

## MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Edna DeVries, Mayor

PLANNING COMMISSION  
Doug Glenn, District 1 – Vice Chair  
Richard Allen, District 2  
Vacant, District 3  
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*

May 5, 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](mailto: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: April 21, 2025

##### B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

##### C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

###### **Resolution 25-09**

A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Modifying The Intent, Notification, And Appeal Process For MSB 17.05 – Essential Service Utilities. (Staff: Alex Strawn, Planning And Land Use Director)

#### V. COMMITTEE REPORTS

#### VI. AGENCY/STAFF REPORTS

#### VII. LAND USE CLASSIFICATIONS

#### 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.*

###### **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)

#### X. 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 – Conditional Uses, 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 (CAMP).  
(Staff: Julie Spackman, Long Range Planner)

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

A. Elections

B. 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**

**April 21, 2025**

**(Pages 4-7)**

## MATANUSKA-SUSITNA BOROUGH

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*

### PLANNING COMMISSION MEETING MINUTES April 21, 2025

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

The Matanuska-Susitna Borough Planning Commission's regular meeting was held on April 21, 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:** 6 – Commissioner Doug Glenn  
Commissioner C.J. Koan  
Commissioner Michael Collins  
Commissioner Linn McCabe  
Commissioner Wilfred Fernandez  
Commissioner Richard Allen

**Absent/Excused:** 1 – Commissioner Scoggin

**Staff Present:** 3 – Mr. Wade Long, Development Services Manager  
Ms. Lacie Olivieri, Planning Department Admin  
Ms. Denise Michalske, Assistant Borough Attorney  
Mr. Jason Ortiz, Planning and Land Use Deputy Director  
Ms. Lisa Gray, Land Management Agent

#### II. APPROVAL OF AGENDA

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

**GENERAL CONSENT:** The agenda was approved without objection.

#### III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Collins.

#### IV. CONSENT AGENDA

A. MINUTES: Regular Meeting Minutes – March 17, 2025

B. INTRODUCTION FOR PUBLIC HEARING QUASI-JUDICIAL MATTERS

*(There were no introductions 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)

Chair Koan read the resolution title into the record.

C. INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE MATTERS

*(There were no introductions 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)

Chair Koan read the resolution title into the record.

**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)

Chair Koan read the resolution title into the record.

**GENERAL CONSENT:** The Consent Agenda was approved without objection.

#### V. COMMITTEE REPORTS

*(There were no committee reports.)*

#### VI. AGENCY/STAFF REPORTS

Madam Mayor presented a proclamation and a coin of excellence to Chair CJ Koan.

#### 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)

Chair Koan read the resolution title into the record.

Ms. Gray provided a staff report.

Chair Koan opened the public hearing.

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

MOTION: Commissioner Glenn moved to approve Planning Commission Resolution 25-05. The motion was seconded by Commissioner McCabe.

VOTE: The main motion passed without objection.

**VIII. AUDIENCE PARTICIPATION** (Three minutes per person.)

Randy Crosby – Administrative permit for gravel pit.  
Edward Lafleur – Resolution 25-07

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

**IX. PUBLIC HEARING QUASI-JUDICIAL MATTERS**

**X. PUBLIC HEARING LEGISLATIVE MATTERS**

*(There were no introductions for public hearing legislative matters.)*

**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: CJ, it has been a pleasure working with you. With your leadership we have gotten a lot done here. It has been a pleasure coming to this meeting. You are a really smart, hardworking lady and I hope you continue to use your talents for the public good. All the best.

Commissioner Fernandez: Thank you for your service. Serving on your planning commission with you as chair has been a great privilege. Getting to watch you work your magic has been informative and educational. I really appreciate you. You will be missed. Thank you.

Commissioner Glenn: We are going to miss you. We appreciate all your time. You have been great. Great to work with. I look forward to seeing you doing something else. Thank you.

Commissioner McCabe: Thanks for your service. And thanks for the future service you will continue to offer. It has been a pleasure.

Commissioner Collins: No comment

Commissioner Koan: Thanks to everybody. You will see me around.

Wade Long: You are not the only one leaving, Peggy Horton will be retiring at the end of this month after 20 years of service here at the borough. She is also a veteran, so she has faithfully served her country and the borough. Thank you, CJ, for your service.

#### **XVI. ADJOURNMENT**

The regular meeting adjourned at 6:27 pm

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DOUG GLENN  
Planning Commission Vice-Chair

ATTEST:

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LACIE OLIVIERI  
Planning Commission Clerk

*Minutes approved:* \_\_\_\_\_



# **INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE**

## **Resolution No. 25-09**

**A Resolution of the Matanuska-Susitna Borough Planning Commission Recommending Approval of an Ordinance Modifying the Intent, Notification, and Appeal Process for MSB 17.05 – Essential Service Utilities. (Staff Alex Strawn, Planning and Land Use Director)**

CODE ORDINANCE

Sponsored by:  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 25-050**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY MODIFYING  
THE INTENT, NOTIFICATION, AND APPEAL PROCESS FOR MSB 17.05  
ESSENTIAL SERVICE UTILITIES.

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BE IT ENACTED:

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 17.05.010 is hereby  
amended to read as follows:

(A) The purpose of this chapter is to provide for  
public participation in the decisionss affecting the  
installation of essential service utilities in such a  
manner that they enhance the health, safety and general  
welfare of borough residents and properties while  
minimizing negative impacts. This chapter recognizes the  
importance and benefits of essential services, while  
ensuring that all reasonable and feasible mitigation  
measures are taken by the utilities to protect the scenic  
qualities of the Matanuska Susitna Borough and general  
welfare of its residents. Essential services should be  
installed in cognizance of existing and projected  
demands for such services.

Section 3. Amendment of Section. MSB 17.05.040 is hereby amended to read as follows:

(A) [ALL PROPOSED] Prior to commencement of construction of Type II essential service utilities, [SHALL REQUIRE] a public involvement program in accordance with a public participation plan as submitted by the utility is required in all areas of the borough excluding the cities of Houston, Palmer, Wasilla, and the Port MacKenzie special use district boundary.

(B) Within 20 calendar days of receipt of the proposed public participation plan, the director shall provide the applicant with written acknowledgement of receipt of the plan, along with any recommendations concerning the proposed process. The public involvement program, at a minimum, must contain the following:

(1) Minimum requirements.

(a) the utility's public involvement program must comply with established state and federal guidelines governing the utility including adequate public notice, public process, public meetings, or public hearings;

(b) if no established state or federal guidelines apply to the proposed action, the utility shall follow its own utility board adopted guidelines

for public notification and involvement;

(c) if there are no established state, federal or utility board adopted guidelines, the public involvement program will consist of the minimum requirements outlined in subsection (B)(2) of this section, Public Involvement; and

(d) if a state, federal or utility board adopted public involvement program is used, they must at least meet or exceed the minimum guidelines in subsection (B)(2) of this section, Public Involvement.

(2) Public involvement.

(a) a minimum of [ONE] two public meetings<sup>s</sup> will be held by the utility and shall be held in an area central to the area impacted by proposed action;

(b) a minimum of one formal public hearing will be held by the utility later in the process to allow for formal public testimony. The public hearing will be held in an area central to the area impacted by proposed action; and

(c) notice of the public meetings<sup>s</sup> and public hearing to occur a minimum of 15 days in advance of the public meeting or public hearing. The public notice will include:

(i) [THREE] two notices in both the print and digital editions of a newspaper of general circulation within the borough;

(ii) public postings in local areas such as libraries, public buildings, schools, stores, laundromats, lodges, on the utility's website, and on the Matanuska-Susitna Borough's website, etc.;

(iii) public service announcements on local radio stations starting 15 days before the public meeting; and

(iv) mailings, as appropriate, including notification of all affected community councils; and[.]

(v) contact information to which public comments can be provided, including an email and mailing address.

(C) Implementation of the public involvement program shall commence within 120 days from the issuance date of written acknowledgement.

(D) Upon completion of the public involvement program elements, the applicant shall create and submit to the director a decisional document that describes how the public involvement program was implemented, [THE NATURE] a summary of public comments s and concerns, the

chosen course of action, an estimated timeline for construction, and a brief description of the proposed process for addressing public concerns during the future phases of the project [AND THE PUBLIC'S APPEAL PROCESS]. Copies of all written public comments and an audio record, if available, shall be included in the decisional document.

(E) Within 30 days of receipt of the decisional document, the director shall issue a permit if the utility has met the minimum requirements for public involvement required by this chapter.

(1) The approved permit and decisional document shall be posted on the MSB website upon being issued, and shall remain on the website for the duration of the appeal period.

Section 4. Amendment of Section. MSB 17.05.050 is hereby amended to add the following definition:

• "Reasonable and feasible" means those mitigation measures available and capable of being implemented after consideration of both capital and operational costs, schedule, existing technology, logistics, environmental impact, and ability to obtain all necessary approvals for implementation.

Section 5. Adoption of Section. MSB 17.05.060 is hereby

adopted to read as follows:

**17.05.060 APPEAL PROCEDURE**

**(A) The provisions of MSB 15.39 govern appeals from a decision of director, except that written notice of appeal shall be filed within 90 days from the date on which the permit is issued.**

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)



**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY MODIFYING THE INTENT, NOTIFICATION, AND APPEAL PROCESS FOR MSB 17.05 ESSENTIAL SERVICE UTILITIES.

**AGENDA OF:** April 1, 2025

**ASSEMBLY ACTION:**

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

Route To	Signatures
Originator	<div>3 / 1 8 / 2 0 2 5</div> <div>X      A l e x   S t r a w n</div> <div>S i g n e d   b y :   A l e x</div>
Department Director	<div>3 / 1 8 / 2 0 2 5</div> <div>X      A l e x   S t r a w n</div> <div>S i g n e d   b y :   A l e x   S t r a w n</div>
Finance Director	<div>Recoverable Signature</div> <div>X      C h e y e n n e   H e i n d e l</div> <div>S i g n e d   b y :   C h e y e n n e   H e i n d e l</div>
Borough Attorney	<div>3 / 2 1 / 2 0 2 5</div> <div>X      N i c h o l a s   S p i r o p o u l o s</div> <div>S i g n e d   b y :   N i c h o l a s   S p i r o p o u l o s</div>
Borough Manager	<div>3 / 2 1 / 2 0 2 5</div> <div>X      M i c h a e l   B r o w n</div> <div>S i g n e d   b y :   M i k e   B r o w n</div>
Borough Clerk	<div>3 / 2 4 / 2 0 2 5</div> <div>X      L o n n i e   M c K e c h n i e</div> <div>S i g n e d   b y :   L o n n i e   M c K e c h n i e</div>

**ATTACHMENT (S) :** Ordinance Serial No. 25-050 (6 pp)  
MSB 17.05 Essential Service Utilities (3 pp)  
PC Resolution 25-\_\_ ( pp)

**SUMMARY STATEMENT:**

This ordinance is at the request of Assembly Members Hale and Gamble.

MSB 17.05 governs the installation and public involvement procedures for essential service utilities within the Matanuska-Susitna Borough. The amendments aim to refine the existing procedures to enhance public participation and streamline the notification and appeal processes.

1. The ordinance will clarify the intent of MSB 17.05.
2. Refinement of the Public Process:
  - An additional public meeting will be required to increase community involvement and feedback opportunities before final decisions are made.
  - The notification process for public meetings will be streamlined and clarified.
3. Clarification of the contents within the decisional document
4. Introduction of a formal permitting stage:
  - Upon completion of the public involvement program elements, the applicant shall create and submit to the director a decisional document that describes how the public involvement program was implemented and the other information already required by MSB 17.05.040(D). The Planning and Land Use Director will review the materials solely to ensure the application has followed the public process required by code. If so, a permit will be issued. If not, a permit will be denied. If the applicant or an interested party believes the Director erred in his determination about the public process, the decision is subject to appeal to the Board of Adjustments and Appeals.

Updating the public process for essential service utilities within the Borough is in accordance with goal LU-1 of the Borough-wide Comprehensive Plan (2005 Update):

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

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

**RECOMMENDATION OF ADMINISTRATION:** Refer this legislation to the Planning Commission for 90-day review.

## CHAPTER 17.05: ESSENTIAL SERVICE UTILITIES

### Section

#### 17.05.010 Purpose

#### 17.05.020 Applicability

#### 17.05.030 Type I essential service utility

#### 17.05.040 Type II essential service utility

#### 17.05.050 Definitions

#### **17.05.010 PURPOSE.**

(A) The purpose of this chapter is to provide for public participation in the decision affecting the installation of essential service utilities in such a manner that they enhance the health, safety and general welfare of borough residents and properties while minimizing negative impacts. This chapter recognizes the importance and benefits of essential services, while ensuring that all feasible mitigation measures are taken to protect the scenic qualities of the Matanuska Susitna Borough. Essential services should be installed in cognizance of existing and projected demands for such services.

(Ord. 07-076, § 2 (part), 2007)

#### **17.05.020 APPLICABILITY.**

(A) This chapter applies to all areas of the borough except within the city boundaries of Houston, Palmer, Wasilla, and the Port MacKenzie special use district boundary. This chapter applies to municipal utilities that extend beyond city boundaries and the port district boundary into unincorporated borough lands.

(Ord. 22-062, § 2, 2022; Ord. 07-076, § 2 (part), 2007)

#### **17.05.030 TYPE I ESSENTIAL SERVICE UTILITY.**

(A) All proposed Type I essential service utilities, when installed or extended in any public way or borough-owned land, shall require a permit issued by the borough in accordance with MSB 11.30.030.

(Ord. 07-076, § 2 (part), 2007)

#### **17.05.040 TYPE II ESSENTIAL SERVICE UTILITY.**

(A) All proposed Type II essential service utilities shall require a public involvement program in accordance with a public participation plan as submitted by the utility in all areas of the borough excluding the cities of Houston, Palmer, Wasilla, and the Port MacKenzie special use district boundary.

(B) Within 20 calendar days of receipt of the proposed public participation plan, the director shall provide the applicant with written acknowledgement of receipt of the plan, along with any recommendations concerning the proposed process. The public involvement program, at a minimum, must contain the following:

(1) *Minimum requirements.*

- (a) the utility's public involvement program must comply with established state and federal guidelines governing the utility including adequate public notice, public process, public meetings, or public hearings;
- (b) if no established state or federal guidelines apply to the proposed action, the utility shall follow its own utility board adopted guidelines for public notification and involvement;
- (c) if there are no established state, federal or utility board adopted guidelines, the public involvement program will consist of the minimum requirements outlined in subsection (B)(2) of this section, Public Involvement; and
- (d) if a state, federal or utility board adopted public involvement program is used, they must at least meet or exceed the minimum guidelines in subsection (B)(2) of this section, Public Involvement.

(2) *Public involvement.*

- (a) a minimum of one public meeting will be held by the utility and shall be held in an area central to the area impacted by proposed action;
- (b) a minimum of one formal public hearing will be held by the utility later in the process to allow for formal public testimony. The public hearing will be held in an area central to the area impacted by proposed action; and
- (c) notice of the public meeting and public hearing to occur a minimum of 15 days in advance of the public meeting or public hearing. The public notice will include:
  - (i) three notices in a newspaper of general circulation within the borough;
  - (ii) public postings in local areas such as libraries, public buildings, schools, stores, laundromats, lodges, on the utility's website, and on the Matanuska-Susitna Borough's website, etc.;
  - (iii) public service announcements on local radio stations starting 15 days before the public meeting; and

(iv) mailings, as appropriate, including notification of all affected community councils.

(C) Implementation of the public involvement program shall commence within 120 days from the issuance date of written acknowledgement.

(D) Upon completion of the public involvement program elements, the applicant shall create and submit to the director a decisional document that describes how the public involvement program was implemented, the nature of public comment, the chosen course of action, timeline for construction, and the public's appeal process. Copies of all written public comments and an audio record, if available, shall be included in the decisional document.

(Ord. 22-062, § 2, 2022; Ord. 07-076, § 2 (part), 2007)

#### **17.05.050 DEFINITIONS.**

- "Type I essential service utility" means any above or below ground structures or facilities used for utility distribution including:

(1) "Electricity distribution" means medium voltage (less than 50KV) power lines, low voltage electrical substations and pole-mounted transformers; and low voltage (less than 1,000V) distribution wiring to provide service to individual customers; and

(2) "Service pipeline" means a distribution line that transports gas, oil, water, or sewage from a common source of supply to the meter set assembly or distribution endpoint to provide service to individual customers.

- "Type II essential service utility" means any aboveground or below ground structures or facilities used for utility transmission including:

(1) "Electricity transmission" means high-voltage (50KV or higher) power lines, high-voltage electrical substations and pole-mounted transformers, and high-voltage distribution or transmission wiring; and

(2) "Transmission pipeline" means pipelines installed for the purpose of transmitting gas, oil, water, or sewage from a source or sources of supply to one or more distribution centers, to one or more large volume customers, or a pipeline installed to interconnect sources of supply. In typical cases, transmission lines differ from distribution lines in that they operate at higher pressures, are longer, and the distance between connections is greater.

(Ord. 07-076, § 2 (part), 2007)

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

**MATANUSKA-SUSITNA BOROUGH**  
**PLANNING COMMISSION RESOLUTION NO. 25-09**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION  
RECOMMENDING APPROVAL OF AN ORDINANCE MODIFYING THE INTENT,  
NOTIFICATION, AND APPEAL PROCESS FOR MSB 17.05 ESSENTIAL SERVICE  
UTILITIES.

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WHEREAS, MSB 17.05 governs the installation and public  
involvement procedures for essential service utilities within the  
Matanuska-Susitna Borough; and

WHEREAS, Assembly Ordinance 25-050 aims to refine the  
existing procedures to enhance the public participation and  
streamline the notification and appeal processes; and

WHEREAS, the proposed amendments 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 25-050.

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

\_\_\_\_\_  
DOUG GLENN, Vice-Chair

ATTEST

\_\_\_\_\_  
Lacie Olivieri, Planning Clerk

(SEAL)

YES:

NO:



# **QUASI-JUDICIAL PUBLIC HEARING**

## **Resolution No. PC 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)**

(Pages 21 -204)

# STAFF REPORT



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

#### Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

[www.matsugov.us](http://www.matsugov.us)

### DEVELOPMENT SERVICES DIVISION STAFF REPORT

**Date:** April 25, 2025

**File Number:** 10305

**Applicant:** Ryan McKay for Fort Green Alaska

**Property Owner:** KR&W Management, LLC

**Request:** Planning Commission Resolution 25-04  
Conditional Use Permit for the Operation of a Marijuana  
Retail Facility in accordance with MSB Chapter 17.60 –  
Conditional Uses

**Location:** 7821 W. Parks Highway  
Tax ID# 1818000L001

**Size of Facility:** Approximately 1,237 Square Feet

**Reviewed By:** Wade Long, Development Services Manager

**Staff:** Natasha Heindel, Current Planner

**Staff Recommendation:** Approval with Conditions

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### EXECUTIVE SUMMARY

A conditional use permit application to operate a marijuana retail facility at 7821 West Parks Highway. The proposed facility is approximately 1,237 square feet in size and includes a drive-through window. MSB 17.60.030 requires a conditional use permit to operate a marijuana retail facility. Unless this type of use is maintained under and in accordance with a lawfully issued permit, a marijuana retail facility is declared to be a public nuisance. Operation of such a land use without a permit is prohibited.

### LAND USE

**Existing Land Use/Background:**

The subject parcel is approximately one acre in size, part of the Ralph Kilbourne subdivision, and is situated north of and adjacent to West Parks Highway. The property lies within the Meadow Lakes Community Council area and contains a single structure that has historically been identified for residential use.

### **Surrounding Land Uses:**

The area surrounding the subject parcel consists of a mix of commercial, industrial, residential, and vacant properties. The land directly adjacent to the subject property includes the following uses: northeast is undeveloped, north is an undeveloped right-of-way, and west is multiple lots with commercial use. A US Postal Service facility is located southwest of the subject property. Directly south and east of the subject property is the West Parks Highway, which provides access to the proposed facility. South, east, and northeast across West Parks Highway is a mix of commercial uses, including office spaces, a restaurant, retail storefronts, equipment rentals, and industrial construction companies. Northeast of the subject property, across North Meadow Lakes Loop, is a gas station and package store. North and west of the subject property is a residential neighborhood comprised primarily of half-acre lots. The proposed use will be located southeast of and approximately 380 feet from the closest residential parcel, and approximately 435 feet from the associated residential structure.

West Parks Highway is a state-maintained interstate with commercial traffic capacity. Within one mile in both directions, the frontage on Parks Highway consists of residential, commercial, industrial, and undeveloped land uses.

## **REVIEW OF APPLICABLE CRITERIA AND FINDINGS**

### **MSB 17.03 – Public Notification**

On February 26, 2025, staff mailed 25 notices to property owners within a 600-foot radius of the subject property, including those within the Ralph Kilbourne subdivision. The Frontiersman published the public notice in the February 28, 2025 issue. Staff posted the application material on the Borough website for public review on February 24, 2025. Staff also emailed the public notice and a request for comments to borough offices and outside agencies on February 24, 2025. No public comments were received regarding the proposed use.

### **Section 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;*

### **Findings of Fact:**

1. The subject parcel is within the Meadow Lakes Community Council area.
2. The subject parcel is 1.04 acres in size.
3. The applicant submitted authorization from the property owner permitting Fort Green Alaska to build and operate a marijuana retail store.

4. According to the application materials, the proposed retail facility at 7821 West Parks Highway will be wholly contained within a 1,237 square foot commercial structure.
5. According to the application materials, the proposed retail facility will include a drive-through window.
6. According to the application materials, green and gold wooden signage illuminated with LED backlighting will be mounted on the exterior of the proposed facility, visible from the Parks Highway. The signage will include the lettering “Fort Green,” five-pointed stars, and an outline of the State of Alaska.
7. According to the application materials, the commercial structure will have downward-facing lighting all around the exterior to prevent light pollution from impacting neighboring properties. Outdoor lighting will be shielded to protect against inclement weather and vandalism.
8. The subject parcel has frontage on West Parks Highway, which is classified as an interstate, is maintained by the State of Alaska, and can accommodate the traffic associated with commercial use.
9. Parcels with West Parks Highway frontage are used for various purposes, including residential, commercial, industrial, and undeveloped. This includes office spaces, a restaurant, retail storefronts, and construction companies.
10. According to the application materials, the proposed hours of operation are 8:00 a.m. to 12:00 a.m., seven days a week.
11. According to the application materials, the retail facility will be located approximately 26 feet 10 inches from the West Parks Highway right-of-way, 81 feet 8 inches to the western lot line, 162 feet 6 inches to the northern lot line, and 114 feet 5 inches to the eastern lot line.
12. The closest residential structure is located approximately 435 feet northwest of the proposed use.
13. The closest commercial structure is located approximately 300 feet west of the proposed use.
14. Various land uses, including commercial, industrial, residential, and undeveloped, exist within 1,000 feet of the subject property.
15. There are no industrial equipment or processes that generate noise associated with the proposed use.
16. According to the application materials, the proposed marijuana retail store will not generate odors or excessive noise.
17. Consumption of marijuana is prohibited at the site.
18. Persons under 21 are prohibited from entering the facility.
19. According to the application materials, loitering will not be allowed.

**Conclusion of Law:** Based on the findings above, the proposed use will not detract from the value, character, and integrity of the surrounding area (MSB 17.60.100(B)(1)).

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

**Findings of Fact:**

1. The closest schools (Little Hands Preschool and American Charter Academy) are approximately 2,200 feet from the proposed use.
2. Consumption of marijuana is prohibited at the site.
3. Persons under 21 are prohibited from entering the facility.
4. The subject parcel has frontage on West Parks Highway, which is classified as an interstate, is maintained by the State of Alaska, and can accommodate the traffic associated with commercial use.
5. According to the application materials, the facility has a 24-hour monitoring alarm system, exterior lighting, and a video surveillance system.
6. According to the application materials, marijuana or marijuana products will not be visible to the public from the drive-through window.
7. According to the application materials, the drive-through window is equipped with safety features, including safety plate glass and a transaction drawer similar to that of a drive-through bank.
8. According to the application materials, the proposed use has a training plan in place, which includes education of employees on all security measures.
9. According to statements by the applicant to staff, the drive-through window will be installed according to the submitted site plan at a future date.
10. The State of Alaska Division of Fire and Life Safety issued a Full Plan Review #2024ANCH0137, dated June 10, 2024, for the commercial structure.
11. Staff conducted a site visit on April 17, 2025, and observed that a natural gas meter is in close proximity to the proposed drive-through window location.
12. State code requires vehicle impact protection to be installed at the natural gas meter, which was not observed during the site visit on April 17, 2024.
13. According to Enstar Natural Gas website, location and protection requirements exist when a gas meter is in an area accessible by vehicles, which was not observed during the site visit on April 17, 2024.
14. The closest residential structure is located approximately 435 feet northwest of the proposed use.
15. According to the application materials, the State of Alaska issued driveway permit #33837 on April 15, 2025, for the proposed use.

**Discussion:** The site plan, received April 21, 2025, depicts a walk- up and drive through window on the east side of the proposed facility. The drive-through window will be located near a natural gas meter. State code requires vehicle impact protection to be installed at the natural gas meter, which was not present at the time of the staff site visit. According to a representative of Enstar Natural Gas, if the protection meets State code requirements it is acceptable to Enstar. Staff notes that the proximity of the proposed vehicular circulation plan to the meter poses a risk to public health and safety. Staff recommends a condition of approval that prior to operating, the applicant

provide verification of the installation of vehicular safety protection as required by the State of Alaska Division of Fire and Life Safety.

**Conclusion of Law:** Based on the findings above and subject to the condition, the proposed use will not adversely affect public health, safety, convenience, and welfare (MSB 17.60.100(B)(2)).

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*(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*

**Findings of Fact:**

1. The subject parcel is 1.04 acres in size.
2. According to the application material, the proposed retail facility at 7821 West Parks Highway will be wholly contained within a 1,237 square foot commercial structure.
3. According to the application materials, the retail facility will be located approximately 26 feet 10 inches from the West Parks Highway right-of-way, approximately 81 feet 8 inches to the western lot line, approximately 162 feet 6 inches to the northern lot line, and approximately 114 feet 5 inches to the eastern lot line.
4. According to a letter by Lavender Survey and Mapping dated November 29, 2024, the structure is outside of the required 25-foot right-of-way setback from West Parks Highway.
5. According to the application materials, the structure will meet all applicable setback requirements of MSB 17.55.
6. The closest residential structure is located approximately 435 feet northwest of the proposed use.
7. The closest schools (Little Hands Preschool and American Charter Academy) are approximately 2,200 feet from the proposed use.
8. According to the application materials, the facility has a 24-hour monitoring alarm system, exterior lighting, and a video surveillance system.
9. The State of Alaska Division of Fire and Life Safety issued a Full Plan Review #2024ANCH0137, dated June 10, 2024, for the commercial structure.

**Conclusion of Law:** Based on the findings above, sufficient setbacks, lot area, buffers, and other safeguards are being provided (MSB 17.60.100(B)(3)).

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

**Finding of Fact:**

1. The applicant submitted all required site plans and operational information.

**Conclusion of Law:** Based on the above finding, the application material has met all of this chapter's requirements (MSB 17.60.100(B)(4)).

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**Section 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.*

**Findings of Fact:**

1. According to the application material, the proposed retail facility at 7821 West Parks Highway will be wholly contained within a 1,237 square foot commercial structure.
2. There are no industrial equipment or processes that generate noise associated with the proposed use.
3. According to the application materials, the proposed marijuana retail store will not generate odors or excessive noise.
4. According to the application materials, all retail operations will occur indoors.
5. According to the application materials, odor control methods will include sealed containers and the use of air sanitizers throughout the facility.
6. Consumption of marijuana is prohibited at the site.
7. According to the application materials, loitering will not be allowed.

**Conclusion of Law:** Based on the findings above, the proposed use will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).

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*(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 commercial structure design features which contribute to the character of the surrounding area.*

**Findings of Fact:**

1. According to the application material, the proposed retail facility at 7821 West Parks Highway will be wholly contained within a 1,237 square foot commercial structure.
2. According to the application materials, the retail facility will be located approximately 26 feet 10 inches from the West Parks Highway right-of-way, approximately 81 feet 8 inches to the western lot line, approximately 162 feet 6 inches to the northern lot line, and approximately 114 feet 5 inches to the eastern lot line.
3. According to the application materials, the structure will meet all applicable setback requirements of MSB 17.55.
4. MSB Pre-Design and Engineering Division (PD&E) approved the applicant's drainage plan.
5. According to the application materials, the site drainage plan, received April 21, 2025, depicts drainage on the subject property flowing toward three infiltration areas dispersed throughout the property.

6. According to the application material, marijuana or marijuana products will not be visible to the public from the drive-through window.
7. According to the application materials, the drive-through window is equipped with safety features, including safety plate glass and a transaction drawer similar to that of a drive-through bank.
8. According to the application materials, the commercial structure will have downward-facing lighting all around the exterior to prevent light pollution from impacting neighboring properties. Outdoor lighting will be shielded to protect against inclement weather and vandalism.
9. According to the application materials, green and gold wooden signage illuminated with LED backlighting will be mounted on the exterior of the proposed facility, visible from the Parks Highway. The signage will include the lettering “Fort Green,” five-pointed stars, and an outline of the State of Alaska.

**Discussion:** The site drainage plan, received April 21, 2025, depicts drainage on the subject property flowing toward three infiltration areas dispersed throughout the property. Staff recommends a condition of approval that the infiltration areas, as described in the site drainage plan received April 21, 2025, be installed prior to the facility opening and maintained throughout the life of the conditional use permit.

**Conclusion of Law:** Based on the findings above and subject to the condition, measures are in place to reduce negative effects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).

---

*(3) whether the use is compatible with the character of the surrounding area.*

**Findings of Fact:**

10. According to the application material, the proposed retail facility at 7821 West Parks Highway will be wholly contained within a 1,237 square foot commercial structure.
11. According to the application materials, the proposed retail facility will include a drive-through window.
12. According to the application materials, green and gold wooden signage illuminated with LED backlighting will be mounted on the exterior of the proposed facility, visible from the Parks Highway. The signage will include the lettering “Fort Green,” five-pointed stars, and an outline of the State of Alaska.
13. According to the application materials, the commercial structure will have downward-facing lighting all around the exterior to prevent light pollution from impacting neighboring properties. Outdoor lighting will be shielded to protect against inclement weather and vandalism.
14. The subject parcel has frontage on West Parks Highway, which is classified as an interstate, is maintained by the State of Alaska, and can accommodate the traffic associated with commercial use.
15. Parcels with West Parks Highway frontage are used for various purposes, including residential, commercial, industrial, and undeveloped. This includes office spaces, a restaurant, retail storefronts, and construction companies.

16. Various land uses, including commercial, industrial, residential, and undeveloped, exist within 1,000 feet of the subject property.
17. According to the application materials, the proposed hours of operation are 8:00 a.m. to 12:00 a.m., seven days a week.
18. There are no industrial equipment or processes that generate noise associated with the proposed use.
19. According to the application materials, the proposed marijuana retail store will not generate odors or excessive noise.
20. Consumption of marijuana is prohibited at the site.
21. According to the application material, loitering will not be allowed.

**Conclusion of Law:** Based on the findings above, the proposed use is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).

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*(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.*

**Finding of Fact:**

1. The closest schools (Little Hands Preschool and American Charter Academy) are approximately 2,200 feet from the proposed use.

**Conclusion of Law:** Based on the above finding, the proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).

---

*(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.*

**Findings of Fact:**

1. The State of Alaska Marijuana Control Board (AMCO) voted to approve Fort Green Alaska Retail Marijuana Store License #32116 with delegation at the meeting on June 1-2, 2023.
2. The State of Alaska Marijuana Control Board (AMCO) approved, with delegation, a new drive-up exterior window for Fort Green Alaska Retail Marijuana Store License #32116 at their meeting on November 19, 2024.
3. Planning staff received a copy of AMCO's delegated approvals for Fort Green Alaska Retail Marijuana Store License #32116.

**Conclusion of Law:** Based on the findings above, the applicant provided planning staff with documentation demonstrating they obtained all applicable licenses pertaining to 3 AAC 306.005 (MSB 17.60.150(D)(1)).

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*(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.*

**Findings of Fact:**

1. The State of Alaska Division of Fire and Life Safety issued a Full Plan Review #2024ANCH0137, dated June 10, 2024, for the commercial structure.
2. The applicant provided a copy of the approved Plan Review #2024ANCH0137, dated June 10, 2024.
3. Staff conducted a site visit on April 17, 2025, and observed that a natural gas meter is in close proximity to the proposed drive-through window location.
4. State code requires vehicle impact protection to be installed at the natural gas meter, which was not observed during the site visit on April 17, 2024.

**Discussion:** The site plan, received April 21, 2025, depicts a walk- up and drive through window on the east side of the proposed facility. The drive-through window will be located near a natural gas meter. State code requires vehicle impact protection to be installed at the natural gas meter, which was not present at the time of the staff site visit. According to a representative of Enstar Natural Gas, if the protection meets State code requirements it is acceptable to Enstar. Staff notes that the proximity of the proposed vehicular circulation plan to the meter poses a risk to public health and safety. Staff recommends a condition of approval that prior to operating, the applicant provide verification of the installation of vehicular safety protection as required by the State of Alaska Division of Fire and Life Safety.

**Conclusion of Law:** Based on the findings above and subject to the condition, the proposed use will be in full compliance with all applicable fire codes (MSB 17.60.150(D)(2)).

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**Section 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.*

**Findings of Fact:**

1. According to the application material, the proposed retail facility at 7821 West Parks Highway will be wholly contained within a 1,237 square foot commercial structure.
2. The subject parcel has frontage on West Parks Highway, which is classified as an interstate, is maintained by the State of Alaska, and can accommodate the traffic associated with commercial use.

3. Parcels with West Parks Highway frontage are used for various purposes, including residential, commercial, industrial, and undeveloped. This includes office spaces, a restaurant, retail storefronts, and construction companies.
4. Various land uses, including commercial, industrial, residential, and undeveloped, exist within 1,000 feet of the subject property.
5. The closest residential structure is located approximately 435 feet northwest of the proposed use.
6. The closest commercial structure is located approximately 300 feet west of the proposed use.
7. According to the application materials, the retail facility will be located approximately 26 feet 10 inches from the West Parks Highway right-of-way, approximately 81 feet 8 inches to the western lot line, approximately 162 feet 6 inches to the northern lot line, and approximately 114 feet 5 inches to the eastern lot line.

**Discussion:** The subject property is accessed from West Parks Highway, which is classified as an interstate and can accommodate the traffic associated with commercial use. Although Borough code does not specifically require the applicant to provide an anticipated traffic count for the facility, the ITE Trip Generation Manual 11<sup>th</sup> Edition states that the average rate for the afternoon peak hour traffic for a marijuana dispensary in a general urban/suburban area is approximately 19 trips per hour. The anticipated traffic generated by the proposed facility is appropriate for West Parks Highway.

**Conclusion of Law:** Based on the findings above, the proposed use is located on a parcel that is appropriate for commercial use (MSB 17.60.170(A)(1-3)).

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*(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.*

**Findings of Fact:**

1. According to the application material, the proposed retail facility at 7821 West Parks Highway will be wholly contained within a 1,237 square foot commercial structure.
2. A marijuana retail facility with an area of 1,237 square feet is required to provide four parking spaces, one of which must be an Americans with Disabilities Act (ADA) compliant space.
3. According to the application materials, nine customer parking spaces will be provided; two of which will comply with ADA requirements.
4. According to the application material, each traditional parking space is 20 feet long and 10 feet wide.

**Conclusion of Law:** Based on the findings above, the proposed use meets the minimum number of parking spaces for retail facilities (MSB 17.60.170(B)).

---

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

**Findings of Fact:**

1. A marijuana retail facility with an area of 1,237 square feet is required to provide four parking spaces, one of which must be an Americans with Disabilities Act (ADA) compliant space.
2. According to the application materials, nine customer parking spaces will be provided; two of which will comply with ADA requirements.
3. According to the application materials, two ADA van-accessible spaces will be provided; each 11 feet wide, with a seven-foot access aisle in between.
4. There are no vertical clearance limitations for parking areas on the site.

**Discussion:** Current ADA guidelines require the surface of accessible spaces and access aisles to be smooth, stable, and virtually level in all directions to ensure safe use for people with disabilities. ADA guidelines also require signage to be posted and aisle striping. Staff recommends a condition requiring that the parking area comply with current ADA guidelines prior to operating.

**Conclusion of Law:** Based on the findings above and subject to the condition, the proposed use will comply with current ADA parking space guidelines (MSB 17.60.170(C)).

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**STAFF RECOMMENDATIONS**

Staff recommends approval of the conditional use permit to operate a marijuana retail facility, approximately 1,237 square feet in size, at 7821 West Parks Highway, Tax ID #1818000L001. The proposed use meets all of the standards in MSB 17.60.100, 17.60.150, and 17.60.170 with the conditions listed. Staff recommends approval of this permit with the following conditions:

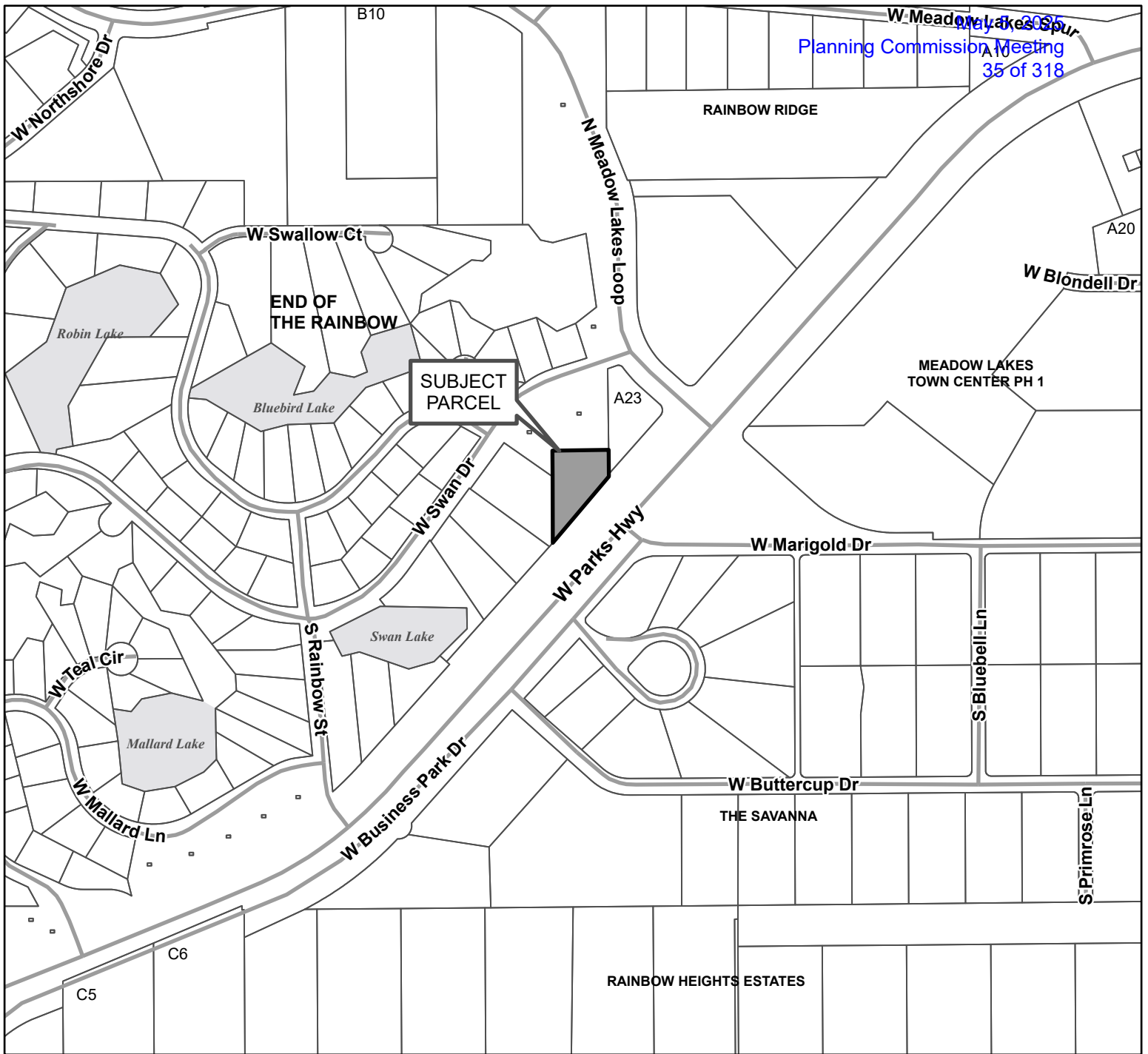
1. Prior to operating, the applicant must provide evidence of the installation of vehicular safety protection as required by the State of Alaska Division of Fire and Life Safety. Provide evidence of State code compliance to Planning staff.
2. Prior to operating, the applicant must install the drainage facilities as shown on the site drainage plan, dated April 21, 2025. Provide evidence of compliance to Planning staff. These drainage facilities shall be maintained for the duration of the conditional use permit.
3. Prior to operating, the applicant shall provide evidence that the ADA parking areas are fully compliant. ADA compliance will include appropriate surface materials, posted signage, and a painted access aisle. Provide evidence of ADA compliance to Planning staff.
4. The operation shall comply with all applicable state and local regulations.
5. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
6. Borough staff shall be permitted to enter the premises, subject to this permit, to monitor compliance with permit requirements. Such access will, at minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.

