No. 25-082







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SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.60 CONDITIONAL USES TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR HOMELESS SHELTERS.

AGENDA OF: March 18, 2025

ASSEMBLY ACTION:

AGENDA ACTION REQUESTED: Refer to Planning Commission for 90 days.

Route To	Signatures
Originator	<div> Recoverable Signature</div> <div>X Alex Strawn</div> <div>Signed by: Alex</div>
Department Director	<div> Recoverable Signature</div> <div>X Alex Strawn</div> <div>Signed by: Alex</div>
Finance Director	<div> Recoverable Signature</div> <div>X Cheyenne Heindel</div> <div>Signed by: Cheyenne Heindel</div>
Borough Attorney	<div> Recoverable Signature</div> <div>X Erin Ashmore</div> <div>Signed by: Erin Dowling</div>
Borough Manager	<div> Recoverable Signature</div> <div>X Michael Brown</div> <div>Signed by: Michael Brown</div>
Borough Clerk	<div> Recoverable Signature</div> <div>X Lonnie McKechnie</div> <div>Signed by: Lonnie McKechnie</div>

ATTACHMENT(S): Planning Commission Resolution No. 25-____(pp)
MSB 17.60 (16 pp)

SUMMARY STATEMENT: This ordinance is at the request of Assemblymember Sumner to adopt development standards for new homeless shelters.

PROPOSED ACTION

This ordinance will adopt permit requirements, which include public notification and a public hearing before the Planning Commission. It will also adopt development standards related to building setbacks, separation distances, landscaping, safe access and more. The proposed standards support the goals and objectives of the Matanuska-Susitna Borough Comprehensive Plan.

Goal E-3 Create an attractive environment for business investment.

- Policy E3-2: Institute appropriate land use guidelines and regulations that reduce land use conflicts and protect residents and businesses.

Goal (LU-1): Protect and enhance the public safety, health, and welfare of Borough residents.

- Policy LU1-1: Provide for consistent, compatible, effective, and efficient development within the Borough.

Goal (LU-2): Protect residential neighborhoods and associated property values.

- Policy LU2-1: Develop and implement regulations that protect residential development by separating incompatible uses, while encouraging uses that support such residential uses including office, commercial and other mixed-use developments that are shown to have positive cumulative impacts to the neighborhood.

RECOMMENDATION OF ADMINISTRATION: Refer to Planning Commission and then introduce and set for public hearing.

CHAPTER 17.60: CONDITIONAL USES

Section

[17.60.010 Definitions](#)[17.60.020 Applicability](#)[17.60.030 Permit required](#)[17.60.040 Application procedures](#)[17.60.100 General standards](#)[17.60.110 Junkyards and refuse area standards](#)[17.60.120 Standards for correctional community residential centers](#)[17.60.130 Standards for race tracks \[Repealed\]](#)[17.60.135 Standards for race tracks \[Repealed\]](#)[17.60.140 Tall structures, including but not limited to, towers, tower farms, tower routes, and tower service area grids \[Repealed\]](#)[17.60.145 Tall structures, including but not limited to towers, tower farms, tower routes, and tower service area grids \[Repealed\]](#)[17.60.150 General standards for marijuana related facilities](#)[17.60.160 Standards for marijuana cultivation facilities](#)[17.60.170 Standards for marijuana retail facilities](#)[17.60.180 Transfer of a conditional use permit](#)[17.60.190 Termination of conditional use permits](#)[17.60.200 Nonconforming uses](#)[17.60.210 Violations and enforcement \[Repealed\]](#)[17.60.215 Violations, enforcement, and penalties](#)

17.60.220 Appeal procedure**17.60.010 DEFINITIONS.**

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(0.5) *[Repealed by Ord. 11-074, § 4, 2011]*

(0.7) *[Repealed by Ord. 11-074, § 4, 2011]*

- “Automobile wrecking” means the dismantling or wrecking of automobiles or other motor vehicles and the storage or keeping for commercial sale of dismantled or wrecked automobiles or the parts resulting from such activity.
- “Automobile wrecking yard” means the location within which the activity of automobile wrecking for commercial or public use is present.
- “Commercial” means any activity where goods or services are offered or provided for sale or profit.
- “Commission” means the planning commission of the Matanuska-Susitna Borough.
- “Correctional community residential center (CCRC)” means a community residential center, other than a correctional institution, for the short-term or temporary detention of prisoners in transition from a correctional institution, performing restitution, or undergoing rehabilitation or recovery from a legal infirmity. CCRCs may not be used for detention of prisoners who pose a threat or danger to the public for violent or sexual misconduct without imprisonment or physical confinement under guard or 24-hour physical supervision. The determination of whether a prisoner poses a threat or danger to the public for violent or sexual misconduct without imprisonment or physical confinement under guard or 24-hour physical supervision shall be made by the commissioner of corrections for state prisoners and the United States Attorney General, or the U.S. Director of Bureau of Prisons for federal prisoners.
- “Correctional institution” means a facility other than a correctional community residential center providing for the imprisonment or physical confinement or detention of prisoners under guard or 24-hour physical supervision, such as prisons, prison farms, jails, reformatories, penitentiaries, houses of detention, detention centers, honor camps, and similar facilities.
- “Federal prisoners” means offenders in the custody or control or under the care or supervision of the United States Attorney General or the Bureau of Prisons.
- “Industrial hemp” means all parts and varieties of the genus Cannabis plant containing not more than 0.3

percent delta-9-tetrahydrocannabinol.

- “Junk” means any secondhand and used machinery, scrap iron, copper, lead, zinc, aluminum, or other metals; it also includes wrecked automobiles, tools, implements, rags, used building materials, rubber, and paper. The above listed materials are not intended to be exclusive; “junk” may include any other materials that cannot, without further alteration and reconditioning, be used for their original purposes.
- “Junkyard/refuse area” means a location which is commercially used for the purpose of the outdoor storage, handling, dismantling, wrecking, keeping or sale of used, discarded, wrecked or abandoned airplanes, appliances, vehicles, boats, building and building materials, machinery, equipment, or parts thereof, including but not limited to, scrap metals, wood, lumber, plastic, fiber, or other tangible materials.
- “Marijuana” means all parts of the plant of the genus *Cannabis* whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. “Marijuana” does not include fiber produced from the stalks, oil or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, the weight of any other ingredient combined with marijuana to prepare topical or oral administration, food, drink, industrial hemp, or other products.
- “Marijuana cultivation facility” means an entity licensed to cultivate, prepare, package and sell marijuana to marijuana dispensaries, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.
- “Marijuana product manufacturing facility” means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.
- “Marijuana products” means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.
- “Marijuana retail facility” means an entity licensed to purchase marijuana or a marijuana product from a marijuana cultivation facility or marijuana product manufacturing facility and to sell marijuana and any approved marijuana product to a consumer.
- “Neighborhood” means an area of a community with characteristics which distinguish it from other community areas and which may include distinct economic characteristics, use patterns, schools, or boundaries defined by physical barriers such as major highways, railroads, or natural features such as rivers.
- “Net floor area” means the total of all floor areas of a building or lease area, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking, or loading.

- “Prisoner” means:

- (a) a person held under authority of state law in official detention as defined in AS 11.81.900;

- (b) includes a juvenile committed to the custody of the Alaska Department of Corrections Commissioner when the juvenile has been charged, prosecuted, or convicted as an adult.

- “Recreation or youth center” means a building, structure, athletic playing field, or playground which is: (a) run or created by a local government or the state to provide athletic, recreational, or leisure activities for minors; or (b) operated by a public or private organization licensed to provide shelter, training, or guidance for persons under 21 years of age.

- “School grounds” means a lot or parcel with facilities primarily used for the academic education of children or young people, usually under 18 years of age. For the purpose of setback requirements under this chapter, universities, vocational trade schools, and residential structures where children receive homeschooling are not considered schools.

(Ord. 18-027, § 2, 2018; Ord. 16-003(SUB), § 2, 2016; Ord. 15-016, § 4, 2015; Ord. 12-157(SUB), § 3, 2013; Ord. 11-074, § 4, 2011; Ord. 99-093(AM), § 1, 1999; Ord. 97-084(AM), § 2, 1997; Ord. 96-003(SUB)(AM), § 2, 1996; Ord. 84-27, § 2 (part), 1984)

17.60.020 APPLICABILITY.

(A) This chapter applies in all areas of the borough including special land use districts and residential land use districts. Where this chapter is in conflict with the conditions of a special land use district or residential land use district, the most restrictive conditions shall apply.