7. The hours of operation shall not exceed 8:00 a.m. to 12:00 a.m., seven days a week.
8. On-site consumption of marijuana and marijuana products is prohibited.

If the Planning Commission chooses to deny this modification, findings for denial must be prepared by the Commission.

**MAPS**

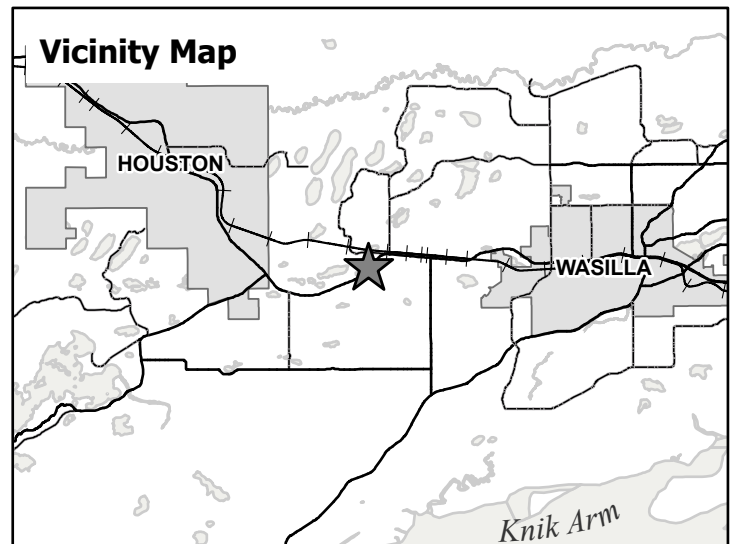




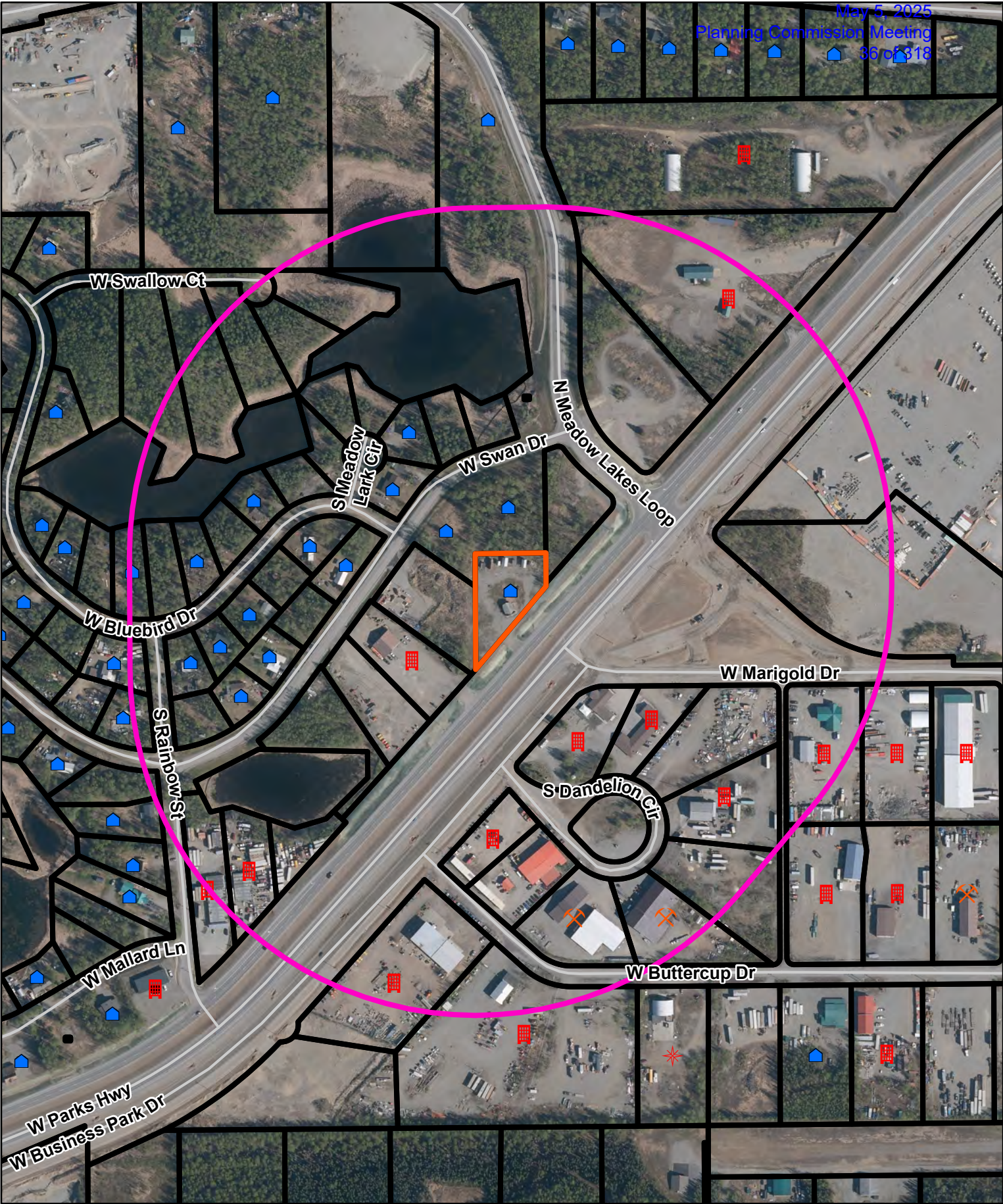
1818000L001



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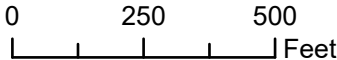




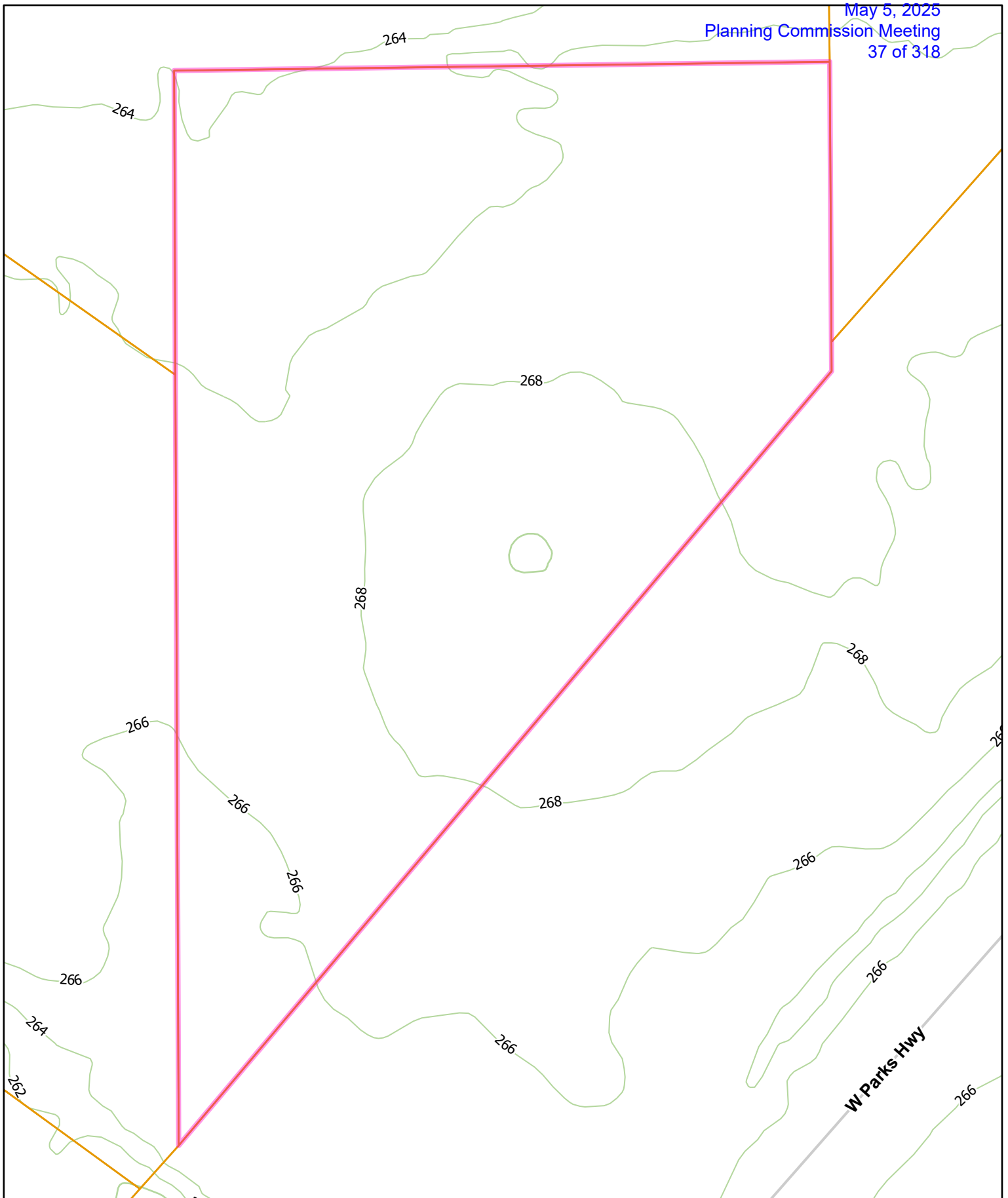
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Land Use map for  
1818000L001





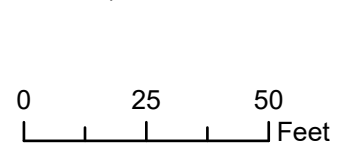


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## 2019 Topographic Contours for 1818000L001

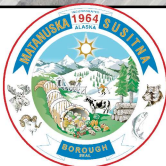
MSB Development Services Division: 2/19/2025







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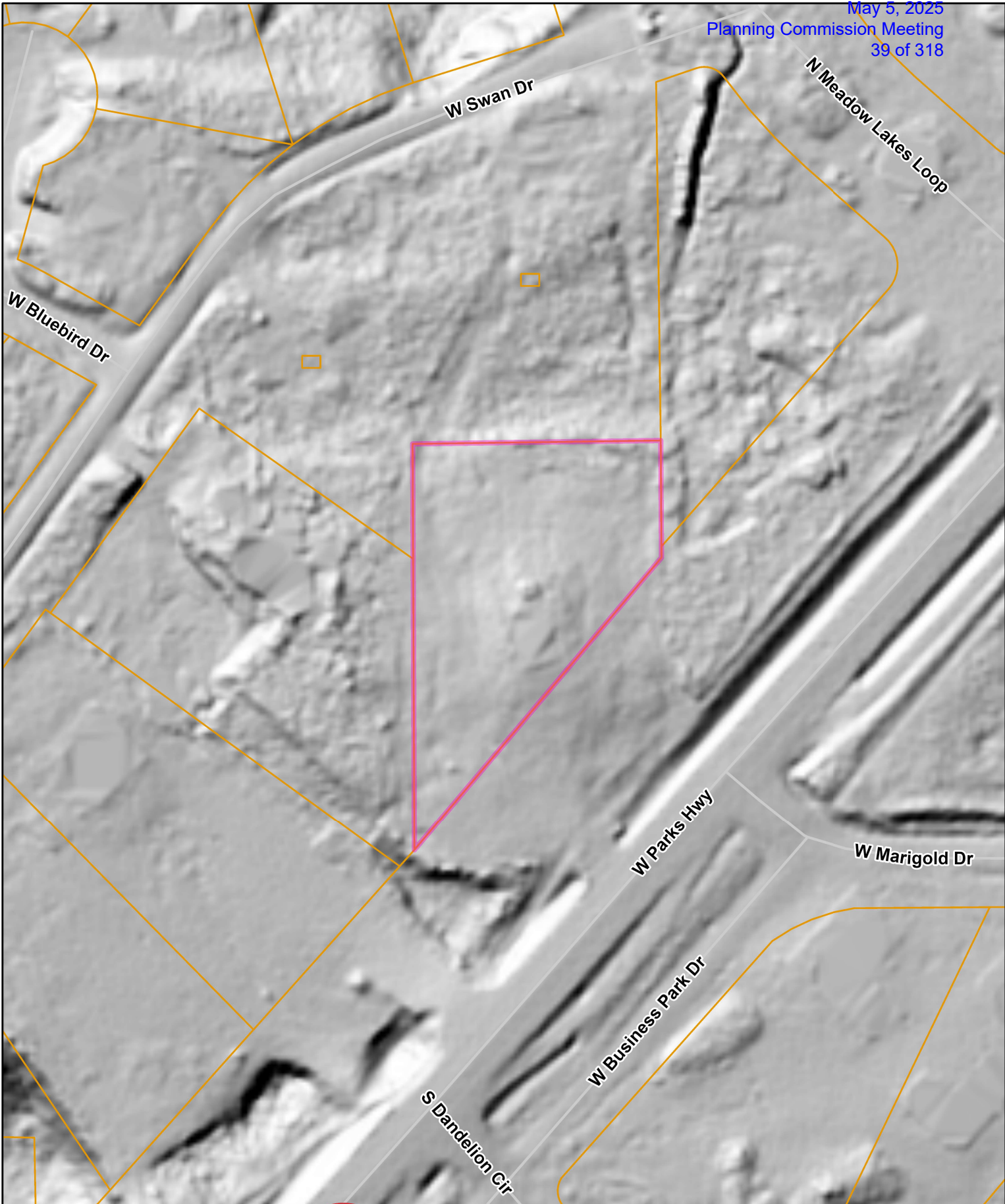


## Wetlands Map for Fort Green Alaska

MSB Development Services Division: 4/16/2025





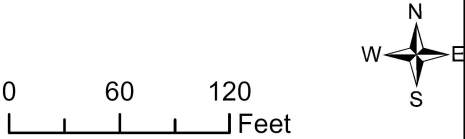


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# Bare Earth Map for Fort Green Alaska

MSB Development Services Division: 4/16/2025



# **PUBLIC NOTICING**

**MSB WEBSITE NARRATIVE POSTED ON FEBRUARY 24, 2025**

**Public Hearing Notice for Conditional Use Permit Application for a Marijuana Retail Facility**

Ryan McKay and Jana Weltzin applied for a Conditional Use Permit under MSB 17.60 – Conditional Uses, for the operation of a Marijuana Retail Facility known as Fort Green Alaska. The proposed location is 7821 W. Parks Highway, on Tax ID # 1818000L001.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on Monday, **May 5, 2025**, at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at [www.matsugov.us](http://www.matsugov.us) by clicking on “All Public Notices & Announcements.” For additional information, you may contact Peggy Horton, Current Planner, by phone at 907-861-7862. Provide written comments by e-mail to [peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us), or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for the definition of an interested party. The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: [www.matsugov.us](http://www.matsugov.us), in the Borough Clerk’s office, and at various libraries within the borough.

Comments are due on or before **April 9, 2025**, and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.



## Certificate of Bulk Mailing — Domestic

### Fee for Certificate

Up to 1,000 pieces (1 certificate for total number)

For each additional 1,000 pieces, or fraction thereof

Duplicate Copy ☐

Use  
Current  
Price List  
(Notice 123)

**Postage:** Mailers must affix meter, PC Postage<sup>®</sup> or (uncanceled) postage stamps here in payment of total fee due.



**US POSTAGE** ® **PITNEY BOWES**  
ZIP 99645 **\$ 012.50<sup>0</sup>**  
02 7W  
0008035337 FEB 25 2025

Acceptance employee must cancel postage affixed (by round-date) at the time of mailing.

If payment of total fee due is being paid by Permit Imprint, include the

*PostalOne!*<sup>®</sup> Transaction Number here: \_\_\_\_\_

Number of  
Identical Weight  
Pieces

25

Class of Mail

1st

Postage for  
Each Mailpiece  
Paid

☐ Verified

Number of  
Pieces to the  
Pound

45

Total Number of  
Pounds

8.4oz

Total Postage Paid  
for Mailpieces

\$17.25

Fee Paid

\$12.50

Mailed For

Permit Center

Mailed By

Betty Jean Black

### Postmaster's Certification

It is hereby certified that the number of mailpieces presented and the associated postage and fee were verified. This certificate does not provide evidence that a piece was mailed to a particular address.

(Postmaster or Designee)

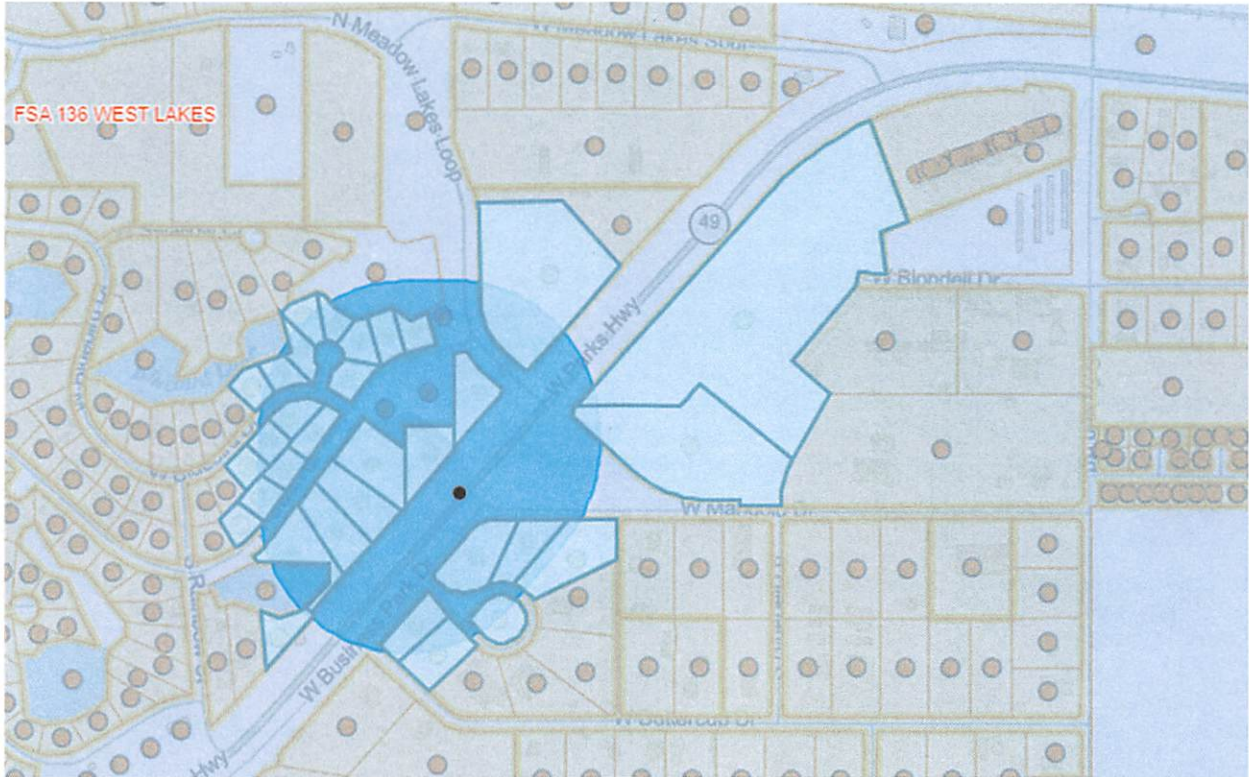




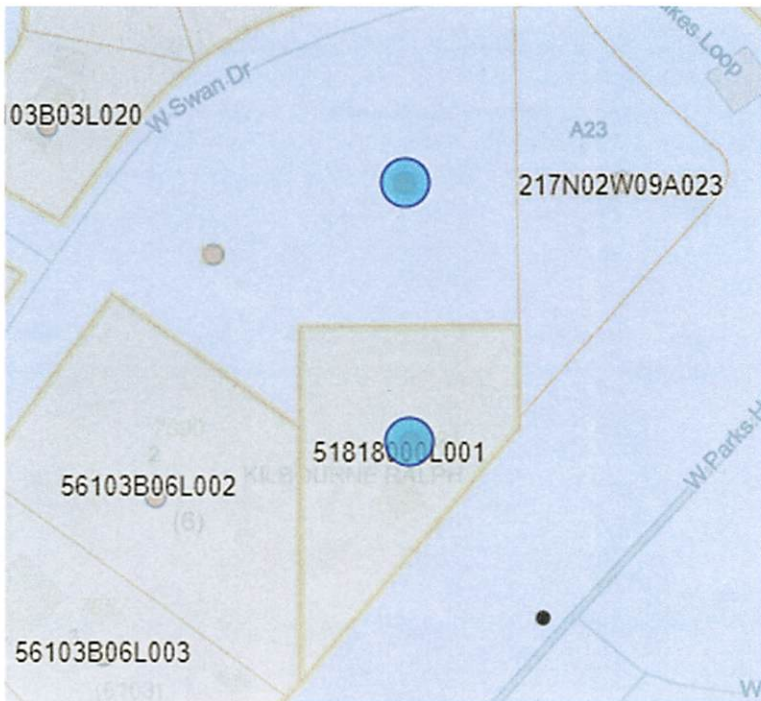
NUMBER	OWNER_1	NAME_2	MAILING_ADDRESS_LINE_B	MAILING_ADDRESS_CIT	MAILING_A	MAILING_ADDRESS_ZIP
1	ALASKA STATE OF	DEPT OF TRANS & PUB FAC	PO BOX 196900	ANCHORAGE	AK	99519-6900
2	BAKER WM L		2961 S RUE DE LA PAIX	WASILLA	AK	99654
3	CHILDS STEVE	CHILDS SYLVIA	PO BOX 299151	WASILLA	AK	99629-9151
4	DEHART CHRISTOPHER A		PO BOX 520642	BIG LAKE	AK	99652
5	DEHART INVESTMENTS LLC		PO BOX 520642	BIG LAKE	AK	99652
6	FISHER BARBARA L		PO BOX 520209	BIG LAKE	AK	99652-0209
7	FUGE SHANNON		PO BOX 520547	BIG LAKE	AK	99652-0547
8	HOLIDAY ALASKA INC		PO BOX 52085	PHEONEX	AZ	85072
9	HOLIDAY ALASKA LLC		4567 AMERICAN BLVD W	MINNEAPOLIS	MN	55437
10	HORTON REAL ESTATE LLC		7362 W PARKS HWY	WASILLA	AK	99623
11	HULSE GARY N & LORRAINE B		1414 PARK AVE	BURLEY	ID	83318-1753
12	JOHNSON JACOB		7942 W SWAN DR	WASILLA	AK	99623
13	JOHNSON STEVEN L		7941 W SWAN DR	WASILLA	AK	99623-3204
14	KNOWLTON LONNIE C & NIKI J		PO BOX 871281	WASILLA	AK	99687-1281
15	KR&W MANAGEMENT LLC		2174 E RED FOX DR	WASILLA	AK	99654
16	MAGIERA LAURIE J TR / TRE		PO BOX 875486	WASILLA	AK	99687-5486
17	MATANUSKA-SUSITNA BOROUGH	PUBLIC PARKING	350 E DAHLIA AVE	PALMER	AK	99645-6488
18	MEADOW LAKES COMMUNITY COUNCIL		1210 N KIM DR STE B	WASILLA	AK	99623-1921
19	MEADOW LAKES INVESTMENT LLC		3300 ARCTIC BLVD	ANCHORAGE	AK	99503-0697
20	NGUYEN CHANH T		21017 SCENIC DR	CHUGIAK	AK	99567
21	OWENS CONNIE L		PO BOX 871166	WASILLA	AK	99687-1166
22	SELLECT REALTY LLC		4180 PROVIDENCE RD STE 20	MARIETTA	GA	30062
23	SHOWALTER THOMAS B		PO 870856	WASILLA	AK	99687-0856
24	THOMPSON TIMOTHY S		451 S MEADOW LARK CIR	WASILLA	AK	99654-1937
25	WILLIAMS LUCAS ALTON		550 S WARMWOOD	PALMER	AK	99645

## Fort Green Mailing Maps

600' of 7821 W Parks Hwy



Subdivision: 1818 – Ralph Kilbourne Subdivision



**ADVERTISEMENT ORDER**  
**MATANUSKA-SUSITNA BOROUGH**

**350 East Dahlia Avenue**  
**Palmer, Alaska 99645**

PUBLISHER	MANDATORY PUBLICATION DATES {By MSB Code}	PREFERRED PUB. DATES	DATES FOR FILLER ADS (space permitting)
<b>FRONTIERSMAN</b> (contract)	February 28, 2025		
<b>Anchorage Daily News</b>			
<b>Talkeetna Good Times</b> {publishes once a month}			

[ X ] Borough Page                      [ ] Classified/Legal                      [ ] Display Ad Acct #(100.120.113.422.000)

**THE ATTACHED MATERIAL MUST BE PRINTED IN ITS ENTIRETY ON THE DATES SHOWN ABOVE.  
AN AFFIDAVIT OF PUBLICATION IS REQUIRED PRIOR TO PAYMENT.**

**A PROOF IS REQUESTED ON DISPLAY ADS FOR APPROVAL, PRIOR TO PUBLICATION.**

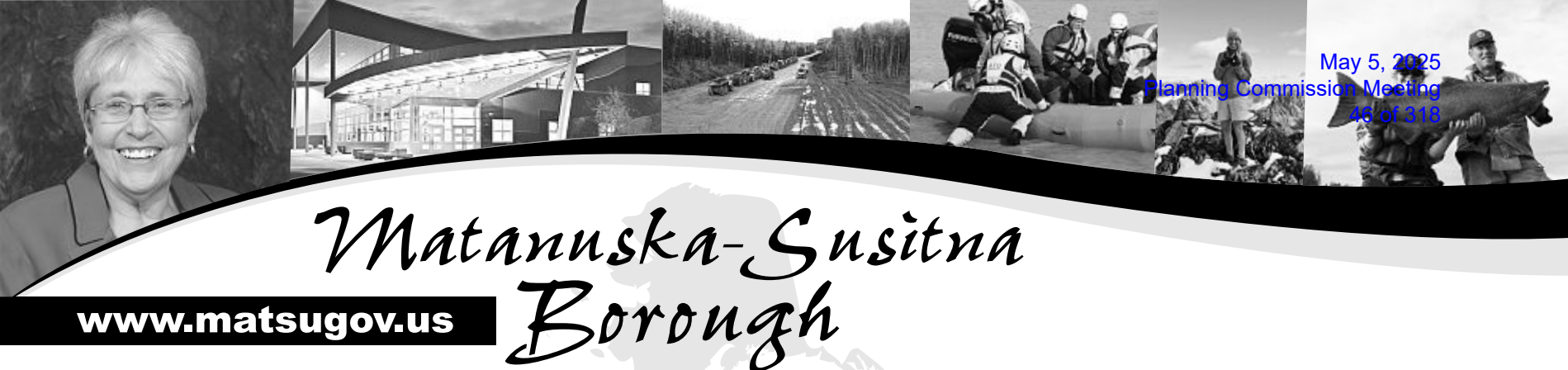
**Please email display ad proof to Attn: Peggy Horton Email: [peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us)  
and Sierra Smith Email: [sierra.smith@matsugov.us](mailto:sierra.smith@matsugov.us)**

**See attached Advertisement**

**Requested by:** Peggy  
**Emailed:** \_\_\_\_\_ **Diskette:** \_\_\_\_\_

**Approved by:** \_\_\_\_\_  
**Date:** 2-24-25





May 5, 2025  
Planning Commission Meeting  
48 of 318

# Matanuska-Susitna Borough

[www.matsugov.us](http://www.matsugov.us)

## B. PUBLIC HEARINGS (Three Minutes Per Person.)

**OR 25-016** An Ordinance Approving An Appropriation Of \$314,014 From The Big Lake Road Service Area Fund Balance To The Big Lake Road Service Area Road Improvement Projects List.

**Attachments:** [OR 25-016](#)  
[IM 25-032](#)

**OR 25-019** An Ordinance Amending MSB 5.25.150(C), Willow-Caswell Fire Service Area Board Of Supervisors.

**Attachments:** [OR 25-019](#)  
[IM 25-040](#)

**OR 25-021** An Ordinance Accepting And Appropriating \$60,000 From The United States Fish And Wildlife Service, National Fish Habitat Partnership, For Coal Creek At Sushana Drive Fish Passage Replacement.  
RS 25-016: A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into An Agreement With The United States Fish And Wildlife Service For Coal Creek At Sushana Drive Fish Passage Replacement And Approving The Time Extension Of The Fiscal Year 2023 Areawide Budget Appropriation For Fish Passage Improvements Match Funds.

**Attachments:** [OR 25-021](#)  
[RS 25-016](#)  
[IM 25-042](#)

**OR 25-022** An Ordinance Approving The Addition Of A New Regular, Full-Time Right-Of-Way Acquisition Officer (Project Employee) For The Pre-Design & Engineering Division Of The Public Works Department.

**Attachments:** [OR 25-022](#)  
[IM 25-047](#)

## C. AUDIENCE PARTICIPATION (You can speak under one of the audience participations on the agenda, but not both; Three Minutes Per Person.)

### D. CONSENT AGENDA

#### 1. RESOLUTIONS

**RS 25-021** A Resolution Authorizing The Manager To Enter Into An Agreement With AAA Valley Gravel, LLC. For The Alsop Interim Material District, Materials Sale.

**Attachments:** [RS 25-021](#)  
[IM 25-053](#)

**RS 25-025** A Resolution Authorizing The Manager To Enter Into An Agreement With Tutka, LLC. For The Milepost 128 Parks Highway Material Sale.

**Attachments:** [RS 25-025](#)  
[IM 25-074](#)

**RS 25-026** A Resolution Establishing A State Legislative Priority Requesting That The Alaska Legislature Amend State Law Regarding The Open Meetings Act To Allow Local Governments The Option To Exempt Advisory Service Area Boards From The Act.

**Sponsors:** Fonov

**Attachments:** [RS 25-026](#)  
[IM 25-061](#)

**RS 25-027** A Resolution Allocating Human Services Community Matching Grant Program Funding To Nonprofit Subgrantees For The Provision Of Critically Needed Essential Health And Social Services.

**Attachments:** [RS 25-027](#)  
[IM 25-062](#)

**RS 25-028** A Resolution In Support Of Alaska State Senate Bill 92.

**Sponsors:** Bernier

**Attachments:** [RS 25-028](#)  
[IM 25-063](#)

#### 2. ACTION MEMORANDUMS

**AM 25-019** Approval Of Change Order No. 1 For Contract No. 25-001P With Lounsbury And Associates, Inc. To Add \$40,900 For The Guardrail Inventory And Assessment For Bogard Road Service Area No. 25; And Extend The Contract To June 30, 2025.

**Attachments:** [AM 25-019](#)

**AM 25-020** Authorization To Vacate That Portion Of West Independence Drive Lying Between North Deception Drive And North Craigie Court Located North Of Deception Creek, South Of Willow Fishhook Road, And West Of Four Mile Road, Located Within The Southeast 1/4 Of Section 2, Township 19 North, Range 4 West, Seward Meridian, Alaska.

**Attachments:** [AM 25-020](#)

**AM 25-021** Approval Of Change Order No. 2 For Contract No. 22-143P With The Boutet Company, Inc. To Add \$15,540 For The Williwaw Way, Kodiak Drive, And Helen Lane Project; And To Extend The Contract To July 30, 2027.

**Attachments:** [AM 25-021](#)

**AM 25-022** Award Of Bid No. 25-138C To Hughes Fire Equipment, Inc. In The Amount Of \$1,520,253 To Purchase An Enforcer Pumper Tender.

**Attachments:** [AM 25-022](#)

**AM 25-023** Award Of Proposal No. 25-079P To Collins Architecture + Energy Conservation, LLC. In The Contract Amount Of \$127,357 To Design School District Elevator Replacements.

**Attachments:** [AM 25-023](#)

## IX. UNFINISHED BUSINESS

### X. VETO

### XI. NEW BUSINESS

#### A. INTRODUCTIONS (For Public Hearing 03/18/25, Assembly Chambers)

**OR 25-020** An Ordinance Accepting And Appropriating \$21,500 From The American Society For The Prevention Of Cruelty To Animals, And Approving The Scope Of Work And Budget For The Quality-Of-Life Project  
RS 25-015: A Resolution Approving The Scope Of Work And Budget For The Quality-Of-Life Grant From The American Society For The Prevention Of Cruelty To Animals.

**Attachments:** [OR 25-020](#)  
[RS 25-015](#)  
[IM 25-041](#)

**OR 25-027** An Ordinance Accepting And Appropriating \$39,049.44 From The Alaska State Division Of Forestry Volunteer Fire Capacity Grant Program; And Appropriating \$3,904.94 In Matching Funds For Firefighter And Firefighting Equipment, Clothing, Supplies, And Communications Equipment.

RS 25-023: A Resolution Approving The Scopes Of Work And Budgets For The Alaska State Division Of Forestry Volunteer Fire Capacity Grants And Matching Funds For The Fire Service Areas Of Caswell, Willow, Talkeetna, And Sutton.

**Attachments:** [OR 25-027](#)  
[RS 25-023](#)  
[IM 25-056](#)

**OR 25-028** An Ordinance Accepting And Appropriating \$2,100,000 From The Environmental Protection Agency's Solid Waste Infrastructure For Recycling Grants For Communities.

RS 25-024: A Resolution Approving The Scope Of Work And Budget For The Solid Waste Division's Sustainable Organic Materials Compost Program And Infrastructure Development.

**Attachments:** [OR 25-028](#)  
[RS 25-024](#)  
[IM 25-057](#)

**OR 25-029** An Ordinance Approving An Appropriation Of Road Service Fund Balances To That Road Service Area's Capital Project Fund.

**Attachments:** [OR 25-029](#)  
[IM 25-059](#)

**OR 25-030** An Ordinance Establishing A Joint Assembly/School Board Committee On School District Funding Issues.

**Sponsors:** Fonov

**Attachments:** [OR 25-030](#)  
[IM 25-060](#)

## B. MAYORAL NOMINATIONS AND APPOINTMENTS

### 1. VACANCY REPORT

**25-039** Mayoral Requests for Confirmation

**Attachments:** [03/04/25 - Vacancy Report](#)

## C. OTHER NEW BUSINESS

### D. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)

## XII. RECONSIDERATION

## XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

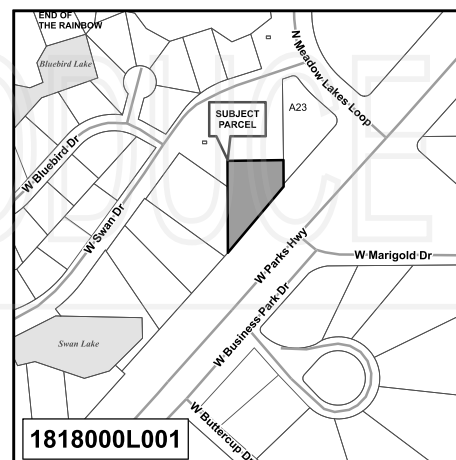
## XIV. EXECUTIVE SESSION

## XV. ADJOURNMENT

Disabled Persons Needing Reasonable Accommodation In Order To Participate At An Assembly Meeting Should Contact The Borough ADA Coordinator At (907) 861-8432 At Least One Week In Advance Of The Meeting.

Publish Date: February 28, 2025

0225-29



## PUBLIC HEARING

Ryan McKay and Jana Weltzin applied for a Conditional Use Permit under MSB 17.60 – Conditional Uses, for the operation of a Marijuana Retail Facility known as Fort Green Alaska. The proposed location is 7821 W. Parks Highway, on Tax ID # 1818000L001.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on **Monday, May 5, 2025**, at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of this item before the Planning Commission and you are invited to attend. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at [www.matsugov.us](http://www.matsugov.us) by clicking on "All Public Notices & Announcements." For additional information, you

may contact Peggy Horton, Current Planner, by phone at 907-861-7862. Provide written comments by e-mail to [peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us), or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for the definition of an interested party. The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: [www.matsugov.us](http://www.matsugov.us), in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before **April 9, 2025**, and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.

Publish Date: February 28, 2025

0225-27

## All Ice Fishing Houses must be registered

annually with the Mat-Su Borough prior to locating them on the following lakes: **Diamond Lake, Big Lake, Lake Five, Little Question Lake, Question Lake, and the Unnamed Lakes in Sections 30 & 31 between Question Lake and Talkeetna Spur Road.**

**Ice Houses shall not be located closer than 75 feet from the high water mark of the lake and shall not be located closer than 30 feet in any direction from one another Ice House**

2023/2024 Registration must be displayed on the ice fishing house.

Registration forms can be found on the Borough website at [www.matsugov.us](http://www.matsugov.us), or call the Mat-Su Borough Development Service Permit Center at 861-7822 for Registration Forms.



Edna DeVries, Mayor  
(907) 861-8682 - Work  
(907) 795-8133 - Cell  
[Edna.DeVries@matsugov.us](mailto:Edna.DeVries@matsugov.us)

Tim Hale, #1  
(907) 831-8243  
[TimHaleDistrict1@gmail.com](mailto:TimHaleDistrict1@gmail.com)

Stephanie Nowers, #2  
(907) 831-6299  
[StephanieNowersDistrict2@gmail.com](mailto:StephanieNowersDistrict2@gmail.com)

Dee McKee, #3  
(907) 315-2802  
[Dee.McKee@matsugov.us](mailto:Dee.McKee@matsugov.us)

Maxwell Sumner, #4  
(907) 232-6797  
[Maxwell.Sumner@matsugov.us](mailto:Maxwell.Sumner@matsugov.us)

Bill Gamble, #5  
(907) 232-0103  
[Bill.Gamble@matsugov.us](mailto:Bill.Gamble@matsugov.us)

Dmitri Fonov, #6  
(907) 861-8546  
[fonov@matsugov.us](mailto:fonov@matsugov.us)

Ron Bernier, #7  
(907) 354-7877  
[Ron.Bernier@matsugov.us](mailto:Ron.Bernier@matsugov.us)

## Natasha Heindel

---

**From:** Ben Borg <ben.borg@frontiersman.com>  
**Sent:** Tuesday, March 11, 2025 11:53 AM  
**To:** Natasha Heindel  
**Cc:** petra.albecker@frontiersman.com; Peggy Horton  
**Subject:** Re: Ad Calculation: Public Hearing, Fort Green Alaska

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

WIDTH	3	C
<b>HEIGHT</b>	<b>4.2</b>	INCHES
AREA	12.600	C*INCHES
RATE	\$7.50	/(C*INCH)
COST/INSERTION	\$94.50	
<b>#INSERTIONS</b>	<b>1</b>	
<b>TOTAL</b>	<b>\$94.50</b>	

On Tue, Mar 11, 2025 at 10:51 AM Natasha Heindel <[Natasha.Heindel@matsugov.us](mailto:Natasha.Heindel@matsugov.us)> wrote:

Hello Ben & Petra,

By way of introduction I am a new Current Planner working with Peggy.

I look forward to working with you more in the future.

May we please get an ad calculation on the attached public notice for Fort Green Alaska?

Thank you,

*Natasha Heindel*

Current Planner

**Natasha Heindel**

---

**From:** Natasha Heindel  
**Sent:** Thursday, April 3, 2025 10:49 AM  
**To:** algunlimited1@gmail.com; jana@jdwccounsel.com; brenda@jdwccounsel.com;  
randi@jdwccounsel.com  
**Cc:** Peggy Horton  
**Subject:** Request for Payment of Advertising & Mailing Fees – Fort Green Alaska

Hello Ryan & Jana,

The request for Fort Green Alaska, a marijuana retail facility, at 7821 W. Parks Highway has been distributed for comments.

In accordance with the requirements of MSB 17.03 Public Notification, the applicant shall pay the cost of all mailings or advertisements required by ordinance specific to that action.

The advertisement was published in the February 28, 2025 *Frontiersman*.

Please be advised of the following charges:

Advertising: \$ 94.50

Mailing: \$ 17.25

Total Due: **\$ 111.75**

Please pay the fees as soon as you are able and provide confirmation to us.

**The fees must be paid no later than Friday, May 2, 2025**, prior to the date of the public hearing scheduled for May 5, 2025.

The Borough offers an online option to submit payments at [MSB Payments Portal \(matsugov.us\)](https://matsugov.us).

Choose the **Other Permits** link located about halfway down the page and click **Apply** to pay the fee.

Please provide the facility/applicant name and address in the associated columns.

You may also submit payment in person or by mail to the MSB Permit Center at 350 E. Dahlia Ave, Palmer, AK 99645.

If you should have any questions or require additional information, please feel free to call me at 907-861-8606.

Respectfully,

*Natasha Heindel*

Current Planner  
Mat-Su Borough Planning Department  
350 E. Dahlia Ave. Palmer, Alaska 99645  
Desk: (907) 861-8606  
Natasha.Heindel@matsugov.us

Natasha Heindel

**From:** Permit Center  
**Sent:** Friday, April 4, 2025 10:40 AM  
**To:** Natasha Heindel  
**Subject:** FW: MatanuskaSusitna Borough Payment Confirmation

DUDE.

**Brandon Tucker**  
Permit Technician  
[Matanuska-Susitna Borough Permit Center](#)  
350 E Dahlia Ave  
Palmer AK 99645  
P (907) 861-7871  
F (907) 861-8158

**From:** Online Payments <noreply@tylerportico.com>  
**Sent:** Friday, April 4, 2025 9:23 AM  
**To:** Permit Center <Permitcenter@matsugov.us>  
**Subject:** MatanuskaSusitna Borough Payment Confirmation

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

MatanuskaSusitna Borough payment confirmation

A payment has been made for Other Permits

Confirmation #: 9NPH6FP595

04/04/2025

Transaction processing fee \$3.35

Description	Amount
Other Permits	\$111.75

Miscellaneous Payments Form Name	Other Permits
Email	<a href="mailto:algunlimited1@gmail.com">algunlimited1@gmail.com</a>
Permit ID	17.03 Public Notification
Customer Name	Ryan McKay
Customer Phone Number	(907) 354-1249
Facility Name	Fort Green Alaska
Quantity	1

---



# **SITE VISIT PHOTOS**

## **April 17, 2025**



A signalized intersection northeast of the subject property at Marigold Drive and West Parks Highway.



View of subject property approaching from West Parks Highway traveling west.





Signage at driveway entrance.



Signage at driveway exit facing east on West Parks Highway.





Signage at driveway exit facing west on West Parks Highway.



View of the right-of-way and subject property at the southwest corner.





View of the right-of-way and subject property near the driveway entrance.





View of the right-of-way and subject property at the southeast corner.



View of the facility's southern side.





Fence-mounted lighting that illuminates the facility signage.



View of the facility's southern side.





View of the facility's southeastern corner.



View of the facility's eastern side; including a view of the adjacent properties.





View of the facility's northeast corner.



View of the facility's northern side; main entrance to the facility.





View of the facility's northwestern corner and western side.



View of the northern area of the subject property; showing locations for proposed infiltration areas and the accessory structures located which are not included in the licensed use.





View of the western area of the subject property; showing a location for a proposed infiltration area.



View of the nearest commercial use to the proposed facility; facing westward.





View of the nearest. residential use to the proposed facility; facing northwest



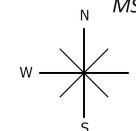
View of the subject property from across West Parks Highway facing north.



# SITE PLAN



## MSB Development Services Division: 4/17/2025



0      30      60 Feet

# **APPLICATION MATERIAL**



**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](mailto:permitcenter@matsugov.us)
**RECEIVED**  
 AUG - 8 2024  
 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

<b>Site Plan – Attach a detailed, to scale, site plan clearly showing the following information:</b>	<b>Attached</b>
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

<b>Map – Attach a detailed, to scale, vicinity map clearly showing the following information:</b>	<b>Attached</b>
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

<b>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:</b>	<b>Attached</b>
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"> <li>Increased property line and right-of-way buffers</li> <li>Planted berms and landscaping</li> <li>Site and building design features which contribute to the character of the surrounding area</li> </ul>	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



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

<b>Floor Plan for Marijuana Retail Facilities – Attach a detailed, to scale, floor plan clearly showing the following information:</b>	<b>Attached</b>
• 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.

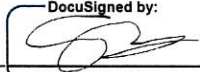
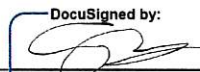
I understand all activity must be conducted in compliance with all applicable standards of MSB 17.60 and with all other applicable borough and state.

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.

<p>DocuSigned by:</p>  <p>679F5389F68479</p>	<p>Ryan McKay - Member of KR&amp;W Management, LLC</p>	<p>8/8/2024</p>
Signature: Property Owner	Printed Name	Date
<p>DocuSigned by:</p>  <p>679F5389F68479</p>	<p>Ryan McKay</p>	<p>8/8/2024</p>
Signature: Agent	Printed Name	Date



May 5, 2025  
Planning Commission Meeting  
79 of 318  
**RECEIVED**  
AUG - 8 2024  
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](mailto: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.

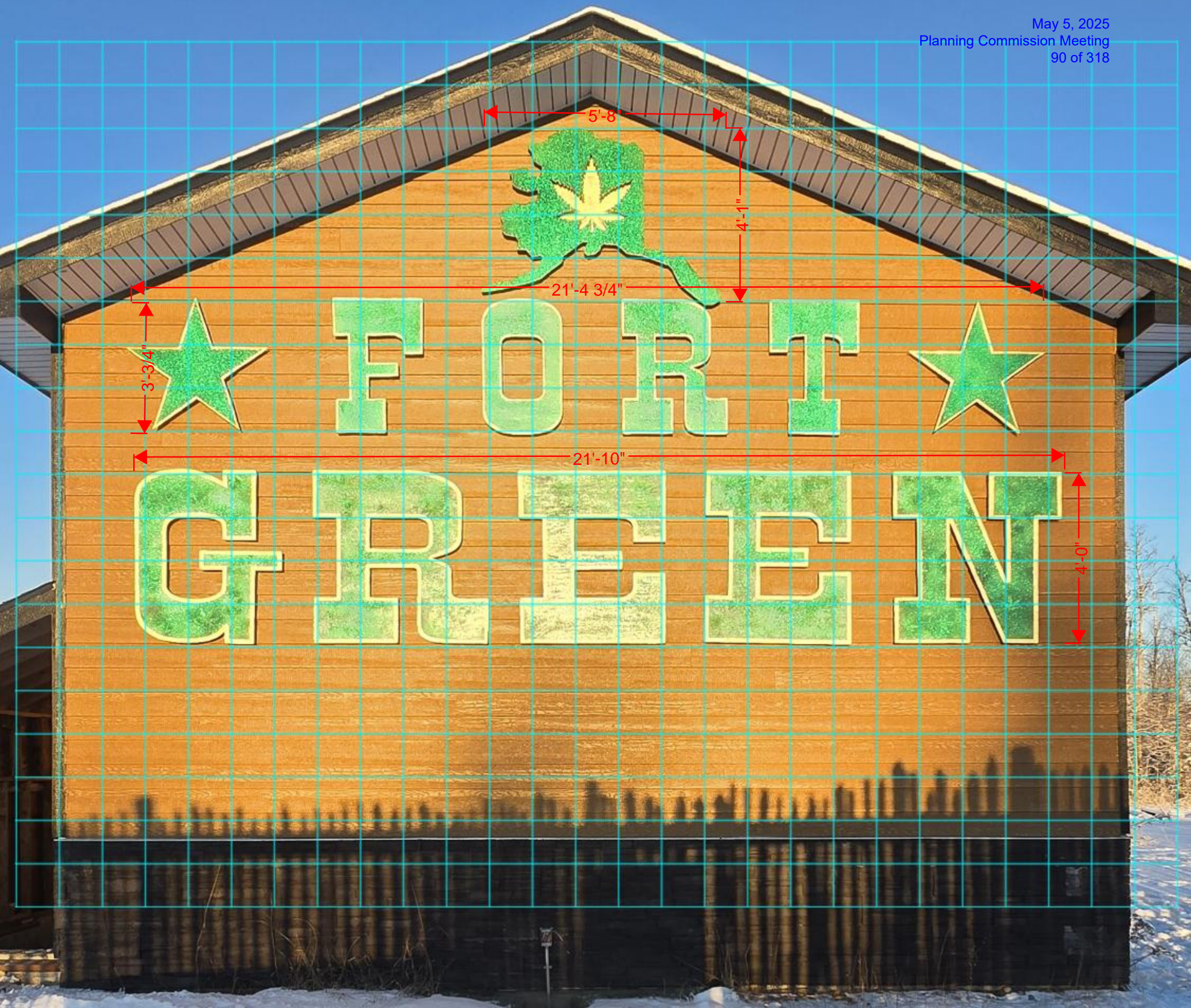


Fort Green Alaska will have individually mounted mallard green wood letters with a gold outline around each individual wood letter illuminated with LED backlighting reading “Fort Green”. The word “Fort” will have a 5-point star on each side of the word, also in mallard green with a gold outline. In addition, 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.







**From:** Kyler Dias <[kyler@x907.com](mailto:kyler@x907.com)>  
**Sent:** Thursday, March 20, 2025 1:04 PM  
**To:** Peggy Horton <[peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us)>  
**Cc:** ALG Alaska <[algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)>; Jana Weltzin <[jana@jdwccounsel.com](mailto:jana@jdwccounsel.com)>  
**Subject:** Re: Drainage Plan comments for Fort Green Alaska

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

Afternoon Peggy-

In response to your Pre-Design and Engineering branch see attached revised drawing C004frev3 and an overlay of the planned driveable area (this is just for a visual representation of the planned driveable areas).

While compacted D1 was not planned at the drainage basins, detail 2/C-04 on the drawing shows 12" free draining classified fill, it is certainly an understandable concern as D1 is much less permeable especially when compacted to 95% than classified fill which has a high sand content. I've updated the note on the drawing to make this more clear stating, "compacted D1 Fill over non vegetated areas **free draining classified fill at settling basins.**"

To address engineering's second concern regarding compaction of the 3/4" minus crushed rock due to vehicular traffic, another good comment, I have made several other changes to the drawing. While the drainage basins on the earlier drawing were outside the planned driveable areas for the facility, I agree vehicles could access these locations and have therefore relocated two of the drainage basins to areas not accessible by traffic near the SW and NE corners of the property, the third smallest basin was already in a non-accessible area. I've also updated the 3/4" minus crushed rock to a **2" round rock** on detail 2/C-04 as this will ensure the basins remain permeable over time. This material will have no fine aggregate and is non compatible being separated from the classified fill beneath with a geotextile fabric to ensure the material remains segregated.

I understand that a site inspection is planned in April that I plan to attend. While we'd like to have the drainage basins complete before this inspection the work is weather dependant. In addition the asphalt planned for the handicap spaces and accessibility aisle is not available to May dependant on Asphalt batch plant openings. I'm hopeful these items could be punchlisted during the inspection with follow up photographs provided upon completion, I would expect we may have other punchlist items from the inspection as well.

Let us know if you see any issues with that and I apologize for the long winded email.

Respectfully,

Kyler Dias  
Project Manager, EIT



**Mat-su Borough  
Development Services**

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

CONSULTANT:

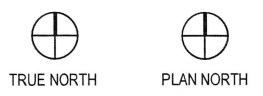
PROJECT NO: 01  
DATE: 02/22/2022  
DRAWN BY: Kyler Dias,  
(CE, EIT)  
CHECKED BY: NA

[illegible]

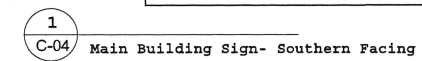
C-05



1/31/2021 12:20 PM



**Mat-su Borough  
Development Services**



2  
C-04 Infiltration Basin- Profile

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

[illegible]

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

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"

Employee Access  
From Exterior to  
basement. Stairwell is  
covered

RECEIVED  
FEB - 6 2025  
Mat-Su Borough  
Development Services



A01

100% FOR CONSTRUCTION

CONSULTANT:

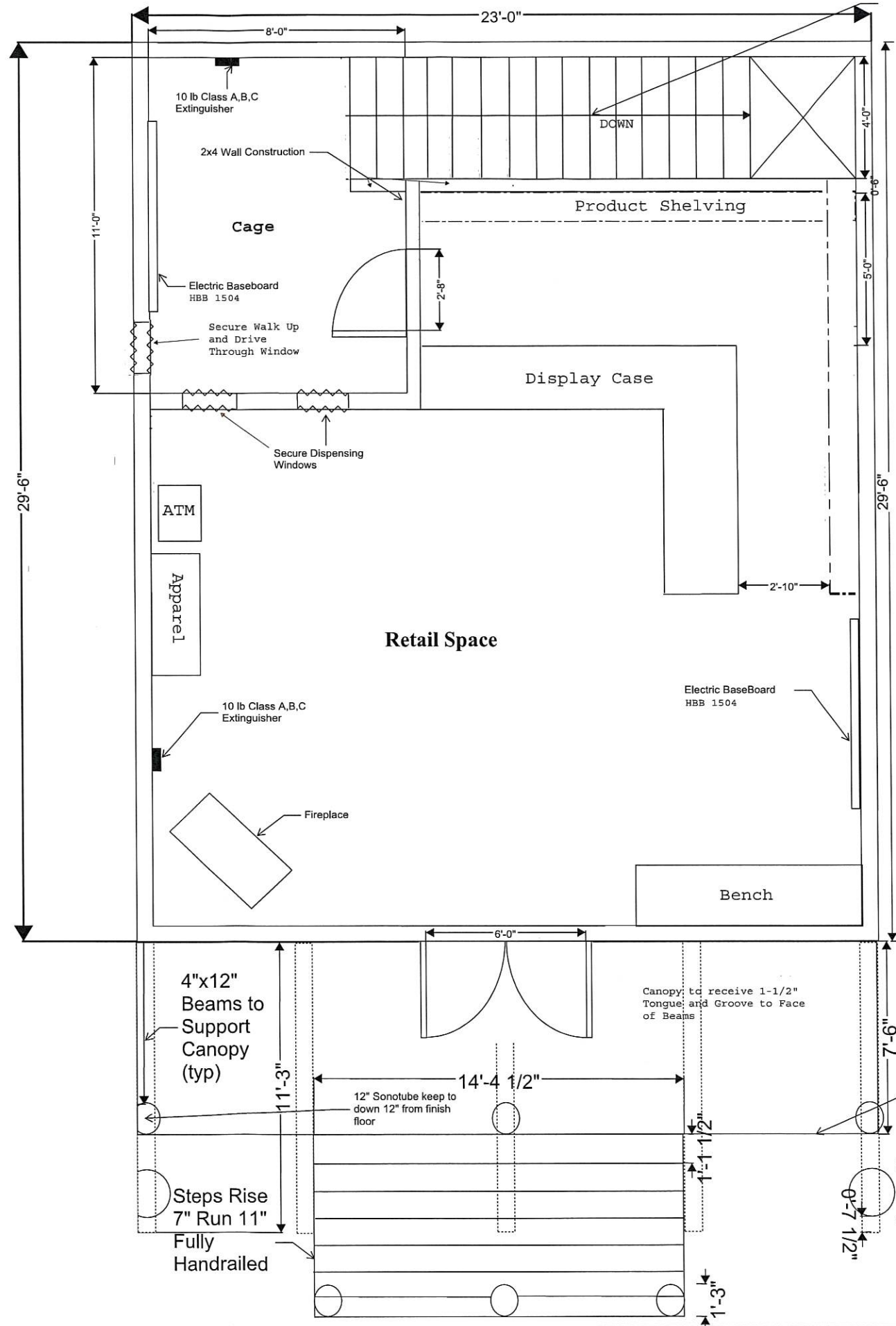
PROJECT NO: 01  
DATE: 01/31/2021  
DRAWN BY: Kyler Dias,  
(CE, EIT)  
CHECKED BY: NA

REVISION	DESCRIPTION	DATE

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

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



**RECEIVED**  
FEB - 6 2025  
Mat-Su Borough  
Development Services

CONSULTANT:

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



**A03**

100% FOR CONSTRUCTION

**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](mailto:Peggy.Horton@matsugov.us)>  
**Date:** February 19, 2025 at 9:33:08 AM AKST  
**To:** "Ryan, Riley McKay, Walther" <[algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)>, [Jana@jdwcounsel.com](mailto:Jana@jdwcounsel.com), Brenda Butler <[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)>  
**Cc:** Randi Baker <[randi@jdwcounsel.com](mailto: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





May 5, 2025  
Planning Commission Meeting  
97 of 318

RECEIVED  
DEC 2 2024

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,

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



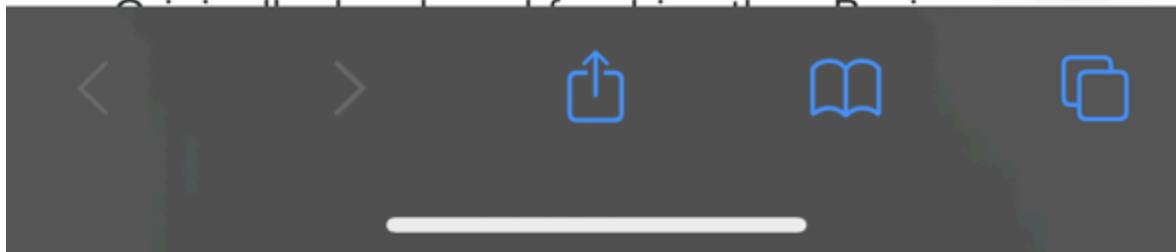
Home // Products // Window- // Dispensary

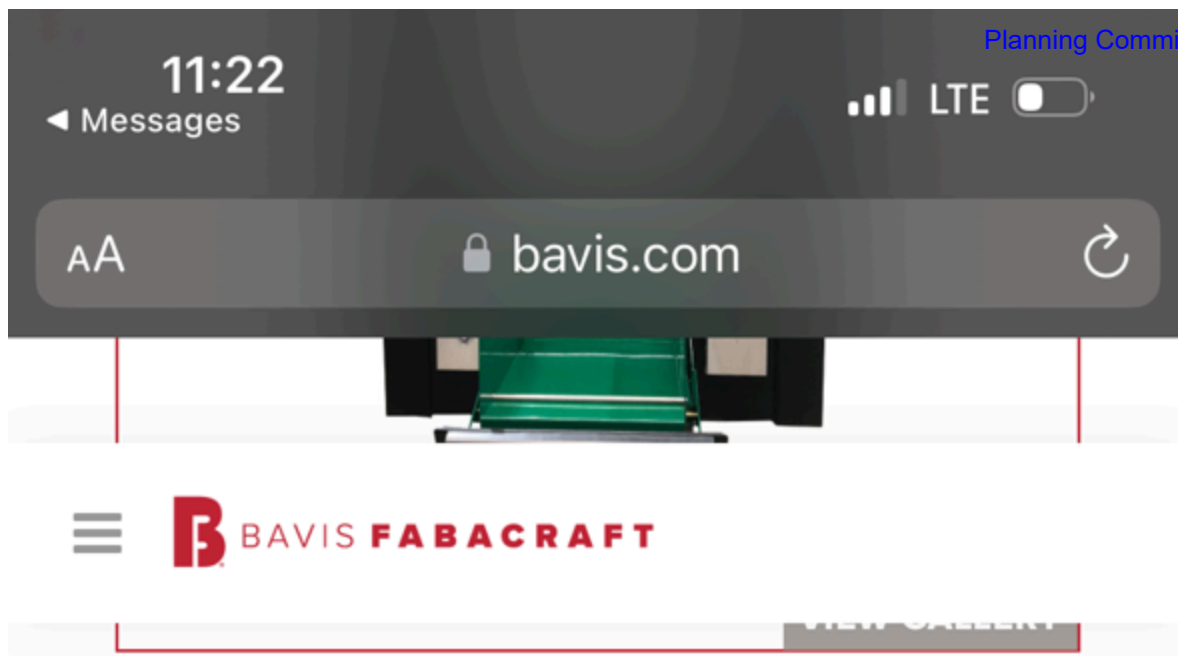


VIEW GALLERY

# DISPENSARY 32X48 WINDOW-DRAWER COMBINATION UNIT - 12000992

May 5, 2025  
Planning Commission Meeting  
104 of 318





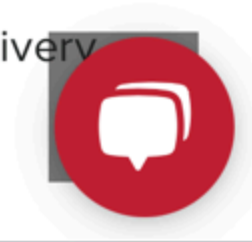
## **DISPENSARY 32X48 WINDOW-DRAWER COMBINATION UNIT - 12000992**

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.

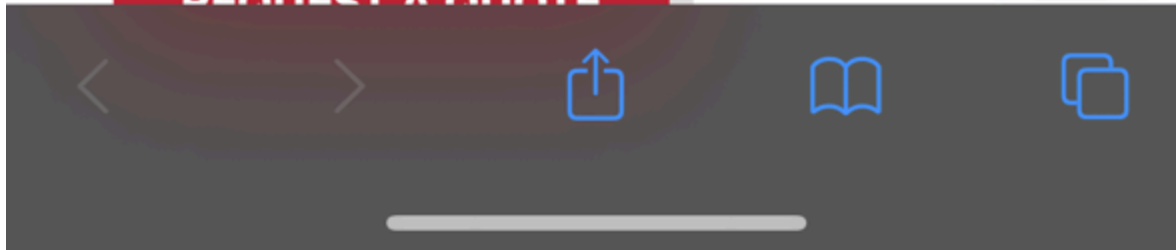
Our most popular combo unit for dispensaries is the 32x48 with a green drawer (pictured), but



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](mailto: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](mailto:kyler@x907.com)>

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

**To:** Lage, Oscar (DPS) <[oscar.lage@alaska.gov](mailto:oscar.lage@alaska.gov)>; Brenda Butler <[brenda@jdwcounsel.com](mailto: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](mailto: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](mailto: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](mailto:kyler@x907.com)>  
**Sent:** Thursday, September 26, 2024 11:13 AM  
**To:** James Keel <[James.Keel@matsugov.us](mailto: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

Authority: AS 18.70.080

Form: 12-741

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

Oscar Lage  
Building Plans Examiner I



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

May 5, 2025  
Planning Commission Meeting  
110 of 318

**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](mailto: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](mailto: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](mailto: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](mailto:marijuana.licensing@alaska.gov) with any questions.

Sincerely,

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

Regina T. Cruz  
Licensing Examiner 3- Supervisor

cc: License File  
Matanuska-Susitna Borough



**From:** [Rick Benedict](#)  
**To:** [Brenda Butler](#)  
**Cc:** [algunlimited1@gmail.com](#); [Jana Weltzin](#); [Randi Baker](#); [Peggy Horton](#)  
**Bcc:** [amco.localgovernmentonly@alaska.gov](#)  
**Subject:** RE: Fort Green, LLC DBA Fort Green Alaska License #32116  
**Date:** Friday, August 9, 2024 9:19:00 AM  
**Attachments:** [MJ-14 Fort Green 32116 signed.pdf](#)

---

Hello Brenda,

The completed MJ-14 is attached. The application for a Conditional Use Permit for Fort Green Alaska's proposed marijuana retail store (#32116) was received this morning via email. However, it will remain incomplete until the application fee is received and staff reviews it to determine its completeness.

Respectfully,

Rick Benedict – Current Planner  
Development Services Division  
Matanuska-Susitna Borough  
(907)861-8527 direct

---

**From:** Brenda Butler <brenda@jdwcounsel.com>  
**Sent:** Wednesday, August 7, 2024 3:54 PM  
**To:** Rick Benedict <Rick.Benedict@matsugov.us>; Peggy Horton <Peggy.Horton@matsugov.us>  
**Cc:** [algunlimited1@gmail.com](#); [Jana Weltzin](#) <jana@jdwcounsel.com>; [Randi Baker](#) <randi@jdwcounsel.com>  
**Subject:** Fort Green, LLC DBA Fort Green Alaska License #32116

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

Good Afternoon Peggy and Rick,

Please find the attached MJ-14 premises diagram change for your consideration.

Feel free to contact our office if you have any questions or concerns.

Thank you and have a wonderful evening.

--

***\*\* Please REPLY ALL when responding to this Email\*\****

*Brenda Butler*

JDW Counsel  
Senior Paralegal, Notary Public  
& Accounts Payable/Receivable  
901 Photo Avenue, Second Floor  
Anchorage, Alaska 99503



Alaska Marijuana Control Board

## Form MJ-14: Licensed Premises Diagram Change

May 5, 2025  
 Planning Commission Meeting  
 113 of 318  
 Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

### Why is this form needed?

This licensed premises diagram change form is required for all marijuana establishment licensees seeking to alter the functional floor plan or reduce or expand the area of the establishment's existing licensed premises.

The required \$250 change fee may be made by check, cashier's check, or money order.

This form must be completed and submitted to AMCO's Anchorage office prior to altering the existing floor plan, and along with an initiated application for an Onsite Consumption Endorsement if applicable. The licensed premises may not be altered unless and until the application has been approved by the board.

### Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Fort Green, LLC	MJ License #:	32116		
License Type:	Retail Marijuana Store				
Doing Business As:	Fort Green Alaska				
Premises Address:	7821 W. Parks Hwy				
City:	Wasilla	State:	Alaska	ZIP:	99623

### Section 2 – Required Information

For your security, do not include locations of security cameras, motion detectors, panic buttons, and other security devices.

The following details must be included:

- ☐ License number and DBA
- ☐ Legend or key
- ☐ Color coding
- ☐ Dimensions
- ☐ Labels
- ☐ True north arrow
- ☐ Surveillance room
- ☐ Licensed premises boundary
- ☐ Restricted access areas
- ☐ Storage areas
- ☐ Entrances, exits, and windows
- ☐ Walls, partitions, and counters
- ☐ Any other areas that must be labeled for specific license types
- ☐ Serving area\*\*
- ☐ Employee monitoring area\*\*
- ☐ Ventilation exhaust points, if applicable\*\*

Items marked with a double asterisks (\*\*) are only required for those retail marijuana establishments that are submitting the MJ-14 form in conjunction with an onsite consumption endorsement application.

**Form MJ-14: Licensed Premises Diagram Change****Section 3 – Summary of Changes**

Provide a summary of the changes for which you are requesting approval. **For Cultivation licenses:** describe the size of the space(s) the marijuana cultivation facility intends to be under cultivation, including dimensions and overall square footage. Provide your calculations below:

Fort Green Alaska would like to remove ALG 2.0 from the lower level of the facility. The removal of ALG 2.0 will result in the following floor plan changes:

Diagrams 1, 2 & 5

- Upper Level to be removed from premises physical address
- Increase the size of the cage (MJ Storage)
- remove exit door from left side of sales floor
- change MJ Counter/Display case from a straight case to an L-shaped case
- change the location of the employee access to restricted area behind the MJ storage/display case/POS
- remove veg room, early flower and late flower rooms from basement floor plan
- move office (including video & recording equipment storage and 6 month business record storage) from the Northwest corner of the basement to the Southeast corner (former Late Flower room)
- add a break room in the southwest corner of the basement
- remove references to ALG 2.0 from legend

Diagrams 3 & 4

- remove ALG 2.0 references from legends on each diagram.

**Section 4 – Declarations**

Read each statement below, and then sign your initials in the corresponding box to the right [if applicable]:




If a local building permit is required, attach a copy of the license, permit, application to this form.


The proposed changes conform to all applicable public health, fire, and safety laws.

I have included a title, lease or other documentation showing sole right of possession to the additional area(s) if the additional area(s) are not already part of my approved licensed premises.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Initials

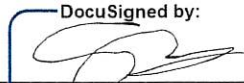
DS  
  
DS  
  
DS  


DS  


Ryan McKay

Printed Name of licensee

DocuSigned by:

  
Signature of licensee...



### Section 5 – Approvals

Local Government Review is required to be completed before submission to the Alcohol and Marijuana Control Office.

**Local Government Review** (to be completed by an appropriate local government official):

Yes No Pending

The proposed changes shown on this form conform to all local restrictions and laws.

☐ ☒ ☐

A local building permit is required for the proposed changes.

☐ ☒

Signature of local government official

Building Permit #

Date

Printed name of local government official

Title

\* The applicant has not obtained a Conditional Use Permit to operate in the MSB. An incomplete application for a CUP was received on 8/9/2024.

### Section 6 – AMCO Review

**AMCO Review:**

Approved Disapproved

Signature of AMCO Enforcement Supervisor

Signature of Director

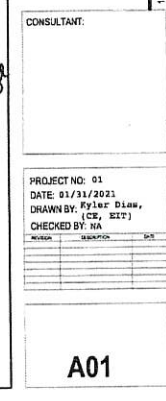
☐ ☐

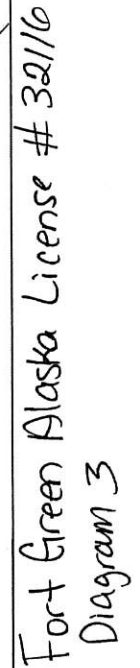
Printed name of AMCO Enforcement Supervisor

Printed name of Director

Date

**AMCO Comments:**





CONSULTANT:

[illegible]

C-01



# Fort Green Alaska License # 32116 Diagram 4



■ — proposed licensed premises



# State of Alaska

## Department of Transportation and Public Facilities

### Driveway Permit 33837

This permit allows the owner to construct and maintain a driveway within a State owned highway Right of Way.

Owner:	KR&W Management, LLC
Mailing Address:	2174 E Red Fox Drive, Wasilla, AK 99654
Driveway location (highway, address, subdivision, legal description milepost, etc.) Wasilla DW - 7821 W Parks Highway Wasilla 99623, Lot 1 Ralph Kilbourne Subd. (Driveway constructed under DOT project Z54373)	

### Design Criteria

A.	Driveway width	34	Feet
B.	Left edge clearance	152	Feet
C.	Right edge clearance	132	Feet
D.	Left return radius	40	Feet
E.	Right return radius	40	Feet
F.	Shoulder width	8	Feet
G.	Approach angle	90	Degrees
H.	Curb type	N/A	
I.	Curb to sidewalk distance	N/A	
J.	Left driveway foreslope	4:1	Or match existing
K.	Right driveway foreslope	4:1	Or match existing
L.	Culvert length	52	Feet (field fit)
M.	Landing grade	2	Percent
N.	Landing length	40	Feet
O.	Culvert size	24	Inches
P.	Culvert type	Plastic	
Q.	Ditch depth	4	Feet
R.	Shoulder type	Paved	
S.	Road surface type	Paved	
T.	Driveway surface type	Asphalt	

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 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 is at the sole expense of those lands served.

The Department is not obligated to change its maintenance practices to accommodate a driveway constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway within a right of way resulting from the Department's activities, or activities under a permit issued under 17 AAC 15.

Owner is responsible for adjusting, relocating or removing the driveway without cost or liability to the Department if the use or safety of the highway requires.

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 Owner.

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 Owner 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 Owner 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. 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.

Owner will 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 Owner'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. Owner is responsible for contractor's actions concerning placement of snow from Owner'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.

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

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

Attachments included as part of this permit are:

- Site Plan

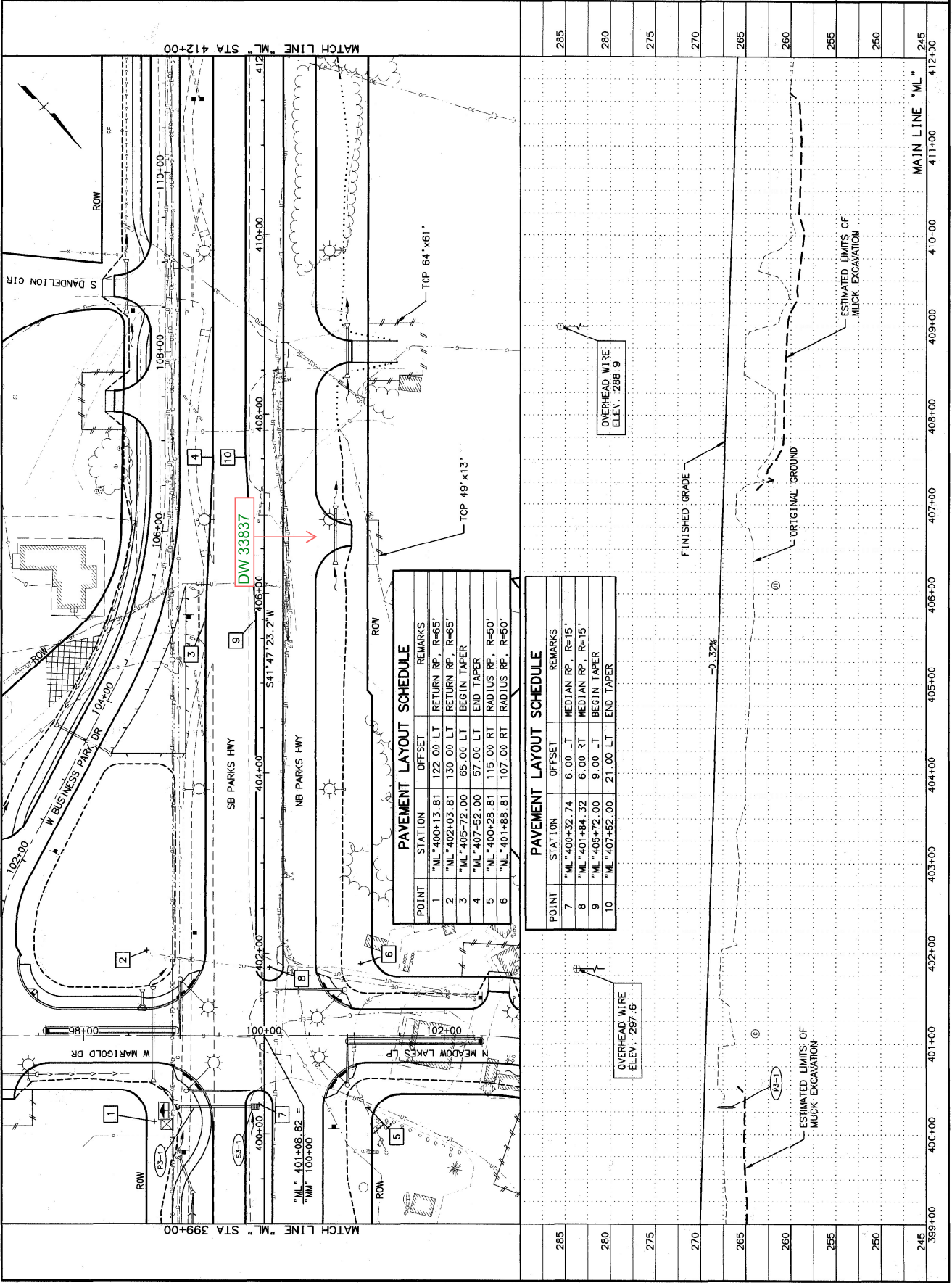
I, RYAN MURPHY, acknowledge and accept that KR&W Management, LLC, will comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

  
Owner Signature

4/15/25  
Date

DocuSigned by:  
Melanie Arnolds  
0B18FAB5B16B4B9  
DOT&PF Signature DS  
MW

4/15/2025  
Date



SHEET NO. F3 F74

STATE YEAR 2020

ALASKA

PROJECT DESIGNATION  
0A4-1(29)/  
Z543730000

NO. DATE

NO. DATE

NO. DATE

NO. DATE

81+1 LANE RD

JOHNSON RD

WINTER WAY

MARKS WAY

POTTER RD

BUSINESS PARK DR

SYLVAN RD/PITTMAN RD

PARKS HIGHWAY

PLANNING COMMISSION  
TODOR D. JONES  
ALASKA  
5/1/2020

PLANNING COMMISSION  
TODOR D. JONES  
ALASKA  
5/1/2020

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC INFRASTRUCTURE  
PARKS HIGHWAY AP 853.3  
RECONSTRUCTION  
PITTMAN ROAD TO BUSINESS PARK  
MAINLINE  
PLAN & PROFILE  
399+00 TO 412+00

State  
Zip  
**Legal Description**

AK  
99623

May 5, 2025  
Planning Commission Meeting  
123 of 318

Survey Number  
Survey Number Type  
Lot 1  
Block  
Subdivision **KILBOURNE**  
Property Tax ID Number **51818000**

Meridian  
Township  
Range  
Section  
Recording District  
Plat Number  
**Seward**  
**17N**  
**2W**  
**9**  
**79-461**

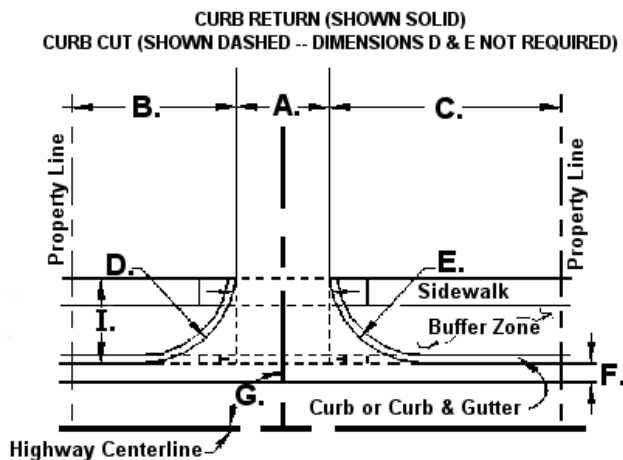
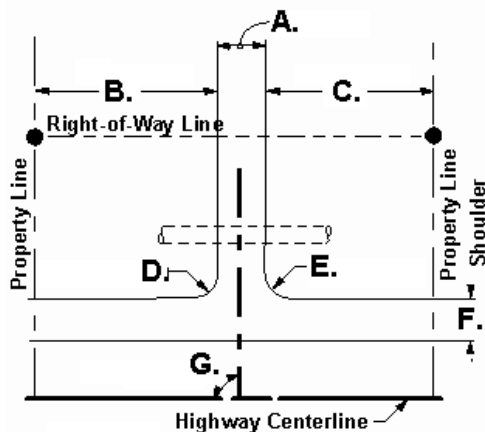
#### GPS Coordinates

	Decimal	Degrees	Minutes	Seconds
Latitude	<b>61.5781</b>	<b>61</b>	<b>34</b>	<b>41</b>
Longitude	<b>149.6478</b>	<b>149</b>	<b>38</b>	<b>52</b>

## Driveway Information

Is access available from other public rights of way:	<b>NO</b>
Is driveway/road within a platted right of way:	<b>YES</b>
How many lots will the driveway/road serve:	<b>1</b>
Size of the tract served by driveway/road:	<b>1.04 acres</b>
Is driveway located within a zoning authority:	<b>YES</b>
Zoning designation:	<b>Matanuska Susitna Borough</b>
Is the driveway/road proposed or existing:	<b>Existing</b>
Date applicant/permittee to complete work in accordance with attached plan:	<b>09/27/2024</b>
Maximum number of vehicles which will use the driveway/road in any one hour:	<b>6</b>
Driveway/approach road main use:	<b>Commercial</b>
Speed Limit:	<b>45 mph</b>
Sight distance left:	<b>1771 feet</b>
Sight distance right:	<b>1560 feet</b>
Proposed land use for tract served by driveway/road:	<b>Marijuana Retail</b>

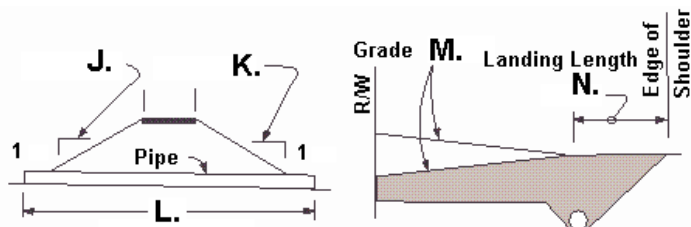
## Driveway Specifications



A. Driveway width	<b>34 feet</b>
B. Left edge clearance	<b>152 feet</b>
C. Right edge clearance	<b>132 feet</b>
D. Left return radius	<b>20 feet</b>



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**.

<b>Fee Type</b>	<b>Amount When to pay</b>
Application Fee	\$ 100.00 Submit with permit application.

## Payments

<b>Date</b>	<b>Fee Type</b>	<b>Payment Type</b>	<b>Amount</b>
-------------	-----------------	---------------------	---------------

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

May 5, 2023  
Planning Commission Meeting  
127 of 318

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		\$500.00 \$1,000.00
8.55 Special Events Permit Site Monitor Fee / Per Day		\$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



17.61 Commercial/Industrial Core Area Conditional Use Permit	\$1500.00
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

<b>RIGHT-OF-WAY FEES:</b>	
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}	

<b>PLATTING PRE-APPLICATION CONFERENCE:</b>	
Pre-Application Fee	\$50.00

<b>FEES:</b>	
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
<b>Subtotal</b>	\$1,500.00
<b>Total</b>	\$1,500.00
 CHECK	 \$1,500.00
Check Number 4960	
	-----
<b>Change due</b>	<b>\$0.00</b>

Paid by: JDW LLC

Comments: CONDITIONAL USE PERMIT  
APPLICATION

Thank you for your payment

CUSTOMER COPY



# **CORRESPONDENCE**

**Natasha Heindel**

---

**From:** Natasha Heindel  
**Sent:** Monday, April 21, 2025 7:54 PM  
**To:** Kyler Dias  
**Cc:** ALG Alaska; Peggy Horton; Jana Weltzin; Brenda Butler; Randi Baker  
**Subject:** RE: Revised Drawin

Received, thank you Kyler.

The site plan dimensions now match the narrative; thanks for that clarification.

We will keep you posted with the finalized packet when available.

Talk to you soon,

*Natasha Heindel*

Current Planner  
Mat-Su Borough Planning Department  
350 E. Dahlia Ave. Palmer, Alaska 99645  
Desk: (907) 861-8606  
Natasha.Heindel@matsugov.us

---

**From:** Kyler Dias <kyler@x907.com>  
**Sent:** Monday, April 21, 2025 3:28 PM  
**To:** Natasha Heindel <Natasha.Heindel@matsugov.us>  
**Cc:** ALG Alaska <algunlimited1@gmail.com>; Peggy Horton <peggy.horton@matsugov.us>; Jana Weltzin <jana@jdwccounsel.com>; Brenda Butler <brenda@jdwccounsel.com>; Randi Baker <randi@jdwccounsel.com>  
**Subject:** Revised Drawin

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

Afternoon Natasha-

Apologies for the delay see attached revised drawings. I adjusted the parking spaces, deleted the treed area, and also added the shed at the Northwest Corner. We decided to remove the trailer from the property so it will just be the storage shed structure that I have added. Have a great evening!

Respectfully,

Kyler Dias

•

**Natasha Heindel**

---

**From:** Natasha Heindel  
**Sent:** Monday, April 21, 2025 1:10 PM  
**To:** ALG Admin; Peggy Horton  
**Cc:** Jana Weltzin; Brenda Butler; Randi Baker  
**Subject:** Hearing date & Site Plan Needed

Good afternoon Terri,

Public Hearing Time

Thank you for reaching out to confirm.

The Planning Commission meeting will begin at **6:00 pm**.

The following link includes the full permit notice as advertised on the MSB website:

<https://matsugov.us/publicnotice/public-hearing-notice-for-conditional-use-permit-application-for-a-marijuana-retail-facility>

Site Plan Needed

The staff packet is being finalized.

The updated site plan is needed ASAP, and no later than tomorrow 4/22, in order to be included in the packet to the Planning Commission.