(B) The requirements of this chapter apply to CCRCs within special land use districts, residential land use districts, and other areas outside the cities, which allow correctional group homes as a permitted or conditional use.

(C) This chapter does not apply to correctional residential supervision where only one person is required to remain during specified periods of every day for a specified term at his or her regular private residence or the private residence of another person into whose custody the supervised person has been placed by a judge or magistrate as in “house arrest” or as a condition of release while awaiting trial.

(D) This chapter does not apply within the cities of Houston, Palmer, or Wasilla.

(E) This chapter does not apply to state approved noncorrectional facilities such as substance abuse treatment programs, hospitals, or job training centers which are incidentally providing residential treatment, rehabilitative care, or training to persons in the custody of local, state, or federal corrections authorities. For

purposes of this chapter “incidental” means 10 percent or less of the facility’s authorized population, but allows one corrections custody resident if the facility is designed to provide residence for less than ten persons.

(F) This chapter does not regulate the cultivation, manufacture or sale of plants or products of the genus Cannabis which contain less than 0.3 percent delta-9-tetrahydrocannabinol.

(G) This chapter does not apply within the boundaries of the Port MacKenzie special use district.

(Ord. 18-030, § 2, 2018; Ord. 18-027, § 3, 2018; Ord. 16-136, § 2, 2017; Ord. 96-003(SUB)(AM), § 3, 1996; Ord. 84-27, § 2 (part), 1984)

17.60.030 PERMIT REQUIRED.

(A) The following land uses are declared to be potentially damaging to the property values and usefulness of adjacent properties, or potentially harmful to the public health, safety, and welfare:

(1) junkyards and refuse areas;

(2) correctional community residential centers;

(3) *[Repealed by Ord. 16-003(SUB), § 3, 2016]*

(4) marijuana retail facility as licensed under 3 AAC 306.005; and

(5) marijuana cultivation facility licensed under 3 AAC 306.005.

(a) A single cultivation facility with less than 500 square feet under cultivation on any one parcel is exempt under this chapter.

(B) Such uses are permitted only upon the issuance of a conditional use permit, as provided in this chapter. Unless such uses are maintained under and in accordance with a lawfully issued permit, such uses are declared to be public nuisances. Maintenance of such a land use without a permit is prohibited.

(Ord. 16-136, § 3, 2017; Ord. 16-003(SUB), § 3, 2016; Ord. 15-016, § 5, 2015; Ord. 12-157(SUB), § 4, 2013; Ord. 11-074, § 6, 2011; Ord. 06-215, § 2, 2006; Ord. 99-093(AM), § 3, 1999; Ord. 97-084 (AM), § 3, 1997; Ord. 96-003(SUB)(AM), § 4, 1996; Ord. 84-27, § 2 (part), 1984)

17.60.040 APPLICATION PROCEDURES.

(A) *General.* An application to the planning commission for a conditional use or modification of an existing conditional use may be initiated by a property owner or the owners’ authorized agent. An application for a conditional use shall be filed with the planning director on a form provided by the planning department.

(1) The application for a conditional use permit shall be accompanied by an appropriate filing fee as

established by the assembly, payable to the borough.

(B) *Site plan.* A detailed site plan showing the proposed location of all buildings and structures on the site, access points, buffering, drainage, vehicular and pedestrian circulation patterns, parking areas, and the specific location of the use or uses to be made of the development shall be submitted with the application.

(C) *Action by planning commission.*

(1) The planning commission shall hear any interested parties and shall render a decision on the application for a conditional use permit within 30 calendar days from the date of public hearing. In recommending the granting of a conditional use, the planning commission shall state in writing the conditions of approval of the permit which it finds necessary to carry out the intent of this chapter. These conditions may increase the required lot size, control the location and number of vehicular access points to the property, require screening and land filling where necessary to reduce noise and glare, and may require the reclamation of property to a character in keeping with surrounding lands. The commission may impose other conditions and safeguards designed to ensure the compatibility of the conditional use with other lawful uses.

(2) The planning director shall incorporate any conditions or requirements stipulated by the commission in the conditional use permit.

(Ord. 99-093(AM), § 4, 1999; Ord. 93-045, § 2, 1993; Ord. 91-106, 1991)

17.60.100 GENERAL STANDARDS.

(A) A conditional use may be approved only if it meets with the requirements of this section in addition to any other standards required by this chapter.

(B) In granting a conditional use permit, the planning commission must make the following findings:

(1) the conditional use will preserve or not detract from the value, character, and integrity of the surrounding area;

(2) that granting the conditional use permit will not be harmful to the public health, safety, convenience, and welfare;

(3) that sufficient setback, lot area, buffers, or other safeguards are being provided to meet the conditions listed in subsections (B)(1) through (3) of this section; and

(4) the conditional use fulfills all other requirements of this chapter pertaining to the conditional use in this section.

(Ord. 84-27, § 2 (part), 1984)

17.60.110 JUNKYARDS AND REFUSE AREA STANDARDS.

(A) No junkyard or auto wrecking yard shall be established or operated unless the wrecking yard is completely obscured from the view of any traveled or public right-of-way. The permit may require the junkyard or auto wrecking yard not within a building to be contained within a continuous solid fence no less than eight feet in height, if such requirement is necessary to prevent the unsightly display of the yard or for public safety purposes. Fencing may be of one or a combination of the following:

- (1) conventional solid wood or metal fencing;
- (2) evergreen or other natural planting sufficient to provide year-round screening; and
- (3) earthen berm or topography.

(B) In all cases, fencing provided shall be continuous and of sufficient density to provide visual screening required by this chapter on a year-round basis.

(C) The commission shall evaluate whether the applicant is suitable to establish, maintain, or operate the proposed use under the requirements of this chapter.

- (1) Suitability of the applicant shall be based upon the applicant's history of compliance with relevant local, state, and federal laws.
- (2) Review for suitability shall be limited to no more than five years preceding the application.

(D) The commission shall consider whether adequate controls are in place to prevent contamination of soil, surface water and groundwater.

(Ord. 18-030, § 6, 2018; Ord. 84-27, § 2 (part), 1984)

17.60.120 STANDARDS FOR CORRECTIONAL COMMUNITY RESIDENTIAL CENTERS.

(A) These standards may not be implemented in a way that compromises the required security of a facility. CCRCs established after the effective date of the ordinance codified in this section must be in accordance with the standards of this chapter.

(B) In addition to all other applicable laws, rules, and standards, CCRCs are subject to the following standards:

- (1) A CCRC may not be located within one-half mile of a pre-existing public or licensed private school, a pre-existing licensed day care facility, or 750 feet from a pre-existing alcohol beverage dispensary or package store.

- (2) CCRCs may not generate traffic, light, glare, noise, odor, smoke, electrical interference, vibration, or dust and may not have an appearance, scale of operation, size, residential density, or use that is not allowed in the district within which it is located, that is out of character with the surrounding neighborhood, or that causes a nuisance off the permitted site.
- (3) CCRC dwelling units may be attached or detached in keeping with the character of the surrounding area and requirements of the district within which the facility is located.
- (4) CCRCs providing single-family style, dormitory, or hotel-style living arrangements, in keeping with the character of the surrounding neighborhood, may be approved subject to the provision of equivalent facilities and living space per resident.
- (5) A CCRC must be the principal use on the parcel of land upon which it is located.
- (6) All other types of facilities and categories of land use on the site of a CCRC are subject to the approval of the borough in accordance with this chapter for the purpose of regulating land use impacts. Such uses and facilities include, but are not limited to, organizational administration, vocational training, staff training, and activities which generate revenue to the facility or its sponsor organization such as manufacturing, remanufacturing, repair, sales, process, service, agriculture, or animal husbandry.
- (7) The minimum lot size for CCRCs shall be:
 - (a) one to 24 beds, 40,000 square feet;
 - (b) for each additional 12 beds or fraction thereof 20,000 additional square feet; and
 - (c) the planning commission may increase the allowed density if community water and sewage is available to the facility.
- (8) New construction shall be in character with the neighborhood and reflect sensitivity and respect for the surrounding environment.
- (9) The maximum lot coverage by buildings must be in accordance with the district in which the facility is located to a maximum of 25 percent.
- (10) The maximum height of structures shall be that which is permitted in the district, and in character with the surrounding neighborhood in which the facility is located to a maximum of three stories not to exceed 40 feet.
- (11) The minimum separation between buildings, walled structures, or fences shall be ten feet.