It is essential to have the updated site plan so that the materials provided to the Planning Commission are accurate and paint the clearest picture of your proposed use.

Updates as discussed at the site visit include:

- Adjusting size of parking spaces
- Addition of structures in northwest corner
- Deletion of treed area shown on perimeter of subject property.

Please let me know if you have any questions.

Talk to you soon,

*Natasha Heindel*

Current Planner  
Mat-Su Borough Planning Department  
350 E. Dahlia Ave. Palmer, Alaska 99645  
Desk: (907) 861-8606  
Natasha.Heindel@matsugov.us

---

**From:** ALG Admin <algunlimited1@gmail.com>  
**Sent:** Monday, April 21, 2025 8:28 AM  
**To:** Peggy Horton <Peggy.Horton@matsugov.us>; Natasha Heindel <Natasha.Heindel@matsugov.us>  
**Subject:** Re: Fort Green Alaska CUP Public Hearing date

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

Hi Peggy & Natasha...



I just wanted to follow-up since we are getting close to May 5th for the scheduled public hearing with the planning commission. What time will the hearing be?

Thank you!

***Terri McKay***

General Manager, Bookkeeper  
Fort Green, LLC  
Retail (907) 357-9333  
Cell (907) 354-1249

On Mon, Feb 24, 2025 at 3:39 PM Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)> wrote:

Good Morning,

You now have a complete application associated with your request for a Conditional Use Permit for the operation of a Marijuana Retail Facility. I have scheduled a public hearing before the Planning Commission for May 5, 2025, and have already begun the public notification process.

Please note: At the public hearing, you will have 15 minutes available to you. You can use this time if you'd like. Some applicants choose to have a presentation to clarify any topics of concern, but most use it just to be available for questions the Planning Commission may have. In any event, it is available to you.

Public Notice Process: I will keep you posted on any public or agency comments we receive. After receiving the costs for mailing and advertising, I will email you to request payment for these expenses. You can expect to receive this request within 3-4 weeks.

Please let me know if you have any questions. Thank you for your time.

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

## Natasha Heindel

---

**From:** Natasha.Heindel@matsugov.us  
**Subject:** FW: Status Update & Parking Clarification Needed

---

**From:** Jana Weltzin <jana@jdwconsult.com>  
**Sent:** Thursday, April 17, 2025 11:34 AM  
**To:** ALG Alaska <algunlimited1@gmail.com>  
**Cc:** Natasha Heindel <Natasha.Heindel@matsugov.us>; Randi Baker <randi@jdwconsult.com>; Brenda Butler <brenda@jdwconsult.com>; Peggy Horton <Peggy.Horton@matsugov.us>  
**Subject:** Re: Status Update & Parking Clarification Needed

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

thank you!

see you guys soon!

Jana D. Weltzin, Esq.

JDW, LLC

Principal Owner

901 Photo Avenue

Anchorage, Alaska 99503

[jana@jdwconsult.com](mailto:jana@jdwconsult.com)

907-231-3750 Office Line

630-913-1113 Cell

\*Licensed in Alaska and Arizona

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Think green, please don't print unnecessarily

On Thu, Apr 17, 2025 at 10:38 AM ALG Alaska <[algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)> wrote:

Yes ma'am I sent it to Kyler Dias to handle as soon as I got it in our email a few days ago.

Thank you ... We'll see you shortly :-)

Terri

On Apr 17, 2025, at 10:13 AM, Natasha Heindel <[Natasha.Heindel@matsugov.us](mailto:Natasha.Heindel@matsugov.us)> wrote:

Good morning all,

Site Visit

Looking forward to seeing you at the site visit here shortly; 11:00 am.

### Comments

Attached are the updated comments from PD&E regarding the infiltration on site; plans are acceptable to Public Works.

No other agency or public comments have been received since our last communication.

### Update to Site Plan Needed

Can you please confirm that you received the below request regarding the update to site plan and/or narrative to resolve parking inconsistencies?

We will chat in person, but wanted to be sure we can answer any questions if you have any.

Talk to you soon,

*Natasha Heindel*

Current Planner

Mat-Su Borough Planning Department  
350 E. Dahlia Ave. Palmer, Alaska 99645

Desk: (907) 861-8606

[Natasha.Heindel@matsugov.us](mailto:Natasha.Heindel@matsugov.us)

---

**From:** Natasha Heindel

**Sent:** Monday, April 14, 2025 5:45 PM

**To:** Ryan, Riley McKay, Walther <[algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)>; Jana Weltzin <[jana@jdwconsult.com](mailto:jana@jdwconsult.com)>;  
Randi Baker <[randi@jdwconsult.com](mailto:randi@jdwconsult.com)>; Brenda Butler <[brenda@jdwconsult.com](mailto:brenda@jdwconsult.com)>; Peggy Horton  
<[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>

**Subject:** Parking Clarification Needed

**Importance:** High

Hello Terri & Fort Green Alaska team,

In reviewing some application materials, we have discovered that there are some inconsistencies in the parking space details between the site plans and the narrative.

The narrative states parking space sizes that are consistent with MSB and ADA guidelines as follows:

- 8 traditional parking spaces: 10' wide x 20' long
- 2 ADA spaces: 11' wide x 20' long, with 7' access aisle

The site plan depicts the following:

- Traditional spaces: 9' wide (must be 10' and match the narrative)
- ADA spaces: 6' wide (must meet ADA guidelines and match the narrative)

Please send an updated site plan with corrections as soon as possible.

We would love to include the updated materials in the staff report to ensure that your proposed plan is clear.

Thank you,



*Natasha Heindel*

Current Planner

Mat-Su Borough Planning Department

350 E. Dahlia Ave. Palmer, Alaska 99645

Desk: (907) 861-8606

[Natasha.Heindel@matsugov.us](mailto:Natasha.Heindel@matsugov.us)

<4-15-25 PD&E Comments.PDF>

## Natasha Heindel

---

**From:** Natasha Heindel  
**Sent:** Wednesday, April 9, 2025 10:11 AM  
**To:** Kyler Dias  
**Cc:** ALG Alaska; Jana Weltzin; Randi Baker; Brenda Butler; Peggy Horton  
**Subject:** RE: Agency Comments and Payment Confirmation - Fort Green Alaska

Good morning Kyler,

If you have any questions regarding the DOT permit you may contact Kristina Huling as noted in the letter. The contact information provided is as follows:

Kristina Huling  
Mat-Su Area Planner, DOT&PF  
Phone: 907-269-0509  
Email: Kristina.huling@alaska.gov

Regarding potential access to Swan Drive, the property directly north of the proposed location for Fort Green is owned by AKDOT&PF.

Kristina may be able to speak more about potential future connections to Swan Drive as noted in the DOT comments.

Talk to you soon,

*Natasha Heindel*

Current Planner  
Mat-Su Borough Planning Department  
350 E. Dahlia Ave. Palmer, Alaska 99645  
Desk: (907) 861-8606  
Natasha.Heindel@matsugov.us

---

**From:** Kyler Dias <kyler@x907.com>  
**Sent:** Monday, April 7, 2025 7:14 PM  
**To:** Natasha Heindel <Natasha.Heindel@matsugov.us>  
**Cc:** ALG Alaska <algunlimited1@gmail.com>; Jana Weltzin <jana@jdw counsel.com>; Randi Baker <randi@jdw counsel.com>; Brenda Butler <brenda@jdw counsel.com>; Peggy Horton <peggy.horton@matsugov.us>  
**Subject:** Re: Agency Comments and Payment Confirmation - Fort Green Alaska

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

Evening Natasha-

Please see attached driveway permit that we applied for in September. In regards to the DOT letter there are several issues that I would like to explain to them regarding their comments. First we do not own the property on the North or East ends of the property. We are limited to the current access that was built by the DOT when they divided the highway. Multiple other businesses access the highway directly and that was always our plan based both off the historical use of the property but also what other businesses have been allowed to do on the new road. Is it appropriate for me to reach out directly to the DOT in

these matters? If you wouldn't mind reminding the DOT that we have an active driveway application in the system approaching 8 months I would greatly appreciate that as well. Please feel free to reach out to me on my cell phone number listed below with any questions.

Respectfully,

Kyler Dias, Civil Engineer (EIT)  
907-602-4293

---

**From:** Natasha Heindel  
**Sent:** Friday, April 4, 2025 11:00 AM  
**To:** [algunlimited1@gmail.com](mailto:algunlimited1@gmail.com); [jana@jdwconsult.com](mailto:jana@jdwconsult.com); Brenda Henry <[brenda.henry@matsugov.us](mailto:brenda.henry@matsugov.us)>; [randi@jdwconsult.com](mailto:randi@jdwconsult.com)  
**Cc:** Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>  
**Subject:** Agency Comments and Payment Confirmation - Fort Green Alaska

Hi Teri & team,

Very nice to speak with you this morning Teri.

Looking forward to our site visit on the 17<sup>th</sup> and seeing you in person.

#### Comments

Attached are the agency comments we spoke of that have been received so far:

- ADOT&PF
- Road Service Area (RSA)

As discussed, ADOT&PF is the governing authority on the driveway access on the Parks Highway for your location.

If you do require or desire driveway access onto Swan Drive please submit a driveway permit with our MSB Permit Center as Swan Drive is a Borough maintained road.

#### Payment Confirmation

Confirmation of our receipt of payment is also attached.



Thank you for your timely response!

We will keep you posted with any additional comments that are received and the final staff report when it is available.

Talk to you soon,

*Natasha Heindel*

Current Planner

Mat-Su Borough Planning Department

[350 E. Dahlia Ave. Palmer, Alaska 99645](#)

Desk: (907) 861-8606

[Natasha.Heindel@matsugov.us](mailto:Natasha.Heindel@matsugov.us)

--

*\*\* Please REPLY ALL when responding to this Email\*\**

*Brenda Butler*

JDW Counsel

Senior Paralegal

Notary Public/Remote Online Notary

& Accounts Payable/Receivable

[901 Photo Avenue](#), Second Floor

Anchorage, Alaska 99503

Phone: 907-231-3750

Fax: 360-483-3750

[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)

[info@jdwcounsel.com](mailto:info@jdwcounsel.com)

The author of this email is not an attorney. This communication does not constitute legal advice and should not be construed as such. The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is strictly prohibited. If you have

Plan Review Response Sheet- Responses

- A. The scale stated on the site plan is 1" = 40", but it does not align with the measurements using an architectural scale. Some dimensions are off by 7 to 10 feet, which raises concerns. This discrepancy may result from resizing during printing or scanning. Additionally, the inconsistencies between the current and previous site plans further question the scale reliability.
1. Provide a site plan to scale, as is required on page 2 of the application.  
The site plan is scaled 11"x17". Is this acceptable? If printed to 22x34 scale would be 1"=40'. Scanning could potentially affect scale if the document is resized. During prior revisions issue with scale on parking plan / license plan and lighting plan that has been corrected.
  2. Provide the distance from the proposed use to the northern property line as required on page 2 of the application.  
This has been added to site plans.
- B. Indicate which structure will be used for the proposed use, as required on page 2 of the application.  
Note added to Drawing C-04- Site Map and C-05- Parking and Lighting Plan.
- C. Identify the structure located at the northwest corner of the parking area, shown on the site plan.  
Was intended as a landscaped area, this was not installed during placement of D1. The light pole was removed when MEA buried electrical line and has been removed from drawings.
- D. The Borough's 2024 imagery indicates that there are two, possibly three, additional structures near the northern property line. These structures were not included in the site plan. Explain the narrative or the site plan.  
Two temporary cabins were removed from the property in 2024, previous property owners had used them as rentals, structures had no foundations and were trucked offsite. There are no permanent structures on the property other than the proposed dispensary. (pictures can be provided if needed.)
- E. Label the retail store space on the floor's plans (A01 and A03) as has been done on the floor plans (A01 and A03) as has been done for other rooms in the structure.  
Added to revised A01 and A03 Retail Space.
- F. Revise the vehicle and pedestrian plan to resolve conflicting dimensions when compared to drawing C-04. This update should also incorporate the fence line to clearly define the location of the driveway off the Parks Highway.  
Changes Made on Drawing C-05 resolves conflicts with C-04.

- G. Provide the location of all exterior lighting on the site plan, as required by page 2 of the application.

The exterior flood lighting is shown on drawing C-05 attached. The LED lighting projects into the parking lot and the entrance road off the parks highway as well as the drivethrough area.

- H. The site plan or narrative does not indicate compliance with current ADA Guidelines and MSB 17.60.170 (C).

1. The ADA parking area and access aisle must be on a smooth, stable, and virtually level surface. Typically, this is asphalt or concrete. Gravel or soil is not considered a smooth, stable surface. Update the site plan or narrative to reflect this requirement.

Added note detailing 2" of pavement. The asphalts will be sloped 2% for drainage this is within ADA requirements.

2. The ADA parking access aisle must be marked to discourage parking in that area, such as diagonal stripes or hatch marks. Update the site plan or narrative to reflect this requirement.

This was the intent of the access aisle. Note added stating access aisle to be striped on C-05 Parking Plan for clarity.

- I. The site plan states that handicap signs will be mounted on the canopy columns. Provide a statement verifying compliance with MSB 17.60.170 (B), which requires a minimum overhead clearance of 7 feet in the ADA parking area.

Overhead clearance is 14' note added to both C-04 and C-05.

- J. The site plan shows the installation of drainage infiltration areas. Please provide the dimensions of the infiltration areas, along with plans and profiles.

Dimensions added. Detail added on drawing C-04 showing profile of infiltration area.





## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

#### Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

-w-[www.matsugov.us](http://www.matsugov.us)

January 30, 2025

Ryan McKay  
901 Photo Avenue  
Second Floor  
Anchorage AK 99503

SUBJECT: Conditional Use Permit Application for Marijuana Retail Facility – Request for Required Information

LOCATION: 7821 W. Parks Hwy – Tax ID #1818000L001

Dear Mr. McKay,

Borough staff has reviewed the application material and the site plan(s) submitted on August 8, 2024, September 6, 2024, November 7, 2024, and January 10, 2025, for a Conditional Use Permit to operate a Marijuana Retail Facility under MSB 17.60 on the above-referenced property. It has been determined that the following information needs to be provided and clarified to process this request:

- A. The scale stated on the site plan is 1" = 40', but it does not align with the measurements using an architectural scale. Some dimensions are off by 7 to 10 feet, which raises concerns. This discrepancy may result from resizing during printing or scanning. Additionally, the inconsistencies between the current and previous site plans further question the scale's reliability.
  1. Provide a site plan to scale, as is required on page 2 of the application.
  2. Provide the distance from the proposed use to the northern property line as required on page 2 of the application.
- B. Indicate which structure will be used for the proposed use, as required on page 2 of the application.
- C. Identify the structure located at the northwest corner of the parking area, shown on the site plan.
- D. The Borough's 2024 imagery indicates that there are two, possibly three, additional structures on the property near the northern property line. These structures were not included in the site plan. Explain the narrative on the site plan.
- E. Label the retail store space on the floor plans (A01 and A03) as has been done for other rooms in the structure.

- F. Revise the vehicle and pedestrian plan to resolve conflicting dimensions when compared to Drawing C-04. This update should also incorporate the fence line to clearly define the location of the driveway off the Parks Highway.
- G. Provide the location of all exterior lighting on the site plan, as required by page 2 of the application.
- H. The site plan or narrative does not indicate compliance with current ADA Guidelines and MSB 17.60.170(C).
  - 1. The ADA parking area and access aisle must be on a smooth, stable, and virtually level surface. Typically, this is asphalt or concrete. Gravel or soil is not considered a smooth, stable surface. Update the site plan or narrative to reflect this requirement.
  - 2. The ADA parking access aisle must be marked to discourage parking in that area, such as diagonal stripes or hatch marks. Update the site plan or narrative to reflect this requirement.
- I. The site plan states that the handicap signs will be mounted on the canopy columns. Provide a statement verifying compliance with MSB 17.60.170(B), which requires a minimum overhead clearance of 7 feet in the ADA parking area.
- J. The site plans show the installation of drainage infiltration areas. Please provide the dimensions of the infiltration areas, along with plans and profiles.

Once the application is complete, staff will begin the public notice process. Should you have any questions or require additional information, please contact me at the above mailing address, phone number 861-7862, or email address [peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us). Thank you for your time and consideration on this matter.

Respectfully,

*Peggy Horton*

Peggy Horton  
Current Planner  
Matanuska-Susitna Borough

CC:  
Jana Weltzin's office via email



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

#### Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

-w-[www.matsugov.us](http://www.matsugov.us)

November 22, 2024

Ryan McKay  
901 Photo Avenue  
Second Floor  
Anchorage AK 99503

SUBJECT: Conditional Use Permit Application for Marijuana Retail Facility – Request for Required Information

LOCATION: 7821 W. Parks Hwy – Tax ID #1818000L001

Dear Mr. McKay,

Borough staff has reviewed the application material and the site plan(s) submitted on August 8, 2024, September 6, 2024, and November 7, 2024, for a Conditional Use Permit to operate a Marijuana Retail Facility under MSB 17.60 on the above-referenced property. It has been determined that the following information needs to be provided and clarified to process this request:

- A. The parking spaces do not meet the required dimensions.
  1. According to MSB 17.60.170(B) *Each parking space shall be at least: 20 feet in length, ten feet wide, and have a vertical clearance of at least seven feet.*
  2. The parking dimensions stated in paragraph 4 on page 7 of the narrative differ from those shown on the site plan.
- B. The ADA spaces do not conform to the ADA Guidelines.
  1. I've included a handout from the ADA website that should help. More resources are available on their website: <https://www.ada.gov/topics/parking/>
  2. The ADA parking area and access aisle must be on a smooth, stable, and virtually level surface. Update the site plan or narrative to reflect this requirement.
  3. ADA signage is required for the ADA spaces. Update the site plan or narrative to address this requirement.
- C. The building at 7821 W. Parks Hwy received the Division of Fire and Life Safety Full Plan Review on June 12, 2024.
  1. Provide further documentation linking Mr. Lage's email from October 17, 2024, to the property involved or to the Fire Plan Review number.



- D. Provide further documentation linking the property involved (street address or Tax ID#) to the surveyor's letter. Ensure that the licensed surveyor's stamp is on this certification letter.
- E. There is conflicting information concerning the signage placement.
1. Page 9 of the narrative states that signage will be mounted on the west side of the building facing the W. Parks Highway, except that the building's west side does not face W. Parks Highway.
  2. The narrative describes two signs: one measuring 4' X 3.5' and the other measuring 5' X 4'. While the first sign is described, its placement is not specified. In contrast, the second sign is identified as being mounted at the peak of the roof. Additionally, the sentence at the top of page 10 states, "*Sign will be mounted 8' from ground level...*" However, it does not clarify which sign this refers to or if it pertains to a different sign entirely.
    - a. Please clarify the location of the proposed signage.
  3. A diagram showing the proposed sign placements on or off the building may help clarify these issues.
- F. On sheet A03, there are dimensions on either side of the structure measuring 29'6", but the line with arrows on the right is longer than the line with arrows on the left.
1. Update Sheet A03.
  2. The site plan C-04 indicates a dimension of 31'0" for the west side of the structure. This conflicts with Sheet A03, which states that the structure measures 29'6" plus a 7'6" deck, totaling 37'2" on that side. The narrative states the structure is 29.6' X 23' with a total square footage of 1237.4 square feet. Resolve this conflicting information.
- G. Sheet A01, received on August 8, 2024, displays both the first floor and the basement. This drawing is the only one that includes the basement floor plan. However, there are discrepancies between this sheet and the current Sheet A03. Notably, the drive-through window, steps, and deck leading to the doors are absent in Sheet A01.
1. Provide an updated basement floor plan for use in the application.
- H. The application to AMCO for the drive-thru window was heard on November 20, 2024.
1. Provide AMCO's approval of this new feature.

Once the application is complete, staff will begin the public notice process. Should you have any questions or require additional information, please get in touch with me at the above mailing address, phone number 861-7862, or email address [peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us). Thank you for your time and consideration on this matter.

Respectfully,

Peggy Horton

Peggy Horton  
Current Planner  
Matanuska-Susitna Borough

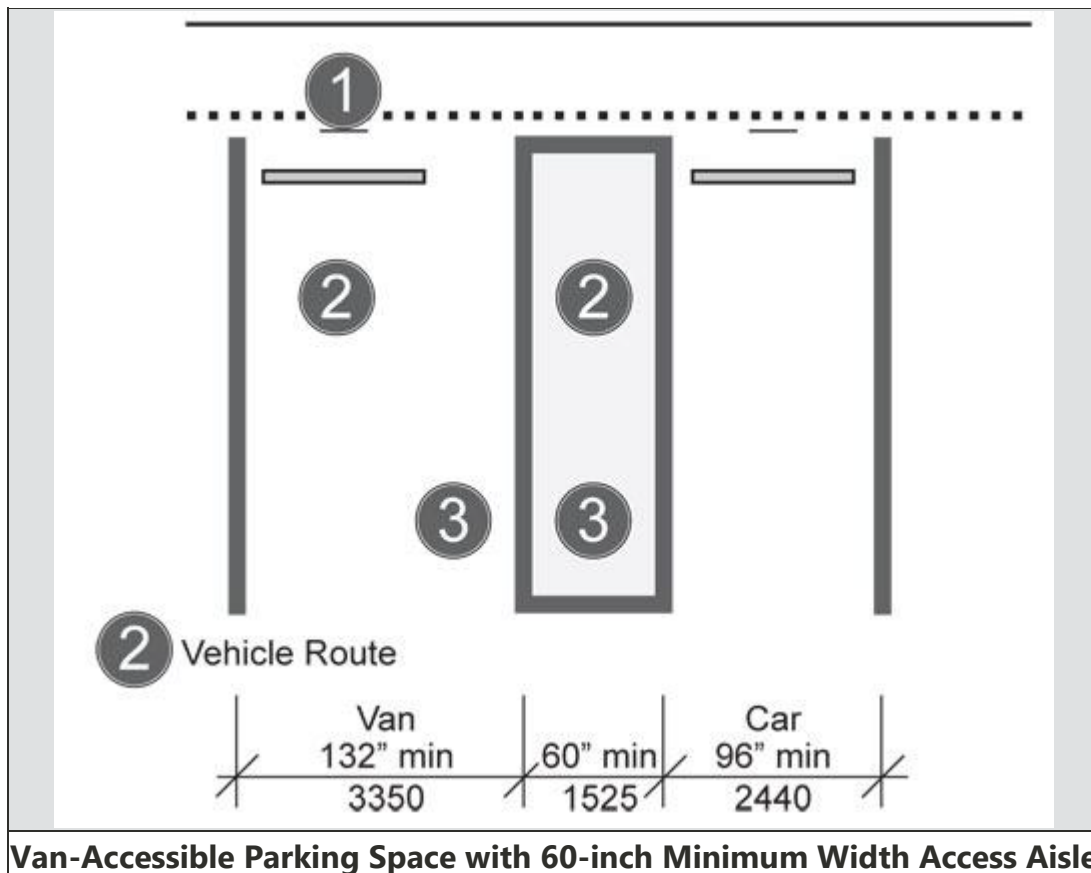
Attachment:  
ADA Parking information

cc:  
Jana Weltzin's office via email

From [www.ada.gov/resources/restriping-parking-spaces/](http://www.ada.gov/resources/restriping-parking-spaces/)

## Additional Features of Van-Accessible Parking Spaces

Van-accessible parking spaces incorporate the features of accessible parking spaces on the previous page and require the following additional features: a “van accessible” designation on the sign; different widths for the van parking space or the access aisle; and at least 98 inches of vertical clearance for the van parking space, access aisle, and vehicular route to and from the van-accessible space. The first image below shows a van-accessible space with a 60-inch minimum width access aisle. The second image shows a van-accessible space with a 96-inch minimum width access aisle. Both configurations are permitted and requirements for van-accessible signage and vertical clearance apply to both configurations.



### Notes (for illustrations above and below):

1. Parking space identification sign with the international symbol of accessibility and designation, “van accessible.” Note, where four or fewer parking spaces are



provided on a site, a sign identifying the accessible space, which must be van-accessible, is not required.

2. Vertical clearance of 98 inches minimum to accommodate van height at the vehicle parking space, the adjacent access aisle, and on the vehicular route to and from the van-accessible space.
3. Van parking space must be 132 inches wide minimum with an adjacent 60-inch wide minimum access aisle. A van parking space of 96 inches wide minimum with an adjacent 96-inch wide minimum access aisle is also permitted (see below).



**From:** [Peggy Horton](#)  
**To:** [Brenda Butler](#)  
**Cc:** [algunlimited1@gmail.com](#); [Jana Weltzin](#); [Randi Baker](#)  
**Subject:** RE: Fort Green, LLC DBA Fort Green Alaska - Application for Conditional Use  
**Date:** Friday, November 22, 2024 3:50:00 PM  
**Attachments:** [RFAI 11-21-24.pdf](#)  
[image001.png](#)  
[ADA website help.docx](#)

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Hello and thank you for your patience.

The updated Request for Additional Information for Fort Green Retail Facility CUP is attached.  
Please let me know if you have any questions.

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

---

**From:** Brenda Butler <brenda@jdwcounsel.com>  
**Sent:** Thursday, November 7, 2024 2:49 PM  
**To:** Peggy Horton <Peggy.Horton@matsugov.us>  
**Cc:** [algunlimited1@gmail.com](#); [Jana Weltzin](#) <jana@jdwcounsel.com>; [Randi Baker](#) <randi@jdwcounsel.com>  
**Subject:** Re: Fort Green, LLC DBA Fort Green Alaska - Application for Conditional Use

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

Good Afternoon Peggy,

Please see attached JDW response to the RFAI dated 9-13-2024 and the associated documents.

Let us know if there is anything else you need in order to deem this application complete.

Thank you and have a great day!

On Thu, Aug 15, 2024 at 8:39 AM Brenda Butler <[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)> wrote:

Good morning Peggy,

Thank you for letting us know, we appreciate it!

Have a wonderful day

On Thu, Aug 15, 2024 at 8:35 AM Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)> wrote:

Good Morning Brenda,  
I received the check for \$1,500 for the CUP

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



---

**From:** Brenda Butler <[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)>  
**Sent:** Friday, August 9, 2024 11:01 AM  
**To:** Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>  
**Cc:** [algunlimited1@gmail.com](mailto:algunlimited1@gmail.com); Jana Weltzin <[jana@jdwcounsel.com](mailto:jana@jdwcounsel.com)>; Randi Baker <[randi@jdwcounsel.com](mailto:randi@jdwcounsel.com)>  
**Subject:** Re: Fort Green, LLC DBA Fort Green Alaska - Application for Conditional Use

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

Thanks Peggy, they must have sent us the wrong one, we'll get on this right now.

Thanks for checking on this so we have time to fix it.

Happy Friday!

On Fri, Aug 9, 2024 at 10:22 AM Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)> wrote:

Brenda, the driveway permit you sent with the application is for the 7100 Sylvan Lane



Cultivation property. Fort Green is on the Parks Hwy, so it will need a DOT driveway permit for this change of use.

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



---

**From:** Brenda Butler <[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)>

**Sent:** Thursday, August 8, 2024 4:57 PM

**To:** Rick Benedict <[Rick.Benedict@matsugov.us](mailto:Rick.Benedict@matsugov.us)>; Peggy Horton  
<[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>

**Cc:** [algunlimited1@gmail.com](mailto:algunlimited1@gmail.com); Jana Weltzin <[jana@jdwcounsel.com](mailto:jana@jdwcounsel.com)>; Randi Baker  
<[randi@jdwcounsel.com](mailto:randi@jdwcounsel.com)>

**Subject:** Fort Green, LLC DBA Fort Green Alaska - Application for Conditional Use

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

Good Afternoon Rick and Peggy,

Please find the attached application and supplemental documents for a conditional use permit for a retail marijuana store.

Fees are in the mail.

Please confirm receipt of this email submission and all 11 of its attachments.

Thank you and have a great evening!

--

***\*\* Please REPLY ALL when responding to this Email\*\****



May 5, 2025  
Planning Commission Meeting  
Liscensed in Alaska & 152 of 318  
901 Photo Ave, Second Floor  
Anchorage, Alaska 99503  
Phone 907-231-3750  
JDW, LLC  
jana@jdwcounsel.com

Planning and Land Use Department  
Attn: Peggy Horton  
350 East Dahlia Avenue  
Palmer, Alaska 99645  
*Sent via e-mail*

November 7, 2024

Re: Conditional Use Permit Application for Fort Green, LLC.

Good day Peggy,


This letter is in response to your request for additional information letter dated 8/27/2024.

- A. Attached is the updated site plan that includes; signage, drainage, parking dimensions, fence, driveway dimensions and ADA parking requirements.
  - a. Vegetation on surrounding properties exists and was included on the site plan for accuracy, not to act as a buffer for the retail facility. Site Plan has been updated with the parcel's vegetation (grassy area) and future "grassy area". Vegetation photos attached.
  - b. The existing building is over 25' from the Parks Highway right of way and has been surveyed to confirm distance.
- B. A DOT driveway permit has been applied for, see attached application confirmation.
- C. Page 4, first paragraph – clarified AMCO's drive through regulation regarding children's ages.
- D. Page 5, middle paragraph - Access to restricted access areas has been revised for clarity.
- E. Foot symbols have been added as requested and "aisle" has been updated.
- F. The landscaped grassy area on the side of the building has been added to the site plan.
- G. Fire Marshal does not require a full plan review to add a drive through window, nor do they require a renovation permit for the addition of this drive-through window. The Fire Marshal has updated the Fort Green, LLC file with the updated plans, see attached communication.
- H. First Sentence in the seventh paragraph – deter: to be used by both definitions. Definition 1 – discourage (someone) from doing something by instilling doubt or fear of the consequences and Definition 2. Prevent the occurrence of.
- I. The fifth paragraph in the narrative has been changed to clarify that the property is surrounded by homes that are located on wooded parcels of land.

- J. The drive through application MJ-31 has been submitted to the AMCO office and should be approved during the November MCB meeting. The licensees do not intend to open the drive through until 2025 and will not open the drive through window until MCB approval, AMCO inspection and the MSB planning office/code enforcement is informed after this conditional use permit is approved.

We would like to take this opportunity to voice our concern that there is no modification process for conditional use permit applications. The lack of ability to modify a conditional use permit causes an unnecessary burden on the applicants and forces applicants to implement business practices that they aim for in the future to occur in the present to avoid having to apply for and go through the process of a full conditional use application for a change such as; adding a drive through. Modifications would simplify an already approved permit, require documentation that is pertinent to the modification, speed up the process and still involve the MSB Planning office and/or the Planning Commission if the modification is major or provides the MSB Planning office the ability for an administrative approval, depending on the modification. We respectfully request that this be brought to the attention of the Planning Commission for consideration and hopefully direction to begin a project to amend the MSB Ordinances to allow for modifications.

Truly and Sincerely Yours,



Jana D. Weltzin, Esq.



**From:** [Peggy Horton](#)  
**To:** [Brenda Butler](#)  
**Cc:** [jana@jdwcounsel.com](mailto:jana@jdwcounsel.com); [Randi Baker](#); [Ryan, Riley McKay, Walther](#)  
**Subject:** RE: Fort Green, LLC DBA Fort Green Alaska License #32116  
**Date:** Friday, September 13, 2024 1:05:00 PM  
**Attachments:** [RFAI 9-13-24.pdf](#)  
[image001.png](#)

---

Hello,

I've attached the new request for additional information to this email. Please let me know if you have any questions. I'll be back on September 30, 2024.

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



---

**From:** Brenda Butler <brenda@jdwcounsel.com>  
**Sent:** Friday, September 6, 2024 11:34 AM  
**To:** Peggy Horton <Peggy.Horton@matsugov.us>  
**Cc:** jana@jdwcounsel.com; Randi Baker <randi@jdwcounsel.com>; Ryan, Riley McKay, Walther <algunlimited1@gmail.com>  
**Subject:** Re: Fort Green, LLC DBA Fort Green Alaska License #32116

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

Good Morning Peggy,

Apologies for the delay. Attached is the CUP Narrative and an MJ-31 for your consideration and signature.  
Updated CUP Diagrams attached as well.

Thank you and Happy Friday!



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

#### Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

-w-[www.matsugov.us](http://www.matsugov.us)

August 27, 2024 \*\*

Ryan McKay  
901 Photo Avenue  
Second Floor  
Anchorage AK 99503

**\*\*Staff notes that this Request for Required Information was sent on September 13, 2024 though the date shows August 27, 2024. For verification see the previous request sent on August 27, 2024, and see the email sent September 13, 2024 which references this document containing updated information.**

SUBJECT: Conditional Use Permit Application for Marijuana Retail Facility – Request for Required Information

LOCATION: 7821 W. Parks Hwy – Tax ID #1818000L001

Dear Mr. McKay,

Borough staff has reviewed the application material and the site plan(s) submitted on August 8, 2024, and on September 6, 2024, for a Conditional Use Permit to operate a Marijuana Retail Facility under MSB 17.60 on the above-referenced property. It has been determined that the following information needs to be provided and/or clarified to process this request:

- A. The site plan provided is deficient. Provide a site plan(s) that includes all requirements outlined on page 2 of the application.
  1. The site plan does not depict the location of any signage.
  2. The site plan does not depict the proposed drainage on the property.
  3. The site plan does not provide the dimensions of the parking spaces.
  4. The most recent site plan does not include the fence.
  5. The site plan does not provide the dimensions of the driveway.
  6. The ADA spaces do not comply with the ADA Guidelines and are not dimensioned or marked on the most recent site plan received on 9-6-24.
    - a. ADA Parking Requirements can be found on the web here: <https://www.ada.gov/topics/parking/>
  7. The site plan indicates there is existing well-treed vegetation on three sides of the proposed facility.
    - a. The 2011 through 2022 MSB Aerial Imagery shows that the property is mostly unvegetated. See the attached maps.
    - b. Vegetation on surrounding properties is not considered a buffer for your facility.
  8. It appears the existing building is not 25' from the Parks Highway right-of-way. See the attached maps.
    - a. If you are moving the existing structure, or building a new one, add that information to the application material.

9. The compass direction on interior plan A03 is incorrect. According to the C-01 drawing, the front of the building faces northwest.
- B. Provide evidence of an approved driveway permit onto the Parks Highway for this use or evidence of an application to ADOT&PF for a driveway permit.
- C. The first sentence on Page 4 has some grammatical errors that make the meaning unclear. The sentence describes the driver of the vehicle and what may be the children's ages.
- D. The middle paragraph on page 5 states, "Access to restricted areas will only be granted to .....and those customers over the age of 21."
  1. This appears to include any customer over the age of 21.
- E. In the fourth paragraph on page 7, the dimensions of the parking areas do not include the foot symbols ('), and the word aisle is misspelled.
- F. The fifth paragraph on page 7 states the facility has incorporated measures to reduce negative effects, including natural landscaping screening. The aerial imagery from 2011 to 2021 shows little to no trees on the property, and as stated previously, treed areas on adjacent properties should not be used to describe screening for the facility and should not be included in the site plan as if they are on the subject property. If the applicant intends to install this screening, add that information to the application.
  1. Show the described landscaped grassy areas in the front and side areas on the site plan so the Planning Commission can see where this is planned.
- G. The building at 7821 W. Parks Hwy received the Division of Fire and Life Safety Full Plan Review on June 12, 2024. It appears changes to the building, including the addition of the drive-thru window, have been proposed after that date.
  1. Provide an updated Full Plan Review to include the changes proposed to the structure.
- H. The first sentence in the seventh paragraph on Page 7 does not make sense. It reads as if the light fixture housings will deter common obstructions. What does this mean?
- I. Again, in the fifth paragraph on page 8, the narrative states that there is a wooded area on the Fort Green property. However, as shown on the 2011 to 2022 borough aerial imagery, this does not appear to be the case.
- J. The application to AMCO on May 25, 2022, did not include the drive-thru window, and I understand that you are applying now for that feature.
  1. Provide AMCO's approval of this new feature.

Once an application has been completed, staff will begin the public notice process. Should you have any questions or require additional information, please contact me at the above mailing address, phone number 861-7862, or email address [peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us). Thank you for your time and consideration on this matter.