(12) All CCRCs will provide appropriate on-site residential facilities, common areas, recreational areas, educational areas, laundry areas, emergency medical service, and food service areas to provide for the needs of the residents who are restricted to the premises.

(13) The land use standard to establish maximum resident occupancy at a CCRC is a minimum of 150 square feet of building area per resident, calculated by including all bedroom, kitchen, bathroom, living, recreation, and other areas within the facility intended for common use by the residents.

(14) Landscaping must meet the following criteria:

(a) All areas not occupied by authorized buildings, structures, storage, driveways, parking, walkways, or other approved development must have maintained visual enhancement buffer landscaping. Where approved by the planning commission, maintaining existing natural vegetation shall be acceptable as a buffer.

(b) Buffer landscaping must be maintained along the length of each lot line of the permitted site which abuts a lot within a residential district or a lot containing a residential use.

(c) Buffer landscaping must be maintained along the length of all streets and roads upon which the permitted site has frontage.

(d) Surface water, storm water, and other runoff must be managed to avoid pollution and damage in accordance with an approved plan.

(15) Lighting must be provided at all developed pedestrian and vehicular access points for the permitted site. Additional lighting sufficient to enhance public safety may be provided as required by the planning commission.

(16) All parking and loading areas required for the permitted use must be provided on site and shall be paved with gravel, chip seal, asphalt, or concrete. Adequate parking and on-site vehicular maneuvering room, as determined by the planning commission, must be provided to accommodate staff, residents, visitors, and services associated with the permitted use. Parking spaces meeting national handicapped parking space requirements shall be provided.

(17) Signs, excluding warning and official notification of rules signs, which are intended to be visible from off site, must be limited to that allowed within the district within which the facility is located except as follows:

(a) Unless otherwise regulated the maximum combined area shall be 32 square feet for all regulated signs.

(b) Signs must be below the roof line of the lowest residential structure on site or the structure upon which it is mounted, whichever is lower.

(c) Signs must be unlighted or be lit so as to avoid glare off site.

(18) Loading facilities, refuse containers, and outdoor storage of equipment and material shall be visually screened from adjacent developed public access rights-of-way, residential lots, and residential uses.

(19) All CCRCs must be maintained in a safe, clean condition. Except as specifically authorized under this section, the storage, keeping, or disposal of junk and trash at a CCRC site is prohibited except for incidental amounts kept for no more than 30 consecutive days to facilitate recycling and proper disposal at an approved disposal site. As approved by the planning commission, the temporary storage of junk that is not visible from off site may be allowed. Storage of junk must be determined to be necessary to the operation of an approved use, such as a repair shop, within a CCRC and must be subject to a removal schedule.

(C) As part of the application, the applicant shall provide the following supporting information:

(1) as-built or proposed site plan of the application site, drawn to scale and certified by a registered land surveyor, depicting all boundaries, topography, structures, landscaping, drainage management, and other development;

(2) design drawings, drawn to scale, for all buildings, and structures, and elevations. Design drawings for new construction must be certified by a registered engineer or architect; and

(3) a plan of operations describing the proposed use in detail sufficient to demonstrate compliance with all applicable borough ordinances, standards, and conditions. This submittal shall also include:

(a) evidence of compliance with all other applicable local, state, and federal laws by the applicant(s) and their authorized agent(s) regarding the proposed use;

(b) a proposed organization chart of the operation identifying the lines of responsibility and general function of the owners and staff of the organizations that will own and operate the facility including job descriptions;

(c) a description of the number and types of residents proposed;

(d) descriptions of all major activity types proposed to occur on site; and

(e) general description of the security measures proposed to protect the public safety.

(D) The property owner and the permittee shall be responsible for maintaining all aspects of the operation, improvements, development, and site in compliance with the terms and conditions of the permit and all applicable local, state, and federal requirements. Failure to correct any violation of any permit condition is a violation of borough code.

(1) A pattern of crimes committed by residents of a permitted facility, which are determined by the planning commission to be creating an unreasonable degree of risk to public safety, may be grounds for revocation of the permit.

(2) In addition to other applicable penalties, failure to correct a violation of code after reasonable notice may result in revocation of the permit.

(3) Upon issuance of a permit under this chapter the permittee shall provide all necessary documentation to maintain current information sufficient to demonstrate continued compliance with permit conditions. The permittee shall also provide the borough the following information:

(a) name, title, and 24-hour contact telephone numbers for the person(s) in charge of the operation and security of the institution or facility;

(b) immediate notification of escapes; and

(c) immediate notification of any formal notice of violation issued by a government agency indicating an unacceptable level of security exists or has been allowed to exist at the facility.

(4) Authorized representatives of the borough will be allowed to inspect the permitted site and related records at reasonable times for the purpose of monitoring compliance with all permit conditions. Upon reasonable notice from the borough, the permittee shall provide necessary assistance and security to facilitate authorized inspections by borough representatives.

(5) A permit may be transferred to another individual subcontractor with planning commission notification and approval.

(Ord. 96-003(SUB)(AM), § 5, 1996)

17.60.130 Standards for race tracks. [Repealed by Ord. 99-154(AM), § 2, 1999 and recodified at MSB 17.60.135]

17.60.135 Standards for race tracks. [Repealed by Ord. 01-118 (AM by SUB 2), § 1, 2001]

17.60.140 Tall structures, including but not limited to, towers, tower farms, tower routes, and tower service area grids. [Repealed by Ord. 11-074, § 2, 2011]

17.60.145 Tall structures, including but not limited to towers, tower farms, tower routes, and tower service area grids. [Repealed by Ord. 15-016, § 6, 2015]

17.60.150 GENERAL STANDARDS FOR MARIJUANA RELATED FACILITIES.

(A) In addition to the standards set forth by MSB [17.60.100](#), the planning commission shall weigh factors which contribute or detract from the development of a safe, convenient, and attractive community, including, but not limited to:

- (1) any potential negative effect upon other properties in the area due to such factors as noise and odor.
- (2) the effectiveness of measures to reduce negative effects upon adjacent properties by:
 - (a) increased property line and right-of-way buffers;
 - (b) planted berms and landscaping;
 - (c) site and building design features which contribute to the character of the surrounding area.
- (3) whether the use is compatible with the character of the surrounding area.

(B) At the time of their establishment, marijuana related conditional uses shall meet the following requirements and not be located within:

- (1) one thousand feet of school grounds;

(C) Separation distances referenced in subsection (B) of this section are measured in a direct line between the closest point of the facility within which the marijuana facility is located, and the closest point on the lot or parcel of land upon which any of the above itemized uses are located.

(D) Prior to final approval of the permit the applicant shall provide written documentation demonstrating that:

- (1) all applicable licenses have been obtained as required by 3 AAC 306.005.
- (2) from the fire marshal having jurisdiction, that the proposed conditional use is in full compliance with applicable fire code, including but not limited to AS 18.70.010 through 18.70.160, Fire Protection, and 13 AAC 50.025 through 50.080, Fire Code.

(Ord. 16-136, § 4, 2017; Ord. 16-003(SUB), § 4 (part), 2016)

17.60.160 STANDARDS FOR MARIJUANA CULTIVATION FACILITIES.

(A) *Wastewater and waste material disposal plan.* A wastewater and waste material disposal plan shall be submitted which demonstrates that wastewater and waste material associated with the cultivation facility is disposed of in compliance with the Alaska State Department of Environmental Conservation.

(B) *Odor mitigation and ventilation plan.* The applicant shall provide an odor mitigation plan detailing the

effective mitigation of any odors of the proposed uses. Such plan shall demonstrate that the design for the purification of air prevents odors from materially impacting adjoining properties.

(C) *Hazardous chemicals.* Storage and disposal of fertilizers, pesticides, herbicides, and any other hazardous chemicals associated with the cultivation of marijuana shall comply with all local, state, and federal laws.

(D) *Security.* The applicant shall provide a security plan. The plan shall include, but not be limited to, education for employees on security measures.

(E) Marijuana cultivation facilities shall be set back 50 feet from public rights-of-way, and 100 feet from side or rear lot lines.

(Ord. 16-003(SUB), § 4 (part), 2016)

17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES.

(A) Marijuana retail facilities shall only be approved upon finding by the commission that the proposed facility is located on a parcel that is appropriate for commercial use. At a minimum, the commission shall consider:

- (1) proximity of the proposed use to existing businesses;
- (2) proximity to parcels developed for residential use; and
- (3) whether roads associated with the proposed use have been, or will be, appropriate for commercial use.