Respectfully,

*Peggy Horton*

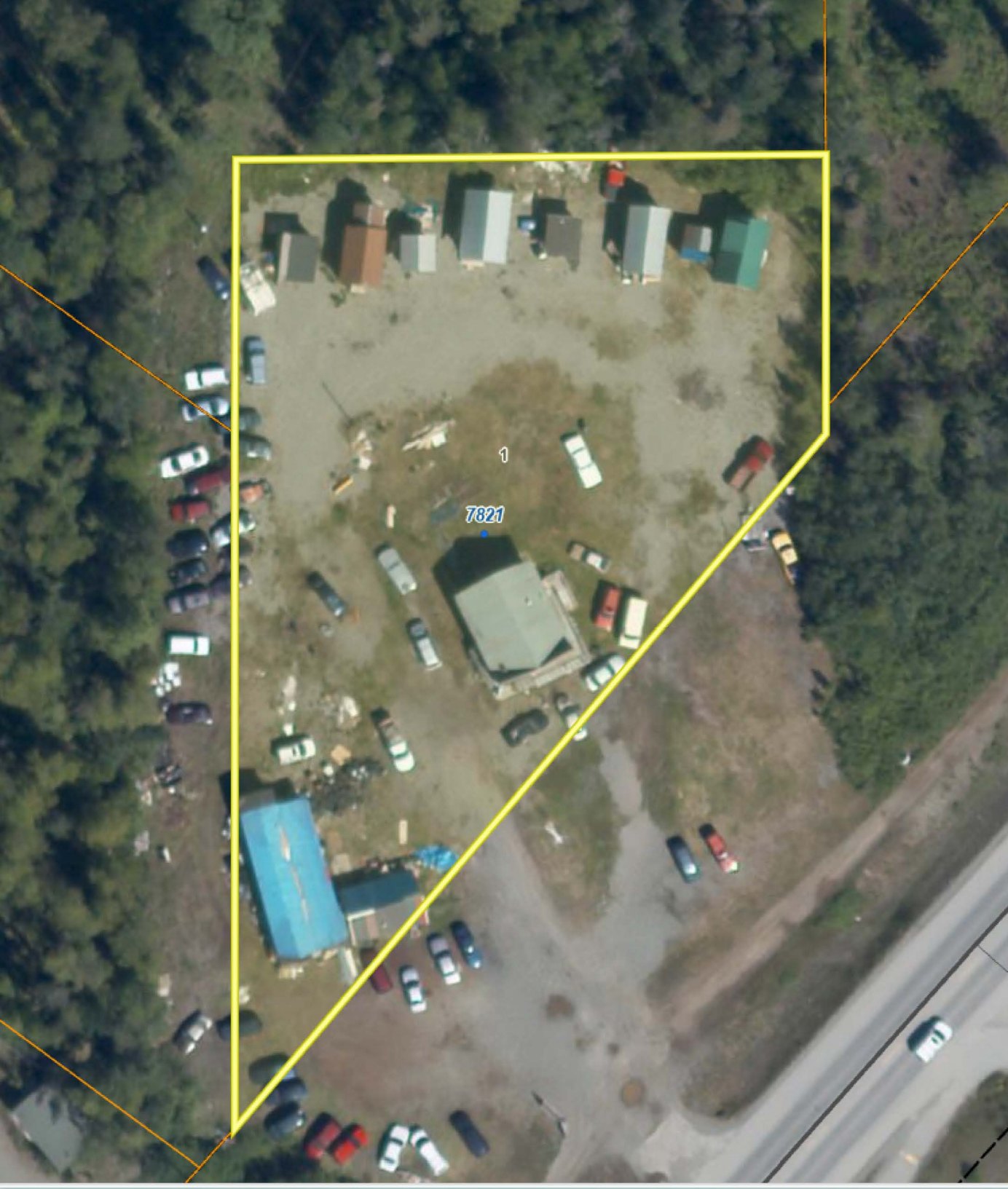
Peggy Horton  
Current Planner  
Matanuska-Susitna Borough

Attachments:  
2011-2022 MSB Aerial Imagery

cc:  
Jana Weltzin office via email



2011 Imagery



2016 Imagery

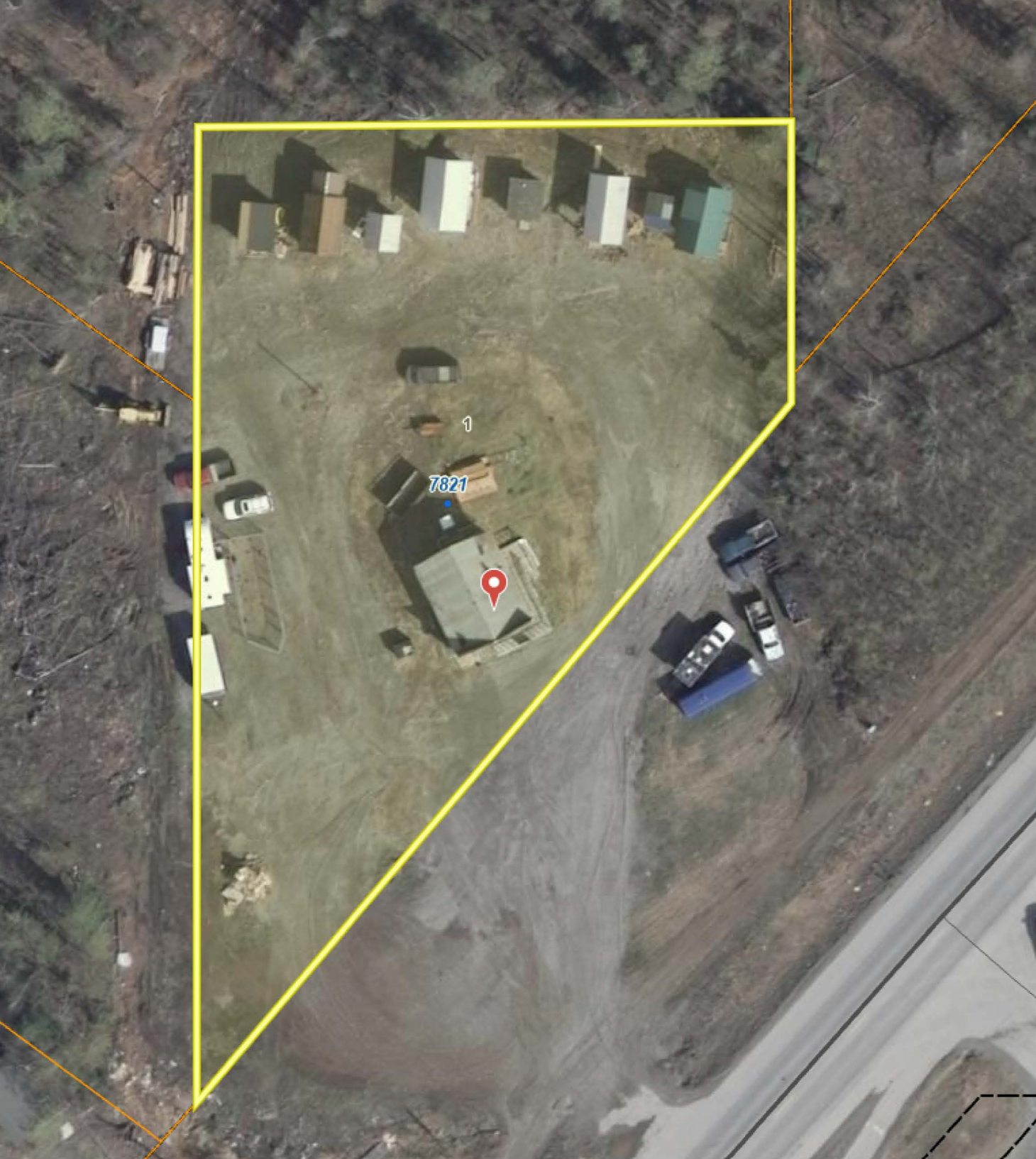


2017 Imagery



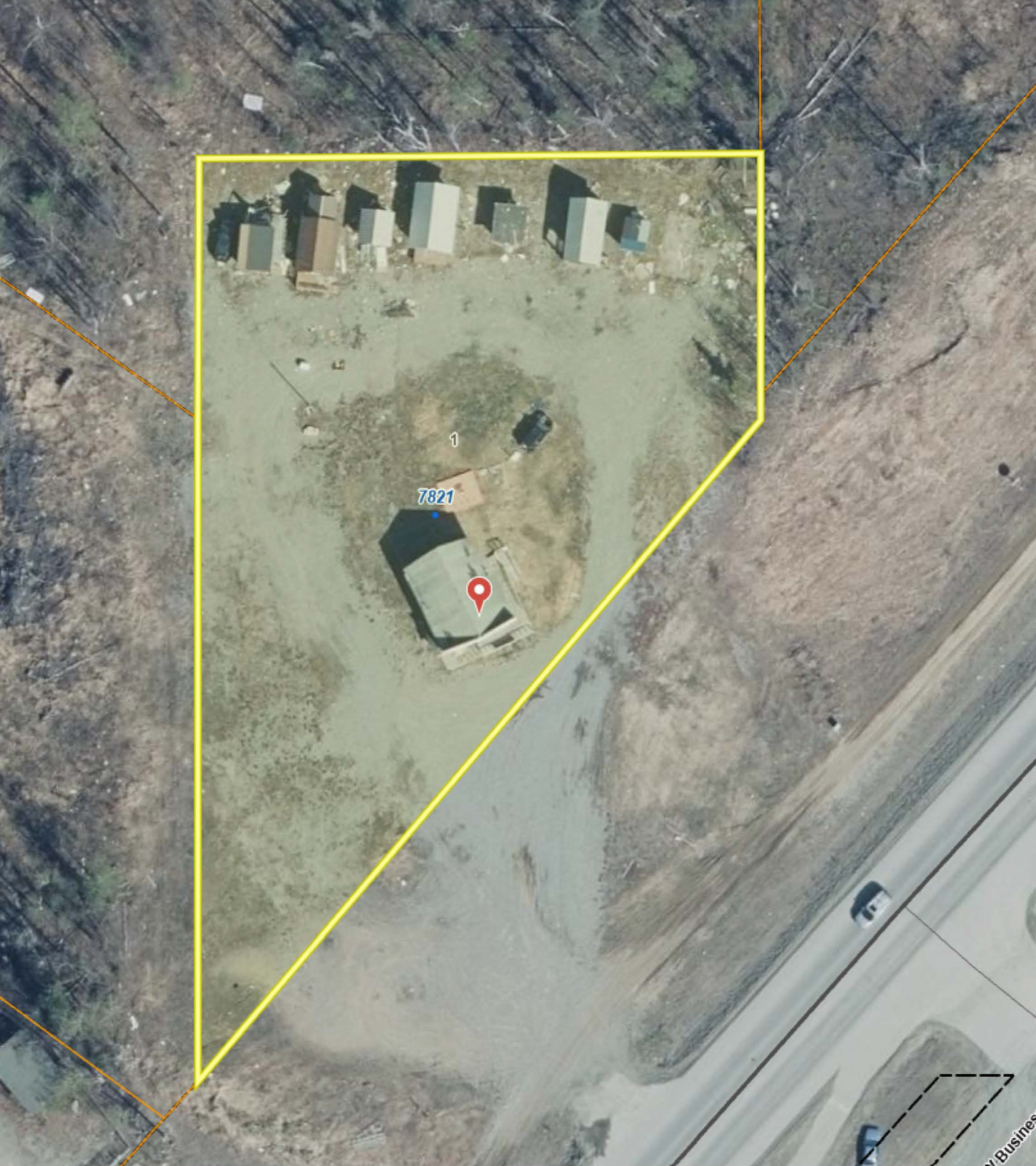


2019 Imagery





2021 Imagery





2022 Imagery





## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

#### Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

[www.matsugov.us](http://www.matsugov.us)

August 27, 2024

Ryan McKay  
901 Photo Avenue  
Second Floor  
Anchorage AK 99503

SUBJECT: Conditional Use Permit Application for Marijuana Retail Facility – Request for Required Information

LOCATION: 7821 W. Parks Hwy – Tax ID #1818000L001

Dear Mr. McKay,

Borough staff has reviewed the application material and the site plan(s) submitted on August 8, 2024, for a Conditional Use Permit to operate a Marijuana Retail Facility under MSB 17.60 on the above-referenced property. It has been determined that the following information needs to be provided and/or clarified to process this request:

- A. The site plan provided is deficient. Provide a site plan(s) that includes all requirements outlined on page 2 of the application.
  1. The site plan does not depict the location of any signage.
  2. The site plan does not depict the proposed drainage on the property.
  3. The ADA spaces do not comply with the ADA Guidelines
    - a. ADA Parking Requirements can be found on the web here: <https://www.ada.gov/topics/parking/>
  4. The site plan indicates there is existing well-treed vegetation on three sides of the proposed facility.
    - a. 2022 MSB Aerial Imagery shows that the property is mostly unvegetated. See the attached maps.
    - b. Vegetation on surrounding properties is not considered a buffer for your facility.
    - c. It appears the existing building is not 25' from the Parks Highway right-of-way. See the attached maps.
- B. Provide evidence of an approved driveway permit onto the Parks Highway for this use or evidence of an application to ADOT&PF for a driveway permit.
- C. Provide a narrative discussing how the facility's operation, as required on page 2 and 3 of the application.



Once an application has been completed, staff will begin the public notice process. Should you have any questions or require additional information, please contact me at the above mailing address, phone number 861-7862, or email address [peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us). Thank you for your time and consideration on this matter.

Respectfully,

Peggy Horton  
Current Planner  
Matanuska-Susitna Borough

cc:  
Jana Weltzin via email  
Attached Maps

**From:** [Brenda Butler](#)  
**To:** [Peggy Horton](#)  
**Cc:** [jana@jdwounsel.com](#); [Randi Baker](#); [Ryan, Riley McKay, Walther](#)  
**Subject:** Re: Fort Green, LLC DBA Fort Green Alaska License #32116  
**Date:** Friday, September 6, 2024 11:36:49 AM  
**Attachments:** [CUP Retail Narrative Fort Green.pdf](#)  
[MJ-31 32116 Retail - Signed.pdf](#)  
[FT Green- Site Map- License- Revision 1.pdf](#)  
[FT Green- Floorplan- A03- Decks- Revision 2- DTW.pdf](#)

---

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

Good Morning Peggy,

Apologies for the delay. Attached is the CUP Narrative and an MJ-31 for your consideration and signature.

Updated CUP Diagrams attached as well.

Thank you and Happy Friday!

On Wed, Aug 28, 2024 at 10:26 AM Brenda Butler <[brenda@jdwounsel.com](mailto:brenda@jdwounsel.com)> wrote:

Hi Peggy,

Sorry about that! We have some updates to the narrative, we will send it to you today or tomorrow.

Apologies for any inconvenience.

Have a great day!

On Tue, Aug 27, 2024 at 12:15 PM Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)> wrote:

Brenda,

We didn't receive a narrative with this application. Can you send that along to me? I'll be processing this permit.

Thank you,

Peggy Horton

Current Planner

907-861-7862

**From:** Brenda Butler <[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)>  
**Sent:** Friday, August 9, 2024 9:31 AM  
**To:** Rick Benedict <[Rick.Benedict@matsugov.us](mailto:Rick.Benedict@matsugov.us)>  
**Cc:** [algunlimited1@gmail.com](mailto:algunlimited1@gmail.com); Jana Weltzin <[jana@jdwcounsel.com](mailto:jana@jdwcounsel.com)>; Randi Baker <[randi@jdwcounsel.com](mailto:randi@jdwcounsel.com)>; Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>  
**Subject:** Re: Fort Green, LLC DBA Fort Green Alaska License #32116

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

Thank you Rick,

Fees are in the mail for the CUP, hopefully you receive them soon.

Happy Friday, have a wonderful weekend!

On Fri, Aug 9, 2024 at 9:19 AM Rick Benedict <[Rick.Benedict@matsugov.us](mailto:Rick.Benedict@matsugov.us)> wrote:

Hello Brenda,

The completed MJ-14 is attached. The application for a Conditional Use Permit for Fort Green Alaska's proposed marijuana retail store (#32116) was received this morning via email. However, it will remain incomplete until the application fee is received and staff reviews it to determine its completeness.

Respectfully,

Rick Benedict – Current Planner  
Development Services Division  
Matanuska-Susitna Borough  
(907)861-8527 direct



**From:** Brenda Butler <[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)>  
**Sent:** Wednesday, August 7, 2024 3:54 PM  
**To:** Rick Benedict <[Rick.Benedict@matsugov.us](mailto:Rick.Benedict@matsugov.us)>; Peggy Horton  
<[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>  
**Cc:** [algunlimited1@gmail.com](mailto:algunlimited1@gmail.com); Jana Weltzin <[jana@jdwcounsel.com](mailto:jana@jdwcounsel.com)>; Randi Baker  
<[randi@jdwcounsel.com](mailto:randi@jdwcounsel.com)>  
**Subject:** Fort Green, LLC DBA Fort Green Alaska License #32116

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

Good Afternoon Peggy and Rick,

Please find the attached MJ-14 premises diagram change for your consideration.

Feel free to contact our office if you have any questions or concerns.

Thank you and have a wonderful evening.

--

*\*\* Please REPLY ALL when responding to this Email \*\**

*Brenda Butler*

JDW Counsel  
Senior Paralegal, Notary Public  
& Accounts Payable/Receivable  
901 Photo Avenue, Second Floor  
Anchorage, Alaska 99503  
Phone: 907-231-3750  
Fax: 360-483-3750  
[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)  
[info@jdwcounsel.com](mailto:info@jdwcounsel.com)

The author of this email is not an attorney. This communication does not constitute legal advice and should not be construed as such. The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is

**From:** [Brenda Butler](#)  
**To:** [Rick Benedict](#); [Peggy Horton](#)  
**Cc:** [algunlimited1@gmail.com](#); [Jana Weltzin](#); [Randi Baker](#)  
**Subject:** Fort Green, LLC DBA Fort Green Alaska - Application for Conditional Use  
**Date:** Thursday, August 8, 2024 4:59:03 PM  
**Attachments:** [CUP Application - Fort Green Signed.pdf](#)  
[32116 Landlord & Agent Permission Letter Retail - Signed.pdf](#)  
[Driveway Approval.pdf](#)  
[32116 Board Action Letter MSB Retail.pdf](#)  
[AMCO Diagrams.pdf](#)  
[1000 foot buffer map.pdf](#)  
[FT Green- Site Map- Licenses \(2\).pdf](#)  
[FT Green- Site Map- Parking Lighting traffic circulation \(1\).pdf](#)  
[State of Alaska Full Plan Review.pdf](#)  
[FT Green- Floorplan- A03- Decks- Revision 1.pdf](#)  
[FT Green- Floorplan- A01- Revision 1.pdf](#)

---

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

Good Afternoon Rick and Peggy,

Please find the attached application and supplemental documents for a conditional use permit for a retail marijuana store.

Fees are in the mail.

Please confirm receipt of this email submission and all 11 of its attachments.

Thank you and have a great evening!

--

***\*\* Please REPLY ALL when responding to this Email\*\****

*Brenda Butler*

JDW Counsel

Senior Paralegal, Notary Public  
& Accounts Payable/Receivable

901 Photo Avenue, Second Floor

Anchorage, Alaska 99503

Phone: 907-231-3750

Fax: 360-483-3750

[brenda@jdwcounsel.com](mailto:brenda@jdwcounsel.com)

[info@jdwcounsel.com](mailto:info@jdwcounsel.com)

The author of this email is not an attorney. This communication does not constitute legal advice and should not be construed as such. The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is strictly prohibited. If you have received this message in error, please immediately notify the sender by telephone at 630-913-1113 and delete or destroy any copy of this message. Thank you.

Think green, please don't print unnecessarily

# COMMENTS



## **Agency Comments**

Natasha Heindel

---

**From:** Crouch, Steve H (DPS) <steve.crouch@alaska.gov>  
**Sent:** Friday, April 25, 2025 11:44 AM  
**To:** Natasha Heindel  
**Subject:** Gas Meter Impact Protection

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

Hey Natasha,

This is the 2021 International Fire Code citations that require protection and how to protect the gas meter. Hope this helps.

**605.9 Gas meters.** Above-ground gas meters, regulators and piping subject to damage shall be protected by a barrier complying with Section 312 or otherwise protected in an *approved* manner.

#### **SECTION 312 VEHICLE IMPACT PROTECTION**

**312.1 General.** Vehicle impact protection required by this code shall be provided by posts that comply with Section

312.2 or by other *approved* physical barriers that comply with Section 312.3.

**312.2 Posts.** Guard posts shall comply with all of the following requirements:

1. Constructed of steel not less than 4 inches (102 mm) in diameter and concrete filled.
2. Spaced not more than 4 feet (1219 mm) between posts on center.
3. Set not less than 3 feet (914 mm) deep in a concrete footing of not less than a 15-inch (381 mm) diameter.
4. Set with the top of the posts not less than 3 feet (914 mm) above ground.
5. Located not less than 3 feet (914 mm) from the protected object.

**312.3 Other barriers.** Barriers, other than posts specified in Section 312.2, that are designed to resist, deflect or visually deter vehicular impact commensurate with an anticipated impact scenario shall be permitted where *approved*



Steve Crouch  
Plans Examiner  
Div. of Fire & Life Safety  
5700 E. Tudor Road  
Anchorage, AK. 99507  
Ph. (907) 269-5676  
Fax (907) 269-0098

[Home - PRB - Fire - Alaska Department of Public Safety](https://dps.alaska.gov/Fire/PRB/Home)  
<https://dps.alaska.gov/Fire/PRB/Home>



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

May 5, 2025  
Planning Commission Meeting  
173 of 318  
Department of Transportation and  
Public Facilities

4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, AK 99519-6900  
Main: 907-269-0520  
Fax: 907-269-0521  
dot.alaska.gov

April 2, 2025

Peggy Horton, Current Planner  
Development Services Division  
Matanuska-Susitna Borough  
350 East Dahlia Avenue  
Palmer, AK 99645

[Sent Electronically]

Re: Conditional Use Permit Review

Dear Ms. Horton:

The Alaska Department of Transportation and Public Facilities (DOT&PF) Central Region has reviewed the following conditional use permits and have the following comments:

- **CUP #10305 – Conditional Use Permit for Marijuana Related Facilities under MSB 17.60 – Fort Green Alaska (Parks Highway milepost 49)**
  - No objection to the proposed retail facility.
  - Change in use invalidates existing access permits. Ensure permits are up to date. Driveway permits and Approach Road Review can be applied for at DOT&PF's online ePermits website: <https://dot.alaska.gov/row/Login.po>. Please contact DOT&PF's ROW division at 1-800-770-5263 to speak with a regional permit officer if you have any questions.
  - Site development not to preclude possible future connection to Swan Drive.
  - Future highway reconstruction or traffic and safety concerns may require access through Swan Drive only.

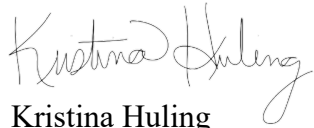
All properties accessing DOT&PF roads must apply to Right of Way for a driveway permit and/or approach road review, subject to provisions listed in 17 AAC 10.020. Any previously issued access permits become invalid once the property undergoes a platting action or change in use and must be reissued.

We recommend the petitioner verify all section line easements and DOT&PF road rights-of-way adjacent to their property. For assistance, the petitioner may contact the Engineering group within the Right of Way section in DOT&PF at (907) 269-0700. The petitioner is liable to remove any improvements within the easements and rights-of-way that impede the operation and maintenance of those facilities even if they are not shown on the plat, so it is in the petitioner's best interest to identify the exact locations and widths of any such easements or rights-of-way before they improve the property.

If any section line easements or road rights-of-way exist within the bounds of their plat, we recommend the petitioner dedicate them. If there is an existing right-of-way or easement, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

If there are any questions regarding these comments please feel free to contact me at (907) 269-0509 or [kristina.huling@alaska.gov](mailto:kristina.huling@alaska.gov).

Sincerely,



Kristina Huling  
Mat-Su Area Planner, DOT&PF

cc: Sean Baski, Highway Design Chief, DOT&PF  
Matt Walsh, Property Management Supervisor, Right of Way, DOT&PF  
Devki Rearden, Engineering Associate, DOT&PF  
Morris Beckwith, Right of Way, DOT&PF  
Brad Sworts, Pre-Design & Engineering Div. Manager, MSB  
Anna Bosin, Traffic & Safety Engineer, DOT&PF





# Matanuska-Susitna Borough

## Development Services Division

May 5, 2025  
Planning Commission Meeting  
175 of 318

### Request for Review

Contact:  Phone:

Due Date:

Project:

☒ Special Considerations

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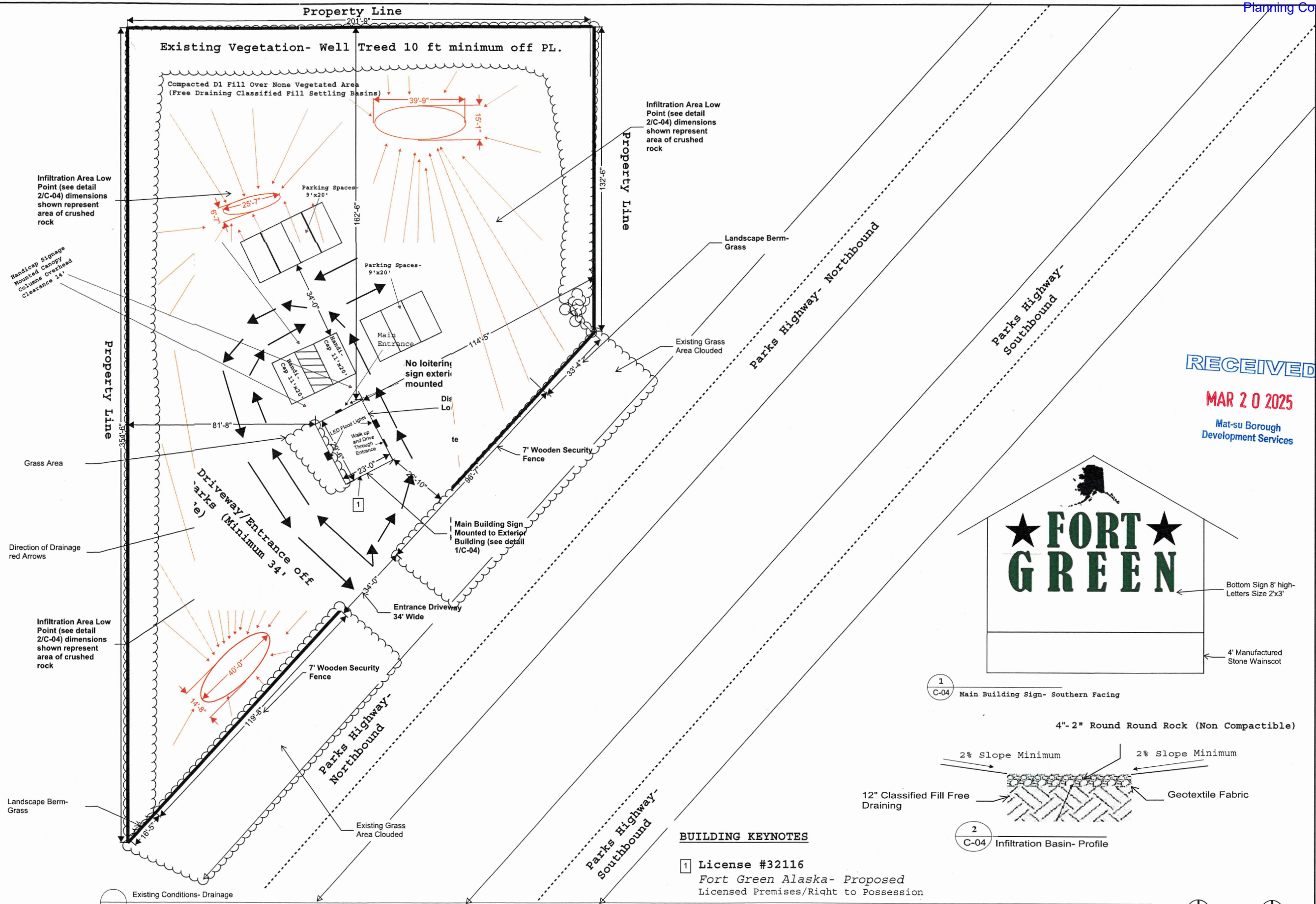
Reviewed By:  Date:

☐ No Comment:

☒ Comments:

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

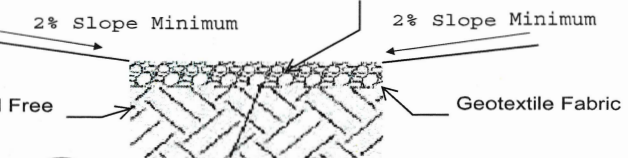


**BUILDING KEYNOTES**

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

1  
C-04 Main Building Sign- Southern Facing

4"-2" Round Round Rock (Non Compactible)



2  
C-04 Infiltration Basin- Profile



RECEIVED  
MAR 20 2025  
Mat-su Borough  
Development Services



Bottom Sign 8' high-  
Letters Size 2'x3'  
4' Manufactured  
Stone Wainscot

CONSULTANT:

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

C-04

100% FOR CONSTRUCTION



1/31/2021 12:20 PM



Bottom Sign 8' high-  
Letters Size 2'x3'

4' Manufactured

CONSULTANT:

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

[illegible]

C-04

**Natasha Heindel**

---

**From:** Kyler Dias <kyler@x907.com>  
**Sent:** Thursday, March 20, 2025 1:34 PM  
**To:** Peggy Horton  
**Cc:** ALG Alaska; Jana Weltzin; Natasha Heindel  
**Subject:** Re: Drainage Plan comments for Fort Green Alaska

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Perfect thank you Peggy!

Apologies for the delayed response on this just needed to wait for a little snow to melt on-site so I could confirm a couple items.

I'll make sure to address any additional comments, if any, right away.

Respectfully,

On Thu, Mar 20, 2025 at 1:10 PM Peggy Horton <[peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us)> wrote:

Kyler,

Thank you for this information. We'll look through it and let you know if we need anything else. We'll also keep you informed of any comments we receive. The drainage basins and the asphalt areas are not expected to be completed prior to the public hearing date; these can be conditions placed on the permit's approval.

Enjoy your day,

Peggy Horton

Current Planner

907-861-7862



**From:** Kyler Dias <[kyler@x907.com](mailto:kyler@x907.com)>  
**Sent:** Thursday, March 20, 2025 1:04 PM  
**To:** Peggy Horton <[peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us)>  
**Cc:** ALG Alaska <[algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)>; Jana Weltzin <[jana@jdwccounsel.com](mailto:jana@jdwccounsel.com)>  
**Subject:** Re: Drainage Plan comments for Fort Green Alaska

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

Afternoon Peggy-

In response to your Pre-Design and Engineering branch see attached revised drawing C004frev3 and an overlay of the planned driveable area (this is just for a visual representation of the planned driveable areas).

While compacted D1 was not planned at the drainage basins, detail 2/C-04 on the drawing shows 12" free draining classified fill, it is certainly an understandable concern as D1 is much less permeable especially when compacted to 95% than classified fill which has a high sand content. I've updated the note on the drawing to make this more clear stating, "compacted D1 Fill over non vegetated areas **free draining classified fill at settling basins.**"

To address engineering's second concern regarding compaction of the 3/4" minus crushed rock due to vehicular traffic, another good comment, I have made several other changes to the drawing. While the drainage basins on the earlier drawing were outside the planned driveable areas for the facility, I agree vehicles could access these locations and have therefore relocated two of the drainage basins to areas not accessible by traffic near the SW and NE corners of the property, the third smallest basin was already in a non-accessible area. I've also updated the 3/4" minus crushed rock to a **2" round rock** on detail 2/C-04 as this will ensure the basins remain permeable over time. This material will have no fine aggregate and is non compatible being separated from the classified fill beneath with a geotextile fabric to ensure the material remains segregated.

I understand that a site inspection is planned in April that I plan to attend. While we'd like to have the drainage basins complete before this inspection the work is weather dependant. In addition the asphalt planned for the handicap spaces and accessibility aisle is not available to May dependant on Asphalt batch plant openings. I'm hopeful these items could be punchlisted during the inspection with follow up photographs provided upon completion, I would expect we may have other punchlist items from the inspection as well.

Let us know if you see any issues with that and I apologize for the long winded email.

Respectfully,

Kyler Dias

Project Manager, EIT

On Thu, Feb 27, 2025 at 6:08 PM ALG Alaska <[algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)> wrote:

Hey Kyler here is the latest from Peggy. Can you respond please.

Thanks

Terri

Begin forwarded message:

**From:** Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>

**Date:** February 27, 2025 at 5:18:44 PM AKST

**To:** "Ryan, Riley McKay, Walther" <[algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)>, [Jana@jdwcounsel.com](mailto:Jana@jdwcounsel.com)

**Subject: Drainage Plan comments for Fort Green Alaska**

Hello,

We received the attached comments from our Pre-Design and Engineering branch. I followed up with a call to clarify their concerns. The site plan indicates that compacted D1 is to be used over non-vegetated areas. However, they are questioning whether that compaction extends into the drainage swales. The profile provided for the swales did not make this clear. Compacting the rock within the drainage swales could prevent water from draining into the soil. They would like further clarification on the extent of the compacted D1 within the subject property.

Additionally, I have concerns regarding how you plan to prevent traffic from crossing over the drainage swales, as this could also lead to soil compaction. Given that the property has little to no vegetation, how will you direct drivers to avoid these swales?

Could you please update your traffic flow/site plan (C-05) and drainage plan (C-05) to address these two issues?

Thank you.

Peggy Horton  
Current Planner  
[Matanuska-Susitna Borough](#)  
[350 E. Dahlia Avenue](#)  
[Palmer AK 99645](#)  
907-861-7862



## Matanuska-Susitna Borough

### Development Services Division

## Request for Review

Contact:

Phone:

Due Date:

Project:

#### ☒ Special Considerations

According to this drainage plan, they will be constructing swales in three locations around the property. This is the only document in the application where drainage is shown or discussed.

---

Reviewed By:

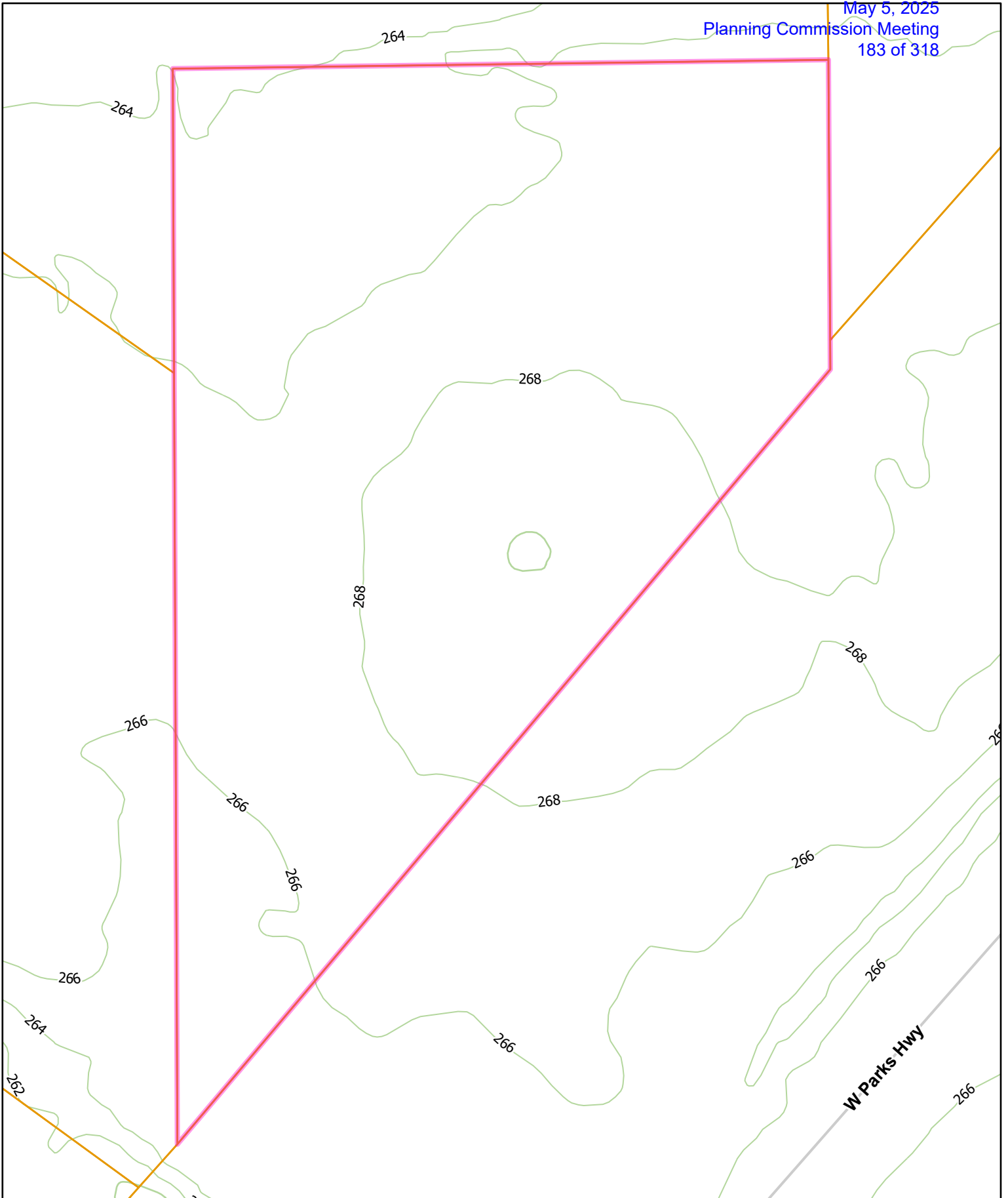
Date:

☐ No Comment:

☒ Comments:

Please show the extents of the D1 compacted fill in relation to the infiltration areas.



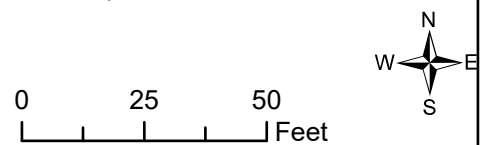


This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7858

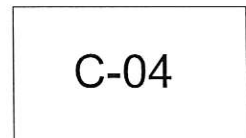


## 2019 Topographic Contours for 1818000L001

MSB Development Services Division: 2/19/2025



11/31/2021 12:20 PM



**From:** [Lana Account](#)  
**To:** [Peggy Horton](#)  
**Subject:** Fort green proposal  
**Date:** Wednesday, February 26, 2025 9:36:06 AM

---

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

No issues with the proposed business itself but all access needs to be from Swan in the back. Certainly don't need any more driveways accessing the Parks directly. Especially in this high speed section that was so recently upgraded.

Traffic can easily loop around to access from Swan.

Stephen Edwards

RSA 27 meadow lakes

Sent from my iPad

**From:** [Squires, Carie A \(DPS\)](#)  
**To:** [Peggy Horton](#)  
**Cc:** [Torres, Chris A \(DPS\)](#)  
**Subject:** RE: Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility  
**Date:** Wednesday, February 26, 2025 9:34:56 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

---

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

Good Morning Peggy,

We have an approved plan review (2024ANCH0137) on record for the Fort Green marijuana retail facility located at 7821 W Parks Hwy., Wasilla.

**Carie Squires**

Plan Review Bureau

Division of Fire & Life Safety

[Carie.Squires@alaska.gov](mailto:Carie.Squires@alaska.gov)

907-269-2004

[Home - PRB - Fire - Alaska Department of Public Safety](#)

<https://dps.alaska.gov/Fire/PRB/Home>

---

**From:** Sexton, Jennifer M (DPS) <jennifer.sexton@alaska.gov>  
**Sent:** Wednesday, February 26, 2025 8:53 AM  
**To:** Squires, Carie A (DPS) <carie.squires@alaska.gov>; Torres, Chris A (DPS) <chris.torres@alaska.gov>  
**Subject:** FW: Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility

Hello,

Please see forwarded.

**Jennifer Sexton**

Department of Public Safety  
Office of the State Fire Marshal

Email : [jennifer.sexton@alaska.gov](mailto:jennifer.sexton@alaska.gov)

Phone: 907-269-5491 | Fax: 907-338-4375  
5700 East Tudor Road, Anchorage, AK 99507

[Home - Fire - Alaska Department of Public Safety](#)





---

**From:** Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>  
**Sent:** Tuesday, February 25, 2025 9:51 AM  
**To:** Sexton, Jennifer M (DPS) <[jennifer.sexton@alaska.gov](mailto:jennifer.sexton@alaska.gov)>  
**Subject:** FW: Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility

You don't often get email from [peggy.horton@matsugov.us](mailto:peggy.horton@matsugov.us). [Learn why this is important](#)

**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.

Good Morning, I am requesting comments on a new Marijuana Retail Facility application.  
Please read the email below to see the application in full.

Thank you for your time,

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

---

**From:** Fire Code <[Fire.Code@matsugov.us](mailto:Fire.Code@matsugov.us)>  
**Sent:** Tuesday, February 25, 2025 8:44 AM  
**To:** Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>  
**Subject:** Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility

Peggy,

The address of 7821 W Parks Highway is not in our jurisdiction. Please contact the State

Fire Marshal's office at 907-269-2004 or [dps.prb@alaska.gov](mailto:dps.prb@alaska.gov).



*Michelle Wagner*  
Permit Technician

**CMSFD | Fire & Life Safety Division (Fire Code)**  
Matanuska Susitna Borough | Department of Emergency Services  
Phone: (907) 861-8383 | Email: [Fire.Code@matsugov.us](mailto:Fire.Code@matsugov.us)

**NOTE:** 13 AAC 50.027 prohibits the beginning of any construction, repair, remodel, addition or change of occupancy of any structure regulated by the Fire Marshal until plans and specifications have been reviewed and approved.

---

**From:** Peggy Horton <[Peggy.Horton@matsugov.us](mailto:Peggy.Horton@matsugov.us)>

**Sent:** Monday, February 24, 2025 3:19 PM

**Cc:** Natasha Heindel <[Natasha.Heindel@matsugov.us](mailto:Natasha.Heindel@matsugov.us)>

**Subject:** Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility

PROPOSED LOCATION: Tax ID #1818000L001; the address is 7821 W Parks Highway RSA: 27

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility. The Planning Commission will conduct a public hearing on this request on May 5, 2025.

Application materials may be viewed online at [www.matsugov.us](http://www.matsugov.us) by clicking on 'All Public Notices & Announcements'. A direct link to the application material is here:

[Matanuska-Susitna Borough - Public Hearing Notice for Conditional Use Permit Application for a Marijuana Retail Facility](#)

Comments are due on or before **April 9, 2025**, and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received after that date will not be included in the staff report to the Planning Commission but will be included in the handouts. Thank you for your review.

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

**From:** [Permit Center](#)  
**To:** [Peggy Horton](#)  
**Cc:** [Natasha Heindel](#)  
**Subject:** RE: Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility  
**Date:** Tuesday, February 25, 2025 8:52:51 AM

---

Thanks Peggy. No comments from the Permit Center.

**Brandon Tucker**

Permit Technician

[Matanuska-Susitna Borough Permit Center](#)

350 E Dahlia Ave

Palmer AK 99645

P (907) 861-7871

F (907) 861-8158

---

**From:** Peggy Horton <Peggy.Horton@matsugov.us>  
**Sent:** Monday, February 24, 2025 3:19 PM  
**Cc:** Natasha Heindel <Natasha.Heindel@matsugov.us>  
**Subject:** Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility

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[Matanuska-Susitna Borough - Public Hearing Notice for Conditional Use Permit Application for a Marijuana Retail Facility](#)

Comments are due on or before **April 9, 2025**, and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received after that date will not be included in the staff report to the Planning Commission but will be included in the handouts. Thank you for your review.

Peggy Horton

Current Planner

Matanuska-Susitna Borough

350 E. Dahlia Avenue

Palmer AK 99645

907-861-7862

**From:** [Fred Wagner](#)  
**To:** [Peggy Horton](#)  
**Subject:** RE: Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility  
**Date:** Monday, February 24, 2025 3:26:12 PM

---

Platting has no comments or concerns.

Sincerely,

Fred Wagner, PLS  
MSB Platting Officer  
(907)861-7870 Office  
(907)355-8507 Cell

---

**From:** Peggy Horton <Peggy.Horton@matsugov.us>  
**Sent:** Monday, February 24, 2025 3:19 PM  
**Cc:** Natasha Heindel <Natasha.Heindel@matsugov.us>  
**Subject:** Request for Review and Comments: Fort Green Alaska - Marijuana Retail Facility

PROPOSED LOCATION: Tax ID #1818000L001; the address is 7821 W Parks Highway RSA: 27

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility. The Planning Commission will conduct a public hearing on this request on May 5, 2025.

Application materials may be viewed online at [www.matsugov.us](http://www.matsugov.us) by clicking on 'All Public Notices & Announcements'. A direct link to the application material is here:

[Matanuska-Susitna Borough - Public Hearing Notice for Conditional Use Permit Application for a Marijuana Retail Facility](#)

Comments are due on or before **April 9, 2025**, and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received after that date will not be included in the staff report to the Planning Commission but will be included in the handouts. Thank you for your review.

Peggy Horton  
Current Planner  
Matanuska-Susitna Borough  
350 E. Dahlia Avenue  
Palmer AK 99645



**No Public Comments Received**

**DRAFT**

**PLANNING COMMISSION  
RESOLUTION**

By: Natasha Heindel  
Introduced: April 21, 2025  
Public Hearing: May 5, 2025  
Action:

**MATANUSKA-SUSITNA BOROUGH**  
**PLANNING COMMISSION RESOLUTION NO. 25-04**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY AT 7821 WEST PARKS HIGHWAY, TAX ID 1818000L001.