(B) The minimum number of parking spaces for retail facilities shall be one space per 350 square feet of net floor area. Each parking space shall be at least: 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet.

(C) Parking spaces shall be provided to comply with current Americans with Disabilities Act guidelines.

(D) On-site consumption of marijuana is prohibited.

(Ord. 23-005, § 2, 2023; Ord. 16-003(SUB), § 4 (part), 2016)

17.60.180 TRANSFER OF A CONDITIONAL USE PERMIT.

(A) Except as otherwise specified by code, the privileges and requirements of a conditional use permit shall run with the land, subject to the following requirements:

- (1) Within 90 days of recording the transfer of ownership of the subject land, the new owner must provide written notification and a signed acknowledgment that the new owner assumes responsibility for compliance with the requirements of the permit.

(2) The commission may limit the term of a permit or place conditions upon the transfer of ownership of a permit.

(3) For junkyard/refuse area permits issued under this chapter, the commission shall hold a public hearing to review the suitability of the transferee(s) to operate the existing conditional use.

(a) The commission's review of suitability shall be in accordance with MSB [17.60.110\(C\)](#).

(Ord. 18-030, § 7, 2018; Ord. 99-093(AM), § 6, 1999; Ord. 97-084(AM), § 5, 1997)

17.60.190 TERMINATION OF CONDITIONAL USE PERMITS.

(A) Except as otherwise specified by code, a conditional use permit issued under this chapter will become null and void under the following conditions:

(1) notification of termination of the permit for failure to comply with an order to correct violations of a conditional use permit;

(2) failure to initiate the use for which the conditional use permit was issued within five years of the date of the permit issuance;

(3) cessation of the use for which the conditional use was issued for a period exceeding five consecutive years.

(B) For good cause the planning commission may grant a one-time one-year extension of a conditional use permit. The planning commission must find that the request is reasonable and the proposed use is still appropriate under the standards for consideration under the subject use. An application for extension shall be subject to the same application fee as a conditional use permit and shall require public notice and public hearing in accordance with the requirements of MSB 17.03.

(Ord. 97-084(AM), § 6, 1997)

17.60.200 NONCONFORMING USES.

(A) Within the borough there may exist non-conforming uses as of the date of adoption of the ordinance codified in this chapter, or amendments thereto which were lawful before the effective date of applicable regulations, but which would otherwise be prohibited, regulated, or restricted under this chapter. Such existing nonconforming uses are permitted to continue subject to the provisions of this section, but shall not be expanded except as specifically provided in this chapter.

(B) Except as specifically provided for by code, this chapter does not require the relocation or removal of a nonconforming use existing or under construction at the time of adoption of the ordinance codified in this chapter if such use was lawful at the time of its construction. No nonconforming use shall be constructed or operated

except in accordance with these regulations, except to the extent it was in existence or under actual construction as of the effective date of the ordinance codified herein or amendment thereto. "Actual construction" is defined as the substantial placement of construction materials and performance of labor for construction of facilities which cannot reasonably be used except in a manner which does not conform with these regulations.

(C) Nonconforming uses under construction or in existence as of the date of the ordinance codified in this chapter shall apply for approval of their use within 90 days of the effective date of such ordinance or of a later amendment which makes the use nonconforming. The planning director shall grant approval of the nonconforming use if it complies with the requirements of this chapter excepting only those facilities and improvements which were under construction or in existence prior to the effective date of the respective regulation. The nonconforming use shall meet all other requirements of this chapter within 12 months which are not in conflict with the pre-existing use or construction.

(D) No existing nonconforming use shall be expanded to include an adjacent parcel or parcels unless the area of expansion meets the requirements of this chapter, except that contiguous, unplatted tracts constituting a block of land in the same ownership held for the same purpose on April 17, 1984, and containing a nonconforming use permitted under subsection (C) of this section shall be considered one parcel. No nonconforming use which is abandoned shall be used until it meets the requirements of this chapter. "Abandonment" is defined as a discontinuation of use of a nonconforming use, or a discrete portion or parcel thereof, or the failure to complete construction and begin use, for a continuous period of more than one year. If abandoned, the land shall not thereafter be used except in conformity with the requirements of this chapter.

(Ord. 97-084(AM), § 7, 1997; Ord. 84-27, § 2 (part), 1984)

17.60.210 Violations and enforcement. [Repealed by Ord. 95-088(SUB)(am), § 13 (part), 1995. For current provisions, see MSB 17.60.215]

17.60.215 VIOLATIONS, ENFORCEMENT, AND PENALTIES.

(A) Except as otherwise specified in this chapter violations of this chapter are infractions.

(B) Remedies, enforcement actions, and penalties shall be consistent with the terms and provisions of MSB 1.45.

(C) Failure to correct a violation of any permit condition is a violation of borough code.

(D) In addition to other applicable penalties, failure to correct the violation of code, after reasonable notice, may result in revocation of the permit.

(Ord. 99-093(AM), § 7, 1999; Ord. 95-088(SUB)(am), § 29 (part), 1995)

17.60.220 APPEAL PROCEDURE.

Appeals from a decision of the manager or the manager's authorized representative of an enforcement action or

a decision of the commission granting or denying a permit under this chapter shall be filed and conducted in accordance with MSB 15.39.

(IM 96-013, page 1 (part), presented 3-19-96; Ord. 84-27, § 2 (part), 1984)

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 25-046**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.60 CONDITIONAL USES TO INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR HOMELESS SHELTERS.

BE IT ENACTED:

WHEREAS: the intent and rationale of this ordinance are found in the accompanying Information Memorandum No. 25-082.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 17.60.010 is hereby amended to read as follows:

17.60.010 DEFINITIONS.

(A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- "Child care facility" means an establishment licensed as a child care facility under AS 47.32 that provides care for 13 or more children not related by blood, marriage, or legal adoption to the owner, operator, or manager of the facility.

- "Homeless shelter" means a facility that has a primary use of providing temporary accommodation (daily

or overnight) to persons experiencing homelessness.

"Homeless shelter" does not include a facility that has
a primary use of providing temporary accommodation to
victims of domestic violence.

Section 3. Amendment of section. MSB 17.60.030 is hereby
amended to read as follows:

17.60.030 PERMIT REQUIRED

(A) The following land uses are declared to be
potentially damaging to the property values and
usefulness of adjacent properties, or potentially
harmful to the public health, safety, and welfare:

(1) junkyards and refuse areas;

(2) correctional community residential
centers;

(3) *[Repealed by Ord. 16-003(SUB), § 3, 2016]*

(4) marijuana retail facility as licensed
under 3 AAC 306.005; [AND]

(5) marijuana cultivation facility licensed
under 3 AAC 306.005. and

(a) A single cultivation facility with
less than 500 square feet under cultivation on any one
parcel is exempt under this chapter.

(6) homeless shelter

(B) Such uses are permitted only upon the issuance

of a conditional use permit, as provided in this chapter. Unless such uses are maintained under and in accordance with a lawfully issued permit, such uses are declared to be public nuisances. Maintenance of such a land use without a permit is prohibited.

Section 4. Amendment of section. MSB 17.60.040 is hereby amended to read as follows:

17.60.040 APPLICATION PROCEDURES

(A) General. An application to the planning commission for a conditional use or modification of an existing conditional use may be initiated by a property owner or the owners' authorized agent. An application for a conditional use shall be filed with the planning director on a form provided by the planning department.

(1) The application for a conditional use permit shall be accompanied by an appropriate filing fee as established by the assembly, payable to the borough.

(B) Site plan. A detailed site plan showing the proposed location of all buildings and structures on the site, access points, buffering, drainage, vehicular and pedestrian circulation patterns, parking areas, and the specific location of the use or uses to be made of the development shall be submitted with the application.

(C) Action by planning commission.

(1) The planning commission shall hear any interested parties and shall render a decision on the application for a conditional use permit within 30 calendar days from the date of public hearing. In recommending the granting of a conditional use, the planning commission shall state in writing the conditions of approval of the permit which it finds necessary to carry out the intent of this chapter. These conditions may increase the required lot size, control the location and number of vehicular access points to the property, require screening and land filling where necessary to reduce noise and glare, and may require the reclamation of property to a character in keeping with surrounding lands. The commission may impose other conditions and safeguards designed to ensure the compatibility of the conditional use with other lawful uses.