---

WHEREAS, Ryan McKay, of Fort Green Alaska, applied for a conditional use permit to operate a marijuana retail facility at 7821 West Parks Highway; and

WHEREAS, MSB 17.60.030(A)(4) requires a conditional use permit for the operation of a marijuana retail facility; and

WHEREAS, unless this type of use is maintained under and in accordance with a lawfully issued permit, marijuana retail facilities are declared to be a public nuisance; and

WHEREAS, the subject parcel is within the Meadow Lakes Community Council area; and

WHEREAS, the subject parcel is 1.04 acres in size; and

WHEREAS, the applicant submitted authorization from the property owner permitting Fort Green Alaska to build and operate a marijuana retail store; and

WHEREAS, according to the application materials, the proposed retail facility at 7821 West Parks Highway will be wholly contained within a 1,237 square foot commercial structure; and

WHEREAS, according to the application materials, the proposed retail facility will include a drive-through window; and

WHEREAS, according to the application materials, green and gold wooden signage illuminated with LED backlighting will be mounted on the exterior of the proposed facility, visible from the Parks Highway. The signage will include the lettering "Fort Green," five-pointed stars, and an outline of the State of Alaska; and

WHEREAS, according to the application materials, the commercial structure will have downward-facing lighting all around the exterior to prevent light pollution from impacting neighboring properties. Outdoor lighting will be shielded to protect against inclement weather and vandalism; and

WHEREAS, the subject parcel has frontage on West Parks Highway, which is classified as an interstate, is maintained by the State of Alaska, and can accommodate the traffic associated with commercial use; and

WHEREAS, parcels with West Parks Highway frontage are used for various purposes, including residential, commercial,



industrial, and undeveloped. This includes office spaces, a restaurant, retail storefronts, and construction companies; and

WHEREAS, according to the application materials, the proposed hours of operation are 8:00 a.m. to 12:00 a.m., seven days a week; and

WHEREAS, according to the application materials, the retail facility will be located approximately 26 feet 10 inches from the West Parks Highway right-of-way, 81 feet 8 inches to the western lot line, 162 feet 6 inches to the northern lot line, and 114 feet 5 inches to the eastern lot line; and

WHEREAS, the closest residential structure is located approximately 435 feet northwest of the proposed use; and

WHEREAS, the closest commercial structure is located approximately 300 feet west of the proposed use; and

WHEREAS, various land uses, including commercial, industrial, residential, and undeveloped, exist within 1,000 feet of the subject property; and

WHEREAS, there are no industrial equipment or processes that generate noise associated with the proposed use; and

WHEREAS, according to the application materials, the proposed marijuana retail store will not generate odors or excessive noise; and

WHEREAS, consumption of marijuana is prohibited at the site; and

WHEREAS, persons under 21 are prohibited from entering the facility; and

WHEREAS, according to the application materials, loitering will not be allowed; and

WHEREAS, according to the application materials, the State of Alaska issued driveway permit #33837 on April 15, 2025, for the proposed use; and

WHEREAS, the closest schools (Little Hands Preschool and American Charter Academy) are approximately 2,200 feet from the proposed use; and

WHEREAS, according to the application materials, the facility has a 24-hour monitoring alarm system, exterior lighting, and a video surveillance system; and

WHEREAS, according to the application materials, marijuana or marijuana products will not be visible to the public from the drive-through window; and

WHEREAS, according to the application materials, the drive-through window is equipped with safety features, including safety plate glass and a transaction drawer similar to that of a drive-through bank; and

WHEREAS, according to the application materials, the proposed use has a training plan in place, which includes education of employees on all security measures; and

WHEREAS, according to statements by the applicant to staff, the drive-through window will be installed according to the submitted site plan at a future date; and

WHEREAS, the State of Alaska Division of Fire and Life Safety issued a Full Plan Review #2024ANCH0137, dated June 10, 2024, for the commercial structure; and

WHEREAS, staff conducted a site visit on April 17, 2025, and observed that a natural gas meter is in close proximity to the proposed drive-through window location; and

WHEREAS, state code requires vehicle impact protection to be installed at the natural gas meter, which was not observed during the site visit on April 17, 2024; and

WHEREAS, according to Enstar Natural Gas website, location and protection requirements exist when a gas meter is in an area

accessible by vehicles, which was not observed during the site visit on April 17, 2024; and

WHEREAS, according to a letter by Lavender Survey and Mapping dated November 29, 2024, the structure is outside of the required 25-foot right-of-way setback from West Parks Highway; and

WHEREAS, according to the application materials, the structure will meet all applicable setback requirements of MSB 17.55; and

WHEREAS, the applicant submitted all required site plans and operational information; and

WHEREAS, according to the application materials, all retail operations will occur indoors; and

WHEREAS, according to the application materials, odor control methods will include sealed containers and the use of air sanitizers throughout the facility; and

WHEREAS, MSB Pre-Design and Engineering Division (PD&E) approved the applicant's drainage plan; and

WHEREAS, according to the application materials, the site drainage plan, received April 21, 2025, depicts drainage on the subject property flowing toward three infiltration areas dispersed throughout the property; and



WHEREAS, the State of Alaska Marijuana Control Board (AMCO) voted to approve Fort Green Alaska Retail Marijuana Store License #32116 with delegation at the meeting on June 1-2, 2023; and

WHEREAS, the State of Alaska Marijuana Control Board (AMCO) approved, with delegation, a new drive-up exterior window for Fort Green Alaska Retail Marijuana Store License #32116 at their meeting on November 19, 2024; and

WHEREAS, planning staff received a copy of AMCO's delegated approvals for Fort Green Alaska Retail Marijuana Store License #32116; and

WHEREAS, the applicant provided a copy of the approved Plan Review #2024ANCH0137, dated June 10, 2024; and

WHEREAS, a marijuana retail facility with an area of 1,237 square feet is required to provide four parking spaces, one of which must be an Americans with Disabilities Act (ADA) compliant space; and

WHEREAS, according to the application materials, nine customer parking spaces will be provided; two of which will comply with ADA requirements; and

WHEREAS, according to the application material, each traditional parking space is 20 feet long and 10 feet wide; and

WHEREAS, according to the application materials, two ADA van-accessible spaces will be provided; each 11 feet wide, with a seven-foot access aisle in between; and

WHEREAS, there are no vertical clearance limitations for parking areas on the site; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.60.100, 17.60.150, and 17.60.170; and

WHEREAS, the Planning Commission conducted a public hearing on May 5, 2025, on this matter; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 25-04;

1. The proposed use will not detract from the value, character, and integrity of the surrounding area (MSB 17.60.100(B)(1)).
2. The proposed use will not adversely affect public health, safety, convenience, and welfare (MSB 17.60.100(B)(2)).
3. Sufficient setbacks, lot area, buffers, and other safeguards are being provided (MSB 17.60.100(B)(3)).

4. The application material has met all of this chapter's requirements (MSB 17.60.100(B)(4)).
5. The proposed use will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
6. Measures are in place to reduce negative effects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
7. The proposed use is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
8. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).
9. The applicant provided planning staff with documentation demonstrating they obtained all applicable licenses pertaining to 3 AAC 306.005 (MSB 17.60.150(D)(1)).
10. The proposed use will be in full compliance with all applicable fire codes (MSB 17.60.150(D)(2)).
11. The proposed use is located on a parcel that is appropriate for commercial use (MSB 17.60.170(A)(1-3)).
12. The proposed use meets the minimum number of parking spaces for retail facilities (MSB 17.60.170(B)).
13. The proposed use will comply with current ADA parking space guidelines (MSB 17.60.170(C)).

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission finds this application does meet the standards of

MSB 17.60 and does hereby approve the conditional use permit for the operation of a marijuana retail facility, with the following conditions:

1. Prior to operating, the applicant must provide evidence of the installation of vehicular safety protection as required by the State of Alaska Division of Fire and Life Safety. Provide evidence of State code compliance to Planning staff.
2. Prior to operating, the applicant must install the drainage facilities as shown on the site drainage plan dated April 21, 2025. Provide evidence of compliance to Planning staff. These drainage facilities shall be maintained for the duration of the conditional use permit.
3. Prior to operating, the applicant shall provide evidence that the ADA parking areas are fully compliant. ADA compliance will include appropriate surface materials, posted signage, and a painted access aisle. Provide evidence of ADA compliance to Planning staff.
4. The operation shall comply with all applicable state and local regulations.



5. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
6. Borough staff shall be permitted to enter the premises, subject to this permit, to monitor compliance with permit requirements. Such access will, at minimum, be allowed on demand when activity is occurring, and/or with prior verbal or written notice, and/or at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.
7. The hours of operation shall not exceed 8:00 a.m. to 12:00 a.m., seven days a week.
8. On-site consumption of marijuana and marijuana products is prohibited.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this  
5th day of May, 2025.

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Planning Commission Chair

ATTEST

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LACIE OLIVIERI, Planning Clerk

(SEAL)

YES:

NO:

DRAFT

# **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 – Conditinal Uses, to Include Permit Requirements and Standards for Homeless Shelters. (Staff: Alex Strawn, Planning and Land Use Director)**

(Page 205- 236)

CODE ORDINANCE

**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.



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EDNA DeVRIES, Borough Mayor

ATTEST:

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LONNIE R. McKECHNIE, CMC, Borough Clerk






(SEAL)

**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	 Recoverable Signature X Alex Strawn Signed by: Alex
Department Director	 Recoverable Signature X Alex Strawn Signed by: Alex
Finance Director	 Recoverable Signature X Cheyenne Heindel Signed by: Cheyenne Heindel
Borough Attorney	X Erin Ashmore Signed by: Erin Dowling
Borough Manager	 Recoverable Signature X Michael Brown Signed by: Michael Brown
Borough Clerk	 Recoverable Signature X Lonnie McKechnie Signed by: Lonnie McKechnie

**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)

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.

/

/

/

/

/

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

\_\_\_\_\_  
Doug Glenn, Vice-Chair

ATTEST

\_\_\_\_\_  
Lacie Olivieri, Planning Clerk

(SEAL)

YES:

NO:

# **PUBLIC HEARING LEGISLATIVE**

## **Resolution No. 25-07**

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

(Pages 237-313)

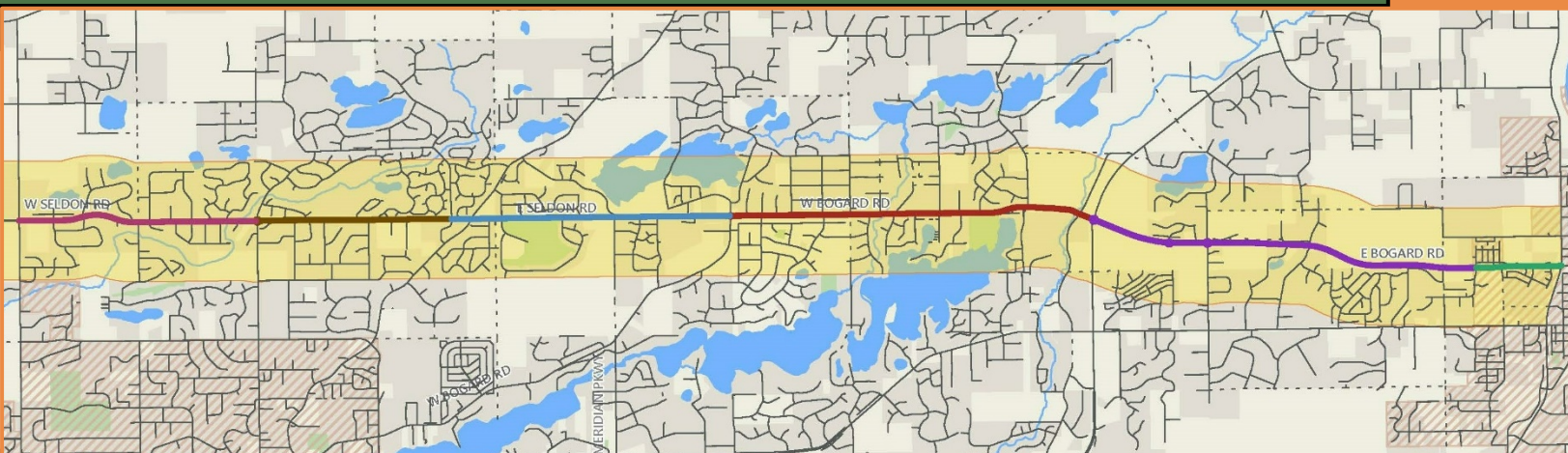


# Matanuska-Susitna Borough



# 2025

## DRAFT – Bogard-Seldon Corridor Access Management Plan



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Cover top photo: Courtesy of Alaska Department of Transportation and Public Facilities. For more information, visit [Bogard Road Preliminary Design \(alaska.gov\)](#).

Cover bottom photo: Taken from Matanuska-Susitna Borough Parcel Viewer: [Matanuska-Susitna Borough | Parcel Viewer \(matsugov.us\)](#).

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## Acronyms and Abbreviations

AAC	Alaska Administrative Code
AADT	average annual daily traffic
CAMP	Corridor Access Management Plan
CMF	crash modification factor
CTP	Community Transportation Program
DOT&PF	Alaska Department of Transportation & Public Facilities
HSIP	Highway Safety Improvement Program
mph	miles per hour
MSB	Matanuska-Susitna Borough
OSHP	Official Streets and Highways Plan
RIRO	right in/right out
ROW	right-of-way
SASS	Sub-Area Solution Studies
TIA	Traffic Impact Analysis
TWLTL	two-way, left-turn lane

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# 1 Introduction

## 1.1 Overview

The Matanuska-Susitna Borough (MSB), in cooperation with the State of Alaska Department of Transportation and Public Facilities (DOT&PF), is actively pursuing the management of access along the Bogard Road/Seldon Road Corridor (Bogard-Seldon Corridor) between the Glenn Highway and Church Road (see Figure 1).

This *Bogard-Seldon Corridor Access Management Plan* (CAMP) is the result of that effort. The CAMP establishes parameters to manage access to this vital arterial corridor consisting of both MSB- and DOT&PF-owned segments.

MSB Title 11: Roads, Streets, Sidewalks, and Trails authorizes the MSB to control access to its road network. MSB 11:10 Encroachment Permits and 11:12 Driveways Standards provides the authority to approve, establish design standards, manage, and revoke, and allows for an appeal process of encroachment and driveway permits. DOT&PF is authorized by 17 Alaska Administrative Code (AAC) 10.020 through 17 AAC 10.060 to control and manage approach roads and driveways that connect to state-owned roadways.

It is within the framework of the above codes that this CAMP makes recommendations to mitigate existing conflict points where feasible by eliminating or consolidating existing intersecting roads or driveways, and establishes spacing requirements for new driveways, and road intersections based on the corridor's functional classification. It also identifies traffic improvements such as roundabouts, medians, or other traffic control measures to facilitate traffic flow, improve safety, and minimize congestion.

There have been previous efforts to address access management along various segments of this corridor between the Glenn Highway and Church Road that resulted in draft CAMPs. DOWL prepared a draft CAMP for the entire corridor between the Glenn Highway and Church Road in 2010 and HDL prepared a draft CAMP for the corridor segment between Lucille Street and Church Road in 2017. These draft documents, though never adopted, provided significant information and are foundational to the current effort.

A third CAMP, prepared by Stantec Consulting Services, was adopted by the MSB Assembly in January 2017 entitled CAMP: Seldon Road Extension: Church Road to Pittman Road. This CAMP establishes access requirements for the final segment of the Bogard-Seldon Corridor based on the final route of the new road and is not addressed in this document. The final segment of the Seldon Road Extension from Windy Bottom Road to Pittman is programmed for construction in 2025 through DOT&PF's federally funded Community Transportation Program (CTP).

This CAMP divides the Bogard-Seldon Corridor into six segments based on land use and ownership (see Figure 1). There are narratives and maps that discuss and show specific recommendations to facilitate the CAMP's implementation by MSB Planning, Platting, and Public Works personnel and by DOT&PF's Planning, Right-of-Way, and Design staff.

This narrative and illustrative approach is also designed to help residents and developers easily find and understand the access requirements along the corridor and how they affect their property or future subdivision design.

These segments are:

- **Segment A:** Bogard Road - Glenn Highway to Palmer Moose Drive is an urban section within the City of Palmer that is owned and maintained by the MSB and is classified as a major arterial.
- **Segment B:** Bogard Road - Palmer Moose Drive to New Trunk Road is a rural section owned and maintained by the MSB and is classified as a major arterial.
- **Segment C:** Bogard Road - New Trunk Road to the Bogard/Seldon mini-roundabout intersection is a rural section owned and maintained by DOT&PF and is classified as a major arterial (minor arterial using the DOT&PF system).
- **Segment D:** Seldon Road - Bogard/Seldon intersection to Schrock Road is a rural section owned and maintained by DOT&PF and is classified as a minor arterial.
- **Segment E:** Schrock Road to Lucille Street is a rural section owned and maintained by the MSB and is classified as a minor arterial.
- **Segment F:** Lucille Street to Church Road is a rural section owned and maintained by the MSB and is classified as a minor arterial.

Both the MSB and DOT&PF recognize the importance of the Bogard-Seldon Corridor as an alternative to the Palmer-Wasilla Highway and, to a lesser extent, the Parks Highway. The MSB has made a specific effort to coordinate with DOT&PF and obtain their input in the development of access management recommendations along their corridor segments described in this CAMP. Though DOT&PF owns Segments C and D, the MSB, through its Planning and Platting Divisions, administers land use regulations and platting actions on adjacent properties. Close coordination and cooperation between the MSB and DOT&PF need to continue now and into the future to successfully implement the recommendations of the CAMP.

## 1.2 CAMP Goal and Strategies

The goal of this CAMP is to provide consistent access management along the Bogard-Seldon Corridor to the benefit of the public, development community, MSB, and DOT&PF, while remaining largely within the existing ROW<sup>1</sup>. The CAMP should be reviewed and updated as conditions change along the corridor, including traffic volumes, traffic patterns, land development, and as significant funding opportunities arise.

The corridor managers will use this CAMP to meet this goal through managing to the following strategies:

- Improve safety to the traveling public including non-motorized users;

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<sup>1</sup> A corridor plan with a longer planning horizon should be developed for this roadway segment in order to develop a vision for the roadway based on anticipated growth and development in the area.



DR

- Preserve function and mobility of this important arterial corridor;
- Protect the public's significant financial investment in the design, construction, and maintenance of this corridor; and
- Manage existing and future access in a regular and consistent manner.

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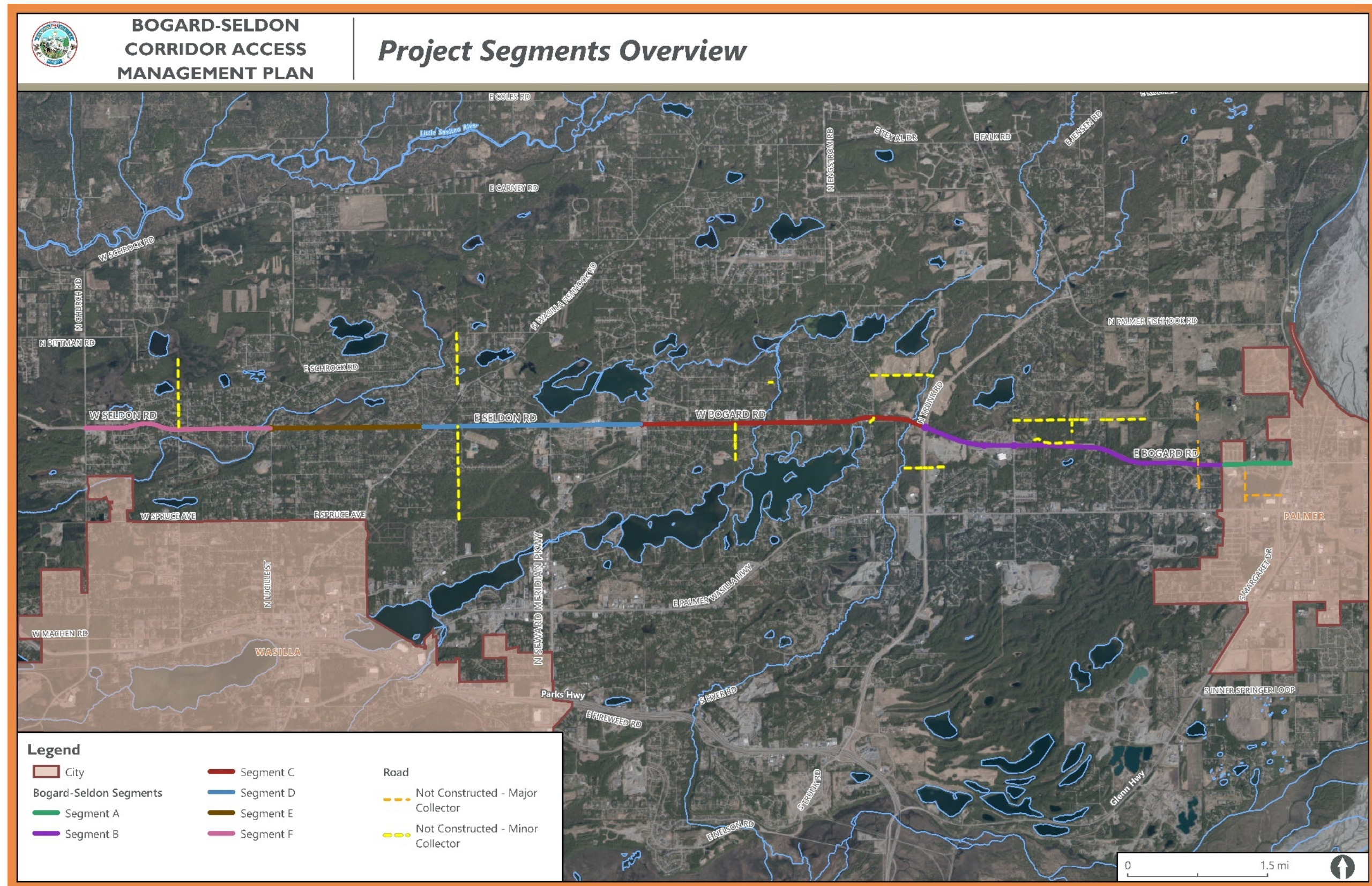


Figure 1: Project Segments Overview



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## 2 Corridor Background

The MSB and DOT&PF have, over time, added corridor segments to the original Bogard Road between Trunk Road and the Bogard-Seldon mini-roundabout. Projects have extended the corridor to both the east and the west, resulting in a nearly completed arterial corridor between the Glenn Highway in Palmer and Pittman Road in Meadow Lakes. These projects have resulted in a new east-west corridor in the MSB that provides a more desirable level of mobility, access, and safety. Due to the narrow right-of-way (ROW) width and the high level of development along the Palmer-Wasilla Highway, the impacts of upgrading capacity and managing access are significant. The Bogard-Seldon Corridor, on the other hand, is relatively undeveloped by comparison, has relatively few direct access points (except in the original Bogard Road segment between Trunk Road and the Bogard-Seldon roundabout), and provides a second cross-borough corridor that relieves congestion on the Palmer-Wasilla Highway while facilitating east-west travel across the northern core area of the MSB.

The Palmer-Wasilla Highway is a case in point of how a major arterial loses its function due to uncontrolled access resulting from past land use decisions and platting actions that did not consider access management. This CAMP provides a guide to correct deficiencies and avoid the repeat of similar undesirable outcomes in the future by making reasonable access decisions that benefit motorized and non-motorized corridor users and corridor managers. These recommendations will also protect the significant public capital and operational investment in the Bogard-Seldon Corridor.

## 3 Corridor Access Management

Corridor access management is defined as coordinating the balance of land access needs with area-wide transportation needs to ensure efficient traffic operations within a given roadway corridor. The main goal of access management is to reduce the number of conflict points along the corridor while still providing acceptable access to local roads, residential driveways, and businesses. It is the nexus between land use and transportation. Reasonable land use decisions will result in appropriate levels and locations of access along the corridor that will provide a well-functioning arterial well into the future.

Achieving the goals of the CAMP will be accomplished over time by implementing recommended improvements when feasible. Considering the long-term investment into improving access management along the corridor, it is infeasible to construct all the recommended improvements as a single project. Opportunities to incorporate the access management recommendations into other CIP and HSIP projects along the corridor should be leveraged to achieve incremental improvements to achieve the long-term access management goal along Bogard-Seldon corridor.

## 3.1 Methods

Access management is the process that affords transportation officials a method to provide reasonable access to land development while simultaneously preserving the safety, capacity, and mobility of the surrounding road system. The basic principles of access management are described below.

**Separating Basic Conflict Areas.** Intersections or driveways that access a highway or roadway represent basic conflict areas. A conflict is defined as the point at which a roadway user who is crossing, merging with, or diverging from a road or driveway conflicts with another roadway user using the same road or driveway. Adequate spacing between conflict points allows drivers to react to one situation at a time, providing greater opportunities to avoid potential conflicts with other vehicles, bicycles, or pedestrians. Aligning intersections or driveways directly across from each other also serves to reduce the number of conflict points within a given section of roadway.

**Reducing Interference with Through-Traffic.** Even when traffic is traveling in the same direction, conflicts can be created when a large speed differential exists between the faster- and slower-moving vehicles (i.e., vehicles traveling at the speed limit compared to vehicles that are accelerating or decelerating). Traffic often needs to slow down for other vehicles attempting to exit, enter, or travel across the roadway. Introducing turning lanes, adding acceleration/deceleration lanes, restricting turning movements, and providing sufficient spacing between access points and intersections allows turning traffic an opportunity to safely enter or exit the mainline traffic stream. Closely spaced access points tend to hinder the mobility and speed of through-traffic, thus reducing the free-flow speed of the roadway. Maintaining well-spaced access points allows through-traffic to flow more smoothly and with less delay. In this regard, any new signalized or roundabout access points must fit into the overall traffic management plan for the roadway to maintain positive traffic progression.

**Limiting the Number of Conflict Points.** Conflict points along a roadway exist primarily at side road or driveway intersections as vehicle travel paths cross, merge, or diverge; more conflict points generally lead to a higher potential for crashes. Accordingly, increasing the number of intersections within a given section of roadway increases the likelihood of vehicle impacts and diminishes the safety of the roadway. Limiting or reducing the number of intersections and approaches and their associated turn movements within a section of roadway significantly reduces the potential for vehicle collisions. Considering that a roundabout has fewer conflict points than a traditional signalized or unsignalized intersection, converting uncontrolled or controlled intersections to roundabouts can reduce the total number of conflict points along the corridor.

**Managing Section Line Easements.** There are 14 north/south section lines that intersect the corridor. There is one east-west section line where the corridor is located or closely follows. Seven of the north/south sections lines have roadways located within their easements. Five of the remaining seven have had their easements either vacated or partially vacated, with two remaining intact. Allowing road development or access in these remaining section line easements need to be reviewed and approved through a systems approach. Decisions should consider existing and future road networks, existing and future land use, access implications, creation of conflicts, and benefit to the existing

and future Bogard-Seldon Corridor. No section line easements should be vacated unless there is an equal or better access option.

**Practicing Controlled Land Development.** MSB growth policies, ordinances, and criteria contribute greatly to the development of a successful CAMP while also allowing for appropriate land development. The implementation of frontage roads, facilitation of internal vehicle circulation between commercial and private parcels, and use of shared parking areas reduce the number of driveways that residences and businesses need for access to the roadway.

Management and control of access can be regulated through statutes, regulations, land-use ordinances, geometric design policies, and access guidelines. The MSB and DOT&PF have the basic statutory authority—granted through state legislation—to control all aspects of roadway and highway design in the interest of protecting public safety, health, and welfare including access. Local governments can manage and control access through land-use regulations, platting actions, development setbacks, site design specifications, driveway permits, and other means that may influence capacity and mobility along a highway. The close coordination of state, borough, and local governments is essential for the successful implementation of this or any corridor access management plan.

Requiring developers to submit a traffic impact analysis (TIA) when traffic thresholds may be met prior to approval of platting actions or necessary permits is one way to manage and control future access to and from the Bogard-Seldon Corridor. TIAs should identify mitigation requirements in the event that traffic is impacted within the project area. Mitigation requirements may include intersection or roadway improvements, modifications to proposed access type or location, or improvements to non-motorized facilities. Recommended improvements identified by the TIA should be negotiated and apportioned between the developer and the roadway owner. Exceptions to identified TIA requirements should not be granted to any applicant.

**Typical Section Application.** The typical section along a corridor provides context to a driver regarding aspects such as urban or rural environment, reasonable speed, alternate modes of travel or presence of pedestrians, and access control. The typical section may also convey information that translates to driver expectation, such as density of access points or adjacent land uses. Developing the appropriate typical section along a corridor can be a tool to improve safety and vehicular traffic flow along a corridor. Appendix A depicts the following recommended typical sections:

- Two-lane with non-traversable median with median openings
- Three-lane with non-traversable median with median openings
- Five-lane with non-traversable median with median openings

The two-lane section may convey a rural or a low-speed urban context. The benefit of a two-lane section is minimal footprint. However, a two-lane section has capacity limitations and can impact flow due to left turns blocking through traffic. To meet access management goals, the two-lane section would include non-traversable median. Left turn access that meets recommended access spacing may be provided via median openings.

A three-lane section can convey either a rural context with closely spaced access points or a 25- to 35-mile per hour (mph) urban context. A three-lane section mitigates left-turning traffic from blocking through-lanes, providing operational and safety benefits. The typical section can either provide a two-way left turn lane (TWLTL) or utilize non-traversable medians with left-turn lanes where appropriate. TWLTL does not reduce conflict points or control access like a median with adequately spaced left turn lanes and therefore should only be considered where a median with left turn lane does not adequately support required access to/from Bogard-Seldon.

A five-lane section conveys a 35- to 55-mph urban context. Capacity is the main criteria for considering a five-lane typical section. Existing access points, future access points, and existing and future average annual daily traffic (AADT) volumes are to be considered when determining the need for a five-lane typical section. Similar to the three-lane section, to meet access management goals, the five-lane section would include non-traversable median. Left turn access that meets recommended access spacing may be provided via median openings.

## 3.2 Access Management Strategies

Access management along the Bogard-Seldon Corridor is critical to the operational performance and safety of the corridor. The main goal of access management is to reduce the number of conflict points along the corridor while still providing acceptable access to local roads, residential driveways, and businesses. The strategies described below can be implemented as spot improvements, as part of larger improvement projects, or through site development along the corridor.

**Increase Intersection and Driveway Spacing.** Increasing intersection and driveway spacing where redundant access from local roads is provided will reduce the conflict points and improve intersection spacing along the corridor. Severing a connection and constructing a cul-de-sac is a low-cost solution to improve intersection spacing. Local connectivity is critical to this solution, and it may require additional connections within the local road network to provide acceptable connectivity.

Requiring future access points to meet or exceed recommended intersection spacing is critical to safety, congestion management, traffic flow, and reliability along the Bogard-Seldon Corridor.

Table 1 provides recommended access point spacing consistent with the adopted 2017 Corridor Access Management Plan - Seldon Road Extension Church Road to Pittman Road. Reducing signalized intersection spacing to 1 mile can be considered to promote improved signal coordination and traffic flow. Reduction in signal spacing should be considered with increase in traffic demand and development which changes the roadway classification from rural to urban.



**Table 1: Recommended Minimum Rural Intersection Spacing Guidelines**

Proposed Intersection Improvement	Minimum Access Spacing	
	Feet	Miles
Controlled Intersection	5,280	1
Unsignalized intersection	2,640	1/2
Standard Roundabout Access	1,760 (minimum); 2,640 (preferred)	1/3 (minimum); 1/2 (preferred)
Right-In/Right-Out with Median	1,320	1/4
Directional Median Opening	1,320	1/4

<sup>1</sup>Some existing controlled intersections do not meet the recommended spacing but should remain

**No New Driveways.** To the extent allowed by Alaska State Statutes, Alaska Administrative Code, DOT&PF Pre-Construction Manual, MSB Code, and MSB Subdivision Construction Manual, staff implementing this plan should avoid permitting any new driveways along the corridor. Access should be considered first to existing connecting roads, frontage roads, backage roads, or through an existing driveway. Future platting actions should avoid creating land locked lots that would require direct access to Bogard or Seldon Roads.

Exceptions may be made based on a MSB-approved and accepted TIA prepared by a traffic engineer licensed to do business in Alaska. DOT&PF may also allow exceptions based on a TIA or best engineering practices and judgement. The costs of identified traffic improvements should be negotiated between the developer and either the MSB or DOT&PF. If an exception for a new driveway is permitted, minimum access spacing shown in Table 1 must be provided. An exception for a new driveway requires the approval of MSB's Public Works and Planning and Land Use Directors along borough owned Segments A, B, E and F or by DOT&PF if located along state-owned corridor Segments C and D. Acceptable stopping sight distance and intersection sight distance must be provided for all exceptions to new driveways along the corridor.

**Consolidate Driveways.** Consolidating driveways reduces the number of conflict points along the corridor, improving safety and the general flow of traffic. Consolidation of driveways can be achieved by combining existing driveways where feasible or by limiting the number of new driveways as land is developed. Realigning driveways that can be connected to a minor approach road without impacting circulation or structures within the property can also be implemented where feasible. Consolidation of driveways, especially as part of a roadway improvement project, is a low-impact, low-cost solution to reduce conflict points and to improve flow and safety along the corridor. Cost to the individual property owner needs to be considered if the closure of the driveway happens outside of a capital improvement project.

**Rights-of-Way Acquisition/Donations.** Acquiring ROW as part of a roadway improvement project or as an individual acquisition may be the only means to resolve an existing access issue. This may require full parcel acquisition of difficult driveways that cannot be realigned to an adjacent collector road, frontage road, or backage road. The purchase of access rights would be contingent on available funding and should be

considered when there is a willing seller, a change in land use, or when a traffic impact analysis indicate that acquisition is appropriate. Acquiring ROW from an unwilling seller is not recommended for the sole purpose of improving access management along the corridor unless it is tied to a road improvement project, a more comprehensive Corridor Study, or road design project.

**Install Non-Traversable Median.** A non-traversable median, such as a curbed median island, will restrict left-turn access to/from driveways and restrict left-turn and through-access to and from minor approaches along the Bogard-Seldon Corridor. Restricted movements are grouped and diverted to adjacent controlled or uncontrolled intersections to complete their desired movements. Installing a curbed median or barrier will effectively reduce the number of conflict points, but it will have an impact on traffic patterns and may increase the vehicle miles traveled. Installing medians may require minor widening of the corridor to provide width for the median and shy distance<sup>2</sup> or buffer to the curb.

Crash modification factors (CMF) are used to predict the expected increase or decrease in crashes that would be expected from a planned improvement. A CMF below 1 means that crashes will likely be reduced, while a CMF above 1 means that crashes are predicted to increase. Based on DOT&PF's Highway Safety Improvement Program (HSIP) Handbook, installing a non-traversable median provides a CMF 0.80, which predicts a crash reduction of 20 percent. Constructing a non-traversable median has an impact on traffic patterns and results in a slight increase in travel time and out-of-direction travel. Depending on the location of the proposed non-traversable median, there may be minor ROW impacts. A non-traversable median is a mid-range cost solution to reduce conflict points and improve safety.

**Cul-de-sac Existing Local Roads.** Eliminating existing local road connections to Bogard-Seldon by constructing cul-de-sacs will reduce conflict points and improve access spacing. Constructing cul-de-sacs can be considered at locations where existing local connections provide sufficient connections for the subdivisions. Constructing cul-de-sacs can either be a stand-alone project or part of a larger corridor improvement project. Constructing cul-de-sacs is a mid-range cost solution to reduce conflict points and improve access spacing. Emergency access through the cul-de-sac can be provided using rolled or mountable curb. Non-motorized connections can also be considered.

Closing existing roadway connections by constructing cul-de-sacs will impact existing traffic patterns and may also impact emergency response times. To ensure adequate access is maintained, a traffic impact analysis is recommended prior to design and construction of cul-de-sacs. Planned cul-de-sacs should be coordinated with emergency responders to confirm no significant impacts to response times will be realized.

**Develop Frontage or Backage Roads.** The use of frontage or backage roads where feasible is another means to reduce direct access to the Bogard-Seldon Corridor and improve traffic flow.

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<sup>2</sup> Shy distance is the distance from the edge of the traveled way beyond which a roadside object will not be perceived as an obstacle by the typical driver to the extent that the driver will change the vehicle's placement or speed (Federal Highway Administration, Roadside Safety Field Guide 2014).

A backage road provides the same function as a frontage road, but it is located behind parcels rather than adjacent to the main corridor and ties into the collector road network that provides consolidated access to the main arterial road. Existing driveways connecting to Bogard-Seldon would be severed, and new connections to the backage road would be constructed.

The use of frontage and backage roads will effectively consolidate access points along Bogard-Seldon, reducing conflict points and improving safety. Although opportunities for developing backage roads may be limited due to the orientation of developed parcels and the inability to make a new driveway connection without significant impact to the property, there may be select locations where this strategy could be deployed with minor impact and mid-range cost. In areas where ROW acquisition is required to construct a frontage road, impacts and costs are anticipated to be high, and therefore a frontage/backage road may be less feasible.

The creation of frontage or backage roads may require changing existing street addresses of affected parcels. Address changes are doable but will have some repercussions and cause some inconvenience to affected property owners.

**Realignment of Minor Approaches.** Eliminating offset intersections by realigning minor approach roadways will improve intersection spacing. As development occurs, consideration for intersection consolidation through realignment can facilitate conflict point consolidation while maintaining access to existing and future subdivisions.

**Future Intersection Control.** Improving existing uncontrolled intersections to either a signal or a roundabout will improve traffic flow and safety along the corridor. Future controlled intersections should meet recommended intersection spacing and undergo a traffic analysis to determine the control type and expected intersection operations.

## 4 Corridor Segments

### 4.1 Introduction

Jurisdictional ownership, traffic volumes, existing land use, and existing corridor characteristics such as topography and access were used to divide the corridor into the six segments described below. Recommendations for each corridor segment are described within the report's narrative and correspondently shown on maps associated with the narrative. Additionally, a web map has been developed that shows each recommendation and allows the reader to zoom in and out of each recommendation for a more contextual view of the recommended action relative to the surrounding development. This web map is located at: [Link to be provided](#).

The CAMP's principles for access management (maintaining intersection spacing and limiting direct access of driveways and side streets onto the corridor) are non-negotiable. However, the specific details of proposed improvements described within this section will be advanced during engineering and design, once funding is available for projects, which may lead to modifications to the recommendations due to engineering challenges and opportunities identified during the design phase of each project.

## 4.2 Segment A – E Bogard Road - S Glenn Highway to E Palmer Moose Drive

Segment A is approximately 0.75 mile long and had an AADT of 6,580 vehicles in 2022. The existing section along E Bogard Road is two-lane, median-divided roadway with left- and right-turn lanes at the intersections (see Figure 2). Pathways are located on the south side of E Bogard Road along the entire segment and on the north side between Anna and Oscar Streets. Ten access points are located within this segment: four intersections (one signalized and three uncontrolled) and six driveways. West Auklet Avenue and Recon Circle serve as frontage roads on the north side of E Bogard Road and eliminate the need for any new direct access points from the undeveloped properties.

Within this section, the south side of the corridor is within the City of Palmer. On the north side of the corridor, the Valley Trails Subdivision is located within the city limits, but the rest of the corridor is outside the Palmer city limits.

### 4.2.1 Jurisdictional Ownership and Existing Right-of-way

This portion of E Bogard is owned by the MSB but is located within the city limits of Palmer. The ROW ranges between 150 feet within the city limits and 200 feet within the MSB.<sup>3</sup>

### 4.2.2 Existing Land Use and Future Development Opportunity

Segment A is considered an urban section along the corridor. Allowable land uses for property located within the City of Palmer are governed by the City's zoning code, while property outside the city limits is governed by MSB code. The MSB provides platting service for all properties along Segment A. The existing land use consists of Palmer High School, several residential subdevelopments, two churches, a pre-school, and a few commercial businesses (engineering and real estate). This segment has good access management in place, meeting access spacing guidance and providing sufficient connectivity to the traffic generators.

Palmer High School is in the southeast quadrant of E Bogard Road/E Palmer Moose Drive and has two driveway access points to/from E Bogard Road serving their main parking lot and bus circulation. Additional access points to the school are located off E Palmer Moose Drive and S Felton Street.

Residential subdivisions are located on the north and south sides of the corridor. The subdivisions use collector roads to gain access to/from E Bogard Road, including S Felton Street/Anna Street, W Auklet Avenue, Montgomery Way/W Recon Circle, and Silver Tip Drive.

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<sup>3</sup> ROW widths were estimated using MSB Parcel Viewer maps and represent the typical existing ROW width along the segment. The widths provided do not include additional widths at intersections or existing easements for drainage features.



There is developable land located on both the north and south sides of E Bogard Road between Glenn Highway and S Felton Street/Anna Street. Developable lands to the north will be accessed by either West Auklet Avenue or Recon Circle. Developable lands to the south will be accessed by the new Felton Street Extension.

#### 4.2.3 Planned Improvement Projects

This segment of E Bogard Road was improved as part of the Bogard Road East Extension project. The extension of S Felton Street that connects E Bogard Road to the Palmer Wasilla Highway was opened in July 2023.

#### 4.2.4 Recommendations

##### 1. General

The existing access management along this segment of E Bogard Road is sufficient. It meets the recommended spacing requirements and follows the access management concepts incorporated into the design and construction of the Bogard Road East Extension by the MSB. Properties within the City of Palmer are zoned, identifying allowed land uses. Future land use within the City must comply with the current zoning map or must obtain a variance to allow non-conforming land use. This level of governance is beneficial to control access from properties within the city. Borough property is not zoned in the same manner, but access is controlled by the final Bogard Road East Extension improvements that were built to address future access requirements.

As future development occurs along this segment, preservation of the existing access management within the segment is critical. **No new access points to/from E Bogard Road should be provided** (see Figure 2). Any new connections within this segment will utilize the existing minor collectors or the frontage roads located on the north side of Bogard. Precluding future access points along this segment will better maintain existing function, flow, and safety while also protecting the public investment of recent improvements along the E Bogard Road Extension.

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Figure 2: Segment A Mapped Recommendations



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## 4.3 Segment B – E Bogard Road - E Palmer Moose Drive to N Trunk Road

Segment B is approximately 3.25 miles long and had an AADT ranging between 6,360 and 6,580 vehicles in 2022.<sup>4</sup> The existing section along E Bogard Road varies between a two- and three-lane undivided section (see Figure 3). A separated shared-use path is located on the south side of E Bogard Road. There are 17 access points within this segment: 7 intersections, including 3 roundabouts and 4 stop-controlled intersections on the minor approaches, and 10 driveways. Three of the 10 driveways are currently only driveway aprons, two of which were located to access existing farmland and were negotiated by the MSB with the farm owner to allow existing farm access and facilitate future development as part of the Bogard Road East Extension project ROW settlement. These two driveways are permitted but are revocable and subject to review of future land use, access requirements, and CAMP-recommended access spacing. The other driveway apron is located between the two farm access driveways and provides access to the City of Palmer's water line and future booster station.