(2) The planning director shall incorporate any conditions or requirements stipulated by the commission in the conditional use permit.

(D) Upon acceptance of a complete application for a homeless shelter conditional use permit, the department shall notify surrounding property owners in accordance with MSB 17.03 Public Notification, except

that the notification area shall be one-half mile from the exterior of the boundary of the property that is the subject of the application.

Section 5. Adoption of section. MSB 17.60.125 is hereby adopted to read as follows:

17.60.125 STANDARDS FOR HOMELESS SHELTERS

(A) A conditional use permit may be approved only if it meets the standards set forth by MSB 17.60.100 and the requirements of this section

(B) Findings. In granting a conditional use permit the planning commission must make the following findings:

(1) The proposed homeless shelter is located on a parcel that is appropriate for that use. In considering this factor the commission shall consider, at a minimum:

(a) proximity of the proposed use to existing businesses;

(b) proximity of the proposed use to parcels developed for residential use; and

(c) whether roads associated with the proposed use have been, or will be, appropriate for commercial use.

(2) At the time the permit is issued, homeless shelters shall meet the following requirements:

(a) Homeless shelters shall not be located within one thousand feet of:

(i) school grounds;

(ii) recreation or youth centers;

(iii) child care facilities; and

(iv) uses regulated under MSB 17.70.020.

(b) Separation distances referenced in subparagraph (a) of this section are measured in a direct line between the closest point of the lot or parcel within which the homeless shelter is located, and the closest point of the lot or parcel of land upon which any of the above itemized uses are located.

(3) Homeless shelters shall be set back at least 100 feet from public rights-of-way, side lot lines, and rear lot lines.

(4) The minimum number of parking spaces for homeless shelters shall be one space per 350 square feet of net floor area. Each parking space shall be at least: 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet. Parking spaces shall be provided to comply with current Americans with Disabilities Act guidelines.

(5) The applicant shall provide a security plan to protect the public safety. The plan shall include, but

not be limited to, education for employees on security measures.

(6) The homeless shelter shall be screened by a continuous solid fence or earthen berm to reduce negative effects on adjacent properties.

(a) Screening shall encompass the entire property or the entire developed area of the facility.

(i) vehicular access points are not required to be screened.

(b) Screening shall be no less than six feet in height.

(c) Fencing may be of conventional solid wood or metal construction.

(d) Earthen berms shall be vegetated within 12 months of their construction.

(i) slopes of the berm shall be graded to attain a maximum 50 percent slope or the natural stabilized angle of repose to prevent erosion of the berm.

(ii) earthen berms shall be covered with a minimum of four inches of soil to support plant growth.

(iii) seeding of the earthen berms shall utilize certified seed suitable for Alaska conditions that is free of noxious weeds or undesirable plant

species identified in 11 AAC 34.020, Prohibited and Restricted Noxious Weeds.

(7) Exterior lighting shall comply with the following standards:

(a) Pedestrian pathways must have sufficient lighting to enhance public safety with increased illumination around building entrances.

(b) All parking areas must have sufficient lighting to enhance public safety.

(c) Lights in parking lots must be mounted no more than 20 feet above the ground.

(d) All lighting shall be located and shielded to direct the light towards the ground, in order to minimize light spillage onto adjacent properties and upward into the night sky.

(8) Certification by a professional engineer, who is authorized to engage in that profession by the state of Alaska, must be submitted to the planning and land use department within 90 days of installation of the domestic wastewater system, certifying that the domestic wastewater system was installed in full compliance with all applicable Alaska State Department of Environmental Conservation regulations.

(9) The applicant shall submit a landscape plan

consistent with the requirements of MSB 17.73.190 (B) (1-3).

(10) Prior to final approval of the permit the applicant shall provide written documentation from the fire marshal having jurisdiction that the proposed conditional use is in full compliance with all applicable fire codes.

3. Standards. In considering whether the required findings are satisfied, the planning commission shall weigh factors contributing or detracting from the development of a safe, convenient, and attractive community, including, but not limited to:

(1) whether the use is compatible with the character of the surrounding area; and

(2) the effectiveness of measures to reduce negative effects upon adjacent properties by:

(a) increased buffers along property lines and rights-of-way; and

(b) planted berms and landscaping.

Section 6. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2025.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Assemblymember Gamble

OR25-046 / IM 25-082

I request the Planning Commission to review my potential amendment to Ordinance 25-046 as follows:

Insert a definition to Section 2 to read **“Outpatient opioid treatment facility” means a healthcare facility whose primary service is providing outpatient medication-assisted treatment for individuals with opioid use disorder.**

Section 3: Add paragraph seven to subsection (A), to read **“(7) outpatient opioid treatment facility”**

Section 4: modify subsection (D) to read “Upon acceptance of a complete application for a homeless shelter **or outpatient opioid treatment facility** conditional use permit, the department shall notify surrounding property owners in accordance with MSB 17.03 Public Notification, except that the notification area shall be one-half mile from the exterior of the boundary of the property that is the subject of the application.”

Section 5: modify section 17.60.125 to read “17.60.125 STANDARDS FOR HOMELESS SHELTERS **AND OUTPATIENT OPIOID TREATMENT FACILITIES**”

Section 5: modify paragraphs 1, 2, 3, 4, and 6, of subsection (B) to read

(B) Findings. In granting a conditional use permit the planning commission must make the following findings:

(1) The proposed [HOMELESS SHELTER] **conditional use** is located on a parcel that is appropriate for that use. In considering this factor the commission shall consider, at a minimum:

(2) At the time the permit is issued, [HOMELESS SHELTERS] **the conditional use** shall meet the following requirements:

(a) Homeless shelters **and outpatient opioid treatment facilities** shall not be located within one thousand feet of:

- (i) school grounds;
- (ii) recreation or youth centers;
- (iii) child care facilities; and
- (iv) uses regulated under MSB 17.70.020.

(b) Separation distances referenced in subparagraph (a) of this section are measured in a direct line between the closest point of the lot or parcel within which the [HOMELESS SHELTER] **conditional use** is located, and the closest point of the lot or parcel of land upon which any of the above itemized uses are located.

(3) [HOMELESS SHELTERS] **The conditional use** shall be set back at least 100 feet from public rights-of-way, side lot lines, and rear lot lines.

(4) The minimum number of parking spaces for homeless shelters **and outpatient opioid treatment facilities** shall be one space per 350 square feet of net floor area. Each parking space shall be at least: 20 feet in length, ten feet wide, and have a vertical

clearance of at least seven feet. Parking spaces shall be provided to comply with current Americans with Disabilities Act guidelines.

(6) The [HOMELESS SHELTER] **conditional use** shall be screened by a continuous solid fence or earthen berm to reduce negative effects on adjacent properties.

By: A. Strawn
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 25-06

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION
RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.60 TO
INCLUDE PERMIT REQUIREMENTS AND STANDARDS FOR HOMELESS SHELTERS.

WHEREAS, Assembly Ordinance 25-046 adopts permit requirements, which include public notification and a public hearing before the Planning Commission; and

WHEREAS, Assembly Ordinance 25-046 also adopts development standards related to building setbacks, separation distances, landscaping, safe access and more; and

WHEREAS, the proposed standards support the goals and objectives of the Matanuska-Susitna Borough Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Assembly Ordinance 25-046:

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ADOPTED by the Matanuska-Susitna Borough Planning Commission
on this __ day of _____, 2025.

CJ KOAN, Chair

ATTEST

Lacie Olivieri, Planning Clerk

(SEAL)

YES:

NO:

LAND USE CLASSIFICATION

Resolution 25-05

A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Classifying A Portion Of Land Located In The Core Area Known As Tax Account 18N01E31C013 As Reserved Use Land For The Purpose Of An Emergency Services Facility. (MSB008189) (Staff: Lisa Gray, Land Management Agent)

(Pages 84 - 102)



MATANUSKA-SUSITNA BOROUGH

Community Development Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7869 • Fax (907) 861-8635

E-mail: lmb@matsugov.us

MEMORANDUM

DATE: April 7, 2025

TO: Matanuska-Susitna Borough Planning Commission

FROM: Lisa Gray, Land Management Agent

FOR: Planning Commission Agenda of April 21, 2025 / Resolution 25-05
MSB008189

SUBJECT:

Classification of Reserved Use Land – Emergency Service Facility (ESF) for future site in the Matanuska-Susitna Borough off Bogard Road.