Unauthorized access north of the E Bogard Road/Hemmer Road intersection has been proactively addressed by the MSB through the placement of boulders and a guardrail. There may be an unpermitted driveway accessing Township 18N, Range 1E, Section 36, Block 19. There should be no direct access to this block. Access should be via the recommended 2022 Official Streets and Highways Plan (OSHP) minor collector standard frontage road connecting East Manna Drive and East Eminent Domain Circle through the subject parcel. Extending the frontage road per the OSHP will require additional ROW. The ROW dedication and construction of the frontage road to provide access to this block should be the responsibility of the developer. The frontage road horizontal and vertical alignments along with average access point spacing shall meet the requirements for a residential collector road according to the 2022 SCM.

The Trunk Road Corridor is identified as a regional development node in the Draft MSB Sub-Area Solutions Studies (SASS), and significant development is already occurring. This regional development node is envisioned to serve both mixed-use residential and commercial development. Development along the Trunk Road Corridor will result in increased traffic demand at the E Bogard Road/Trunk Road intersection. Access management within the vicinity of this intersection is critical and the recommended minimum access spacing needs to be provided.

This segment was designed and constructed by the MSB as part of the Bogard Road East Extension project, with access management as one of its primary objectives. The goals of this segment's recommendations are to do no harm and to protect its long-term function and safety. Also, effective access management along this segment will protect the MSB's \$45.0 million+ investment to construct the Bogard Road East Extension.

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<sup>4</sup> AADT traffic count data from the DOT&PF Traffic Analysis and Data Application website (<https://alaskatraficdata.drakewell.com/publicmultinodemap.asp>).

#### 4.3.1 Jurisdictional Ownership Existing Right-of-way

This portion of E Bogard Road is owned by the MSB. The ROW ranges between 100 and 265 feet.<sup>5</sup>

#### 4.3.2 Existing Land Use and Future Development Opportunity

Segment B is a rural section of the corridor and consists of residential subdivisions located mostly south of E Bogard Road, farmland is located to the north with future potential for development at various locations, and a gravel pit near Trunk Road that will likely be redeveloped in the near future. Colony Middle and High School, a veterinary clinic, one residential subdivision, and a church are located between 49th State Street and Trunk Road.

Large, undeveloped lots are located on the north and south sides of E Bogard Road east of 49th State Street. If these lots were to be developed in the future, access point spacing criteria shall be met.

#### 4.3.3 Planned Improvement Projects

The 2022 MSB OSHP recommends the extension of Hemmer Road to the north of E Bogard Road, connecting to E Scott Road. Hemmer Road north extension has grade considerations and may impact a City of Palmer Water Utility well site. The Hemmer Road extension south of E Bogard Road, connecting to the Palmer-Wasilla Highway, is in development. A new traffic signal will be installed at Hemmer and Bogard as part of this project. These connections would provide improved local access in the vicinity of E Bogard Road while maintaining acceptable intersection spacing.

The MSB is planning to construct a pathway adjacent to 49th State Street from Bogard Road to the Palmer-Wasilla Highway, connecting the pathways along these routes and providing safe school access from the several multifamily residential units located on 49th State Street and other residential subdivisions. This project is currently under design.

#### 4.3.4 Recommendations

##### 1. General.

- The existing access management along Segment B meets the corridor recommendations (see Figure 3). Segment B is rural, and its intersection spacing should be maintained as a rural arterial for future developments described in Table 1. All methods of indirect access including access via collector, frontage, or backage roads to E Bogard Road must be proven infeasible prior to granting direct access that does not meet minimum access point spacing.

##### 2. Driveway Closures/Alignment.

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<sup>5</sup> ROW widths were estimated using MSB Parcel Viewer maps and represent the typical existing ROW width along the segment. The widths provided do not include additional widths at intersections, and existing easements for drainage features are not included.

- Close the driveway to Central Gravel Products located just east of Trunk Road and shift it approximately 600 feet farther east when parcel is redeveloped. This will allow full access to and from the driveway without operational or safety impacts to the Trunk Road roundabout. Redevelopment of this parcel should include a road that connects to the Katherine Drive ROW to the south, providing access to Trunk Road.
- An access point to the large property in the northeast quadrant of the Bogard Trunk intersection can be permitted and should be located opposite this relocated driveway in recommendation 4.3.4.2.
- 3. Consolidating or moving the two negotiated farm driveways accessing two farmland parcels (northern portion of T18 R2E Section 31 Block 3 and T18 R2E Section 31 Lot A6) on the north side of E Bogard Road should be considered upon redevelopment of the parcels. Direct access to E Bogard Road may be provided if the rural access spacing criteria described in Table 1 are met and supported by an approved traffic impact analysis that shows no impact and/or includes traffic impact mitigations that will be funded and provided by the developer.

#### 4. Frontage Road

- A connecting frontage road should be constructed between E Manna Drive and E Eminent Domain Drive as recommended by the 2022 OSHP. Portions of this frontage should be a development requirement for the future subdivision of the large parcel designated as Township 18N, Range 1E, Section 36, Block 19. No direct access to Bogard Road should be permitted from this parcel directly across Cottage Hill Drive. Other secondary access opportunities may exist in lieu of the frontage road that may provide access to this parcel. A partial median opening located approximately 2,250 feet to the east of N 49<sup>th</sup> State Street will provide access to/from E Bogard Road, allowing right-in-right-out and a left turn from E Bogard Road. There is an existing roadway easement through Parcel 1332B04L004, however it is recommended to acquire this parcel.
- Upon completion of the warranty period for the extension of E Manna Drive across the subject property described above, obliterate the existing N Colony Way roadway to the west of the subject property.
- Dedicate ROW for the frontage road to continue from subject parcel to Arabian Acres, Lot 4, Block 4 to allow the future extension of the frontage road.
- The section line easement along the northern boundary of the parcel 18N01E36B019 is set on the 2022 OSHP to have a minor collector route built in it. Dedicate ROW for and construct a stub road to reach the section line easement and Eagle Estates Addition #3, Tract A

#### 5. Direct Access

- Access to the large triangular-shaped property (southern portion of T18 R2E Section 31 Block 3) south of E Bogard Road and east of N Arabian should be to

the south via Tabasco Cat Drive and Comanche Trail. No direct access to E Bogard Road will be permitted.

- Provide a new intersection on the south side of Bogard Road on the east side of Tract Number 18N01E36B020 that meets minimum access spacing shown in Section 3.1 Table 1. Plat details will determine specific location of the new intersection.

6. **Cul-de-sac.**

- Cul-de-sac N Colony Way. Access to Bogard Road will be provided by new frontage road described above.



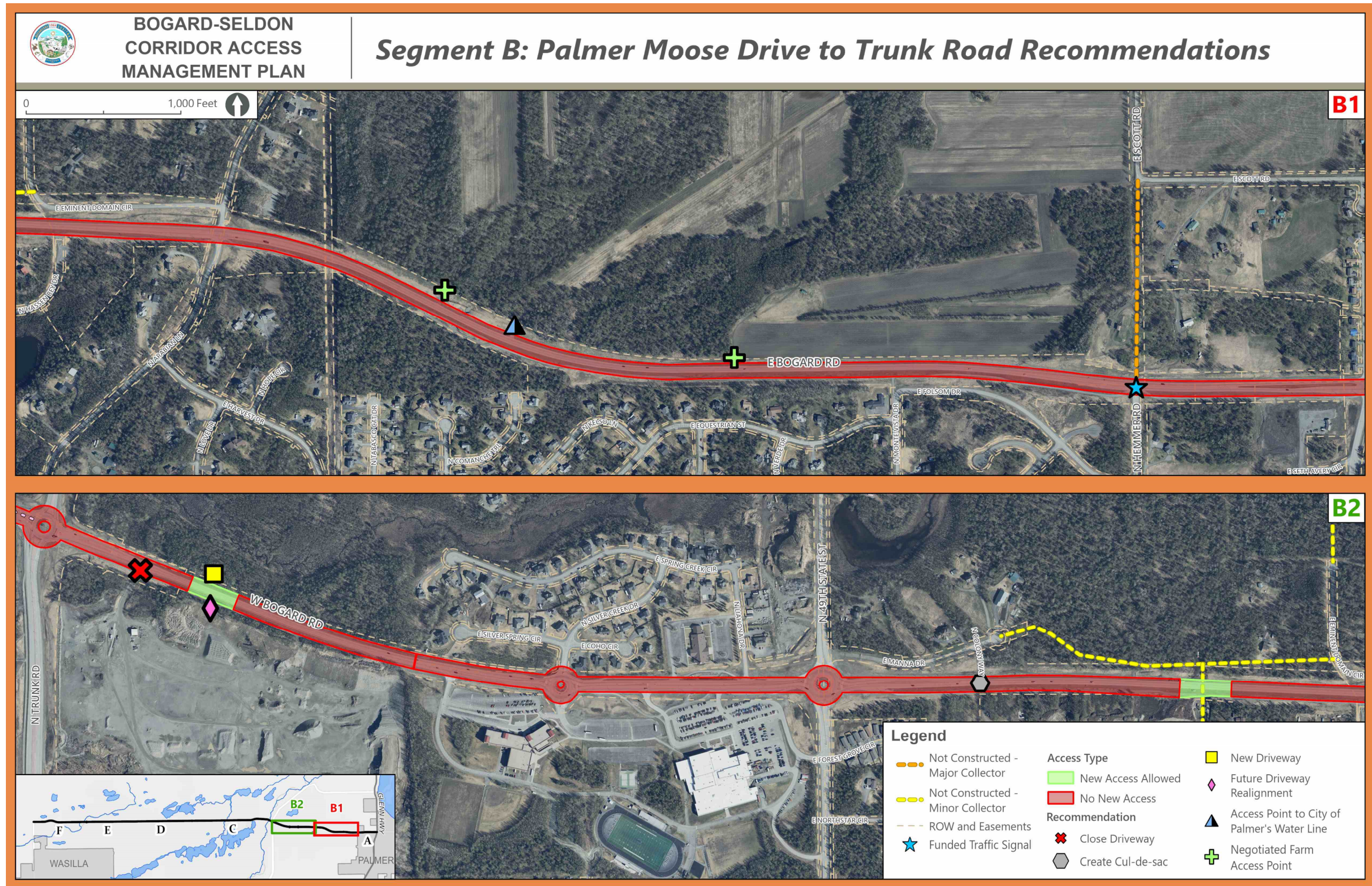


Figure 3: Segment B Mapped Recommendations



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## 4.4 Segment C – E Bogard Road - N Trunk Road to E Bogard Road/E Seldon Road

Segment C is a rural section along the corridor, is approximately 3.07 miles long, and had an AADT ranging between 8,640 and 12,100 vehicles in 2022.<sup>6</sup> The existing section along E Bogard Road is a two-lane undivided roadway with no left-turn lanes provided at any intersection (see Figure 4 and Figure 5). There are 20 unsignalized intersections with the minor approach stop controlled, a single-lane mini-roundabout at E Bogard Road/E Seldon Road, and a total of 30 driveways with several residential properties having multiple access points to E Bogard Road. Several of the local road connections on the north and south sides do not align with each other, creating offset intersections and additional conflict points along the corridor.

The area adjacent to the Bogard-Seldon mini-roundabout has been identified as a neighborhood development node in the Draft MSB SASS. The vision for this node includes a mix of residential and mixed-use areas.

### 4.4.1 Jurisdictional Ownership Existing Right-of-way

This portion of E Bogard is owned by DOT&PF. The ROW ranges between 90 and 165 feet.<sup>7</sup>

### 4.4.2 Existing Lane Use and Future Development Opportunity

Most of the existing land use along Segment C consists of residential subdivisions on the north and south sides of E Bogard Road. Additionally, several businesses are located near N Greentree Street, including two storage facilities on the north side of E Bogard Road. Developable land is located predominantly to the north, between the Bogard-Seldon roundabout and Trunk Road.

Central Gravel Products is proposing a new material site located on the north side of E Bogard Road about 1,000 feet up Engstrom Road between Engstrom Road and Trunk Road. The proposed site will use Engstrom Road as its main access point leading to Bogard Road and is proposing an additional right in/right out (RIRO) driveway onto Bogard approximately halfway between Engstrom Road and Stringfield Road.

### 4.4.3 Planned Improvement Projects

DOT&PF has a current HSIP project to construct a roundabout at N Engstrom Road. The project will also realign Green Forest Drive to be the south leg of the Bogard-Seldon roundabout.

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<sup>6</sup> AADT traffic count data from DOT&PF's Traffic Analysis and Data Application website (<https://alaskatraficdata.drakewell.com/publicmultinodemap.asp>).

<sup>7</sup> ROW widths were estimated using MSB Parcel Viewer maps and represent the typical existing ROW width along the segment. The widths provided do not include additional widths at intersections, and existing easements for drainage features are not included.

DOT&PF has approved FY2024 HSIP funding to make safety improvements along E Bogard Road-Road from N Greyling Street to E Grumman Circle. The improvements will seek to reduce the number of crashes and may include roundabouts, a median, and/or roadway widening.

DOT&PF has approved FY2024 HSIP funding to make safety improvements along Bogard Road between Trunk Road and Engstrom Road. The improvements will seek to reduce the number of crashes by reducing conflict points and may include a raised median to limit left-turning movements by directing traffic to the existing Trunk Road roundabout from the future roundabout at Engstrom Road.

DOT&PF has nominated a Community Transportation Program (CTP) project between Engstrom Road and N Greyling Street that may include a median to control left-turn movements, establish RIRO access points, and potential intersection improvements. Final recommendations would be based on a design study. This project nomination has been approved.

MSB is currently analyzing alignments of a new collector road connection between Engstrom Road and Trunk Road. A new connection will improve local connectivity, decrease traffic at the Engstrom Road and Bogard Road intersection, and provide an alternate route to and from Engstrom Road and Trunk Road. New connections would be provided on Trunk Road north of Bogard Road.

#### 4.4.4 Recommendations

To improve the existing intersection spacing, reduce conflict points, and improve vehicular flow along Segment C, several access management strategies are recommended, including elimination or modification of driveways, realignment of minor approaches, and construction of backage road connections (see Figure 4 and Figure 5). Considering the existing number of access points within this segment, a systems approach should be taken to address the issues while maintaining access to existing residential driveways and local roads. The systems approach would seek to eliminate or preclude some left-turning movements to and from driveways and local roads and use the transportation network to divert the movement. Although the systems approach will require out-of-direction travel, it will reduce conflict points and improve traffic flow along the corridor. An example of the systems approach application would be to convert a driveway to RIRO and to utilize a roundabout downstream to divert the desired left-turn movement from the driveway. The recommendations below consider implementation of the systems approach described above:

**1. Realign Minor Approaches.** The following minor approaches were identified for realignment, eliminating offset intersections. These minor approaches include:

- Realign Ashmore showing future connections to new Engstrom Green Forest roundabout. Connection is not included in current roundabout project.
- Realign access to Fingers Lake State Park
  - Option 1: Realign access to connect with Ashmore Avenue. The roadway and realignment is anticipated to stay within existing MSB and DOT&PF ROWs.



- Option 2: If Option 1 above is determined to be infeasible, realign the Finger Lakes State Park entrance to align opposite N Sebastian Drive. Due to existing ROW limits and topography, this alternative may impact properties on the north side of E Bogard Road to obtain proper alignment. Improvements may include RIRO and/or median opening with left turn lanes.
  - Realign N Moose Street with N Cottonwood Loop.
- 2. Driveway Closures.** The following driveways were identified to be eliminated:
- South side of E Bogard Road, approximately 165 feet west of Green Forest Drive:
    - This will require that Ashmore Avenue be extended to the realigned Green Forest Drive to re-establish a driveway onto Ashmore Avenue.
  - Close the storage facility business driveway on the northside of Bogard Road.
    - Provide a new driveway connection for the facility off of N Greentree Street. This impacts one undeveloped parcel.
  - South side of E Bogard Road approximately 545 feet east of N Keith Street.
    - Access to business is provided by existing driveway off of N Keith Street
  - North side of E Bogard Road approximately 70 feet east of N Earl Drive.
    - Residential property has two driveway connections. Both driveways will be closed and one driveway will be reestablished to a new frontage road extending from Bear Cub Court, as described below.
  - North side of E Bogard Road approximately 175 feet west of N Earl Drive.
    - Driveway access will be reestablished to a new frontage road extending from Bear Cub Court, as described below.
  - North side of E Bogard Road approximately 375 feet east of Bogard-Seldon roundabout.
    - This is a redundant access point. Business access off N Lazy Eight Court will be maintained.
  - South side of E Bogard Road approximately 100 feet, 240 feet, 360 feet, and 575 feet west of N Keith Street.
    - These three business access points will be re-established onto the E Radon Drive backage road recommended below.
  - North side of E Bogard Road between N Engstrom Road and Old Homestead Road.
    - Consolidate existing driveways from five to a minimum of one and maximum of two driveways
      - For access to parcels 18N01E27D001 and 12N01E27D002, consolidate access points to one shared access driveway.

- Specific driveway location and number of driveways to be determined in the future.
- South side of E Bogard Road approximately 250 feet west of Cottonwood Loop
  - Access to parcel 6445B02L022 will be maintained via the existing driveway off E Alder Drive.

### 3. Driveway Modifications:

- If storage facility driveway access onto N Greentree Street is determined to be infeasible, the existing driveway will become RIRO. This will impact business access, requiring out-of-direction travel for vehicles to complete a U-turn to access the driveway.

### 4. Construct Non-traversable Medians/Barriers. Constructing non-traversable medians will resolve the left-turn conflicts along the entire segment; however, this will also have an impact on mobility to and from existing driveways. To mitigate this, a systems approach is recommended. The proposed roundabout at N Engstrom Road and the potential for additional roundabouts or traffic signals between it and the existing Bogard/Seldon mini-roundabout provide a greater opportunity to maintain indirect access while eliminating left turns:

- The N Engstrom Road roundabout provides an opportunity to implement a systems approach to access management on the east end of Segment C. The existing roundabout at Trunk Road and the proposed roundabout at N Engstrom Road provide an opportunity to use barriers as medians to preclude left turns from the driveways and minor approaches located between the two roundabouts. Seven total access points will be converted to RIRO, including six driveways and the N Stringfield Road intersection.
- Using the existing Bogard-Seldon mini-roundabout, if one or more roundabouts/signals were constructed either at Caribou Street, Moose Street, or Bear Street, medians could be constructed between the Bogard-Seldon mini-roundabout and N Earl Drive to reduce left turn conflicts. The roundabouts will provide indirect access to the existing driveways that become RIRO. Construction of a median should be coordinated with the potential HSIP or CTP improvements, as this may allow for implementation of the systems approach to provide the left-turn access downstream of the impacted driveways and local roads. A future analysis is recommended to determine the capacity of the existing Bogard-Seldon mini-roundabout to identify the need for any additional improvements.
  - If a non-traversable median barrier is not constructed at Lagoon Drive, Lagoon Drive will no longer meet intersection spacing requirements. It is recommended then to cul-de-sac Lagoon Drive.
  - It is not recommended to cul-de-sac Earl Drive due to impacts to school access and bus routes.

## 5. Frontage Roads

- Construct a frontage road connecting N Caribou Street, N Moose Street, and N Bear Street. Full access to/from E Bogard Road will be provided at N Moose Street with future intersection control improvements, described below. N Caribou Street and N Bear Street will be right-in-right-out as described below.
  - Existing driveways connecting to E Bogard Road will be re-established onto the frontage road.
- Construct a frontage road extending from Bear Cub Court to existing driveway for parcels 6365B02L015, 6365B02L014, and 6365B02L013.
  - Existing driveways will be re-established onto the frontage road.

## 6. Backage Roads.

- The segment from Radon Drive to E Radon Drive will serve as a backage road by connecting the two road segments. Re-establishing the business access off Radon Drive and East Radon Drive will eliminate four access points on the south side of E Bogard Road between N Lagoon Drive and N Keith Street. This will require the combination of lots owned by the same owner. Alternative alignments may be considered as follows:
  - i. Connect the two ends of E Radon Drive by jogging south to minimize impacting existing buildings.
  - ii. Improve the west and east ends of E Radon Drive to provide new access to interior parcels on each side. Include cul-de-sacs or vehicle turnarounds for MSB snow maintenance and emergency response vehicles.
  - iii. Property acquisition.
- Connecting E Fir Road to Finger Lake Elementary School provides dual access to the school and allows access from the west without having to enter Bogard Road.

## 7. Roadway Connections.

- Connect Dolly Varden Drive to Toller Court. ROW exists.
- Maintain full access onto Bogard Road for N Departure Court and the western access of Cottonwood Loop
- Connect N Keith Street to N McRae Drive. This improvement will impact undeveloped portions of two parcels.
- Connect N. Burlwood Lane to N Greentree Street. This improvement will impact undeveloped portions of two or four parcels depending on the new roadway alignment; 6469B02L006, 6469B02L001, 6469B02L005, and 6469B02L002. Alignments may include a roadway connection along north side of the parcels, in the middle of the parcels, or on the south side of the parcels. Specific alignment and design of the new roadway connection will be determined when a project in

this area along E Bogard Road is funded. At that time, other alternatives may be considered to accomplish the goal of closing N Burlwood Lane and providing new access onto N Greentree Street.

- Construct N Greyling Street extension from E Birch Acres Drive and E Pike Avenue to current MSB roadway standards.
  - a. Challenges to extending N Greyling Street may arise due to non-conforming parcels in this subdivision.
  - b. If extending N Greyling Street to E Pike is determined infeasible, an alternative connection would be to connect E Birch Acres to N Bear Street. This would achieve the goal of closing access to E Bogard Road from N Greyling Street to improve intersection spacing.

#### **8. Directional Medians, left turn lanes, and Right-In-Right-Out**

- Convert N Caribou Street to either a right-in-right-out with median or directional median opening.
- Convert N Bear Street to a right-in-right-out with median.
- Convert N Earl Drive to right-in-right-out with median.
- Convert N Sebastian Drive to right-in-right-out with median.
- Convert N Chandelle Ct to right-in-right-out with median.
- Construct left turn lanes on E Bogard Road at Departure Court-Cottonwood Loop with a directional median opening.
- Construct an eastbound left turn lane on E Bogard Road at N Lazy Eight Court.

#### **9. No New Direct Access.** Due to the density of access points along Segment C, no new direct access should be provided along Segment C except for the OSHP's recommended south extension of Bear Street depicted in the dashed yellow line on Figure 4. Any new development along this segment should connect to local roads and collectors to access E Bogard Road.

#### **10. Cul-de-sac.**

- Cul-de-sac N Lagoon Drive. Access to be maintained via N Barrys Resort Drive and the E Radon Drive backage road described above.
- Cul-de-sac N McRae Drive. Access to be maintained via new roadway connection between N Keith Drive and N McRae Drive described above.
- Cul-de-sac N Burlwood Lane. Access to be maintained via new roadway connection between N Greentree Street and N Burlwood Lane described above
- Cul-de-sac E Ashmore Avenue connection to E Bogard Road. Access to be maintained via Ashmore Avenue and N Green Forest Drive.
- Cul-de-sac N Greyling Steet. Access to be maintained via new roadway connection between E Birch Acres Drive and E Pike Avenue.



## 11. Roadway Improvements

- Improve E Pike Avenue and E King Salmon Drive to meet MSB road standards from N Bear Street to N Loris Way.
  - a. Challenges improving to E Pike Avenue to E King Salmon Drive may arise due to non-conforming parcels in this subdivision.
- Improve N Greyling Street to meet MSB road standards from E Pike Avenue to E Birch Acres Drive.
- Improve E Toller Court to MSB road standards from N Greentree Street to N Dolly Varden Drive.
- Improve Ashmore Avenue to MSB road standards from N Green Forest Drive to new Finger Lakes State Park access recommended above.

**12. Future Intersection Control.** The Bogard Road/Moose Street/Cottonwood Loop intersection is a potential location for intersection control. Future engineering will determine the final intersection control treatment. Intersection treatment may include:

- Signalized intersection including left turn lanes.
- Roundabout.
- Signalized intersection with non-traversable medians. Drivers desiring to turn left onto/from E Bogard Road would use the adjacent roundabouts to U-turn as described in Section 4.4.4.4 above.

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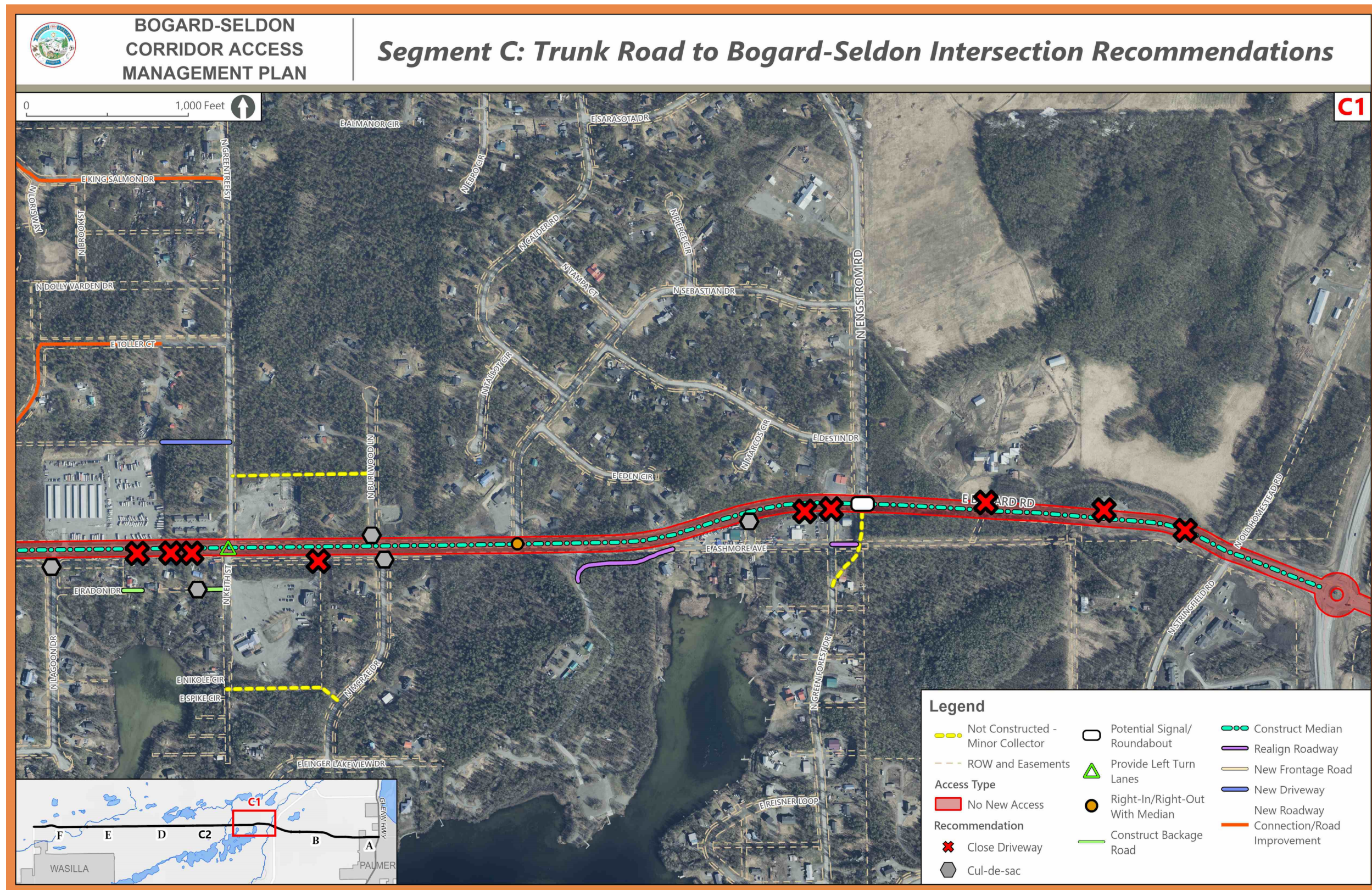


Figure 4: Segment C Mapped Recommendations (1 of 2)



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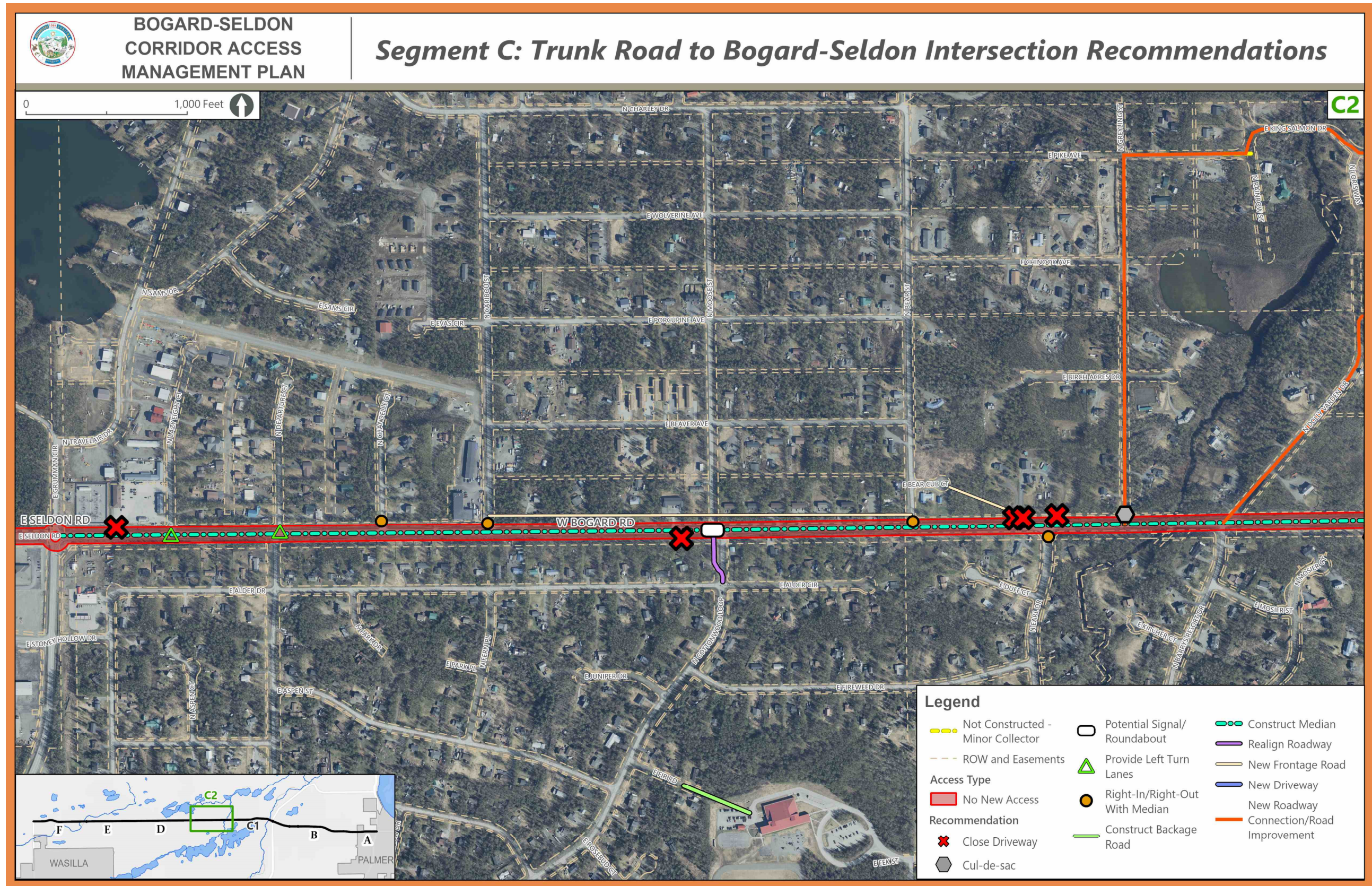


Figure 5: Segment C Mapped Recommendations (2 of 2)



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## 4.5 Segment D – E Seldon Road – E Bogard Road-E Seldon Road Roundabout to Schrock Road

Segment D is a rural section along the corridor and is approximately 2.35 miles long, with an AADT ranging between 5,870 and 7,820 vehicles.<sup>8</sup> The existing section along E Seldon Road is a two-lane undivided roadway with left-turn lanes provided at the following intersections (see Figure 6):

- N Seward Meridian Parkway
- Larson Elementary Road
- Wasilla-Fishhook Road

North Seward Meridian Parkway and Wasilla Fishhook Road intersections with Seldon Road have traffic signals. There are nine unsignalized intersections and one signalized intersection within this segment. For the unsignalized intersections, the minor approaches are stop-controlled. There is only one driveway access point along this segment.

### 4.5.1 Jurisdictional Ownership Existing Right-of-way

This portion of E Bogard Road is owned by DOT&PF. The ROW ranges between 80 and 200 feet.<sup>9</sup> This segment may be transferred to MSB upon completion of the currently nominated CTP projects from Wasilla-Fishhook Road to Lucille Street.

### 4.5.2 Existing Land Use and Future Development Opportunity

Most of the existing land use along Segment D consists of residential subdivisions on the north and south sides of E Seldon Road. Several schools are located south of E Seldon Road, including:

- Off N Seward Meridian Parkway:
  - Teeland Middle School
  - Mat-Su Career and Technical High School
  - Fronteras Spanish Emersion Charter School
- Off Larson Elementary Road:
  - Larson Elementary

Also located south off E Seldon Road is the Alcantra Recreation Facility, which includes disc golf and sport fields.

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<sup>8</sup> AADT traffic count data from DOT&PF's Traffic Analysis and Data Application website (<https://alaskatrafficdata.drakewell.com/publicmultinodemap.asp>).

<sup>9</sup> ROW widths were estimated using MSB Parcel Viewer maps and represent the typical existing ROW width along the segment. The widths provided do not include additional widths at intersections, and existing easements for drainage features are not included.

### 4.5.3 Planned Improvement Projects

An extension is planned to have N Seward Meridian Parkway establish a complete connection between E Seldon Road and E Bogard Road. Once the connection is complete, N Seward Meridian Parkway will extend from the Parks Highway to E Seldon Road, providing a new north-south arterial. Completing this connection will likely result in a change in traffic patterns throughout the area. The new traffic patterns may lead to traffic diverting from the Parks Highway to the Bogard-Seldon Corridor during peak congestion. From a systems approach, this diversion would be viewed as a benefit, as it will improve connectivity and relieve congestion along the Parks Highway, allowing traffic demand to better balance the Bogard-Seldon Corridor and the Parks Highway.

### 4.5.4 Recommendations

1. **General.** Segment D has sufficient intersection spacing and access control. This access control should be preserved, and the number of access points along this segment should not be increased (see Figure 6).
2. **Left Turn Lanes.** Considering the minimal number of existing access points along this segment, providing left-turn lanes at the unsignalized intersections will eliminate left-turning vehicles blocking the through-lane without requiring a three-lane section for the entire segment (see Figure 6). Directional median openings with left-turn pockets are recommended at:
  - Northgate Place
  - Tait Drive
  - N Woodfield Drive
  - Schrock Road
3. **Cul-de-sac.**
  - Terrell Drive should be converted into cul-de-sac, removing its access to E Seldon Road. It has other access options available.
  - N Arctic Fox Drive (see Figure 6). Access to the residential subdevelopment will be maintained off Wasilla-Fishhook Road.
  - N Anoka Place. Access will be maintained from E Lakeview Road. Alternative access to E Lakeview Road include:
    - i. E Wanamingo Drive
    - ii. N Oronoco Court
    - iii. N Anoka Place
4. **Intersection Closure.** East Village Drive's intersection with Seldon should be closed. Other access is available.
5. **Driveway Closures.**
  - Existing access to storage unit business should be closed and moved to align with Tate.



- Remove driveway from large gravel pad east of the N Seward Meridian Parkway/Lakeview Drive/E Seldon Road intersection. Access currently available to E Lakeview Road.
6. **Road Connection.** Extend E Porcupine Trail to E Serendipity Loop. This connection, when constructed, will address the proposed OSHP minor collector located in section line easement between E Village Drive and Larson School Circle. Having it connect to E Serendipity Loop, combined with closing E Village Drive intersection with Seldon, will consolidate three potential access points to one access point. Alternative connections to be considered to connect E Village Loop to N Larson Elementary Circle include:
- Connect E Porcupine Trail to E Serendipity Loop
  - Connect E Village Circle to N Larson Elementary Circle
7. **Right Turn Lane.** Add an eastbound right turn lane from E Seldon Road onto N Larson Elementary Circle.

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## 4.6 Segment E – E Seldon Road – Schrock Road to N Lucille Street

Segment E is a rural section along the corridor, is approximately 1.63 miles long, and had an AADT ranging between 5,200 and 7,820 vehicles in 2022.<sup>10</sup> The existing section along E Seldon Road is a two-lane, undivided roadway (see Figure 7).

There are 13 unsignalized intersections within this segment, including the multi-lane roundabout at N Lucille Street. For the unsignalized intersections, the minor approaches are stop-controlled. There are 13 driveway access points along this segment.

### 4.6.1 Jurisdictional Ownership Existing Right-of-way

This portion of Seldon Road is owned by MSB. The ROW ranges between 80 and 120 feet.<sup>11</sup>

### 4.6.2 Existing Lane Use and Future Development Opportunity

Most of the existing land use along Segment E consists of residential subdivisions on the north and south sides of E Seldon Road. The Twindly Bridge Charter School is located in the northeast quadrant of the N Lucille Street intersection. Developable land is located on the north and south sides of E Seldon Road.

### 4.6.3 Planned Improvement Projects

MSB has nominated projects for funding through DOT&PF's federally funded Community Transportation Program to improve this segment. These projects are under consideration but are currently unfunded. The projects' combined scopes would:

Upgrade Seldon Road, between Wasilla Fishhook Road and Lucille St, to an arterial highway standard with separated pathway. The roadway should be designed to serve local, regional, and freight travel. The project will construct pathway, widen the travel lanes, provide a shoulder, provide an improved clear zone, drainage and other safety features including signage. The project will include other safety and capacity improvements as appropriate.

MSB is also proposing to improve Lucille Street south of E Seldon Road. Improvements to the roadway, a pathway from Spruce Street to E Seldon Road, and the addition of a left-turn lane for Tanaina Elementary School are included in the design. The timing of these improvements depends on when funding is available.

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<sup>10</sup> AADT traffic count data from DOT&PF's Traffic Analysis and Data Application website (<https://alaskatraficdata.drakewell.com/publicmultinodemap.asp>).

<sup>11</sup> ROW widths were estimated using MSB Parcel Viewer maps and represent the typical existing ROW width along the segment. The widths shown do not include additional width at intersections, and existing easements for drainage features are not included.

#### 4.6.4 Recommendations

The number of access points along Segment E should not be increased. Other access management recommendations include eliminating driveway access and constructing cul-de-sacs to reduce access points (see Figure 7). Although Segment E has several offset intersections, realigning the minor approaches would have significant ROW implications, and therefore is viewed as cost-prohibitive.

**1. Driveway Closures.** The following driveways were identified to be eliminated:

- South side of E Seldon Road, approximately 165 feet west of Nancy Way:
  - Re-establish access to parcel off Nancy Way.
- South side of E Seldon Road, approximately 270 feet east of Holly Way:
  - Maintain existing access to parcel off Holly Way.
- South side of E Seldon Road, approximately 260 feet west of N Hematite Drive:
  - Maintain access via new backage road described below
- South side of E Seldon Road, approximately 430 feet west of N Hematite Drive:
  - Maintain access via new backage road described below
- South side of E Seldon Road, approximately 600 feet west of N Hematite Drive:
  - Maintain access via new backage road described below
- South side of E Seldon Road, approximately 810 feet west of N Hematite Drive:
  - Maintain access via new backage road described below
- South side of E Seldon Road, approximately 350 feet, 510 feet, and 675 feet west of N Ravens Flight Drive:
  - Maintain access by extending E Ravenview Drive approximately 625 feet east and reconnecting the impacted driveways to E Ravenview Drive. This will impact four parcels.

**2. Cul-de-sacs.** Eliminating local road connections will improve intersection spacing while maintaining acceptable local access to and from E Seldon Road. The following local roads are recommended to be converted to cul-de-sacs:

- N Jacksnipe Drive:
  - Access to/from Seldon Road is maintained off E Schrock Road.
- N Jasper Drive:
  - Access to/from E Seldon Road is maintained off Ravens Flight Drive and N Hematite Drive.
- N Brennass Way:
  - Access to/from E Seldon Road is maintained off Ravens Flight Drive and N Hematite Drive.

- N Kintrye Lane:
    - Access to/from E Seldon Road is maintained off Lochcarron Drive.
  - N Old Squaw Loop:
    - Access to/from Old Squaw Loop will be maintained via new roadway connection between N Old Squaw Loop and E Pintail Drive
3. **Right In/Right Out.** To improve access spacing and reduce conflict points as an interim improvement prior to N Snow Goose Drive being realigned as described below, it is recommended to convert N Snow Goose Drive to RIRO.
- N Snow Goose Drive
    - Traffic wanting to go east and coming from the west will divert through the residential subdivision onto E Schrock Road.
4. **Backage Road**  
Construct a backage road behind the seven parcels located south of E Seldon Road, west of N Hematite Drive. The backage road will connect to N Hematite Drive, maintaining access for the seven parcels. Partial acquisition and new driveway connections to the backage road for each of the seven parcels will be required.
5. **Roadway Connections** Connect E Pintail Drive to N Old Squaw Loop. Proposed alignment will be determined during the environmental and design phase of the project.
6. **Realign Intersection.** To improve intersection spacing, it is recommended to realign N Snow Goose drive. Alternative alignments to be considered include:
- Preferred Alignment – Realign N Snow Goose Drive to align with N Hematite Drive. This will require grading to reduce the hill to provide adequate intersection sight distance on E Seldon Road. This will impact four parcels in the northwest quadrant of N Snow Goose Drive.
  - Alternative Option – Realign N Hematite Drive to align with the existing N Snow Goose Drive intersection. This will impact two parcels in the southeast quadrant of N Hematite Drive.
  - Alternative Option – Close N Snow Goose Drive and reroute existing driveways along N Snow Goose Drive onto E Seldon Road via a new roadway connection between N Hawk Owl Circle and Grey Owl Circle to line up opposite Holly Way.

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Figure 7: Segment E Mapped Recommendations



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## 4.7 Segment F – Seldon Road – N Lucille Street to Church Road

Segment F is a rural section along the Bogard-Seldon Corridor, is approximately 2.00 miles long, and had an AADT ranging between 3,980 and 5,200 vehicles in 2022.<sup>12</sup> The existing section along E Seldon Road is a two-lane undivided roadway (see Figure 8).

There are 15 unsignalized intersections within this segment, and the minor approaches are stop-controlled. There are 11 driveway access points located mostly on the north side of Seldon Road.

### 4.7.1 Jurisdictional Ownership Existing Right-of-way

This portion of Seldon Road is owned by the MSB. The ROW ranges between 82 and 200 feet.<sup>13</sup>

### 4.7.2 Existing Lane Use and Future Development Opportunity

Most of the existing land use along Segment F consists of residential subdivisions on the north and south sides of E Seldon Road. A gas station is located in the southeast quadrant at the Church Road intersection. Adjacent to the gas station is an existing quarry, which is well suited for redevelopment in the future.

The area adjacent to the Seldon Road and Church Road intersection has been identified as a neighborhood node in the Draft MSB SASS. This neighborhood node provides the opportunity for significant developments in the north and southwest quadrants. This includes the Alaska Mental Health Trust planned development of 600 residential units in the southwest quadrant. There is a large MSB parcel in the northwest quadrant that may be suitable for a school site and supporting residential and small commercial developments.

### 4.7.3 Planned Improvement Projects

There are no current planned improvement projects along this segment of E Seldon Road.

### 4.7.4 Recommendations

Improving intersection spacing and reducing the number of conflict points will improve access management along Segment F (see Figure 8). The following improvements are recommended:

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<sup>12</sup> AADT traffic count data from DOT&PF's Traffic Analysis and Data Application website (<https://alaskatraficdata.drakewell.com/publicmultinodemap.asp>).

<sup>13</sup> ROW widths were estimated using MSB Parcel Viewer maps and represent the typical existing ROW width along the segment. The widths shown do not include additional width at intersections, and existing easements for drainage features are not included.

1. **Cul-de-sacs.** Eliminating local road connections will improve intersection spacing while maintaining acceptable local access to and from E Seldon Road. The following local roads are recommended to be converted to cul-de-sacs:
  - Sarah's Way:
    - Access to and from Seldon Road is maintained off N Brocton Avenue.
  - N Banner Way:
    - Access to/from Seldon Road is maintained off N Eureka Circle. This is the preferred access management treatment to improve intersection spacing while eliminating an offset intersection.
    - A viable alternative that may be considered includes closing N Eureka Circle
      - i. Realign N Banner Way to align with N Mountain Crest intersections.
  - N Oxford Drive:
    - Access to/from Seldon Road is maintained off Mountain Crest Drive and N Brocton Avenue.
  - N Intuition Drive:
    - Access to/from Seldon Road is maintained off N Ryahs Way and new frontage road described below.
  - N Cambay Court:
    - Access to/from Seldon Road is via new frontage road described below.
2. **Driveway Closures.** The following driveways were identified to be eliminated:
  - North side of Seldon Road, approximately 95 feet east of N Brocton Avenue:
    - Re-establish access by constructing new driveway off N Brocton Avenue.
  - North side of Seldon Road, approximately 160 feet west of N Brocton Avenue:
    - Re-establish access by constructing new driveway off N Brocton Avenue.
  - North side of Seldon Road, approximately 230 feet east of W Sarah's Way:
    - Remove secondary driveway and maintain primary driveway to/from Seldon Road.
  - North side of Seldon Road between N Intuition Drive and 480 feet east of Cambay Court:
    - Re-establish 8 driveways, including existing shared access driveway at parcel 7543000L001, onto the new frontage road proposed below.
  - North side of Seldon Road, approximately 295 feet east of Church Road:
    - Shift existing driveway approximately 250 feet to the east



3. **Roadway Realignment.** To further improve unsignalized intersection spacing, N Eureka Circle should be realigned to the west to align with Mountain Crest Drive. This will impact 2 parcels.
4. **Frontage Road.** Construct a frontage road on the northside of Seldon Road between N Intuition and the private driveway located at Parcel 7543000L001. Re-establish all existing driveways onto the new frontage road. Eliminate N Cambay Court's access to Seldon Road and connect N Cambay Court to the frontage road. This improvement will impact nine private parcels. The frontage road will include a turnaround at the intersection of parcel 7543000L001 and the frontage road to accommodate MSB road maintenance and emergency response vehicles. Access onto W Seldon Road will be provided at N Tamar Road.
5. **Future Development.** The existing quarry located near the southeast quadrant of Church Road will likely be redeveloped in the future. Although it is not possible to provide access to the parcel while maintaining the recommended intersection spacing within a rural segment, any future access point to the parcel should be located approximately 750 feet east of Church Road. Access should be controlled by installing a non-traversable median and providing directional median openings at the new access point located at equal distance between Church Road and W Discovery Loop.

The northwest and southwest quadrants also provide future development opportunities. As previously described, the potential 600 residential units in the southwest quadrant and the potential for the northwest quadrant, currently owned by MSB, could have significant access management implications if not planned accordingly. To preserve the operations and safety of the Seldon Road/Church Road intersection, access point spacing, as identified in Table 1, is recommended. A full median opening access point to the west is likely infeasible based on the existing parcel limits in the north and southwest quadrants. Therefore, upon development, a directional median opening access point to and from Seldon Road should be provided a minimum of 1,320 feet west of Church Road. To provide additional connections to the developments in the north and southwest quadrants, additional access points can be provided to and from Church Road. These access points should be a minimum of 1,320 feet north and south of Seldon Road to meet spacing criteria.

6. **Future Intersection Control.** The existing Seldon Road/Church Road Intersection is currently stop controlled on the Seldon Road Legs and free on the Church Leg. As traffic demand increases, this intersection will require a higher level of intersection control with either a traffic signal or roundabout.
7. **Roadway Improvements.** Improve W Scheelite Drive to meet MSB road standards from N Banner Way to Lucille Street.

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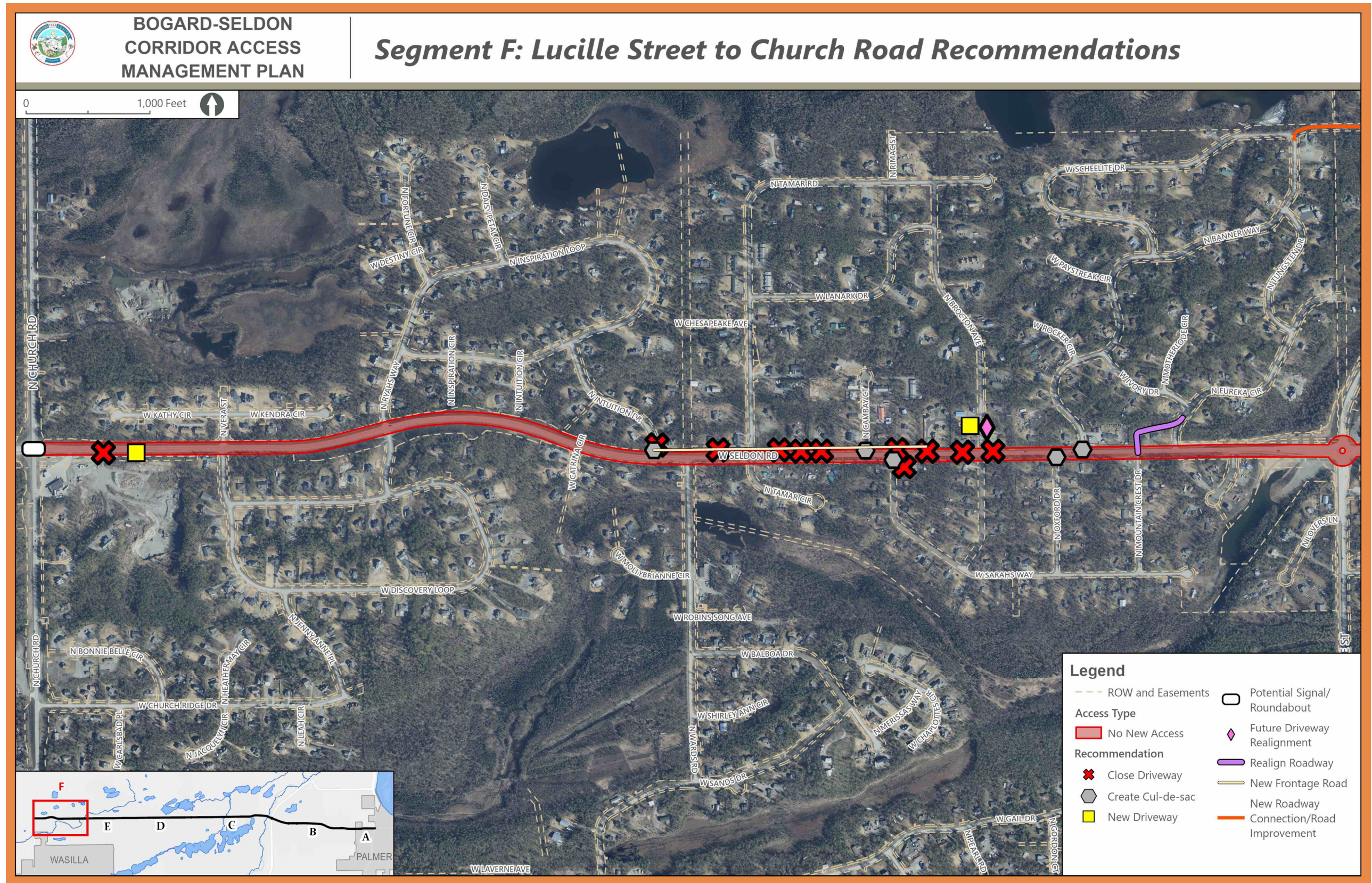


Figure 8: Segment F Mapped Recommendations



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## 5 Implementation

The CAMP's implementation strategies for platting actions and driveway permits along the Bogard-Seldon Corridor are described below. This section also identifies additional actions the MSB should take to assist in the implementation of access management principles.

### 5.1 Platting Actions

Platting actions must comply with the recommendations of the adopted Bogard Seldon Corridor Access Management Plan.

Questions or requests for exemptions require a review by MSB Planning and MSB Public Works and with exceptions approved by the Directors of Planning and Land Use and Public Works. Exceptions must be based on a traffic impact study completed by a registered Professional Engineer in the State of Alaska and any additional engineering studies necessary to support the approval of an exception.

The petitioner may be required to provide additional engineering data as required by the MSB or provide a Traffic Impact Analysis, if traffic thresholds are met, to facilitate the review by MSB Planning and Public Works.

DOT&PF review and approval of exceptions are required for requests accessing state owned segments of the Bogard Seldon Corridor.

### 5.2 Driveway Permits

1. MSB and DOT&PF Driveway and Encroachment permits should comply with the recommendations of this CAMP prior to their approval.
2. DOT&PF should comply with the recommendations of adopted MSB Corridor Access Management Plans in their review and issuance of driveway permit applications and may include a review of MSB Public Works prior to issuance.

### 5.3 Other Recommendations

1. MSB Staff Training: Platting, Planning, Permitting, and Public Works staff should receive training in the principles of access management and the importance of access management plans in maintaining the function of the MSB transportation system. The principles need to be incorporated into the planning, platting, and permitting processes as well as the design of new or upgraded higher functional roadways to improve mobility and safety and to protect investments.
2. MSB Board Training: Platting Board, Transportation Advisory, Planning Commission, and Assembly members should receive training in the principles of access management and its benefits in creating and maintaining a reliable, safe, and well-functioning road network. Access management also protects public transportation investments by extending the functional life of the roadway.

3. Title 43 should be amended to require that all plats must conform to the recommendations of adopted CAMPs to provide the Platting Board the authority to implement the CAMP's recommendations.
4. The MSB Subdivision Construction Manual should be updated to include access management principles. It should also be updated to address rural access spacing requirements in addition to the urban spacing requirements it addresses now.<sup>14</sup>
5. Recognizing roads are developed over time through joining unconnected segments, road extensions, and other improvements. Private development is often a catalyst for partial roadway upgrades, leaving the state or local government with corridors comprised of segments owned by multiple parties. Coordination between state and local governments and the private sector to consolidate ownership when feasible and to share the costs of upgrades when possible.
6. MSB and DOT&PF should coordinate with the MPO planning process to identify projects and opportunities to incorporate the recommendations within this CAMP.
7. This plan should be reviewed and updated every five years to keep pace with increases in traffic demand, urbanization, population growth, development patterns, and increase densities.

## 6 Conclusion

Access management is where land use and transportation merge. Proper land use decisions along the corridor are critical to the continued function of the Bogard-Seldon Corridor. Platting drives land use within the MSB outside of incorporated communities. Platting and permit actions must incorporate the recommendations of this and any other adopted Corridor Management Plans as part of the approval process to safeguard the integrity, safety, and function of the MSB road network.

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<sup>14</sup> The designation of urban or rural is based on the road owner's functional classification system.

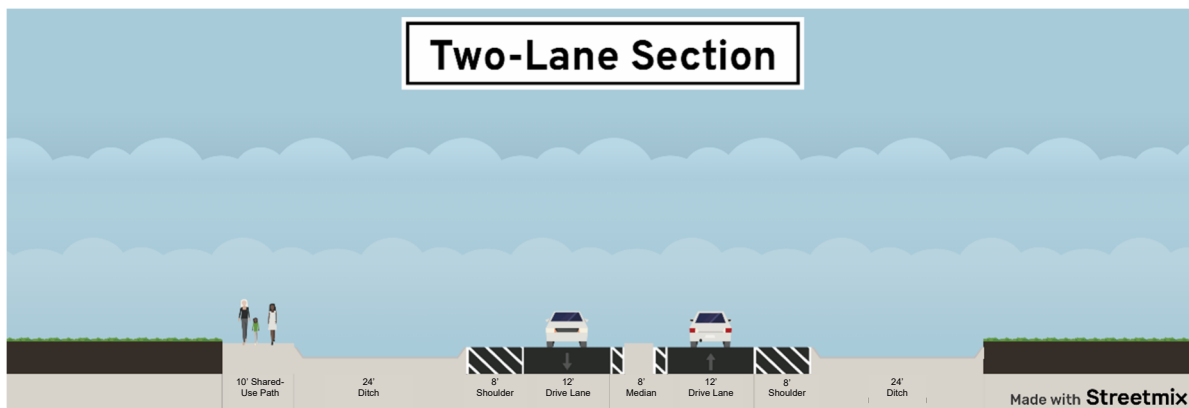
## Appendix A. Typical Sections

The typical cross-section along the Bogard-Seldon Corridor should be consistent with the roadway classification, function, and adjacent land uses, although the cross-section width may vary along the corridor due to a change in adjacent land uses or topographical or ROW constraints. Due to the corridor characteristics, the varying existing ROW widths, and the site-specific constraints and needs of each segment, various typical sections (described below) can be constructed to address specific challenges along each segment of the Bogard-Seldon Corridor. The typical sections described below do not include major intersections along the corridor. Intersection lane configuration and required widths are predicated on intersection control and capacity analysis and therefore may require additional widths. The widths shown below can be reduced or expanded based on engineering judgement to address site-specific constraints.

### Two-Lane Section

A two-lane section can be considered where existing ROW is not wide enough for a three-lane section or where precluding left-turn access to/from driveways and minor streets is desirable. The two-lane section requires a minimum total width of 62–66 feet and consists of the following (see Figure A-1):

- Two 12-foot travel lanes, one in each direction
- An 8-foot median:
  - A 4-foot-wide raised curbed median or barrier
  - A 2-foot buffer on each side
- Eight-foot paved shoulders
- A 3:1 or 4:1 ditch
- A 10-foot shared-use path

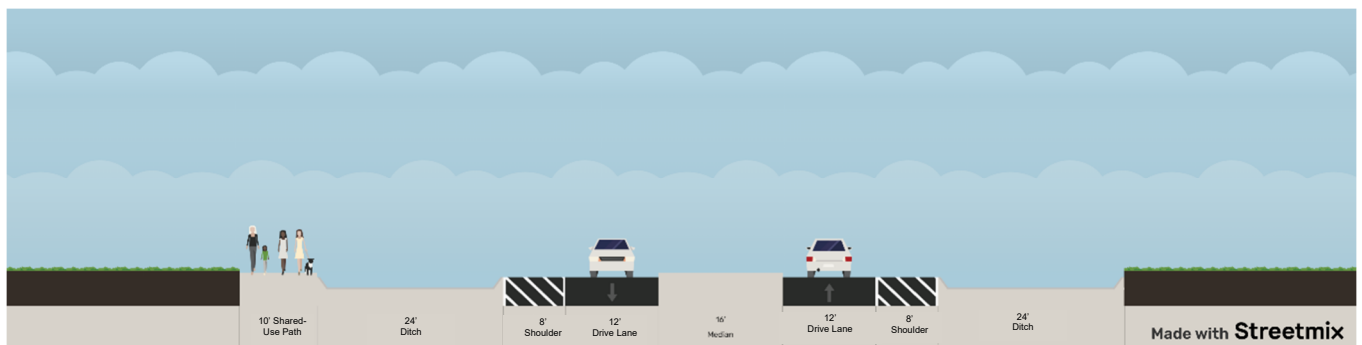


**Figure A-1: Two-Lane Typical Section**

## Three-Lane Section

The unconstrained typical section requires a minimum width ranging between 70 and 74 feet. The typical section consists of the following (see Figure A-2):

- Two 12-foot travel lanes, one in each direction
- A 16-foot median to serve either a non-traversable median with appropriately spaced left-turn pockets or two-way-left-turn lane where determined to be appropriate
- Eight-foot paved shoulders
- A 3:1 or 4:1 ditch
- A 10-foot shared-use path



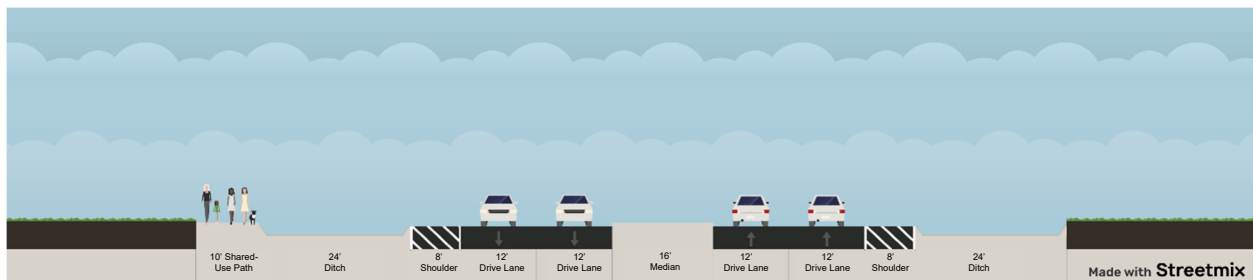
**Figure A-2: Three-Lane Typical Section**



## Five-Lane Section

Considering the future capacity and operations of the Bogard-Seldon Corridor is essential for its resiliency, future performance, and safety. Given the projected growth and significant potential for future development along the corridor, the Bogard-Seldon Corridor will exceed the capacity of a three-lane facility. Planning for future widening or constructing a wider five-lane typical section today where AADT approaches 10,000 vehicles is prudent. The five-lane section requires a minimum width ranging between 94 and 98 feet. The typical section (see Figure A-3) consists of the following:

- Four 12-foot travel lanes, one in each direction
- A 16-foot median to serve a non-traversable median with appropriately spaced left-turn pockets
- Eight-foot paved shoulders
- A 2- to 4-foot transition zone
- A 10-foot shared-use path



**Figure A-3: Five-Lane Typical Section**

**MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM**

**IM No. 25-093**

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING MSB 15.24.030 (B) (48) BOGARD-SELDON CORRIDOR ACCESS MANAGEMENT PLAN.

**AGENDA OF:** Choose an item.

**ASSEMBLY ACTION:**

**AGENDA ACTION REQUESTED:** Introduce and set for public hearing.

Route To	Signatures
Originator: Julie Spackman	X
Planning Department Director	X
Public Works Department Director	X
Finance Director	X
Borough Attorney	X
Borough Manager	X
Borough Clerk	X

**ATTACHMENT (S) :** Ordinance Serial No. 25-054 (2 pp)  
Bogard/Seldon Corridor Access Management Plan (67 pp)  
Planning Commission Resolution No. 25-07 (3 pp)  
Transportation Advisory Board Resolution No. 25-01 (4 pp)

**SUMMARY STATEMENT:**

The East Bogard Road and East Seldon Road corridor, from the Glenn Highway to Church Road, is a critical transportation route within the region, providing essential connectivity and access for residents, businesses, and emergency services. Over time, this corridor has experienced significant population growth and land development. It has also become an important east-west route alternative for the traveling public, as opposed to taking the Parks Highway or the Palmer-Wasilla Highway.

Segments of the Bogard/Seldon road corridor that were originally designed and constructed as local roads or collectors, are now struggling to function as the major east/west arterial. Without an access management plan in place for this corridor, the Borough has not had the tool needed to organize existing and new access points to meet arterial road standards. As a result, we are now facing safety issues and traffic congestion.

Access management plans must be adopted into Borough code to effectively guide intersection locations during the platting process and driveway locations during the permitting process, thereby improving roadway safety and efficiency. The ability to control corridor access is a key factor in reducing highway congestion and crash rates. A lack of corridor access management and control results in high crash rates, high traffic congestion, and increased construction improvements costs.

During the plan development, the design consultants reviewed intersections and driveway locations. Intersection spacing requirements were applied to the plan to reduce potential traffic conflicts. In addition, a non-traversable median is recommended in a portion of the corridor to reduce left turn conflicts.

A public engagement plan was implemented to ensure that property owners and residents along the corridor could view the proposed plan, ask questions, and submit written public comment. The plan included the following outreach strategies: direct mail, Borough media releases, MSB lobby reader board during election season, newspaper advertisement, Open House and Transportation Fair, paid and unpaid Facebook advertising, email to key stakeholders (i.e. transit and utility providers, school district, community councils, road and fire service areas, etc.), and two public comment periods (First draft comment period: 10/9/24 to 12/3/24; second draft comment period: 1/30/25 to 2/28/25) and response logs. Outreach between Oct. 9, 2025 and February 28, 2025 resulted in 226 written public comments, 16 telephone contacts, and 19 in-person visits.

The public response to the plan has varied. Many people acknowledge

the dangerous intersections, the impact that 12 schools in the corridor have on traffic, the congestion during morning/evening commuting times and after school lets out, and the portions of the corridor that are dark and narrow. Some individuals that may be directly impacted by right-of-way acquisition or new travel routes due to proposed intersection or driveway closures are not in favor of the changes. Other people have expressed frustration that the corridor was not planned for this level of service well in advance, and that development has been allowed to occur in ways which now requires significant changes. Some, even though they may have their own property directly impacted, see the value in upgrading the corridor to arterial standards and express support for the plan. The Meadow Lakes and North Lakes Community Councils submitted written public comment in support of the Plan.

The plan proposes a long-term vision of how the corridor can be improved to meet the needs of the traveling public by successfully functioning as an arterial. Since this corridor is 13 miles long and portions of the road are owned by both the State and the Borough, smaller projects must be funded and designed over time. Public involvement will be part of those processes. While this plan provides recommendations for planning-level design, once a project is funded, a more in-depth design and engineering process will occur. Both the Borough and the State have right-of-way acquisition processes that must be followed. Completing all recommended improvements will take many years.

The most immediate impacts of the plan, however, will be to platting and permitting. As subdivisions and development occurs, or changes to existing land use happen, the Planning and Land Use Department will use this plan to determine access onto E. Bogard or E. Seldon Roads. The Plan provides a proactive guide for property owners and developers to use in their new design or redevelopment efforts, thereby saving time and money when working with the Borough to meet permitting or platting requirements.

In support of this Access Management Plan, the MSB Transportation Advisory Board (TAB) adopted Resolution No. 25-01 on April 4, 2025 and the MSB Planning Commission adopted Resolution No. 25-07 on May 5, 2025.

If adopted, this Corridor Access Management Plan for E. Bogard Road and E. Seldon Road will provide guidelines to help ensure the safety and welfare of the community for decades to come.

**RECOMMENDATION OF ADMINISTRATION:** The Department respectfully recommends that the Assembly adopt the Plan.



CODE ORDINANCE

Sponsored by:  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 25-054**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING  
MSB 15.24.030 (B) (48) BOGARD-SELDON CORRIDOR ACCESS MANAGEMENT  
PLAN.

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WHEREAS, the intent and rationale for this ordinance are found  
in the accompanying Informational Memorandum No. 25-093.

BE IT ENACTED:

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

Section 2. Adopting sub-section. MSB 15.24.030 (B) (48) is  
hereby amended as follows:

**(48) Bogard-Seldon Corridor Access Management Plan,  
adopted 2025.**

Section 3. Effective date. This ordinance shall take effect  
upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 3rd  
day of June, 2025.

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EDNA DeVRIES, Borough Mayor

ATTEST:

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LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

DRAFT

**MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY BOARD  
RESOLUTION SERIAL NO. TAB 25-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD SUPPORTING ASSEMBLY ADOPTION OF THE BOGARD/SELDON ROAD CORRIDOR ACCESS MANAGEMENT PLAN.

---

WHEREAS, the East Bogard Road and East Seldon Road Corridor (from the Glenn Highway to Church Road) is a critical transportation route within the region, providing essential connectivity and access for residents, businesses, and emergency services; and

WHEREAS, the growth in population, economic activities, and development in the region has resulted in increased traffic volumes and congestion; and

WHEREAS, the lack of an access management plan on the corridor has resulted in numerous direct driveway access points, off-set local road intersections, and inconsistent intersection distances along the corridor; and

WHEREAS, the corridor ranks highly in traffic crashes as compared with other road corridors in the Borough; and

WHEREAS, access management is a proven transportation planning practice to increase mobility and safety for the traveling public; and

WHEREAS, the section of the corridor between North Trunk Road and Schrock Road is owned by the State of Alaska; and

WHEREAS, the Alaska Department of Transportation and Public Facilities (ADOT&PF) has a separate process for funding and constructing road improvements; and

WHEREAS, the Matanuska-Susitna Borough has collaborated with the ADOT&PF to create a long-term corridor access management plan for E. Bogard Rd. and E. Seldon Rd.; and

WHEREAS, the proposed Bogard-Seldon Road Corridor Access Management Plan aims to enhance safety, reduce traffic congestion, improve mobility, and support sustainable development along the corridor; and

WHEREAS, the plan has been evaluated by the Borough's engineering consultants as part of preliminary engineering and is documented in the "2025 Bogard-Seldon Corridor Access Management Plan"; and

WHEREAS, the proposed plan has been made available to the public online and in paper form upon request; and

WHEREAS, the Borough has conducted public engagement through in-person public outreach, telephone, mail, online, and other media outreach, which has resulted in written public comments addressing both the overall plan and its specific recommendations; and

WHEREAS, the public response to the proposed plan has been mixed, with many people acknowledging the need for improvements on the corridor, and some property owners directly impacted by



specific recommendations in the plan opposing those recommendations; and

WHEREAS, the implementation of the proposed plan will require funding and additional public input before any improvements are constructed; and

WHEREAS, once a road project is funded, a complete engineering analysis will be conducted to determine the most feasible solution to achieve the plan's recommendations; and

WHEREAS, the plan makes recommendations that may require right-of-way acquisition; and

WHEREAS, the Matanuska-Susitna Borough Transportation Advisory Board advises the Assembly on transportation-related issues.

NOW, THEREFORE, BE IT RESOLVED, the Transportation Advisory Board recommends the Assembly adopt the 2025 Bogard-Seldon Corridor Access Management Plan.

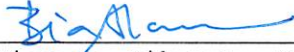
BE IT FURTHER RESOLVED, the Transportation Advisory Board encourages continued collaboration among government entities, planning agencies, community stakeholders, and the public to ensure the successful implementation of the access management plan.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 25th day of April, 2025.



Randy Durham, Chair

ATTEST:



Bianca Zibrat, Staff Member

By: Julie Spackman  
Introduced: April 21, 2025  
Public Hearing: May 5, 2025  
Action:

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION SERIAL NO. 25-07**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION  
SUPPORTING ASSEMBLY ADOPTION OF THE 2025 BOGARD/SELDON CORRIDOR  
ACCESS MANAGEMENT PLAN.

---

WHEREAS, the Bogard-Seldon road corridor, between the Glenn Highway and Church Road, is an important east-west connector in the Matanuska-Susitna Borough and has experienced significant population growth and land use development over the past 30 years; and

WHEREAS, the road corridor is not consistently designed to arterial standards and therefore is no longer meeting the functional needs of the traveling public; and

WHEREAS, the road corridor ranks among those with the highest crash rates in the state, and the concentration of crashes are on segments of the corridor with more conflict points compared to road segments with fewer conflict points; and

WHEREAS, the Matanuska-Susitna Borough and the State of Alaska both own portions of the road corridor, and have worked together to find solutions which improve safety and mobility along the corridor; and

WHEREAS, roads classified as arterials require access

management to reduce traffic crash rates, congestion, and decrease costs for construction improvements and maintenance; and

WHEREAS, the purpose of the Bogard-Seldon Corridor Access Management Plan is to ensure the long term safety and mobility of the roadway, and to minimize the potential for future costs to upgrade the roadway infrastructure; and

WHEREAS, access management plans must be adopted into Borough code in order to effectively guide intersection locations during the platting process and driveway locations during the permitting process, thereby improving roadway safety and efficiency; and

WHEREAS, during the plan development, the design consultants reviewed multiple factors that impact road safety, including but not limited to: left- and right-turn lanes; right-in/right-out intersections; non-traversable medians; off-set intersections; intersection spacing; direct road corridor access points from driveways and street closures; impacts to private property and business owners, and road network connectivity; and

WHEREAS, the Borough conducted extensive public outreach for the Corridor Access Management Plan resulting in 280 written public comments. Comments included both support for the plan overall or for plan recommendations in specific locations, as well as opposition to some plan recommendations in specific locations on the road corridor; and

WHEREAS, the Meadow Lakes and North Lakes Community Councils



submitted written public comment in support of the Corridor Access Management Plan; and

WHEREAS, the Transportation Advisory Board adopted Resolution No. 25-01 in support of this Access Management Plan, on April 4, 2025; and

WHEREAS, this access management plan for the Bogard/Seldon road corridor will provide guidelines to ensure the safety and welfare of the community for decades to come; and

WHEREAS, the Matanuska-Susitna Borough Planning Commission advises the Assembly.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission recommends the Assembly adopt the 2025 Bogard-Seldon Corridor Access Management Plan.

BE IT FURTHER RESOLVED, the Planning Commission encourages continued collaboration among government entities, planning agencies, community stakeholders, and the public to ensure the successful implementation of the access management plan.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 21st day of April, 2025.

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Doug Glenn, Vice-Chair

ATTEST:

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Lacie Olivieri, Administrative Specialist

## **CORRESPONDENCE & INFORMATION**

Public Works Department  
350 E Dahlia Avenue  
Palmer, AK 99645

May 5, 2025  
Planning Commission Meeting  
314 of 318  
PSRT STD  
US Postage  
PAID  
Anchorage, AK  
Permit #537



2\*1\*\*\*\*\*5-DIGIT 99645  
MBS PLANNING COMMISSION  
350 E DAHLIA AVE  
PALMER AK 99645-6411



## SHAW ELEMENTARY ACCESS PROJECT MAP



**Joint Open House**

**Topics:** Shaw Elem. Access & Tex-Al Extension

**Date:** Wednesday, April 23, 2025, 5 to 7 pm

**Location:** Shaw Elementary,  
3750 E Paradise Ln

or

Zoom: <https://bit.ly/ShawElem>

or

Phone audio only: 1-253-215-8782  
Meeting ID: 896 2804 7419, Code: 887716





# PROJECT NOTICE & OPEN HOUSE

## SHAW ELEMENTARY ACCESS

May 5, 2025  
Planning Commission Meeting  
315 of 318

# Matanuska-Susitna Borough PROJECT NOTICE

### What's Happening

This is to notify you of an upcoming project and to invite you to a joint open house. Project teams for Shaw Elementary Access and Tex-Al Extension will be available. You can view plans, talk to the project teams, and provide feedback.

This project was approved by voters as part of the bond package in 2021 (TIP 21).

### Description

This project will improve access to Shaw Elementary and construct access to the new Birchtree Charter school

Primary design elements are:

- Improvements to the Wasilla Fishhook/Paradise Lane intersection.
- The connection between Foxtrot Avenue and Paradise Lane as shown in the Official Streets & Highways Plan.
- A pathway between the school property and the Foxtrot area.

### Benefits

The purpose is to improve ease of travel, connectivity, and safety.

### Status

Phase 1 will complete the traffic and safety study and construct the Foxtrot Avenue connection to Paradise Lane along the existing section line easement.

Phase 2 will upgrade Foxtrot and install intersection improvements at Paradise Lane and Wasilla Fishhook.

Design plans will be posted soon online at <https://tip21.matsugov.us/>.

### Schedule

Phase 1 will be constructed in summer of 2026 at the same time as the Birchtree Charter school.

Phase 2 construction is anticipated in 2027 or 2028.

### Cost

Estimated cost: \$12,000,000.

### Contact Information

#### Andrew Strahler

Civil Construction Project Manager  
Matanuska-Susitna Borough  
[Andrew.Strahler@matsugov.us](mailto:Andrew.Strahler@matsugov.us)  
907-861-7710

#### Camden Yehle

Public Involvement Lead  
Yehle & Associates  
[Camden.yehlealaska@gmail.com](mailto:Camden.yehlealaska@gmail.com)  
907-346-0506

**Website:** <https://tip21.matsugov.us>



Public Works Department  
350 E Dahlia Avenue  
Palmer, AK 99645

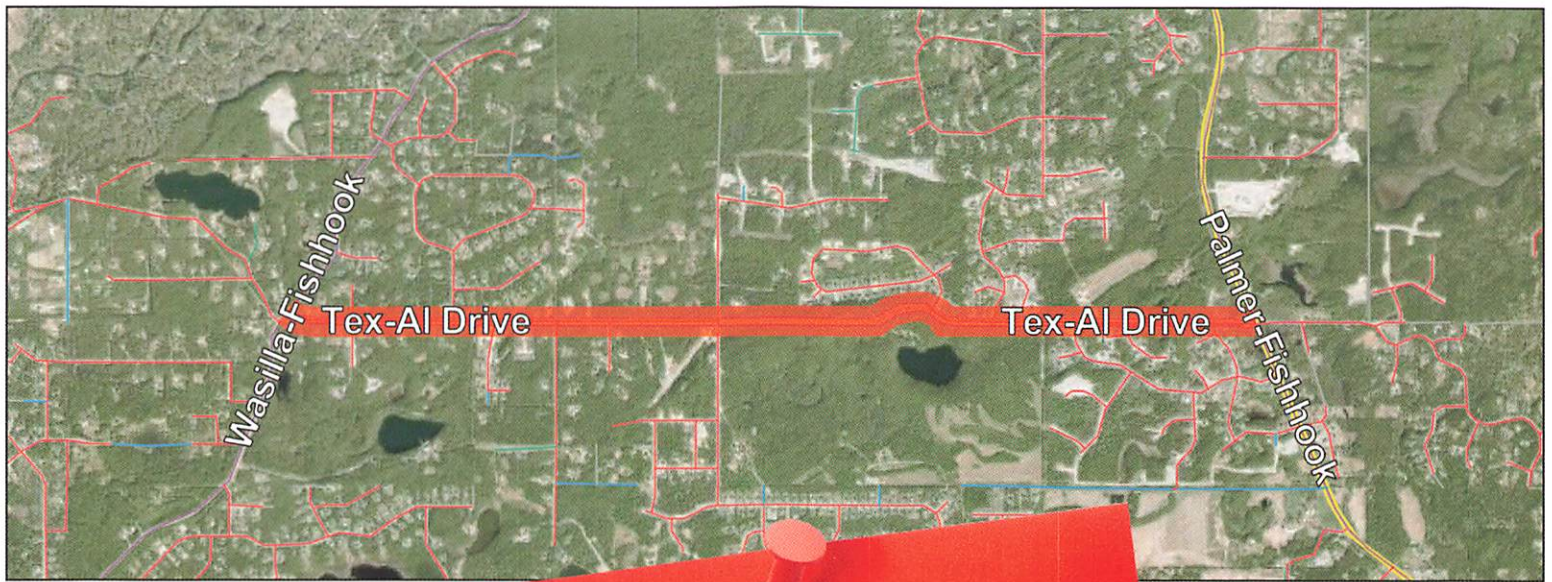
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350 E DAHLIA AVE  
PALMER AK 99645-6411



## TEX-AL DRIVE EXTENSION, UPGRADE AND PATHWAY



### Joint Open House

**Topics:** Tex-Al Extension & Shaw Elem. Access  
**Date:** Wednesday, April 23, 2025, 5 to 7 pm

**Location:** Shaw Elementary,  
3750 E Paradise Ln

or

Zoom: <https://bit.ly/ShawElem>

or

Phone audio only: 1-253-215-8782  
Meeting ID: 896 2804 7419, Code: 887716





## TEX-AL DRIVE EXTENSION, UPGRADE AND PATHWAY

# Matanuska-Susitna Borough PROJECT NOTICE

### What's Happening

The Mat-Su Borough invites you to a joint project open house. Project teams for Tex-Al Drive Extension, Upgrade and Pathway as well as for Shaw Elementary Access Improvements will be available. You can view plans, talk to the project teams, and provide feedback.

These projects were approved by voters as part of the bond package in 2021 (TIP 21).

### Description

The purpose is to connect and upgrade Tex-Al Drive between Palmer-Fishhook and Wasilla-Fishhook, providing a new connection and pathway.

### Status

The majority of the right-of-way is in place for the connection between the west Tex-Al and east Tex-Al roads. The project team is beginning the right-of-way acquisition phase for the remainder.

Design plans are available online at <https://tip21.matsugov.us/>.

### Schedule

Construction is anticipated to begin in 2026.

### Benefits

Currently there are no east-west connections that are constructed to collector road standards between the two Fishhooks north of Trunk Road. This project:

- Improves area traffic and pedestrian circulation.
- Provides an alternate route between the two Fishhooks.
- Shortens commuting and emergency response times.

### Cost

Estimated total cost: \$14,800,000.

### Contact Information

#### Andrew Strahler

Civil Construction Project Manager  
Matanuska-Susitna Borough  
[Andrew.Strahler@matsugov.us](mailto:Andrew.Strahler@matsugov.us)  
907-861-7710

#### Camden Yehle

Public Involvement Lead  
Yehle & Associates  
[Camden@yehlealaska.com](mailto:Camden@yehlealaska.com)  
907-346-0506

**Website:** <https://tip21.matsugov.us>

# **COMMISSION BUSINESS**



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645


Phone (907) 861-7822

[www.matsugov.us](http://www.matsugov.us)

## MEMORANDUM

DATE: April 24, 2025

TO: Planning Commission

FROM: Alex Strawn, Planning and Land Use Director 

SUBJECT: Tentative Future PC Items

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### Upcoming PC Actions

#### Quasi-Judicial

- Houdini's Herbs – Marijuana Retail Facility; 8164B01L001A (Staff: Rebecca Skjothaug)
- Craft Cannabis Cabin – Marijuana Retail Facility; 1842B01L007 (Staff: Rick Benedict)
- Ficklin Gravel Products LLC – Earth Materials Extraction; 16N04W03A009 (Staff: Rick Benedict)
- Butte Land Co. – Earth Materials Extraction; 17N02E35A024 (Staff: Natasha Heindel)
- Silly Bear – Marijuana Retail Facility; 2760B02L002 (Staff: Rick Benedict)
- Harman Northeast – Earth Materials Extraction; 18N01W15B015 (Staff: Rick Benedict)
- Magic Flower – Marijuana Retail Facility; 3209B08L006 (Staff: Rick Benedict)
- Williams – Variance; 6272000L007 (Staff: Rebecca Skjothaug)
- Stenger – Variance; 6194000L002-B (Staff: Rebecca Skjothaug)

#### Legislative

- Historic Preservation Plan (HPP) (Staff: Maggie Brown)
- MSB Borough-Wide Comprehensive Plan (Staff: Jason Ortiz)
- Transit Development Plan (Staff: Jason Ortiz)
- Amending MSB 17.59 Standardized Definitions for Lake Management Regulations (Staff: Alex Strawn)
- Fuller Lake Management Plan (Staff: Jason Ortiz)