SUMMARY:

The Community Development Department respectfully request review and recommendations by the Planning Commission of the classification of land identified by Emergency Services.

The Preliminary Best Interest Finding document is attached and includes findings to assist the Planning Commissioners in their review of the classification for the parcel. In addition, the Resolution, a vicinity map, site investigation memorandum, public comments received, and Central Mat-Su Fire Service Area Board of Supervisors meeting minutes are attached.

VICINITY MAP



DAY SCHOOL
MSB

BOGARD ACRES

N-Tait-Dr

E-Bogard Rd

E-Highline Ln
Claridge Ct

LOTS 1A BLK 16
& 1A BLK 22

E Larch Dr

33' SECTION LINE ESMT

12.5 Acres

C13

Proposed Area for
Future Emergency
Services Facility

Affected MSB Parcel
ID: 18N01E31C013

N-Merciful Cir

1 MERCIFUL
ESTATES 2

A2
B.J. SUB

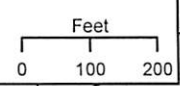
ANCIENT
TREE ESTS

E-Palmdale-Dr

MSB#008189

Proposed Land Classification to
Reserve Future Emergency
Services Facility

S T18N R01E Sec. 31 - Tax Map WA07
MSB/LRMD February 2025



Mud Lake

**PRELIMINARY BEST INTEREST FINDING
For the
Classification of Borough-owned Land**

I. Summary of Proposed Action

The Matanuska-Susitna Borough, Emergency Services has identified a Borough-owned parcel for a future fire station in the core area. Emergency Services plans to combine and relocate Public Safety Building 5-2 and Public Safety Building 6-5 (only fire division) into one new location. The identified property is located at the intersection of N. Tait Drive and E. Bogard Road. The proposal is to classify twelve and half (12.5) acres in the north-west corner of the property as RESERVED USE LANDS-ESF (Emergency Services Facility). In January 2025 the Borough Assembly classified a five-acre portion of said property in the north-east corner of the parcel for the future fire station. At the time of the classification staff did not have a facility design. Public Works has started working on the facility design and determined the north-west corner of the property would be a better location. The property has some topographic constraints and the location in the north-west corner will provide more area for the proposed facility with less topographic issues. See attached map.

II. Property Site Factors

- A. Location:** The subject property is located on E. Bogard Road across the street from the Mat-Su day School. There are several ways to access the property and those are from E. Bogard Road, E. Highline Lane, E. Larch Drive, and E. Palmdale Drive. This property is outside the city limits.
- B. Legal Description:** The property is located within the E1/2 SW1/4 of Section 31, Township 18 North, Range 1 East, lying south of the northerly right-of-way limit of Bogard Road, Seward Meridian, Palmer Recording District, Third Judicial District, State of Alaska, approximately 60 acres. The tax account number is 18N01E31C013. The portion to be classified is the twelve and half (12.5) acres in north-west corner of said property.
- C. Land Status:** The subject property was acquired from the State of Alaska by patent. Patent No. 16172, Book 927, Page 730, dated December 24, 1991, in the Palmer Recording District.
- D. Restrictions:**
 - 1. Land Classification
The five acres in the north-east corner is classified as Reserved Use for a future fire station. The remainder of the property is not classified.
 - 2. Land Use Plans
Core Area Comprehensive Plan. The plan encourages public lands be managed to support the community land needs.

3. Title Restrictions - None
 4. Covenants - None
 5. Zoning - None
 6. Easements & Other Reservations – Property is subject to the following rights-of-way: Easement recorded November 25, 1980, in Book 223 at Page 597, Right-of-Way Transmission line as reserved on Patent No. 16172 recorded December 24, 1997, in Book 927 at Page 730, Notice of Public Dedication recorded April 7, 2015, at serial number 2015-006564-0, ADL 226779, and a 50-foot section line easement along section line.
- E. Current Land Use:** There are no known current uses.
- F. Surrounding Land Use:** School, School District Maintenance building, commercial and Residential.
- G. Existing Infrastructure:** On the north side of the property and partially across the property runs three-phase Matanuska Electric Association powerlines. Matanuska Telephone Association has buried copper communication lines in the existing right-of-way, on the north side of Bogard. Natural gas is available in the general area to the north of the property.
- H. Soils & Terrain:** The topography is moderately steep in the north half of the property generally sloping downward from northwest to southeast starting at an elevation of 430 feet down to 344 feet (NAVD 88 datum) in the middle of the property at a grade of roughly 9%. The southern half of the property has steeper slopes, and moraine features and contains a 5-acre depression with a wetland that drains to the southwest. Other than the depressed area, the site is well drained and outside any flood zones. Soils on the property are classified by the Natural Resources Conservation Service as Knik silt loam, which consists mostly of course gravels and sands overlain by a layer of silt and organics that is typically 2 feet thick. Vegetation consisted primarily of birch with some spruce and cottonwood trees.
- I. Resources:** None
- J. Assessment:** The 2025 assessed values of the entire property is \$894,700.

III. Public, Board and Commission Comments & Recommendations

In accordance with Title 23 and the Land Management Policy and Procedure Manual, landowners within 600 feet of the proposed property have been notified of the proposed land classification. Additionally, notices were published in the Frontiersman and posted in the

Wasilla Post Office and on the Borough website. The North Lakes Community Council, the local Road Service Area and Fire Service Area boards were also asked to comment.

Central Mat-Su Fire Service Area Board of Supervisors (BOS) reviewed the proposed site and unanimously passed a motion to move forward with allocating the land on Bogard and Tait to build the new fire station 5-2/6-5. BOS meeting minutes are attached.

Inter-Department and Public Comments:

No objection was received from the Borough inter-department review. The Borough Public Works Department conducted a site investigation and recommended the northern half of the property for development as a public safety building site with access onto Bogard Road. The site investigation report is attached. There has been one (1) public comment received as a result of the public noticing. The commenter fully supports the classification, see attached comment.

IV. Analysis & Discussion

Classification of Borough lands for reserved use is consistent with the Borough's policy to create an asset management plan. The classification of this parcel as Reserved Use Lands -ESF (Emergency Services Facility) is consistent with the Borough's goal to provide future public safety facilities throughout the Borough.

The classification for the parcel is a portion of the parent parcel. Surveying and subdividing the parcel by a plat or waiver subdivision prior to development may be desirable but is not required while the Borough owns the parent parcel.

V. Administrative Recommendation

The Community Development Department, Land & Resource Management Division respectfully recommends classification of a twelve and half (12.5) acre portion of said parcel as Reserved Use Land – ESF as shown on the attached vicinity map.

MSB 23.05.100(A)(13) defines “Reserved Use Lands” are those lands which have been transferred, assigned, or designated for present or future public use, or for use by a government or quasi-government agency, or for future development of new town sites, or for future expansion of existing public uses.

Authority: Classify land MSB 23.05.005, 23.05.100



MATANUSKA-SUSITNA BOROUGH

Public Works Department

Pre-Design & Engineering Division

350 E. Dahlia Avenue • Palmer, AK 99645 (mailing address)

533 E. Fireweed Avenue • Palmer, AK 99645 (physical address)

Phone (907) 861-7723 • Fax (907) 861-7735

E-mail: PD&E@matsugov.us


MEMORANDUM

DATE: May 28, 2024

TO: Jillian Morrissey, Community Development Director

THRU: Lisa Gray, Land Management Division Agent

THRU: Brad Sworts, Pre-Design & Engineering Division Manager

FROM: Mike Campfield, P.E., Environmental Engineer 

SUBJECT: Site Investigation for Proposed Public Safety Building – Bogard Road at Tait Drive Intersection

At the request of the Land Management Division, members of the Public Works Department, Pre-Design & Engineering Division, including myself, inspected a Borough-owned property for a proposed future fire station. The new station is intended to serve as a replacement for Public Safety Buildings 6-5 & 5-2. On May 9, 2024, we visited the site on Bogard Road opposite the intersection with Tait Drive, and approximately 3 miles east of downtown Wasilla. The tax parcel identification for the property is T18N, R1E, Section 31, Lot C13.

Prior to visiting the site, we conducted a desktop review of available information such as past-use, road access, soils information, well logs, septic system records, and utility maps. During the site visit we inspected for accessibility, topography, potential flood hazards, existing on and off-site utilities. We used all of this information to consider overall site development feasibility for public safety facilities, specifically fire protection services. The observations are summarized, and recommendations are provided herein.

Observations:

Site: The site is located on Bogard Road and consists of 55.92 acres of mostly undeveloped land with road access from Bogard Road on the north property line, from E. Palmdale Drive on the south property line, as well as from Highline Drive, a cul-de-sac road near the northeast corner of the property. The cul-de-sac is within a 130' x 140' public use easement on the subject parcel. The topography is moderately steep in the north half of the property generally sloping downward from northwest to southeast starting at an elevation of 430 feet down to 344 feet (NAVD 88 datum) in the middle of the property at a grade of roughly 9%. The southern half of the property has steeper slopes and moraine features and contains a 5-acre

depression with a wetland that drains to the southwest. Refer to Photos 1-6, which show the northern half of the property. Other than the depressed area, the site is well drained and outside any flood zones.

Soils on the property are classified by the Natural Resource Conservation Service as Knik silt loam, which consists mostly of course gravels and sands overlain by a layer of silt and organics that is typically 2 feet thick. Vegetation consisted primarily of birch with some spruce and cottonwood trees.

A review of the DEC Contaminated Sites Database shows only one site with a documented history of contamination within a mile of the subject property. It is located approximately $\frac{3}{4}$ -mile to the west, at the Alcantra Armory, and the investigation into the contamination has been closed.

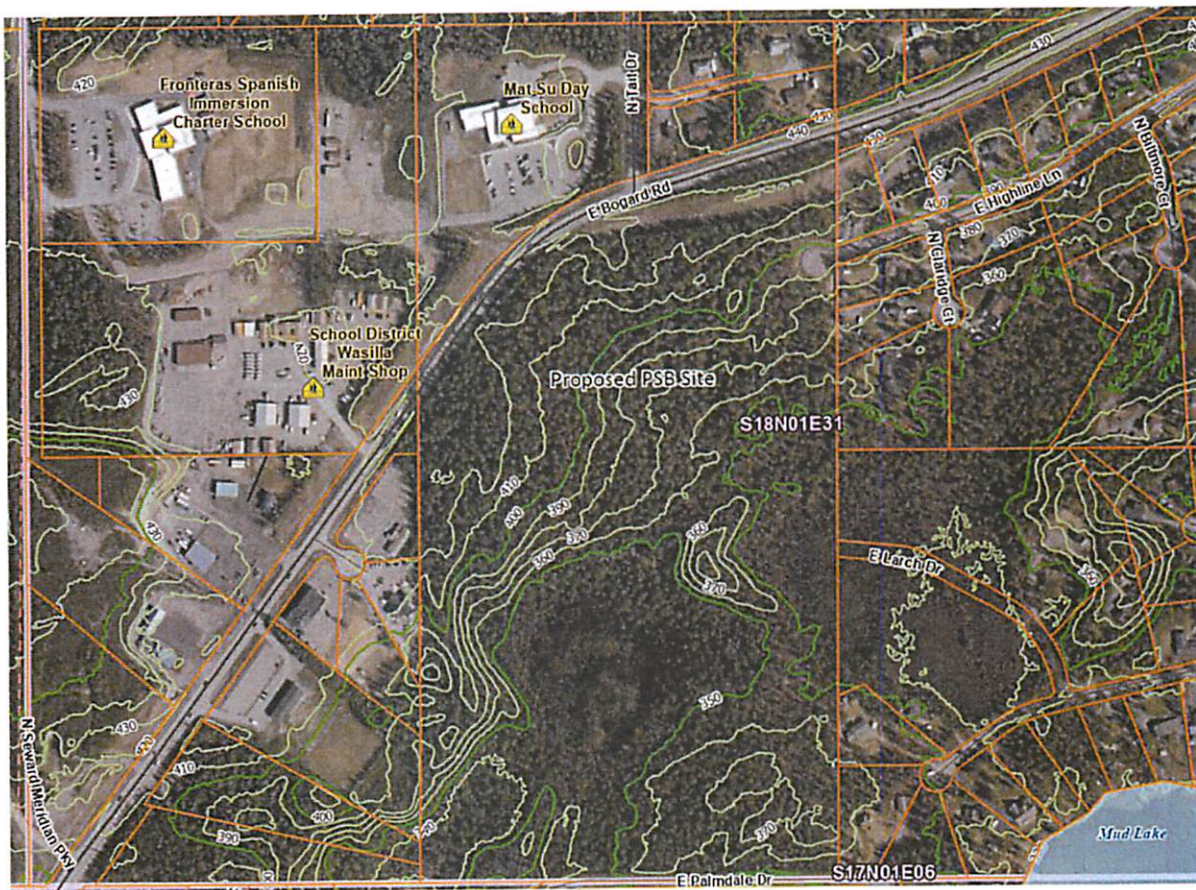


Figure 1: Bogard Road Site with Topography

Utilities: Various utilities are available to the site. Along the north side of the property and partially across the property runs a three-phase Matanuska Electric Association (MEA) powerline (Photos 1 and 2). The powerline has sufficient clearance for an access drive to pass below them and any development can connect to this powerline. Matanuska Telephone

Association (MTA) has buried copper communication lines in the existing right-of way, on the north side of Bogard Road, opposite the property. Natural gas is also available in the general area to the north of the property.

Drinking water from a relatively shallow groundwater acquirer appears to be available, based on a review of the well log for the School District Maintenance building across Bogard Road. That well was drilled to a depth of 80 feet. This roughly correlates to the open surface water elevation on the south half of the subject parcel.

Recommendations:

The northern half of this property is recommended for development as a public safety building with access onto Bogard Road or to an extension of Tait Drive. A public roadway should eventually be built directly opposite from Tait Drive, so the fire station driveway, if located directly onto Bogard should be spaced sufficiently distant from this future intersection to preserve the safety and mobility of Bogard Road. Proposed site development should not block or preclude site development to the remaining acreage on this parcel to the west, including road connections.

Land should be set aside for future road to provide local connectivity and secondary access. See map below with a conceptual layout of local roads to be developed.



Figure 2: Proposed Future Roads for Local Connectivity on Bogard Road Site



Photo 1 – Powerline crossing Bogard Road looking west



Photo 2 – Powerline on subject property near Bogard Road looking east



Photo 3 – Intersection of Tait Drive with Bogard Road



Photo 4 – Cul-de-sac on Highline Drive looking west onto subject property

Lisa Gray

From: Land Management
Sent: Monday, March 17, 2025 1:49 PM
To: Lisa Gray
Subject: FW: MSB008189 Land Classification for Reserved Use

-----Original Message-----

From: Wes Cartey <wcartey@aol.com>
Sent: Saturday, March 15, 2025 9:19 AM
To: Land Management <lmb@matsugov.us>
Subject: MSB008189 Land Classification for Reserved Use

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

To whom it may concern,

We as the property owners at 4231 E Highline Ln fully support the proposal to classify the 12.5 acres at the neighboring property for a new fire and public safety facility.

We look forward to seeing more about this project as it continues forward and are excited to welcome the facility next door.

Respectfully,
Wesley & Amber Cartey

Central Mat-Su FSA Board of Supervisors Meeting

Station 61 – 101 W. Swanson Ave. Wasilla, AK

Chairman: D. Eller
Vice Chairman: J. Steele

Board Members: B. Davis
L. Szipszky

Aug 12, 2024 – 6 P.M.

REGULAR MEETING MINUTES

I. CALL TO ORDER

The meeting of the Central Mat-Su Fire Service Area Board of Supervisors was called to order at 6:00 p.m. at 101 W. Swanson Ave. Wasilla, AK on Aug 12, 2024.

II. ROLL CALL & DETERMINATION OF QUORUM

Board Members present and establishing a quorum for the Central Mat-Su FSA:

Chairman Dave Eller, Vice Chairman James Steele, Brian Davis, and Luke Szipszky.

Also present were: Michael Keenan, Chief, Central Mat-Su Fire Department (CMSFD) and Shari Lamz, Admin. Assistant, CMSFD

III. PLEDGE OF ALLEGIANCE

Admin Lamz led the "Pledge of Allegiance."

IV. APPROVAL OF AGENDA

Aug 12, 2023

MOTION: Mr. Steele moved, and Mr. Davis seconded, to approve the meeting agenda as presented with one correction.

VOTE: The motion passed unanimously.

V. APPROVAL OF PRECEDING MEETING MINUTES

MOTION: Mr. Steele moved, and Mr. Davis seconded, to approve the May 13, 2024 joint board meeting minutes as presented.

VOTE: The motion passed unanimously.

VI. BOARD REPORTS/CORRESPONDENCE

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

Chiefs Report

May 2024 total number of calls – 213

- Structure Fires – 4
- Rescue Calls – 86
- Medic assists – 75
- Extrications - 1
- Wildland - 5

June 2024 total number of calls – 220

- Structure Fires – 4
- Rescue Calls – 101
- Medic Assists – 73
- Wildland Fires – 3 we supported the large wildland fire near between Caswell and Talkeetna.

July 2024 total runs – 260

- Structure Fires – 3 Outstanding building save on a commercial building fire off Hermon.
- Rescue Calls – 108
- Medic Assists - 79
- Vehicle Fires – 5

Personnel Update

- Firefighter Jason Palenske and FSA Connor Hernandez have been promoted to fill our two FDO positions. We are testing now to fill the one vacant Firefighter position with interviews this week. Permitting Clerk position is being readvertised. Community Risk Reduction Specialist position is in classification now. We are working on re-classifying our open FSA position into a logistics specialist. We have hired two part-time building support workers.

Training

- Completed our annual live fire training
- Completed our ISO water supply drills
- Working on target Hazmat training
- Completed NFPA 1403, certified live fire instructor class

Apparatus update

- Rescue 61 is in service at Station 6-1
- Pumper-Tender 62- They found more damage that we will need additional funding. We currently have \$53,999.00 left in the project. The additional repairs are \$86,828.00 over the estimate and they still need to assess the foam and pump systems.

MOTION: Mr. Davis moved, and Mr. Steele seconded, supporting the additional funds needed for repairs on Pumper Tender 62.

VOTE: The motion passed unanimously.

Mr. Steele would like to see the accounting details for the fund balance when we appropriate funds for a project using money from the fund balance.

- Brush 66 – In service
- Fire-Vac – Inspection Aug 21-22
- Rescue Engines – at the port, delivery this week
- Station 62 Annex – Repairs are being made, awaiting roof contractor for final bids

Projects

- Station 53 - Landscaping and paving completed.
- Station 51- Fill site completed and operational.
- Training complex - Paving completed and training pad in use this summer.
- ISO – submitting final paperwork this week and they will be here Sept 6.
- State Firefighter Conference – Sept 30 – Oct 4, Menard Center and HOT classes at Station 62.

Budget – Looking good watching overtime

FY 25 CIP

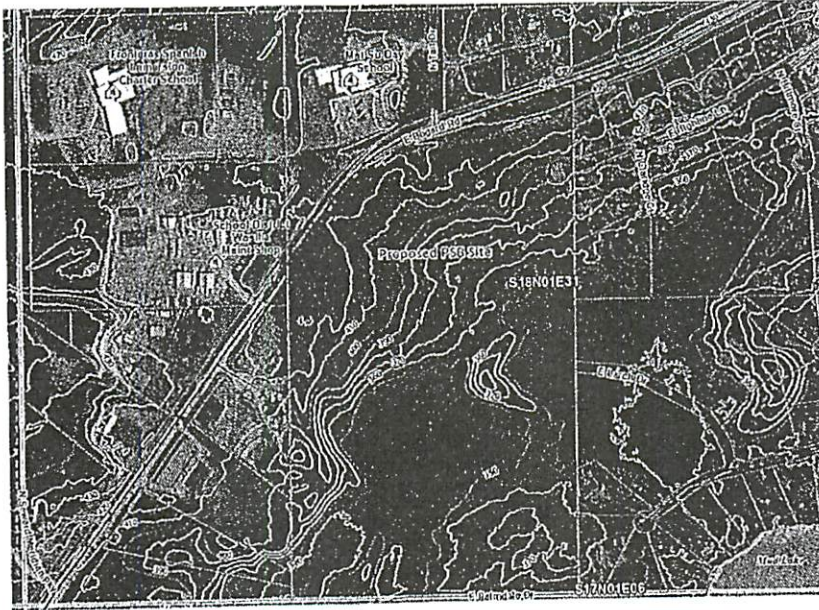
- Fire Prevention Trailer - \$375,000.00
- (1) Pumper-Tender - \$1,500,000.00 (reduced to 1 truck from 2)
- Station 5-3/6-5 property prep - \$3,000,000.00
- Training complex build out - \$700,000.00 (\$300,000.00 reduction)
- Turn-Outs - \$150,000.00
- Multi-use tractor removed from CIP list.

The Board is seeking clarification on why the tender and tractor were removed from the budget without notice or discussion. Chief Keenan was hoping that someone from DES would be present to address their questions.

New Station Discussion

Location of Land - Distance between the existing stations to the proposed new site

- 6-5 – 1.5 miles
- 5-2 – 3.4 miles
- 6-1 – 4 miles
- 5-1 – 5.3 Miles



MOTION: Mr. Steele moved, and Mr. Davis seconded, supporting Chief Keenan to work with land management and DES on moving forward with allocating the land on Bogard and Tait to build the new fire station 5-2/6-5.

VOTE: The motion passed unanimously.

Budget Process

Mr. Steele would like to get clarification on the board of supervisors role in the budget process. He stated that it is well established in borough code for any board to have a public hearing then the board recommends the annual budget to the manager. The past year or two that has not happened. The board is getting a budget that DES and the manager has already worked on. He questioned "what is our responsibility as a board". He stated the MSB Administration puts out a timeline and nowhere on it does it have a date on when they should receive budget recommendations from boards. Chief Keenan stated he will talk to Director Barkley and Deputy Director Davis about this issue. Mr. Steele suggested that the manager, director, or MSB attorney be at the next meeting to discuss this further.

Mr. Eller stated that he would like to understand the reasoning behind the removal of certain items from the proposed budget without prior knowledge or discussion. Chief Keenan stated that they didn't consult him on how the removal of these things would impact his strategic planning and operations.

5.15.015 DUTIES OF BOARDS OF SUPERVISORS.

(A) Boards of supervisors for all service areas shall:

- (1) After public hearing, recommend an annual budget to the manager; and
- (2) Make recommendations to the manager and the assembly on building programs, equipment acquisition and disposal, administrative policies and procedures, contracts, maintenance needs, and other matters as the manager or the assembly may request

Admin Lamz stated the Clerks Office hasn't received any applications for the vacant board position

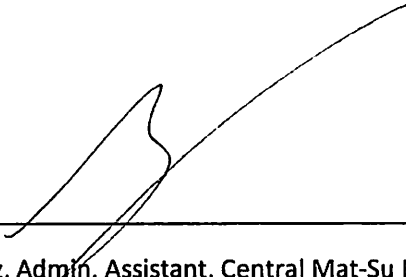
- IX. **OTHER BUSINESS (other items of discussion not listed on agenda)**
- X. **AUDIENCE PARTICIPATION & BOARD COMMENTS**
- XI. **ADJOURNMENT**

Mr. Eller adjourned the board meeting at approximately 7:06 p.m.



DAVE ELLER, Chairman, Central Mat-Su FSA B.O.S.

ATTEST:



Shari Lamz, Admin. Assistant, Central Mat-Su FSA B.O.S.

Minutes approved on: 10/4/24

By: L. Gray
Public Hearing: April 21, 2025
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 25-05**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING APPROVAL OF AN ORDINANCE CLASSIFYING A PORTION OF LAND LOCATED IN THE CORE AREA KNOWN AS TAX ACCOUNT 18N01E31C013 AS RESERVED USE LAND FOR THE PURPOSE OF AN EMERGENCY SERVICES FACILITY. (MSB008189)

WHEREAS, a twelve and one-half acre portion of tax parcel 18N01E31C013, is proposed for land classification for purpose of reserving land for a future emergency services facility site; and

WHEREAS, the attached Best Interest Finding provides information specific to the parcel to include proposed purpose, and classification, map, site investigation report, inter-department and public comments; and

WHEREAS, a Borough inter-departmental review was conducted, along with 30-day public notice in accordance with Title 23 and Land and Resource Management Policy and Procedures adopted by the Matanuska-Susitna Borough; and

WHEREAS, through land classification, the parcel identified for specific future purpose which cannot be changed without Assembly approval.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends Assembly approval of land classification for a portion of tax parcel 18N01E31C013, as "Reserved Use Lands (ESF)" for purpose of future emergency services facility.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this -- day of --, 2025.

CJ KOAN, Chair

ATTEST

LACIE OLIVIERI, Planning Clerk

(SEAL)

YES:

NO: