

Matanuska-Susitna Borough

Planning Commission Meeting Agenda

Meeting Date: October 5, 2026

Meeting Time: 6:00 PM



Meeting Location

Assembly Chambers – Dorothy Swanda Jones Building

350 E. Dahlia Avenue

Palmer, Alaska 99645

Planning Commission Members

Chairperson: Richard Allen

Vice-Chair: Doug Glenn

Commissioners:

- Brendan Carpenter
- Vacant
- Linn McCabe
- Ivan Fonov
- Curt Scoggin

Ways to Participate in the Meeting

1. Participate In Person

Members of the public may attend the meeting in person. You will have **three (3) minutes** to provide oral comments unless otherwise directed by the Chair.

2. Submit Written Comments

Send written comments to the Planning Commission Clerk:

Email: msb.planning.commission@matsu.gov

Deadline: Written comments must be received **by 12:00 p.m. (noon) on the Friday before the meeting.**

3. Provide Testimony by Telephone

- 1) Dial **1-855-290-3803**.
- 2) You will hear “joining conference” when connected.
- 3) You will be automatically muted and able to listen to the meeting.
- 4) When the Chair opens public testimony, if you would like to speak, press ***3**.
- 5) You will hear “Your hand has been raised.”
- 6) When it is your turn to speak, you will hear “Your line has been unmuted.”
- 7) State your name for the record, spell your last name, and provide your testimony.

4. Observe the Meeting Online

You may watch the meeting live using one of the following platforms:

- [Matanuska-Susitna Borough Facebook page](#)
 - [Matanuska-Susitna Borough YouTube channel](#)
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Meeting Agenda

1. Call to Order, Roll Call, and Determination of Quorum
2. Approval of Agenda
3. Pledge of Allegiance
4. Consent Agenda
 - A. Meeting Minutes – September 14, 2026
 - B. Introduction for Public Hearing: Quasi-Judicial Matters

Resolution 26-20 A Resolution Of The Matanuska-Susitna Borough Planning Commission Approving An Amendment To The Hours Of Operation For An Existing Conditional Use Permit At 1150 N. Helen Lane, Located Within Township 17 North, Range 1 West, Section 2, Seward Meridian; Tax Id# 10680001020.

Staff: Wade Long, Development Services Manager

Public Hearing Date: October 19, 2026

- C. Introduction for Public Hearing: Legislative Matters

Resolution 26-21 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Adoption of the Fiscal Year (FY) 2028 Capital Improvement Program (CIP).

Staff: Natasha Grover, Current Planner

Public Hearing Date: October 19, 2026

5. Committee Reports
6. Agency/Staff Reports
7. Land Use Classifications
8. Audience Participation
9. Public Hearing: Quasi-Judicial Matters
10. Public Hearing: Legislative Matters

Resolution 26-19 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending The Matanuska-Susitna Borough Assembly Establish The Greater Oilwell Road Community Council District.

Staff: Paul Clark, Long Range Planner

11. Correspondence and Information
12. Unfinished Business
13. New Business
14. Commission Business
 - A. Upcoming Planning Commission Agenda Items
15. Director and Commissioner Comments

16. Adjournment

Accessibility and Accommodation Information

Individuals with disabilities who need reasonable accommodation to participate in this meeting should contact the Borough ADA Coordinator:

Phone: 907-861-8432

Request Deadline: At least one week before the meeting.

MINUTES

September 14, 2026



Matanuska-Susitna Borough

Planning Commission Meeting Minutes

Meeting Date: September 14, 2026

Meeting Time: 6:00 PM

Meeting Location

Assembly Chambers – Dorothy Swanda Jones Building

350 E. Dahlia Avenue

Palmer, Alaska 99645

Planning Commission Members

Chairperson: Richard Allen

Vice-Chair: Doug Glenn

Commissioners:

- Brendan Carpenter
- Vacant
- Linn McCabe
- Ivan Fonov
- Curt Scoggin

1. Call to Order, Roll Call, and Determination of Quorum

The Matanuska-Susitna Borough Planning Commission's regular meeting was held on September 14, 2026, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. Chair Allen called the meeting to order at 6:00 p.m.

Attendance:

(*) Next to a name indicates telephonic participation.

Present: Commissioner Allen
Commissioner McCabe*
Commissioner Fonov
Commissioner Carpenter

Absent: Commissioner Scoggin
Commissioner Glenn

Staff Present: Mr. Wade Long, Development Services Manager
Ms. Lacie Olivieri, Planning Commission Clerk

2. Approval of Agenda

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

GENERAL CONSENT: The Agenda was approved without objection.

3. Pledge of Allegiance

Commissioner Carpenter led the Pledge of Allegiance.

4. Consent Agenda

A. Meeting Minutes – August 17, 2026

B. Introduction for Public Hearing: Quasi-Judicial Matters - None

C. Introduction for Public Hearing: Legislative Matters

Resolution 26-19 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending The Matanuska-Susitna Borough Assembly Establish The Greater Oilwell Road Community Council District.

Staff: Paul Clark, Long Range Planner

Public Hearing date: October 5, 2026

Chair Allen read the Consent Agenda into the record.

GENERAL CONSENT: The Consent Agenda was approved without objection.

5. Committee Reports *(There were no Committee reports)*

6. Agency/Staff Reports *(There were no Agency/Staff Reports)*

7. Land Use Classifications *(There were no Land Use Classifications)*

8. Audience Participation

There being no persons to be heard, audience participation was closed without objection.

9. Public Hearing: Quasi-Judicial Matters *(There were no Quasi-Judicial public hearings)*

10. Public Hearing: Legislative Matters *(There were no Legislative public hearings)*

11. Correspondence and Information *(There was no Correspondence and information)*

12. Unfinished Business *(There was no unfinished business)*

13. New Business *(There was no new business)*

14. Commission Business

A. Upcoming Planning Commission Agenda Items

Chair Allen asked whether Commissioners had any questions about the upcoming agenda items provided in their folders.

15. Director and Commissioner Comments

Wade Long: Thank you. Wade Long, Development Services Manager. I just wanted to let you guys know that there's been a pretty huge shakeup in our planning department. And so Lacie Oliveri, Today is her last day as planning commission clerk. She was promoted to a planner. So, she'll actually be presenting from the other side of the dais. And taking her place is Kayla Smith, who just got promoted to our department admin. So she'll be the new clerk. Also, we have a couple of new planners. So Lacie is a new planner, and then also Ashley Stick. She was on the transportation board. She's now a planner for us. So outside of that, so I'm very grateful for the shake up of our team. We're hiring new admins. If you guys know anybody who wants a job, But that being said, we will be conducting a lot of OJT. So we're on plans to submit to you guys. So they'll be slow, but they're on their way. And just one last thing I wanted to say, thank you to Commissioner McCabe. She did help out on my last cleanup at Peaceful Place in Big Lake, along with her husband, Representative McCabe, and others. Very grateful for their efforts. And that's all I had. Thank you very much.

Chair Allen noticed some people come into the meeting and reopened audience participation to give them time to speak.

Andrea Larson – Spoke regarding the Talkeetna

Mr. Larson – Spoke regarding the same subject as Andrea.

Commissioner Carpenter asked questions of Mr. Larson.

Chair Allen closed audience participation and moved back to Commissioner Comments

Commissioner McCabe: Yes, just thanks to Lacie for all of her hard work as commission staff and congratulations in your new role. I'm sure we will still be seeing you at least now and then. Enjoy your new position.

Commissioner Fonov: Congratulations to the people being promoted, Lacie and you as well. Didn't quite remember your name, sorry. Kayla. And it's good to be back out here. Weather's still nice. Thank you.

Commissioner Carpenter: Congratulations, ladies. You're going to be missed, Lacey, but we welcome you aboard. So.

Commissioner Allen: Echo that, congratulations. Also, I want to remind you guys that I will be terming off in December. It'll have been a long time that I've been on here, but I can't, this will be the, I'll be terming off. So I want you to think about who might want to be chair, take over. And if you have any questions about that, you can let me know. I want to try to make it as easy of a landing pad as we can. It shouldn't be a problem. Not too tough. Thanks. All right, we got some time though before that. I just wanted to kind of put it in the back of your guys' mind. Other than that, please enjoy this lovely weather while we still have it.

16. Adjournment

The regular meeting adjourned at 6:17 p.m.

RICHARD ALLEN

Planning Commission Chair

ATTEST:

LACIE OLIVIERI

Planning Commission Clerk

Minutes approved: _____

INTRO FOR PUBLIC HEARING QUASI-JUDICIAL

Resolution No. 26-20

A Resolution Of The Matanuska-Susitna Borough Planning Commission Approving An Amendment To The Hours Of Operation For An Existing Conditional Use Permit At 1150 N. Helen Lane, Located Within Township 17 North, Range 1 West, Section 2, Seward Meridian; Tax Id# 10680001020.

Staff: Wade Long, Development Services Manager

Public Hearing Date: October 19, 2026

STAFF REPORT



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Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

E-mail: permitcenter@matsugov.us

www.matsu.gov

DEVELOPMENT SERVICES DIVISION STAFF REPORT

Date: September 23, 2026

File Number: MARI-2026-010317

Applicant: Peter Zell on behalf of Bad Gramm3r

Property Owner: Zell 2015 Family Trust (Peter Zell)

Request: Planning Commission Resolution 26-20
Application to modify the hours of operation for an existing conditional use permit for the operation of a marijuana retail facility at 1150 N. Helen Lane
17.60 – Regulation of Marijuana Retail Facilities

Location: 1150 N. Helen Lane, TAX ID 1068000L020; within Township 17 North, Range 1 West, Section 02, Seward Meridian.

Size of Property: 0.39 acres

Reviewed By: Alex Strawn, Planning and Land Use Director

Staff: Wade Long, Development Services Manager

Staff Recommendation: Approval with conditions

EXECUTIVE SUMMARY

A conditional use permit application has been submitted for to modify the hours of operation of a marijuana retail facility. The applicant is proposing to operate the facility in an existing commercial structure approximately 1,743 square feet in size. MSB code 17.60.030 requires a conditional use permit for the operation of marijuana retail facilities.

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.

History

The subject property was originally subdivided in 1959 and is known as Williwaw Subdivision. Subdivision restrictions were recorded in March of 1960 and described six lots as commercial. The commercially described lots are: 1, 19, 20, 21, 22, and 23. Lot 19 is the only lot of the six that does not abut Bogard Road.

The subject lot was developed for and has been used as commercial since 2004. A tobacco related business first occupied the building for approximately 4 years. Followed by a specialty retail shop (yarn/crafting shop) for approximately 3 years. Then a bookstore operated in the building for approximately 5 years, through 2015. The applicant purchased the building in January 2016 and began remodeling the building for the proposed use.

Since issuance of the conditional use permit on March 20, 2017, the marijuana retail facility has continued to operate at the subject property. The Borough initiated one code violation case after the facility changed its operating hours to 9:00 a.m. to 5:00 p.m., contrary to the permit condition limiting operations to the hours of 10:00 a.m. to 8:00 p.m. daily. Upon notification of the violation, the facility corrected its operating hours and submitted this application to modify the conditional use permit. No other complaints or code violations have been received or documented for the facility.

LAND USE

Existing Land Use:

The subject property is Lot 20 of the Williwaw Subdivision. The subject lot is sandwiched between two roads: Bogard Road to the south and Helen Lane to the north. The subject lot was developed for and has been used as commercial since 2004. Other than new signage, the subject structure will maintain the appearance and size since its original construction in 2004. Currently, a six foot tall wooden fence exists along the north side lot line between Lots 19 and 20. There is also a 6 foot privacy fence on the west side between Lots 21 and 20. Access is made via Helen Lane which abuts the property on the north side. Access onto Bogard Road is prohibited.

Surrounding Land Uses:

Bogard Road abuts the parcel to the south. Lot 1 is currently a dog grooming business. Lot 19 was developed with a duplex in 2005. Lots 21 and 22 of the Williwaw Subdivision are described as commercial in the applicable subdivision restrictions; however, the two lots were developed with residential homes in the summer of 2016. Lot 23 of the Williwaw Subdivision was developed for and has been used as commercial since 1985. A large commercial use directly abuts the subject parcel and subdivision to the east. A large commercial medical plaza directly abuts the subject subdivision to the west. Bogard Road has several different uses on its frontage including commercial, industrial, and residential.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 - Public Notification

On September 18, 2026 notices were mailed to all property owners within a 600 foot radius of the property and to the North Lakes Community Council. A total of 45 notices were mailed. The permit application material was posted on the Borough website on September 18, 2026. Staff has not received any comments from the community or the community council. Following new Borough Clerk's public notice protocol, the notice was also posted at the following libraries: Big Lake, Sutton, Talkeetna, Trapper Creek, and Willow. The notice was also posted in the Dorothy Swanda Jones Building (Main Borough Building) library.

CORE AREA PERMIT IS NOT REQUIRED

Section 17. 61.020 Intent

(A) This ordinance is intended to promote the positive effects of development while ensuring the public health safety, order, prosperity and general welfare of the core area by establishing a review process for commercial and industrial land use activities with the following impacts:

(1) Any commercial or industrial use that generates noise beyond the boundaries of the lot line of the site on which it is located in excess of the levels permitted by MSB 17.61.080;

Findings of Fact:

1. The proposed conditional use operation is wholly contained within the 1,743 square foot commercial building.
2. There is no industrial equipment or processes that generate noise associated with the proposed use.
3. There are no outdoor speaker or public announcement systems associated with the proposed use.

Conclusion of Law: The use will not exceed sound levels set forth in MSB 17.61.080 and noise levels exceeding the levels in MSB 17.61.080 are prohibited. As such, a Core Area Conditional Use Permit is not required under this standard (MSB 17.61.020 (A)(1)).

(2) Any commercial or industrial use that generates traffic in excess of 100 vehicles during the morning or afternoon peak hour; or more than a total of 750 vehicles per day (measured from 12 a.m. to 12 p.m.).

Findings of Fact:

1. The daily trip rate for a marijuana retail facility is estimated to be 211.12 to 259.31 per 1,000 square feet of the commercial facility.
2. The daily trip rate for the proposed 1,743 square foot marijuana retail facility is estimated to 368 to 452 vehicles per day.
3. The peak hour trip rate is estimated to be 29 to 44 vehicles.
4. The daily trip rate for the proposed use is less than 100 vehicles during the morning or afternoon peak hour, and less than a total of 750 vehicles per day.

Conclusion of Law: Since the use will not exceed 100 vehicles during the morning or afternoon peak hours of more than 750 vehicles a day, as specified in MSB 17.61.090, Traffic Standards, a Core Area Conditional Use Permit is not required under this standard (MSB 17.61.020(A)(2)).

(3) Any commercial or industrial use involving processing, manufacturing, or storage of hazardous substances over thresholds established by federal or state community right-to-know laws and regulations (40 CFR 370, AS 29.35.500), any use which

generates combustible dust produced in sufficient quantity to produce an explosion or combustion hazard, any use involving the storage and handling of combustible fiber in quantities greater than 100 cubic feet (2.8 m³), and any use which involves generation or management of more than 2,200 pounds of hazardous waste per month as defined by federal regulations (40CFR 261, 262). Note that these facilities would also be subject to significant federal/state regulatory requirements. Among other obligations, facilities that exceed community right-to-know thresholds are required to submit annual reports to the state and to the local emergency planning committee (LEPC), and facilities that exceed hazardous waste limits are required to notify the environmental protection agency and comply with requirements for waste storage and disposal.

Findings of Fact:

1. The proposed use will not be processing, manufacturing, or storing hazardous substances identified in MSB 17.61.020(A)(3).

Conclusion of Law: Since the proposed use will not be processing, manufacturing, or storing hazardous substances beyond the thresholds identified in MSB 17.61.020 (A)(3), a Core Area Conditional Use Permit is not required under this standard (MSB 17.61.020(A)(3)).

(4) Any use that generates contaminated water runoff or other discharges that are likely to violate state water quality standards or negatively impact groundwater or surface water quality beyond adjacent property lines.

Findings of Fact:

1. The proposed use is confined to a generally flat area on the parcel.
2. The proposed use is commercial retail in nature and will not generate contaminated water runoff.

Conclusion of Law: The proposed use will not generate contaminated water runoff or other discharges that are likely to violate state water quality standards or negatively impact groundwater or surface water quality beyond adjacent property lines. As such, a Core Area Conditional Use Permit is not required under this standard (MSB 17.61.020(A)(4)).

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 property is located in the Core Area; however, there are no specific zoning designations for this parcel.

2. The applicable subdivision restrictions (dated July 25th, 1967) describe the subject lot, as well as Lots 1, 19, 21, 22 and 23 as commercial.
3. The subject lot was developed for and has been used as commercial since 2004.
4. Lots 20, 21, 22 and 23 of the Williwaw Subdivision are sandwiched between two roads: Bogard Road to the south and Helen Lane to the north. Accessing Bogard Road is prohibited and as such, the lots are required to access Helen Lane.
5. Bogard Road has several different uses on its frontage including commercial and residential.
6. Lot 23 of the Williwaw Subdivision was developed for and has been used as commercial since 1985.
7. A large commercial use directly abuts the subject parcel and subdivision to the east.
8. A large commercial medical plaza directly abuts the subject subdivision to the west.
9. Other than new signage, the subject structure will maintain the appearance and size since its original construction in 2004.

Discussion: Lots 21 and 22 of the Williwaw Subdivision are adjacent to the subject lot and are described as commercial in the applicable subdivision restrictions; however, the two lots were developed with residential homes in the summer of 2016. It should be noted that the Borough does not enforce subdivision covenants or restrictions. It should also be noted that subdivision covenants or restrictions are not standards in code and should not be used to approve or deny a conditional use permit.

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

- (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 school (Wasilla High School) is approximately 4,400 feet away from the proposed use.
2. Consumption of marijuana is prohibited at the site.
3. The applicant has a Matanuska-Susitna Borough high-volume driveway permit for the legal access on to Helen Lane.
4. The projected peak-hour traffic volume exceeds ten trips based on the Institute of Transportation Engineers Trip Generation Manual; therefore, a high-volume driveway permit is required.

5. Access onto Helen Lane is preferred as it is a lower classification of road (minor collector) as opposed to Bogard Road which has higher classification (minor arterial).
6. Persons under the age of 21 are prohibited from entering the proposed use.
7. According to the application material, the proposed use will have a robust security plan in place.
8. All marijuana products deemed unusable will be sealed in a container and disposed of at the Matanuska-Susitna Borough landfill, after proper notification of the State of Alaska Alcohol & Marijuana Control Office.

Conclusion of Law: Based on the above findings and with conditions, the proposed use will not be harmful to the public health, safety, convenience and welfare (MSB 17.60.100 (B)(2)).

(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 property is located in the Core Area; however, there are no specific zoning designations for this parcel.
2. The applicable subdivision restrictions (dated July 25\ 1967) describe the subject lot, as well as Lots 1, 19, 21, 22, and 23 as commercial.
3. The subject lot was developed for and has been used as commercial since 2004.
4. Lots 20, 21, 22, and 23 of the Williwaw Subdivision are sandwiched between two roads: Bogard road to the south and Helen Lane to the north. Accessing Bogard road is prohibited and as such, the lots are required to access Helen Lane.
5. Lot 23 of the Williwaw Subdivision was developed for and has been used as commercial since 1985.
6. A large commercial use directly abuts the subject parcel and subdivision to the east.
7. A large commercial medical plaza directly abuts the subject subdivision to the west.
8. The existing structure meets all applicable setback requirements required by MSB 17.55 - Setbacks and Screening Easements.
9. The applicant has obtained a Matanuska-Susitna Borough high-volume driveway permit for legal access on to Helen Lane.
10. The projected peak-hour traffic volume exceeds ten trips based on the Institute of Transportation Engineers Trip Generation Manual; therefore, a high-volume driveway permit is required.

11. Access onto Helen Lane is preferred as it is a lower classification of road (minor collector) as opposed to Bogard Road which has a higher classification (minor arterial).
12. The closest school (Wasilla High School) is approximately 4,400 feet away from the proposed use.
13. Currently a six foot tall wooden fence exists along the north side lot line between lots 19 and 20. There is also a 6 foot privacy fence on the west side between Lots 21 and 20.

Conclusion of Law: Based on the findings above, sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.60.1 00(B)(3)).

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

Findings of Fact:

1. All of the required site plans and operational information have been provided by the applicant.

Conclusion of Law: The applicant has met all of the requirements of this chapter (MSB 17.60.100(B)(4)).

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. The proposed conditional use operation is wholly contained within the 1,743 square foot commercial building.
2. There is no industrial equipment or processes that generate noise associated with the proposed use.
3. There are no outdoor speakers or public announcement systems associated with the proposed use.
4. Consumption of marijuana is prohibited at the site.
5. According to the application material, all marijuana will be stored in sealed containers.
6. According to the application material, loitering will not be allowed, helping to ensure noise and odor will not be an issue

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

- (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.*

Findings of Fact:

1. The applicable subdivision restrictions (dated July 25th, 1967) describe the subject lot, as well as Lots 1, 19, 21, 22 and 23 as commercial.
2. The subject last was developed for and has been used as commercial since 2004.
3. The existing structure meets all applicable setback requirements required by MSB 17.55 – Setbacks and Screening Easements.
4. The subject structure will maintain the appearance and size since its original construction in 2004.
5. Currently a six foot tall wooden fence exists along the north side lot line between lots 19 and 20. There is also a 6 foot privacy fence on the west side between Lots 21 and 20.
6. No new landscaping or berms are planned or required by code.

Conclusion of Law: Based on the above findings and with conditions, measures are in place to reduce negative affects 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:

1. The property is located in the Core Area; however, there are no specific zoning designations for this parcel.
2. The applicable subdivision restrictions (dated July 25th, 1967) describe the subject lot, as well as Lots 1, 19, 21, 22, and 23 as commercial.
3. The subject lot was developed for and has been used as commercial since 2004.
4. The subject location has been used for commercial retail for approximately twenty-two years.
5. Lots 20, 21, 22, and 23 of the Williwaw Subdivision are sandwiched between two roads: Bogard Road to the south and Helen Lane to the north. Accessing Bogard Road is prohibited and as such, the lots are required to access Helen Lane.

6. Bogard Road has several different uses on its frontage including commercial and residential.
7. Lot 23 of the Williwaw Subdivision was developed for and has been used as commercial since 1985.
8. A large commercial use directly abuts the subject parcel and subdivision to the east.
9. A large commercial medical plaza directly abuts the subject subdivision to the west.
10. The subject structure will maintain the appearance and size since its original construction in 2004.

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

- (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 distance 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.*

Findings of Fact:

1. The closest school (Wasilla High School) is approximately 4,400 feet away 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. On February 2, 2017, the State of Alaska Marijuana Control Board voted unanimously to approve Bad Gramm3r's Retail Marijuana Store License # 11121 with delegation.
2. Official minutes from the Marijuana Control Board meeting showing Bad Gramm3r's delegated approval was obtained from the State of Alaska's official website.

Conclusion of Law: Based on the above finding, documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150 (D)(1)).

- (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 Matanuska-Susitna Borough Fire Code Official has issued Plan Review #2016-096 for Tenant Improvement Approval.
2. A certificate of occupancy must still be issued by the MSB Fire Code Official upon completion of remodel work within the subject building.

Conclusion of Law: Based on the above finding, the proposed use is in full compliance with all applicable fire code (MSB 17.60.150 (D)(2)).

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. The property is located in the Core Area; however, there are no specific zoning designations for this parcel.
2. The applicable subdivision restrictions (dated July 25th, 1967) describe the subject lot, as well as Lots 1, 19, 21, 22, and 23 as commercial.
3. The subject lot was developed for and has been used as commercial since 2004.
4. The subject location as been used for commercial retail for approximately twenty-two years.
5. Lots 20, 21, 22, and 23 of the Williwaw Subdivision are sandwiched between two roads: Bogard Road to the south and Helen Lane to the north. Accessing Bogard Road is prohibited and as such, the lots are required to access Helen Lane.
6. The subject lot is sandwiched between two roads: Bogard Road to the south and Helen Lane to the north.
7. Bogard Road has several different uses on its frontage including commercial and residential.
8. Access onto Helen Lane is preferred as it is a lower classification of road (minor collector), as opposed to Bogard Road which has a higher classification (minor arterial).

9. Helen Lane is an paved road and it has been used for both residential and commercial uses since 2004.
10. The applicant has obtained a Matanuska-Susitna Borough high-volume driveway permit legal access on to Helen Lane.
11. The projected peak-hour traffic volume exceeds ten trips based on the Institute of Transportation Engineers Trip Generation Manual; therefore, a high-volume driveway permit is required.
12. Lot 23 of the Williwaw Subdivision was developed for and has been used as commercial since 1985.
13. Lots directly to the north and further within the subdivision have been developed with residential homes.
14. A large commercial use directly abuts the subject parcel and subdivision to the east.
15. A large commercial medical plaza directly abuts the subject subdivision to the west.
16. The subject structure will maintain the appearance and size since its original construction in 2004.

Discussion: Lots 21 and 22 of the Williwaw Subdivision are described as commercial in the applicable subdivision restrictions; however, the two lots were developed with residential homes in the summer of 2016. It should be noted that the Borough does not enforce subdivision covenants or restrictions.

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

(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, 10 feet wide, and have a vertical clearance of at least 7 feet.

Findings of Fact:

1. The proposed use is 1,743 square feet in size.
2. According to the site plan, nine customer parking spaces will be provided.
3. According to the site plan, each space will be 20 feet in length and 10 feet wide.
4. According to the applicant, there are no vertical clearance limitations on site.

Conclusion of Law: Based on the above finding, the proposed use meets the minimum number of parking space 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. ADA guidelines require one van accessible parking space with an eight foot wide parking isle, for every 1 to 25 spaces.
2. One van accessible parking space with a ten foot wide parking aisle is provided.

Conclusion of Law: Based on the above finding, the proposed use complies with current ADA parking space guidelines (MSB 17.60.170 (C)).

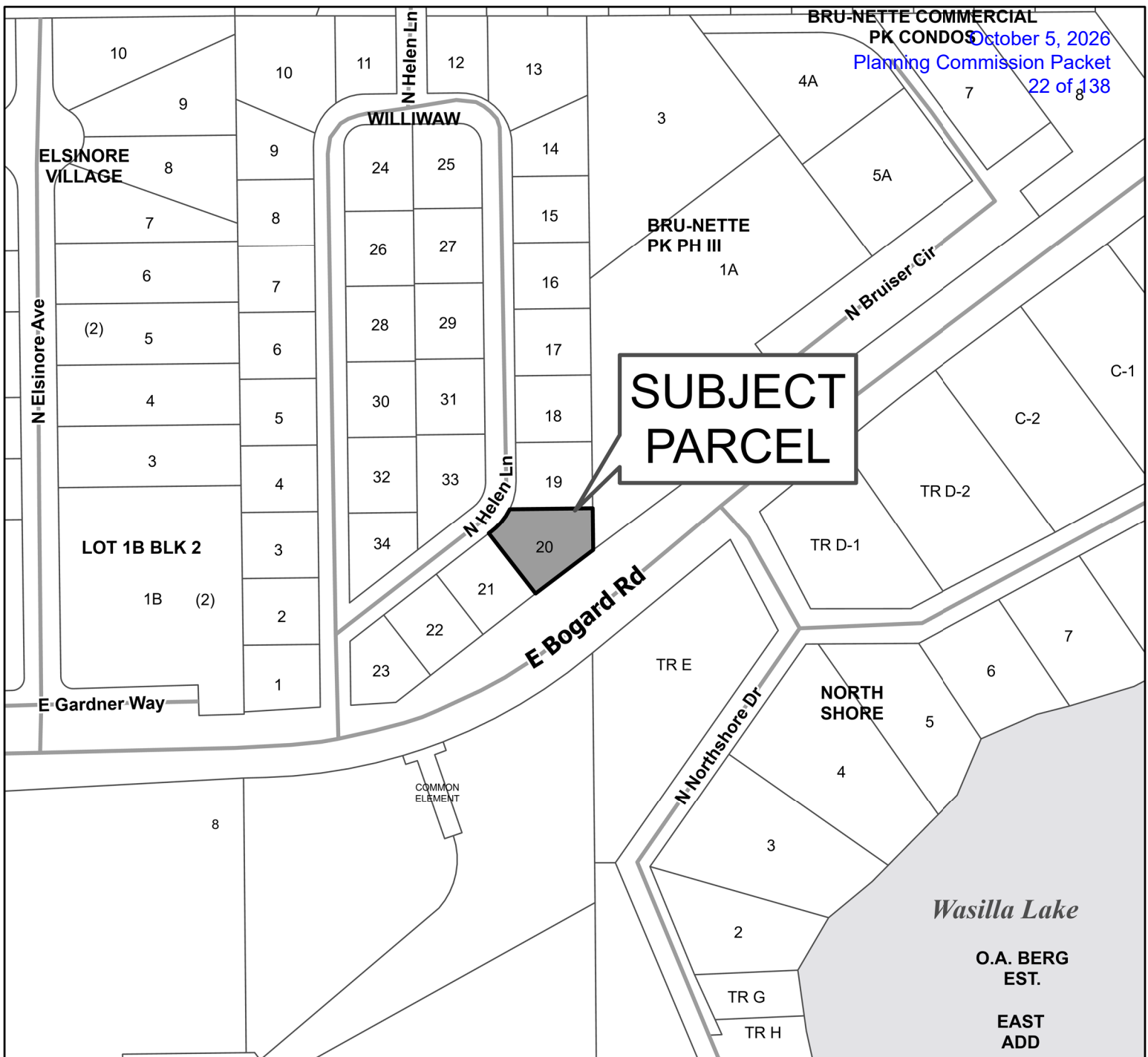
STAFF RECOMMENDATIONS

Staff recommends approval of the conditional use permit to operate a Marijuana Retail Facility, 1,743 square feet in size, at 1150 N Helen Lane (Tax ID # 1068000L020). The applicant meets all of the standards in MSB 17.60.100, 17.60.150 and 17.60.170. Staff recommends approval of this permit with the following conditions:

1. The owner and/or operator shall comply with all applicable state and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit; and an amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. Use of access from North Helen lane requires a high volume driveway permit to meet compliance with MSB 11.12 Driveway Standards.
4. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sound and Vibration.
5. 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.
6. On-site consumption of marijuana and marijuana products is prohibited.

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

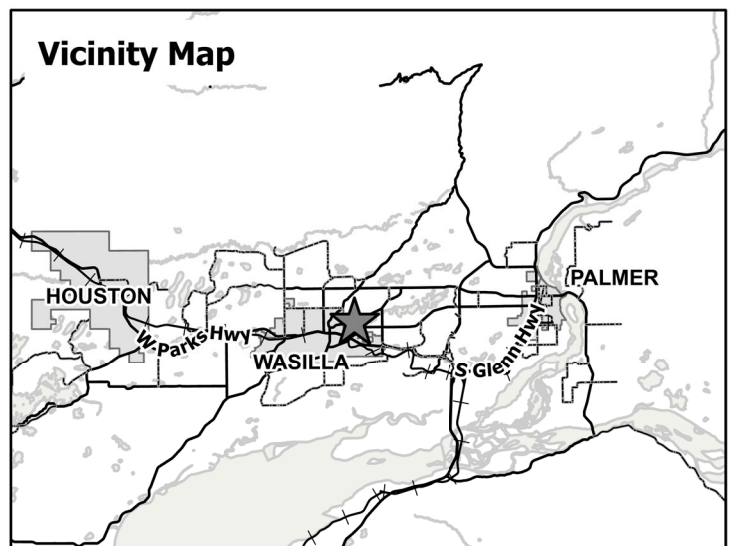
MAPS

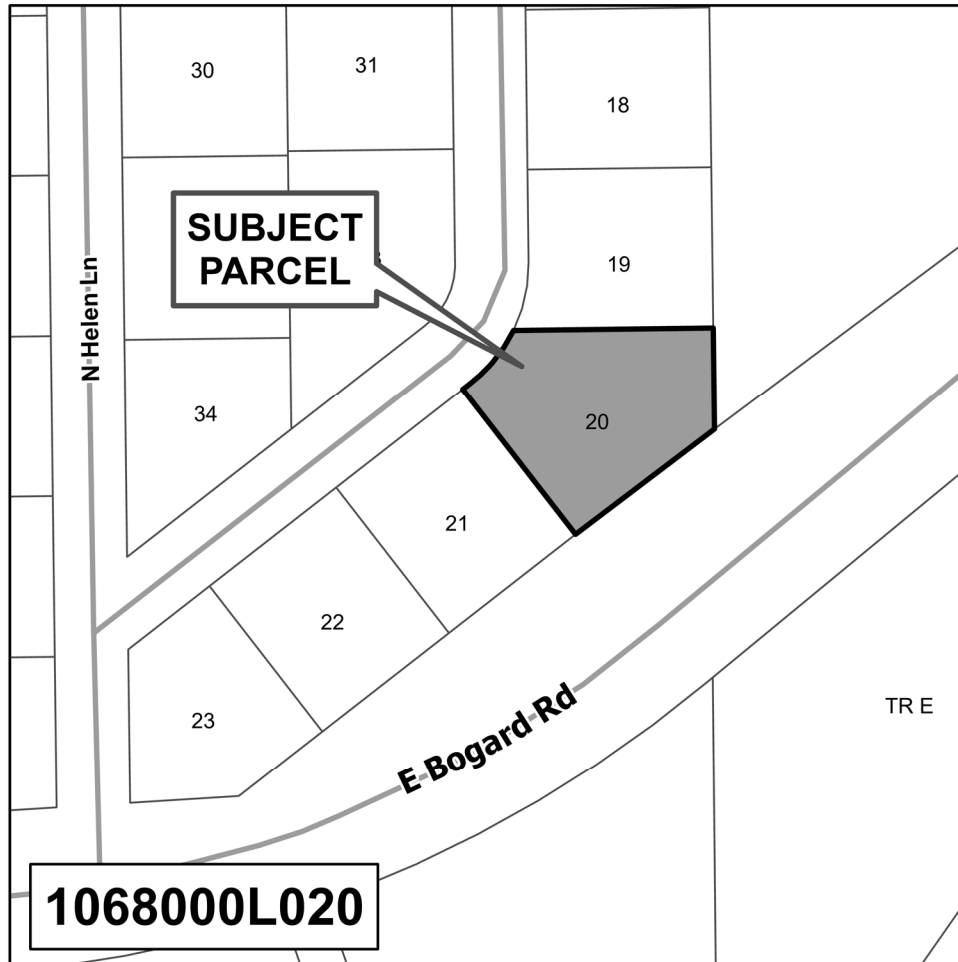


1068000L020



This map is 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 907-861-7801.



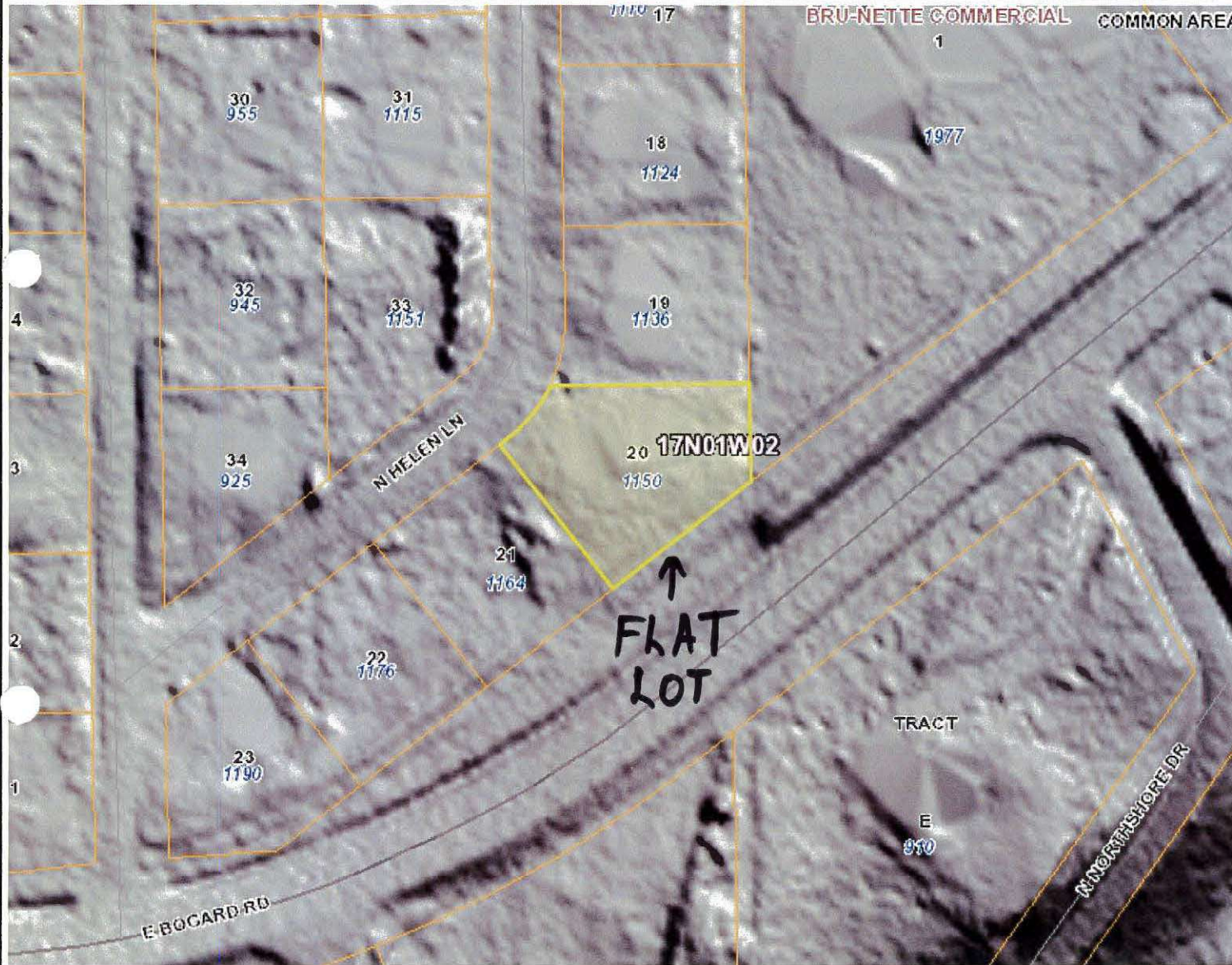


TOPOGRAPHY

October 5, 2026
Planning Commission Packet
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Matanuska-Susitna Borough



Legend

Public Facilities

- Administrative
- Animal Care
- City Hall or Courthouse
- Community or Senior Center
- Correctional Facility
- Landfill or Transfer Station
- Recycling Center
- Transfer Station/Recycling
- Library
- Medical
- Post Office
- Public Safety EMS
- Public Safety Fire
- Public Safety Fire/EMS
- Public Safety Forestry
- Public Safety Law Enforcement
- School

Streets

- Highway
- Major Street
- Medium Street
- Minor Street
- Primitive Road
- Private Road

- Mat-Su Borough Boundary
- Incorporated Cities
- Parcels
- Flood Zone

1: 1,200



0.0 0 0.02 0.04 Miles

NAD_1983_StatePlane_Alaska_4_FIPS_5004_Feet
© Matanuska-Susitna Borough

Reported on 11/04/2016 10:39 AM

THIS MAP IS NOT TO BE USED FOR NAVIGATION

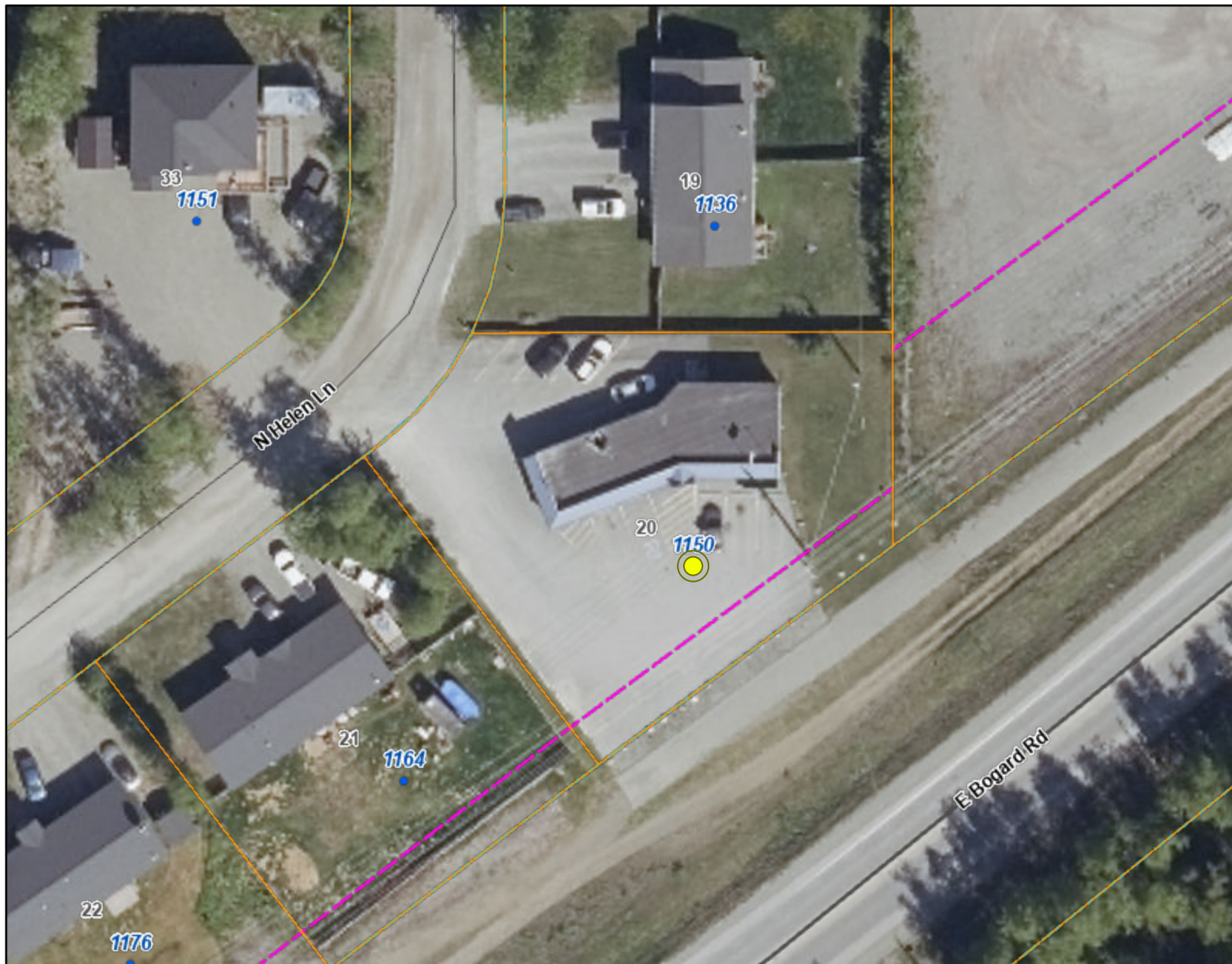
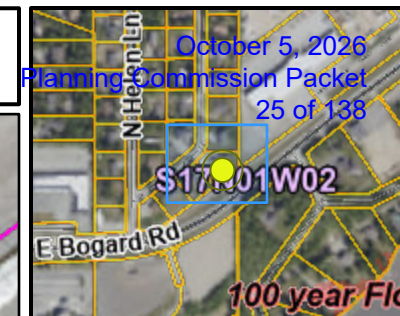
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Notes

This map was automatically generated using Geocortex Essentials.



Parcel Map



Legend

- Major Road
- Minor Road
- Mat-Su Borough Boundary
- Address Numbers
- Parcels
- Lot and Block Numbers

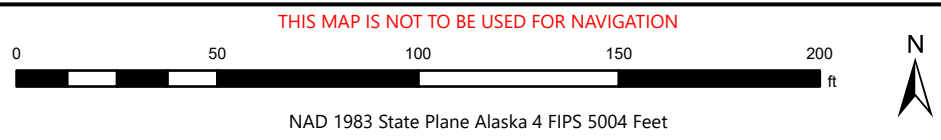
Layer

- ROW Easement
- Easement
- Section Lines

RGB

- Red: Band_1
- Green: Band_2
- Blue: Band_3
- Highlighted Points
- Highlighted Points

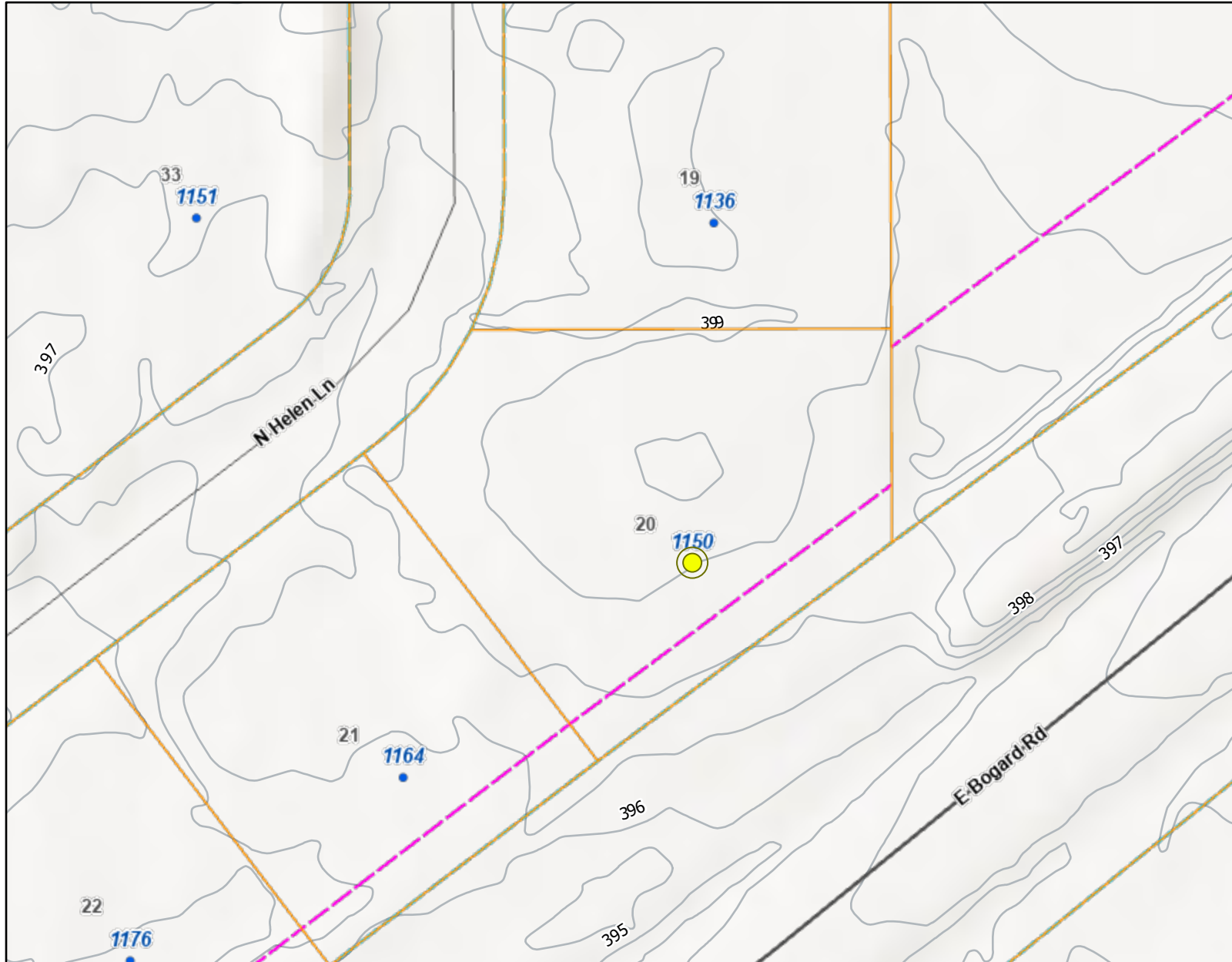
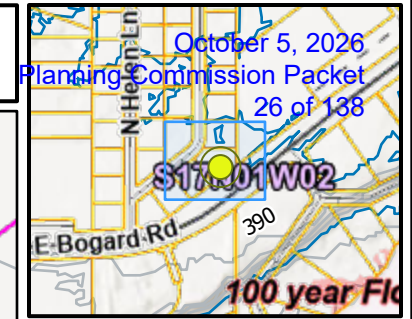
Notes
Generated on 24.09.2026 (dd/mm/yyyy)



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Parcel Map



Legend

- Major Road
- Minor Road
- Mat-Su Borough Boundary
- Address Numbers
- Parcels
- Lot and Block Numbers

Layer

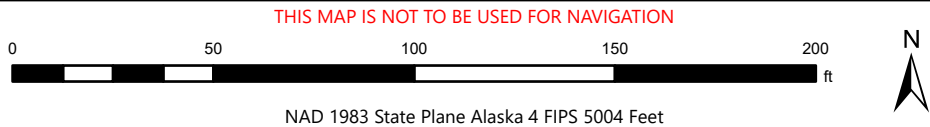
- ROW Easement
- Easement
- Section Lines

World Hillshade

- World_Hillshade
- Highlighted Points
- Highlighted Points

Notes

Generated on 24.09.2026 (dd/mm/yyyy)

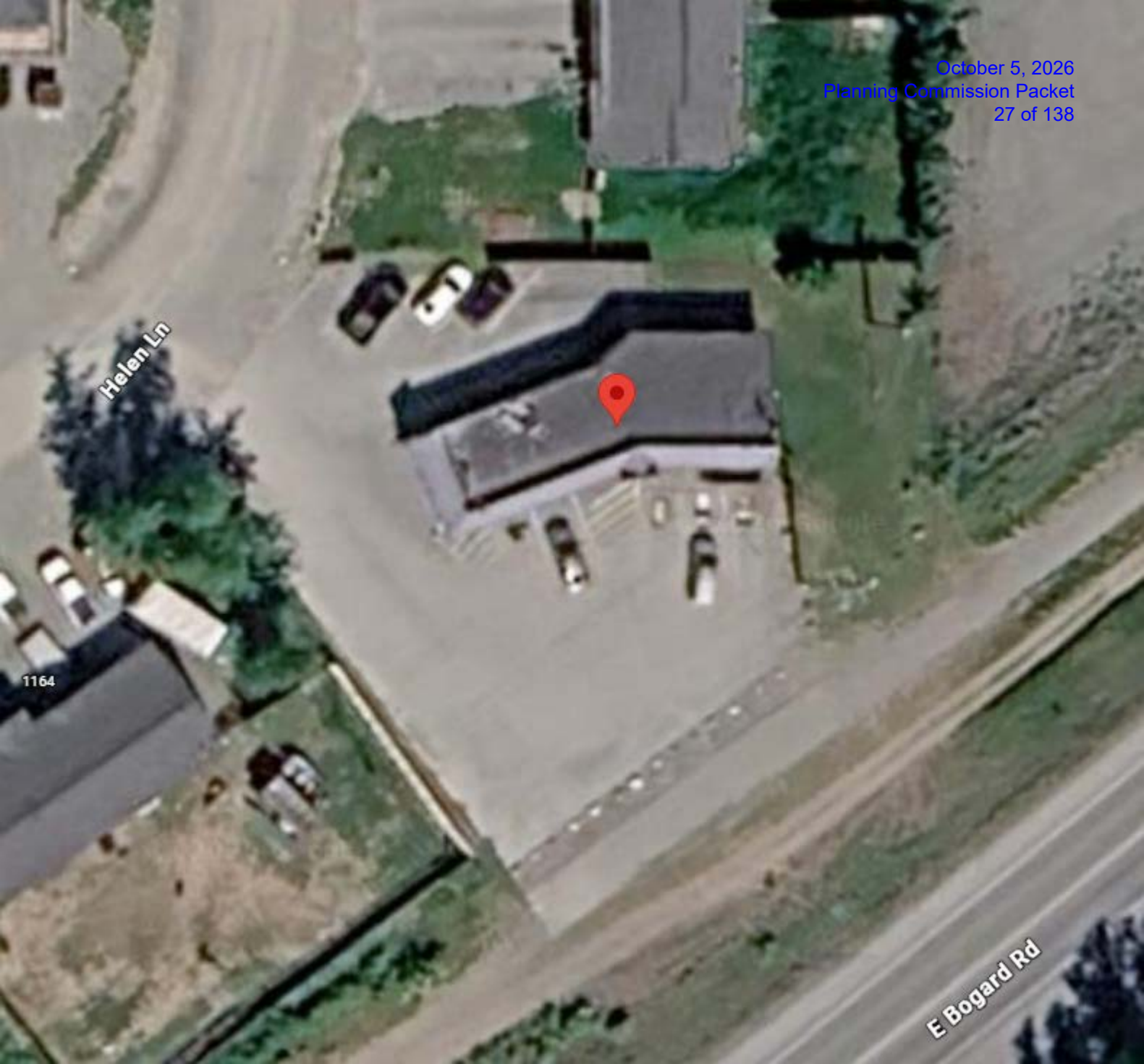


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Helen Ln

1164

E Bogard Rd





Real Property Detail for Account: 51068000L020

Last Updated: 9/24/2026 7:00 AM

Site Information

Account Number	51068000L020	Subdivision	WILLIWAW
Parcel ID	22362	City	None
TRS	S17N01W02	Tax Map	WA11
Abbreviated Description (Not for Convenience)	WILLIWAW LOT 20		
Site Address 1	1150 N Helen Ln		

Ownership

Owners	ZELL 2015 FAM TR	Buyers	
Owner's Primary Address	5850 E ALDER CIR WASILLA AK 99654	Buyer's Primary Address	

Appraisal Information

Year	Land Value	Building Value	Total Appraisal
2026	\$23,000	\$208,100	\$231,100
2025	\$20,000	\$177,500	\$197,500
2024	\$20,000	\$149,200	\$169,200

Assessments

Year	Land Assessed	Building Assessed	Total Assessed ¹
2026	\$23,000	\$208,100	\$231,100
2025	\$20,000	\$177,500	\$197,500
2024	\$20,000	\$149,200	\$169,200

▼ View Building Details

Structure #1 of 1

Residential Units	0	Use	All Other Retail Trade
Condition	Standard	Design	Commercial
Basement	None	Construction Type	Frame
Year Built	2004	Grade	None
Foundation	Poured Concrete	Well	Well 1 - Drilled Well
Septic	Septic - 1 - Septic Tank		

Tax/Billing Information

Year	Certified	Zone	Mill	Tax Billed
2026	Yes	0007	11.117	\$2569.14
2025	Yes	0007	12.035	\$2376.91
2024	Yes	0007	12.374	\$2093.68

Recorded Documents

Date	Type	Recording Info (offsite link to DNR)
09/23/2022	QUITCLAIM DEED (ALL TYPE)	Palmer 2022-022129-0
02/03/2016	QUITCLAIM DEED (ALL TYPE)	Palmer 2016-002081-0
02/20/2008	QUITCLAIM DEED (ALL TYPE)	Palmer 2008-003890-0

Tax Account Status ²

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total ³	LID Exists
Current	\$0	\$0	\$0	\$0	\$0	No

Land and Miscellaneous

Gross Acreage	Taxable Acreage	Assembly District	Precinct	Fire Service Area	Road Service Area
0.39	0.39	Assembly District 004	28-480	130 Central Mat-Su	025 Bogard RSA

¹ Total Assessed is net of exemptions and deferments.rest, penalties, and other charges posted after Last Update Date are not reflected in balances.

² If account is in foreclosure, payment must be in certified funds.

³ If you reside within the city limits of Palmer or Houston, your exemption amount may be different.

APPLICATION

MARI-2026-010317 (1150 N Helen Ln)



New Plan

- Summary
- Details
- Location
- Additional Info
- Workflow
- Linked Records
- Holds
- Contacts (1)
- Fees (1)
- Bonds
- Activities
- Files
- Print Documents
- Conditions

Information Property Information

Facility Name *

Bad Gramm3r

Date Sent or Issued:

MARI-2026-010317 (1150 N Helen Ln)



New Plan

All Contacts

- Summary
- Details
- Location
- Additional Info
- Workflow
- Linked Records
- Contacts (1)**
- Fees (1)
- Bonds
- Activities

TZ

Zell, Teri
Higher by Bad Gramm...
ID-000002468

Applicant

Business Phone
(907) 232-7624

Email
teri@badgramm3r.com

Main address

Title

☐

Billing Contact



MARI-2026-010317 (1150 N Helen Ln)



New Plan

Summary

Location

Additional Info

Workflow

Linked Records

Holds

Contacts (1)

Fees (1)

Bonds

Activities

* Plan Type
Marijuana

Project
No project ma...

Apply Date
07/31/2026

* Work Class
Retail Facility

* District
Matanuska-Su...

Expire Date

* Status
Submitted

Assigned To
Wade Long

Complete Date

Square Feet
0

Approval Expire ...

Description
The new hours would be 9am to 8pm

MARI-2026-010317 (1150 N Helen Ln)



New Plan

- Summary
- Details
- Location
- Additional Info
- Workflow
- Linked Records
- Holds
- Contacts (1)
- Fees (1)
- Bonds
- Activities

Fees (1) Discounts Adjustments Voids						
Fees Due: \$0.00						
☐	Name ↑	Input Value	Base Amount	Discount	Total Amount	Status
☐	Marijuana Plan	0	\$1,500.00		\$1,500.00	Paid In
					\$1,500.00	

MARI-2026-010317 (1150 N Helen Ln)



New Plan

Summary

Details

Additional Info

Workflow

Linked Records

Holds

Contacts (1)

Fees (1)

Bonds

Activities

Addresses

Main Address(Location)
1150 N Helen Ln



ADD MORE

Parcels

Main Parcel
1068000L020



ADD MORE

Features



Zones



Re: CUP for Bad Gramm3r

From Teri Zell <ak49zells@mtaonline.net>

Date Fri 8/7/2026 12:56 PM

To Wade Long <Wade.Long@matsugov.us>

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

That will be fine. Thank you! See you Monday.

On 8/7/2026 12:50 PM, Wade Long wrote:

Hi Teri,

11:30 would work better, if that's possible?

Wade Long

Development Services Manager

Matanuska-Susitna Borough

350 E. Dahlia Ave

Palmer, AK 99645

office: 907-861-7865

cell: 907-707-4741

From: Teri Zell <ak49zells@mtaonline.net>

Sent: Friday, August 7, 2026 12:19 PM

To: Wade Long <Wade.Long@matsugov.us>

Subject: Re: CUP for Bad Gramm3r

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

Will 10am on Monday work for you?

On 8/7/2026 6:48 AM, Wade Long wrote:

Good Morning Teri,

Thank you for this information. I've started the permit application in our system and received your payment. So you're aware Assembly Member Sumner directed us to draft legislation to refund your payment. I'm working on that and will have it to the Clerk soon to get on an agenda. In the meantime, if I need something in processing your application, I'll let you know. I will still need to do a site visit and get updated pictures; this will involve touring the facility. Can you please let me know a day and time that works for you all? Thank you very much.

Respectfully,

Wade Long

Development Services Manager
Matanuska-Susitna Borough
350 E. Dahlia Ave
Palmer, AK 99645
office: 907-861-7865
cell: 907-707-4741

October 5, 2026
Planning Commission Packet
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From: Teri Zell <ak49zells@mtaonline.net>
Sent: Wednesday, July 29, 2026 1:25 PM
To: Wade Long <wade.long@matsugov.us>
Subject: CUP for Bad Gramm3r

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

Bad Gramm3r, LLC AMCO License 11121 at 1150 North Helen Lane, Wasilla, AK 99654, would like the MatSu Borough to approve a change to our operating hours that are currently set at 10am-8pm. The **new hours would be 9am to 8pm.**

I would also like to point out that the new CUP permit application is extremely different from the one we originally submitted and rather confusing for me. For instance, the first page is asking location and when I put in our store address, it says it does not exist.

You told me that you were going to send me a digital copy of our original application but I have not received it yet. If permitted, I would like to use that to re-apply.

Thank you for your consideration of this request. I would like to get this process done as quickly as possible because it is causing undo hardship on some of our staff, and it is also causing us a large loss of revenue.

Thank you.

Teri Zell
Bad Gramm3r



Virus-free. www.avast.com

Central Mat-Su Fire Department

Wasilla-Lakes Fire Service Area No. 130 – District 1
Dept of Emergency Services – Matanuska-Susitna Borough
101 W Swanson Avenue, Wasilla, Alaska 99654

Plan Review #2016-096

Bad gramm3r

Tenant Improvement Approval



This is to certify that the plans for this building were reviewed by Central Mat-Su Fire Department on February 12, 2016, for conformance with AS 18.70.010 – 100; 13 AAC 50.027. This certificate becomes invalid unless the work on the site is commenced within 180 days after issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the time work is commenced. An extension may be requested at the above mentioned address.

This certificate shall be posted in a conspicuous place on the premises listed above and shall remain posted until construction is completed. **Notice:** Any changes or modifications to the approved plans must be resubmitted for review by the Central Mat-Su Fire Department.



Authority: AS 18.70.080 & RS 06-054

by Donald C. Cuthbert, Fire Code Official



MATANUSKA-SUSITNA BOROUGH
Department of Emergency Services, District 1
Central Mat-Su Fire Department

Physical Address: 1911 S Terrace Court, Palmer
Mailing: 101 West Swanson Avenue • Wasilla, Alaska 99654
Phone (907)861-8030 • Fax (907)861-8157 • www.MatSuGov.US/FireCode

October 5, 2026
Planning Commission Packet
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February 12, 2016

Peter Zell
bad gramm3r
5850 E Alder Cir
Wasilla AK 99654

SUBJECT: bad gramm3r, TI
FIRE SERVICE AREA: Central Mat-Su FSA
PLAN REVIEW: 2016-096
TYPE OF CONSTRUCTION: V-B
OCCUPANCY: B
2009 INTERNATIONAL BUILDING AND FIRE CODE

Dear Mr. Zell:

Plans for remodeling the subject facility have been reviewed by this office for conformity with the State Fire Safety Regulations and are hereby approved as submitted. Enclosed is a certificate of approval that must be posted on the premises until completion of all remodel work. **After completion of the construction you must schedule a certificate of occupancy inspection prior to opening.** Any changes to the approved plans must be submitted to this office for review and approval.

NOTE: Additional fire safety must be observed during the remodel. Remember that a Knox key box will be required for this building.

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 below.

Sincerely,



Donald Cuthbert
Fire Code Official

Enclosure



QUITCLAIM DEED TO TRUSTEE

DATE: 1-20-2016

THIS INDENTURE WITNESSETH, that the Grantor LAND TRUST 1150, of c/o 6340 Petersburg Street, Anchorage, AK 99501 for and in consideration of Ten (\$10.00) Dollars, and other good and valuable consideration in hand paid, grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, 4208 LAND TRUST under the provisions of a trust agreement dated January 20th, 2016, whose address is 5850 Alder Circle, Wasilla, AK 99654, the following described real estate situated in the State of Alaska:

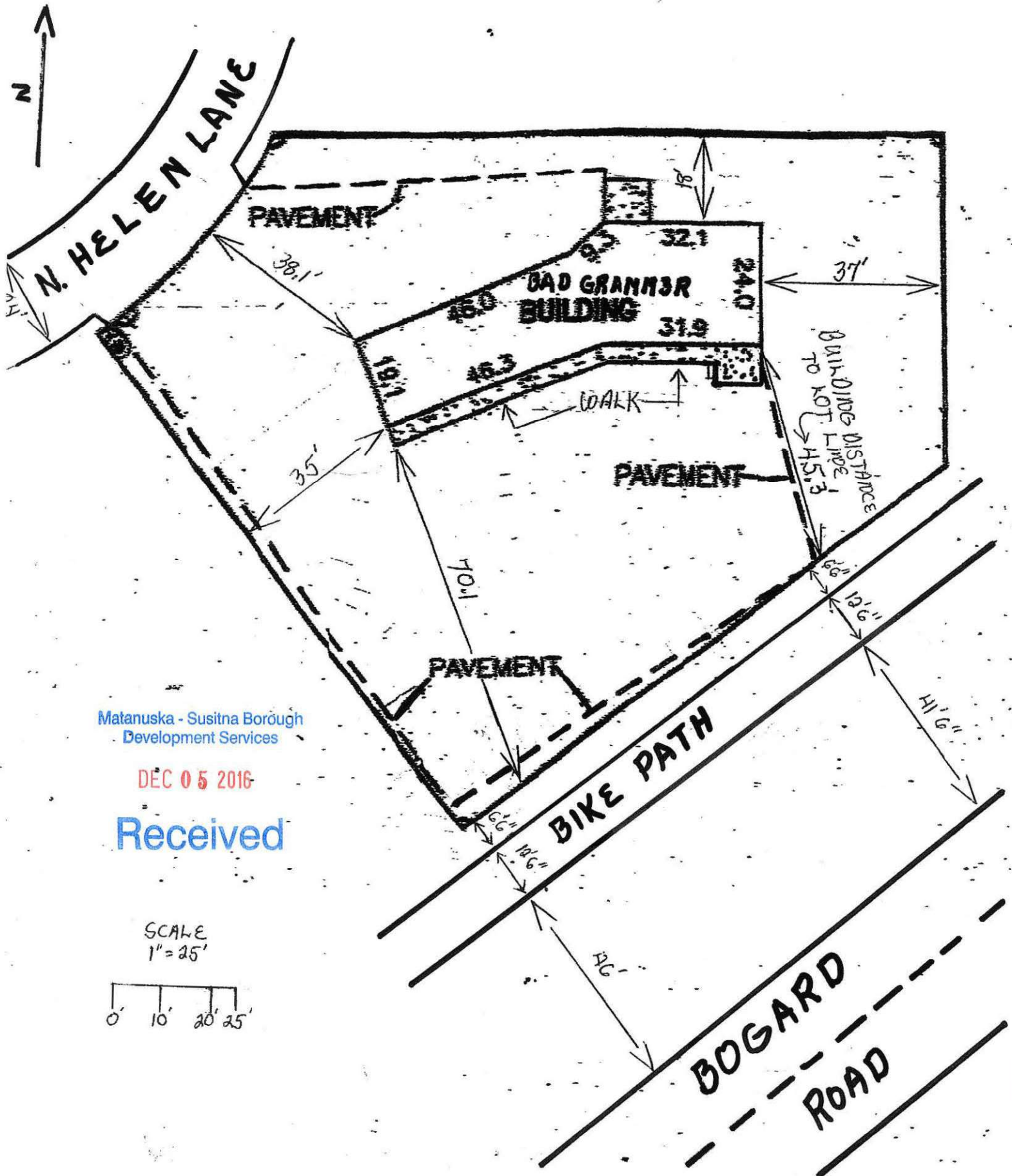
Lot Twenty (20), of WILLIWAU SUBDIVISION, with improvements, if any, according to the plat recorded September 3, 1959, as Plat No. W-72, recorded in the Palmer Recording District, Third Judicial District, State of Alaska

hereinafter called "the property".

SUBJECT TO all restrictions, reservations, covenants, easements, conditions, and exceptions of record, if any. Further subject to reservation of all interest in any and all oil, gas, coal, ore, minerals, fissionable materials, geothermal resources, fossils and mineral rights, if any, which are hereby retained by the Grantor.

TO have and to hold the said property in fee simple upon the trusts and for the uses and purposes herein and in said trust agreement set forth, Peter W. Zell, Trustee, of 5850 Alder Circle, Wasilla, AK 99654

Full power and authority is hereby granted to said trustee to improve, subdivide, protect, conserve, sell, lease, encumber and otherwise manage and dispose of said property or any part thereof, to dedicate parks, streets, highways or alleys and to vacate any subdivision or part thereof, and to subdivide or resubdivide said property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said property or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, and powers, or otherwise encumber said property, or any part thereof, to lease said property or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or futuro, and upon any terms and for any period of time, not exceeding in the case of any single demise the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew and options to purchase the whole or in any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said property, or any part thereof, for other real or personal property, to submit said property to condominium, or Common Interest Ownership Act or treatment, to grant easements or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said premises or any part thereof, and to deal with said property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.



SIGNAGE - PROPOSED



Matanuska - Susitna Borough
Development Services

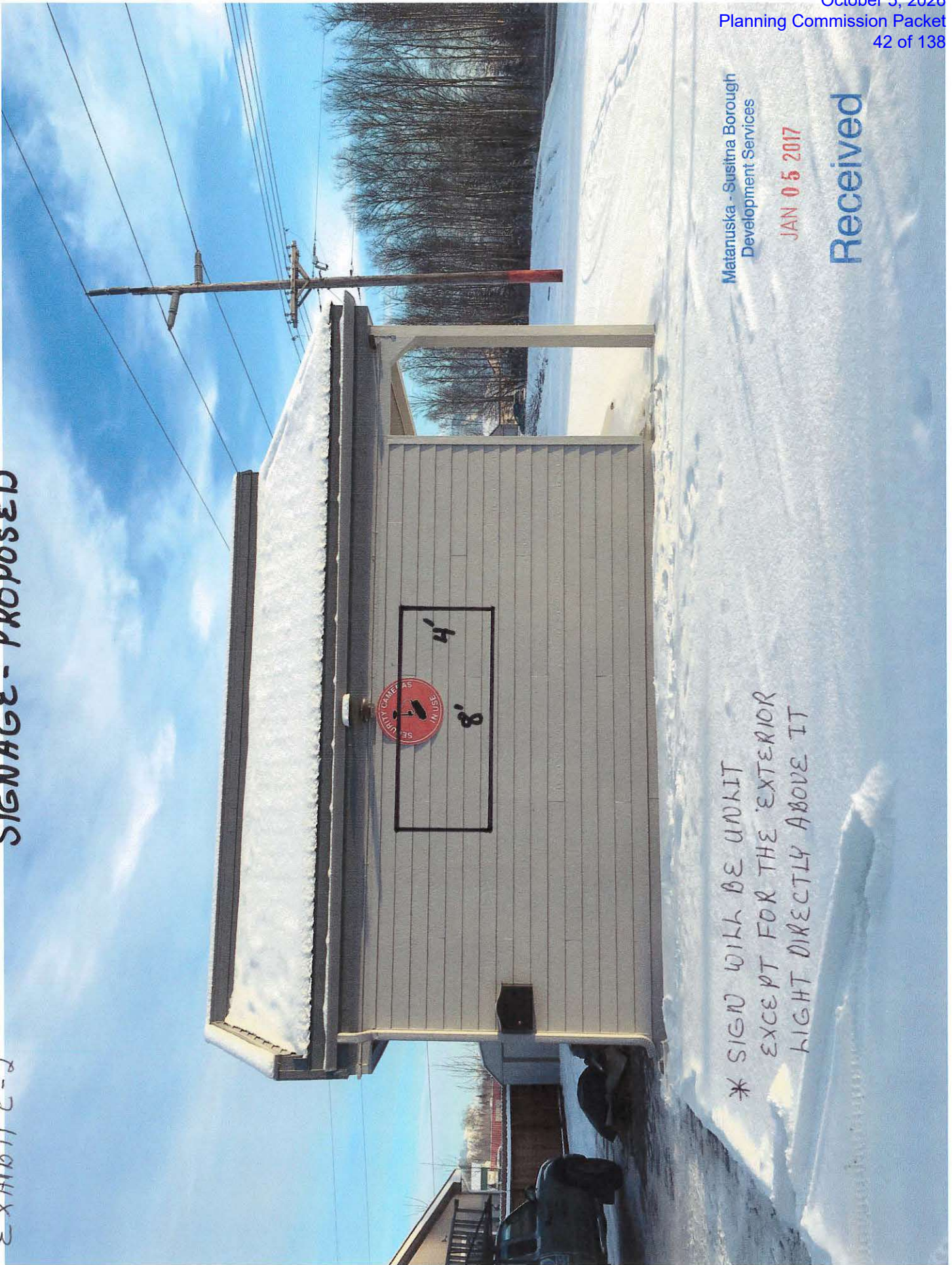
JAN 05 2017

Received

* THE SIGN WILL BE AN ELECTRIC CABINET
WHICH ILLUMINATED FROM THE INSIDE

EXHIBIT C-2

SIGNAGE - PROPOSED



* SIGN WILL BE UNLIT
EXCEPT FOR THE EXTERIOR
LIGHT DIRECTLY ABOVE IT

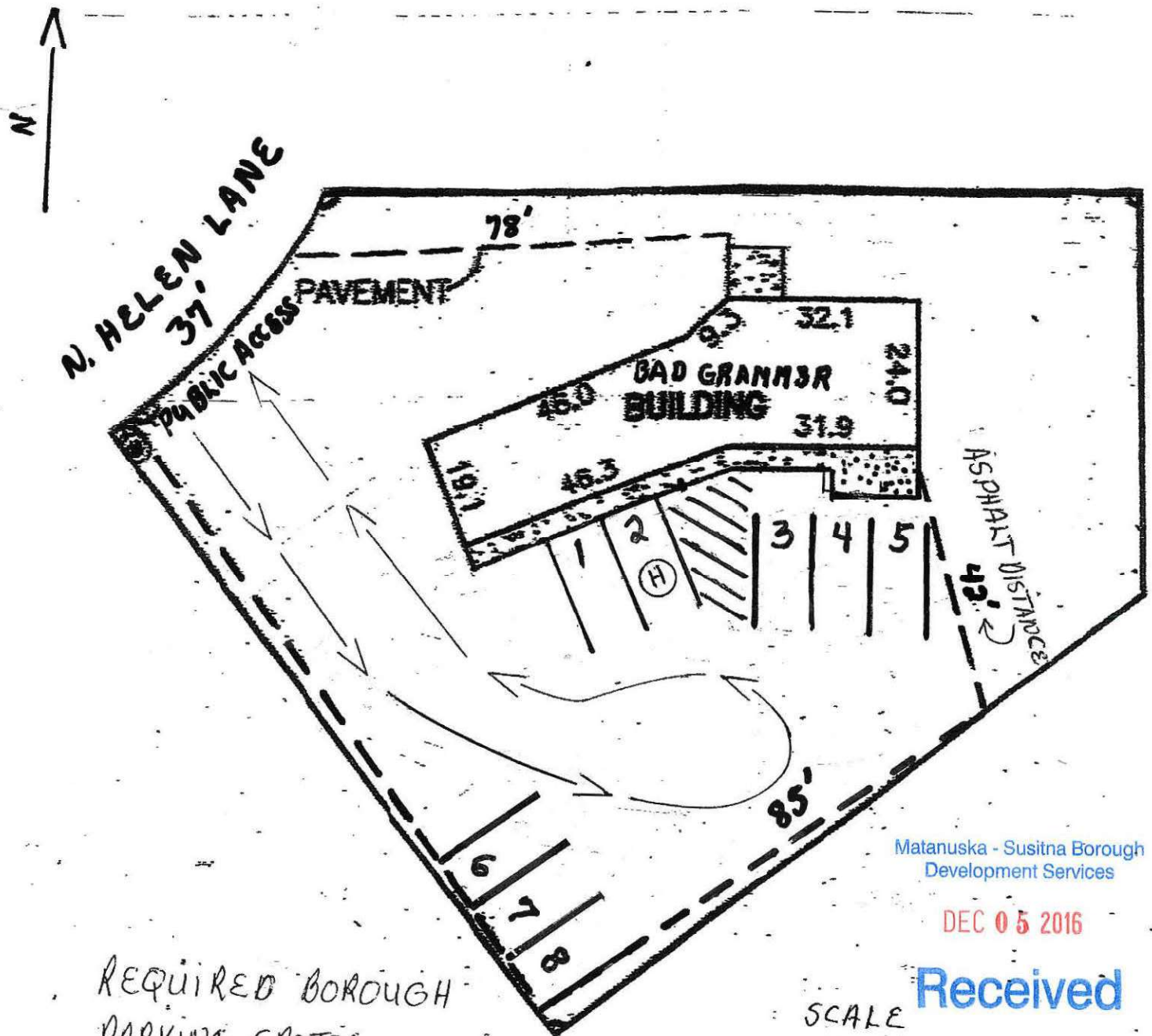
Matanuska - Susitna Borough
Development Services

JAN 05 2017

Received

PARKING AREA PUBLIC ACCESS CIRCULATION PATTERNS

October 5, 2026
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Matanuska - Susitna Borough
Development Services

DEC 05 2016

Received

SCALE
1" = 25'

0 10' 20' 25'

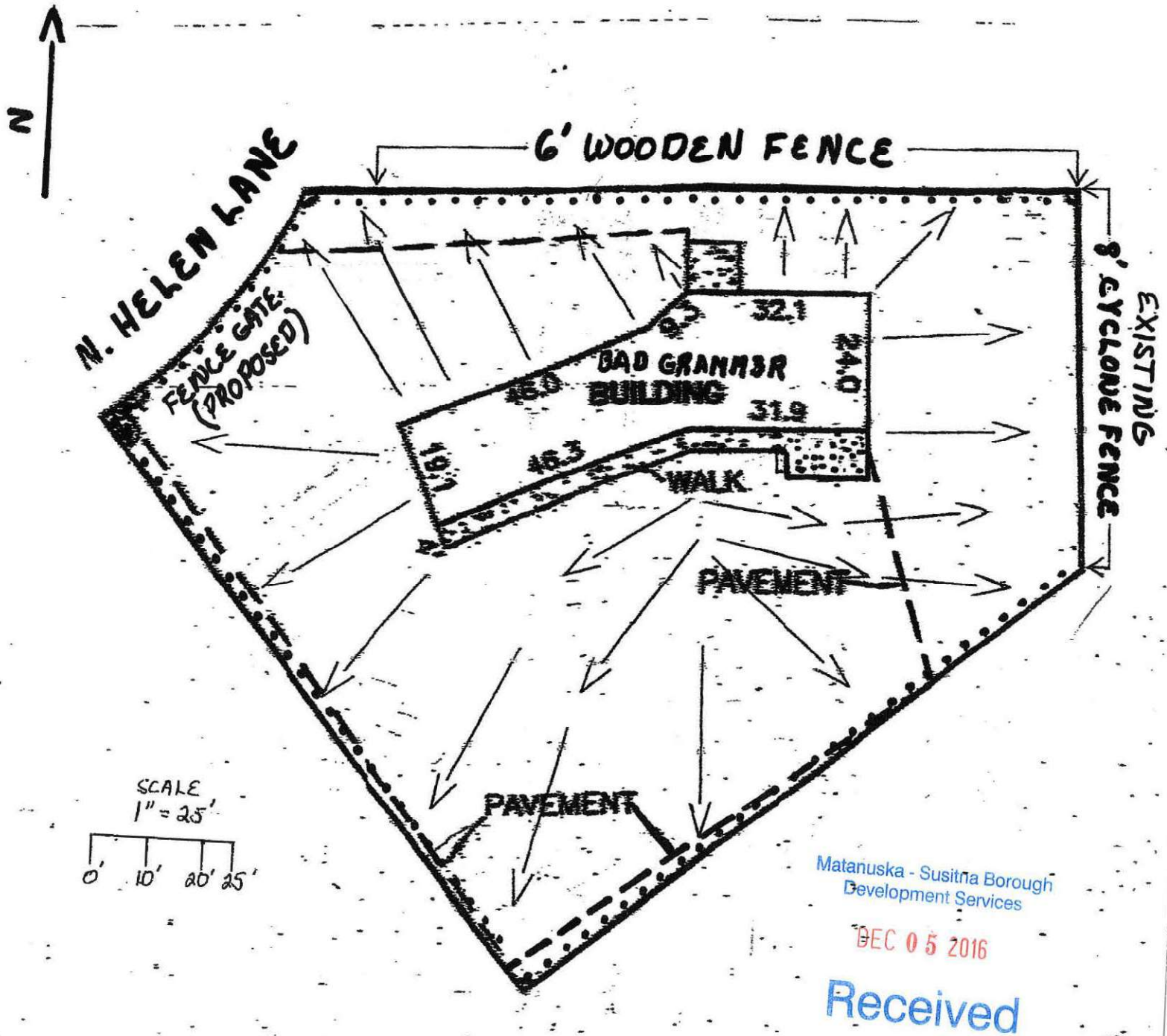
REQUIRED BOROUGH
PARKING SPOTS:

$$1743 \text{ sq ft} \div 350 \text{ sq ft} = 5 \text{ SPOTS}$$

BOGARD ROAD

DRAINAGE BUFFERING

October 5, 2026
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* WITHIN THREE YEARS, BAD GRAMMER IS GOING
TO BUILD A CYCLONE FENCE AROUND THE PROPERTY
..... PROPOSED 8' CYCLONE FENCE LINE

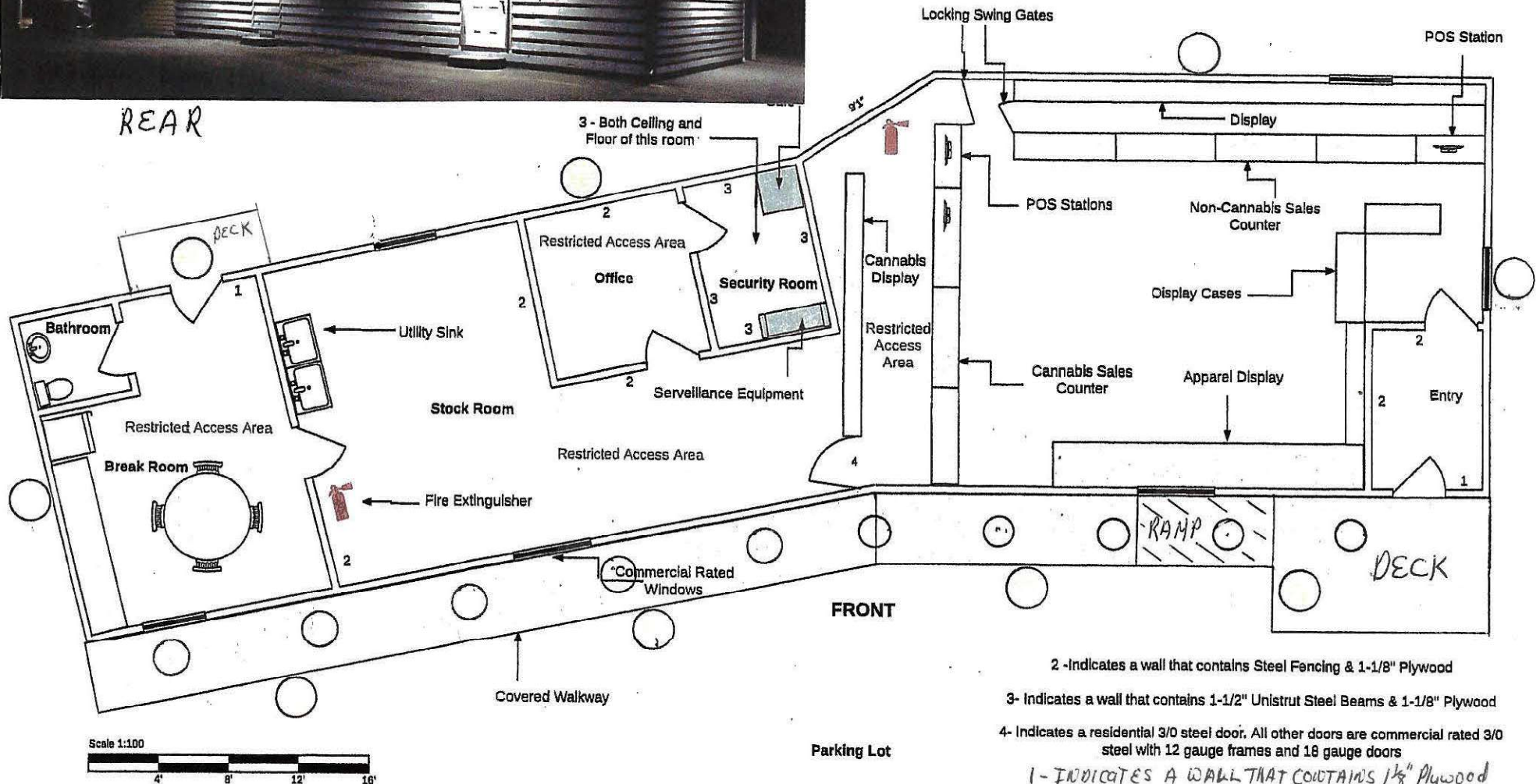
BOGARD ROAD

EXTERIOR SITE LIGHTING

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REAR

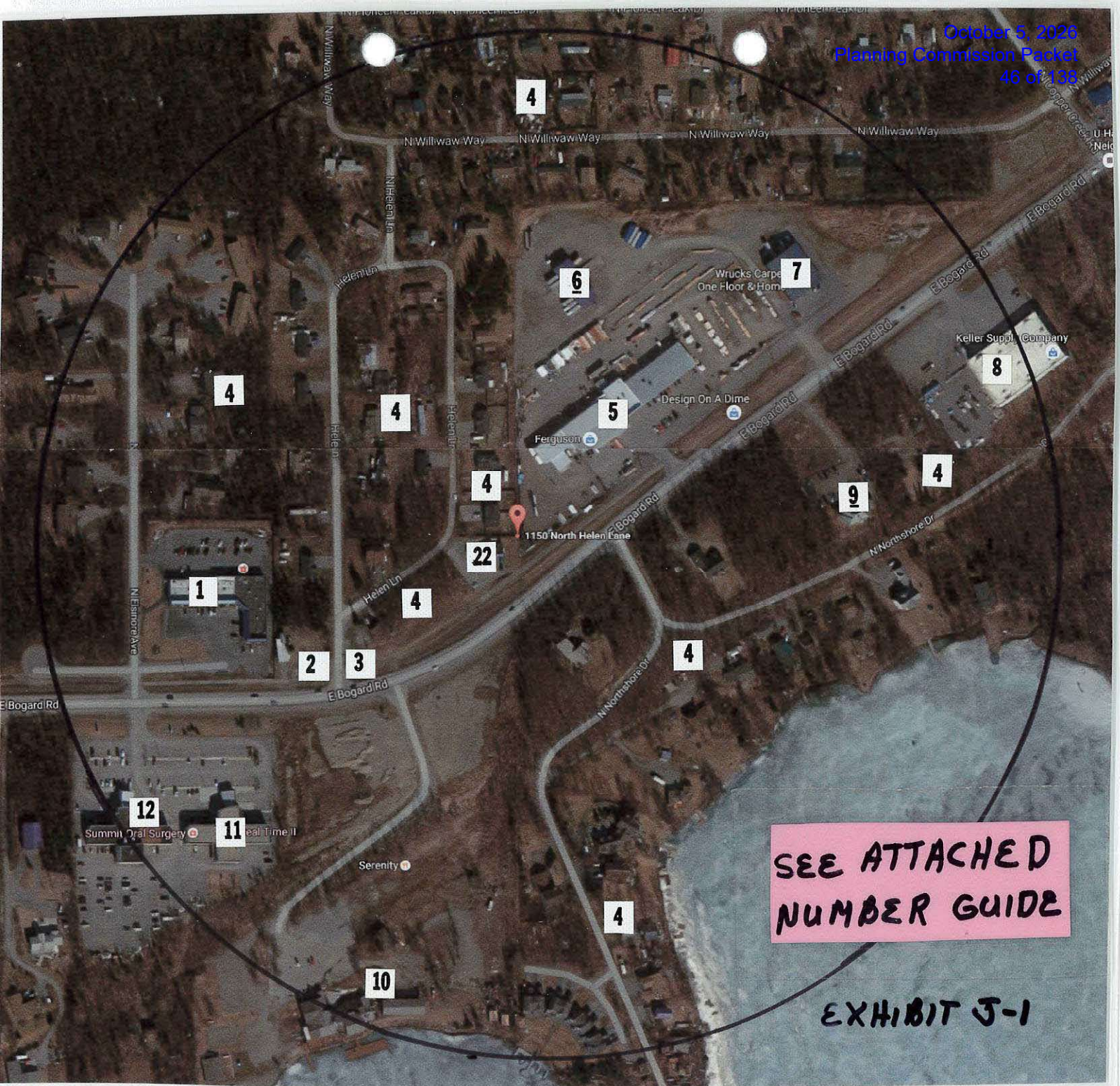


○ 2300 LUMEN LED/ LITHONIA LIGHTING MO.# OLAW

○ 100 WATT WALKWAY

FRONT





NUMBER GUIDE

Land Use Within 1000' of Bad Gramm3r, 1150 North Helen Lane, Wasilla, Alaska
99654

1. Bogard Professional Plaza

- a. Crystal Clear Creative
- b. Dr. Cooney Internal Medicine
- c. Thomas Lutz, DO
- d. Richard Blake, PA-C
- e. Diagnostic Health Alaska

2. Bri's Pet Grooming**3. Ron Morgan CPA****4. Residential Area****5. Ferguson****6. Span Alaska****7. Wrack's Carpet One****8. Keller Supply Co.****9. Selah Salon and Health Spa****10. Mat-Su Resort****11. North Fork Bldg A**

- a. Alaska Center for Dentistry
- b. Lifetouch Massage
- c. Orthopedic Physicians of Alaska
- d. Real Time II
- e. Solstice Family Care
- f. Summit Therapeutics
- g. USDA Service Center
- h. Yuknis & Foster, DDS

12. North Fork Bldg B

- i. Excel Physical Therapy
- j. Munger Prosthetics & Orthotics
- k. NorthStar Chiropractic
- l. State of Alaska, Dept. of Environmental Conservation
- m. State of Alaska, Division of Elections
- n. Summit Oral Surgery
- o. USDA Animal & Plant Health Inspection Service
- p. Valley Dental Specialists
- q. Walther Dental Center

22. Bad Gramm3r, LLC

Exhibit K

October 5, 2026

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

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Yes. The lot has been used by 3 local businesses since 2004; Neat Things – Tobacco Accessories and Head Shop, 2004-2008; Ewe First – Yarn Shop, 2008-2010; Beauty for Ashes – Bookstore, 2010-2015. The lot has 120' of Bogard Frontage and Bogard is a major commercial road in the MatSu Borough for many businesses. The lot is also adjacent to Ferguson Plumbing which has occupied their space since 2000. In addition to our lot, there are 2 other businesses with Bogard Frontage that can be accessed by N Helen Lane; a CPA and a Dog Wash.

Exhibit L

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

No. Bad Gramm3r, LLC has a robust security plan, waste management plan, loitering prevention plan, and diversion prevention plan. Onsite consumption will not be allowed and no one under the age of 21 will be allowed entry.

Security

The security alarm system for Bad Gramm3r will be provided by Frontpoint Security. It will include the following: wireless and cellular connection, intrusion protection, 24/7 monitoring, a security panel with a loud audible alarm, 6 window sensors (one for each window), 2 door sensors (one for each exterior door), and 4 motion sensors (main sales area, high security room, employee break room, and restricted access storage and packaging area), 3 panic pendants which immediately alert local law enforcement and licensee of a life threatening emergency (1 in discreet location around registers, 1 in the employee break room, 1 in the high security room), 15 cameras (6 exterior cameras – 4 cameras in parking area and 1 camera for each entrance)(9 interior cameras – 1 camera for each room, 2 cameras in POS area, 1 camera for each entrance and arctic entry), DVR server capable of storing 40 days of footage and available for playback onsite on security camera monitor.

When Bad Gramm3r is closed for business, the entire security system described below will be activated. Any attempt to enter the premises without proper access will trip the alarm system and immediately notify the licensee and/or the local police or fire depending on the nature of the alarm triggered. Any attempt to power down the security panel is automatically detected and will alert the licensee.

Motion Detectors. The Bad Gramm3r facility will utilize 4 GE motion detectors from Frontpoint Security.

Panic switches. The Bad Gramm3r facility will utilize 3 GE panic switches. These panic switches from Frontpoint will be programmed to communicate an emergency situation directly with the local authorities and licensee.

Window Sensors. The Bad Gramm3r facility will utilize 6 GE window sensors from Frontpoint Security (one for each window in the facility).

Door Sensors. The Bad Gramm3r facility will utilize 2 GE Door sensors from Frontpoint Security (one for each exterior door).

Man-Trap Door. The Bad Gramm3r facility will utilize a man-trap door system in its customer entrance/exit arctic entry. Each door will be equipped with a magnet. When activated, these magnets can hold the doors shut and withstand up to 1,200 lb of force. The manual switches to operate the man trap will be located behind the front counter and will only be used in the case of a robbery/theft. The walls in the arctic entry/exit are reinforced with steel fencing and 1 1/8" plywood.

Windows. The Bad Gramm3r facility will have steel bars on every window to deter break-ins. The space between the bars will be too narrow to allow entry. Additionally, the interior of each window will be covered and secured with fitted $\frac{3}{4}$ " plywood security panels. These panels will be used during non-business hours and will add a 4th layer of window security – Bars, Window Alarm Sensors, Motion Detectors, Plywood security panels.

Diversion Prevention

Surveillance cameras. Our interior video surveillance system will cover the entire interior except the interior of the bathroom. We will have a total 9 interior cameras. All restricted access areas will be covered by the cameras including each entrance and exit to restricted areas. Our restricted access point-of-sale area will have 2 video surveillance cameras. The video surveillance will record motion at 5 fps. All recordings will be stored in a high security room for a minimum of 40 days and will be available for playback onsite.

Buddy System. Refunds and voids will require authorization from a second Bad Gramm3r employee. A minimum of two employees will be clocked in and working at all times. An assistant manager or manager will be present for store openings and closings. We will conduct weekly inventories of all marijuana products and daily inventories of all marijuana products if employee diversion is suspected. Employees will be rotated between shifts to prevent collusion between employees.

Restricted items. Personal items such as back packs, bags, purses, laptop cases, jackets etc will be prohibited from restricted access areas. Food and drinks for employee consumption will be restricted to the employee lounge and prohibited from restricted access areas.

Dress Code. All staff will be prohibited from wearing excessively baggy clothing. Hats will be prohibited. Jackets and hoodies will be prohibited.

Diversion Prevention Interviews and Training. The following questions will be asked during interview with prospective new employees: are you taking any prescription medications? Are you taking any illegal drugs? (i.e. opiates, methamphetamines, cocaine, etc). Do you consume marijuana? If so, how often? What do you think should happen to an employee who is caught stealing marijuana? Do you think the police should get involved with an incident of internal marijuana diversion in our organization? Do you think that someone found diverting marijuana deserves a second chance to be employed? All interviews will be conducted under video and audio surveillance with the interviewee's permission. The audio and video will be stored on a secure hard drive for a minimum of 7 years.

Diversion prevention training. All employees will be trained to spot signs of diversion. All employees will be trained on how to report suspected diversion. Employees will be provided a system to anonymously report suspected diversion to a licensee. The anonymous diversion notification box will be placed in a readily visible location in the store but private enough that they can access it without being seen by another staff member. All employees will be required to complete the Diversion Prevention Training. This will include a certificate of completion form that will be signed and dated by the trainer as well as the trainee. This certificate will be logged and recorded for a minimum of 7 years.

Chain of contact for suspected diversion. The anonymous diversion notification box will provide access for an employee to report suspected diversion directly to a licensee. Only the licensees will have access to the secure diversion tip line box. This box will be monitored daily by a licensee. If an employee suspects a licensee is diverting product the employee will be trained to report it to the local police and AMCO.

Random drug screening. Bad Gramm3r will require employees to submit to random drug screening for illicit drugs. Failure to pass a drug screening will result in immediate suspension of employment and a review of that employee's transaction history to uncover possible diversion.

Inventory. Full stock inventory will be conducted weekly on Saturday. All POS Stations and cash will be reconciled and balanced at the closing of each work day. If there is a discrepancy, each transaction will be examined to determine how, when, and the parties involved when the error took place. If diversion is suspected, the General Manager and Licensee will be notified. They will inspect the surveillance footage for possible diversion. Full stock inventory may be conducted with more frequency if diversion is suspected.

Custom Flower Packaging. The scale used to sell marijuana flower in custom weights will be in a restricted access area. The scale area will be under video surveillance.

Waste Management

Storage of any solid or liquid marijuana waste. Bad Gramm3r will store liquid and solid marijuana that is to be rendered unusable marijuana waste in a locked and sealed 5 gallon bucket. This bucket will be kept under video surveillance in a restricted access area and only be accessible by an authorized employee, licensee or agent. The MCB will be provided at least 3 days notice in the marijuana inventory tracking system before making the waste unusable and disposing of it; after at least 3 days of notifying the MCB, the marijuana will be rendered unusable.

Rendered Unusable Marijuana Waste. Marijuana waste will be blended into a fine course before it is mixed into an organic living soil to render it unusable. The unusable marijuana waste will be sealed and locked in 5 gallon buckets that contain organic living soil. The waste buckets will be stored in a restricted access area, away from trash receptacles, under video camera surveillance and only accessible by authorized personnel. Each bucket will be filled with 3 gallons of organic living soil to ensure a minimum of a 1:1 ratio between marijuana waste material and the organic living soil.

Management of any solid or liquid marijuana waste. All Bad Gramm3r employees, agents, licensees will be trained to identify all marijuana plant waste materials and marijuana product waste: Roots, Stalks, Leaves, Stems, damaged marijuana products, returned marijuana products, expired marijuana products, leftover residue and material from prepackaging waste that takes place at the Bad Gramm3r facility (Example: converting 1 ounce of flower to pre-rolled and packed marijuana cigarettes). All Bad Gramm3r employees, agents and licensees will be trained and required to not accept any marijuana containing products from customers wanting to return their product. In the event that a customer vacates the Bad Gramm3r facility and leaves the marijuana product behind, that product will be recorded and logged as marijuana to be rendered unusable and AMCO will be notified in the marijuana tracking system. After 3 days, if the customer has not returned to retrieve the marijuana product they left behind, it will be rendered unusable and disposed of.

Disposal of any solid or liquid marijuana waste. Bad Gramm3r will use the Matanuska Susitna Borough Central Landfill to dispose of its marijuana waste that has been rendered unusable. A record of the final destination and the delivery date of marijuana rendered unusable will be kept. These records will be filed in the high security room and maintained for a minimum of 3 years. 306.740

21 and older compliance

In an effort to maintain the security of the marijuana and marijuana products Bad Gramm3r will monitor and restrict access to the premises. All persons attempting to gain access to the premises will have to check in at the register adjacent to the public entrance. All persons must provide valid photo

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identification or valid passport with no exceptions. Bad Gramm3r staff will refuse entrance to any person who does not produce a form of valid photo identification showing the person is 21 years of age or older. Valid identification forms include: unexpired and unaltered passport; unexpired and unaltered state issue driver's license, instruction permit, or identification card of the US, District of Columbia, or a province of Canada; and identification card issued by a federal or state agency authorized to issue a driver's license or identification card. At no time will a person under the age of 21 be permitted to remain on the premises or purchase marijuana or other paraphernalia. If at any time Bad Gramm3r staff suspects that a sale is being made on behalf of an individual under the age of 21, the staff may refuse the transaction and ask the individual to vacate the premises. If necessary, local law enforcement and the MCB may be notified of the wrongdoing. Additionally, Bad Gramm3r will display signs that clearly indicate that no person under the age of 21 is allowed on the premises. These signs will be located in conspicuous locations at the public entrance and at the customer check-in register.

Exhibit M

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

Yes. Exhibit E and F, as well as the As-Built, clearly demonstrate the setbacks, lot area, buffer and other safeguards that are being provided. We also intend to build a fence in addition to the vegetation buffers that currently exist between our lot and the residential use lot located to our west.

Exhibit N

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

Yes.

Exhibit O

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

Bad Gramm3r marijuana and marijuana product will be stored in sealed containers. Bad Gramm3r will not permit onsite consumption of marijuana or marijuana product. Bad Gramm3r has loitering prevention plan. Bad Gramm3r will not conduct business outside of its premises; dialogue will remain inside the building. Ferguson Plumbing, adjacent to Bad Gramm3r, uses a PA loudspeaker frequently as part of their regular business operations which can easily be heard on our lot and the lots adjacent to ours. Bad Gramm3r will not use a PA system. Additionally, Bad Gramm3r will work with any governing body to ensure that odor and noise compliance is met if there is ever a complaint to the affect but we expect there to be none.

Hours of Operation

Bad Gramm3r will be open for business during the hours 10am to 8pm.

Loitering Prevention

Signs. We will have 3 signs around the premises to deter loitering. The signs will indicate all of the following: that this is private property, no loitering is allowed, alcohol and marijuana consumption is prohibited, no panhandling, no trespassing, no littering, no smoking.

Verbal Warning. Loiterers will be provided 1 verbal warning to vacate the premises in timely manner by an authorized Bad Gramm3r employee. If the loiterer(s) fail to comply with the request, the local authorities will be contacted to assist in their removal.

Security Cameras. Exterior security cameras will cover the entire premises and will aid in the arrest and prosecution of any illegal activity taking place on our premises.

Exhibit P

Describe measures taken to reduce negative effects upon adjacent properties by:

Increased property line and right of way buffers

Planted berms and landscaping

Site and building design features which contribute to the character of the surrounding area

The residential use property to our North has a 6' wooden fence on the lot line and has one window facing the back of the Bad Gramm3r facility. This property cannot and will not see our signs, our parking area, or our public entrance. It is also adjacent to Ferguson Plumbing which operates forklifts and other heavy machinery routinely.

The residential use property to our West was built in 2016 and occupied in fall of 2016. It has no windows facing the Bad Gramm3r facility. There is currently trees and other vegetation along the entire shared property line. Additionally, in the next 3 years, Bad Gramm3r will build a fence to provide an even more robust barrier between the two properties.

The commercial use property to our East is occupied by Ferguson Plumbing. In addition to fencing, there are significant trees and other vegetation providing a buffer between the Bad Gramm3r lot and the Ferguson Plumbing lot.

The Bad Gramm3r was newly painted in the winter of 2016. It has a paved parking area and driveway. It has proper exterior lighting and security system. All signs will be in compliance with state and local code. Onsite consumption will not be allowed; loitering will not be allowed; and only persons age 21 and older will be allowed entry. Bad Gramm3r has a waste management plan and is committed to keeping its property clean, well kept, and in good condition.

Exhibit Q

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

The lot has been used by 3 local businesses since 2004; Neat Things – Tobacco Accessories and Head Shop, 2004-2008; Ewe First – Yarn Shop, 2008-2010; Beauty for Ashes – Bookstore, 2010-2015. The lot has 120' of Bogard Frontage and Bogard is a major commercial road in the MatSu Borough for many businesses. The lot is also adjacent to Ferguson Plumbing which has occupied their space since 2000. In addition to our lot, there are 2 other businesses with Bogard Frontage that can be accessed by N Helen Lane; a CPA and a Dog Wash.

Bad Gramm3r marijuana and marijuana product will be stored in seal containers. Bad Gramm3r will not permit onsite consumption of marijuana or marijuana product. Bad Gramm3r has loitering prevention plan. Bad Gramm3r will not conduct business outside of its premises; dialogue will remain inside the building. Ferguson Plumbing, adjacent to Bad Gramm3r, uses a PA loudspeaker frequently as part of their regular business operations which can easily be heard on our lot and the lots adjacent to ours. Bad Gramm3r will not use a PA system. Additionally, Bad Gramm3r will work with any governing body to ensure that odor and noise compliance is met if there is ever a complaint to the affect but we expect there to be none.

Bad Gramm3r, LLC has a robust security plan, waste management plan, loitering prevention plan, and diversion prevention plan. Exhibit E and F, as well as the As-Built, clearly demonstrate the setbacks, lot area, buffer and other safeguards that are being provided. We also intend to build a fence in addition to the vegetation buffers that currently exist between our lot and the residential use lot located to our west.

Hours of Operation

Bad Gramm3r will be open for business 7 days a week during the hours 10am to 8pm.

Sign Lights

The sign fixed to the top of our building and facing Bogard Rd may not be lit after hours if it is determined to be too bright for the area.

Security

The security alarm system for Bad Gramm3r will be provided by Frontpoint Security. It will include the following: wireless and cellular connection, intrusion protection, 24/7 monitoring, a security panel with a loud audible alarm, 6 window sensors (one for each window), 2 door sensors (one for each exterior door), and 4 motion sensors (main sales area, high security room, employee break room, and restricted access storage and packaging area), 3 panic pendants which immediately alert local law enforcement and licensee of a life threatening emergency (1 in discreet location around registers, 1 in the employee break room, 1 in the high security room), 15 cameras (6 exterior cameras – 4 cameras in parking area and 1 camera for each entrance)(9 interior cameras – 1 camera for each room, 2 cameras in POS area, 1 camera for each entrance and arctic entry), DVR server capable of storing 40 days of footage and available for playback onsite on security camera monitor.

When Bad Gramm3r is closed for business, the entire security system described below will be activated. Any attempt to enter the premises without proper access will trip the alarm system and immediately notify the licensee and/or the local police or fire depending on the nature of the alarm triggered. Any attempt to power down the security panel is automatically detected and will alert the licensee.

Motion Detectors. The Bad Gramm3r facility will utilize 4 GE motion detectors from Frontpoint Security.

Panic switches. The Bad Gramm3r facility will utilize 3 GE panic switches. These panic switches from Frontpoint will be programmed to communicate an emergency situation directly with the local authorities and licensee.

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Windows. The Bad Gramm3r facility will have steel bars on every window to deter break-ins. The space between the bars will be too narrow to allow entry. Additionally, the interior of each window will be covered and secured with fitted 3/4" plywood security panels. These panels will be used during non-business hours and will add a 4th layer of window security – Bars, Window Alarm Sensors, Motion Detectors, Plywood security panels.

Surveillance cameras. Our interior video surveillance system will cover the entire interior except the interior of the bathroom. We will have a total 9 interior cameras. All restricted access areas will be covered by the cameras including each entrance and exit to restricted areas. Our restricted access point-of-sale area will have 2 video surveillance cameras. The video surveillance will record motion at 5 fps. All recordings will be stored in a high security room for a minimum of 40 days and will be available for playback onsite.

Buddy System. Refunds and voids will require authorization from a second Bad Gramm3r employee. A minimum of two employees will be clocked in and working at all times. An assistant manager or manager will be present for store openings and closings. We will conduct weekly inventories of all marijuana products and daily inventories of all marijuana products if employee diversion is suspected. Employees will be rotated between shifts to prevent collusion between employees.

Restricted items. Personal items such as back packs, bags, purses, laptop cases, jackets etc will be prohibited from restricted access areas. Food and drinks for employee consumption will be restricted to the employee lounge and prohibited from restricted access areas.

Dress Code. All staff will be prohibited from wearing excessively baggy clothing. Hats will be prohibited. Jackets and hoodies will be prohibited.

Diversion Prevention Interviews and Training. The following questions will be asked during interview with prospective new employees: are you taking any prescription medications? Are you taking any illegal drugs? (i.e. opiates, methamphetamines, cocaine, etc). Do you consume marijuana? If so, how often? What do you think should happen to an employee who is caught stealing marijuana? Do you think the police should get involved with an incident of internal marijuana diversion in our organization? Do you think that someone found diverting marijuana deserves a second chance to be employed? All interviews will be conducted under video and audio surveillance with the interviewee's permission. The audio and video will be stored on a secure hard drive for a minimum of 7 years.

Diversion prevention training. All employees will be trained to spot signs of diversion. All employees will be trained on how to report suspected diversion. Employees will be provided a system to anonymously report suspected diversion to a licensee. The anonymous diversion notification box will be placed in a readily visible location in the store but private enough that they can access it without being seen by another staff member. All employees will be required to complete the Diversion Prevention Training. This will include a certificate of completion form that will be signed and dated by the trainer as well as the trainee. This certificate will be logged and recorded for a minimum of 7 years.

Chain of contact for suspected diversion. The anonymous diversion notification box will provide access for an employee to report suspected diversion directly to a licensee. Only the licensees will have access to the secure diversion tip line box. This box will be monitored daily by a licensee. If an employee suspects a licensee is diverting product the employee will be trained to report it to the local police and AMCO.

Random drug screening. Bad Gramm3r will require employees to submit to random drug screening for illicit drugs. Failure to pass a drug screening will result in immediate suspension of employment and a review of that employee's transaction history to uncover possible diversion.

Inventory. Full stock inventory will be conducted weekly on Saturday. All POS Stations and cash will be reconciled and balanced at the closing of each work day. If there is a discrepancy, each transaction will be examined to determine how, when, and the parties involved when the error took place. If diversion is suspected, the General Manager and Licensee will be notified. They will inspect the surveillance footage

for possible diversion. Full stock inventory may be conducted with more frequency if diversion is suspected.

Custom Flower Packaging. The scale used to sell marijuana flower in custom weights will be in a restricted access area. The scale area will be under video surveillance.

Waste Management

Storage of any solid or liquid marijuana waste. Bad Gramm3r will store liquid and solid marijuana that is to be rendered unusable marijuana waste in a locked and sealed 5 gallon bucket. This bucket will be kept under video surveillance in a restricted access area and only be accessible by an authorized employee, licensee or agent. The MCB will be provided at least 3 days notice in the marijuana inventory tracking system before making the waste unusable and disposing of it; after at least 3 days of notifying the MCB, the marijuana will be rendered unusable.

Rendered Unusable Marijuana Waste. Marijuana waste will be blended into a fine course before it is mixed into an organic living soil to render it unusable. The unusable marijuana waste will be sealed and locked in 5 gallon buckets that contain organic living soil. The waste buckets will be stored in a restricted access area, away from trash receptacles, under video camera surveillance and only accessible by authorized personnel. Each bucket will be filled with 3 gallons of organic living soil to ensure a minimum of a 1:1 ratio between marijuana waste material and the organic living soil.

Management of any solid or liquid marijuana waste. All Bad Gramm3r employees, agents, licensees will be trained to identify all marijuana plant waste materials and marijuana product waste: Roots, Stalks, Leaves, Stems, damaged marijuana products, returned marijuana products, expired marijuana products, leftover residue and material from prepackaging waste that takes place at the Bad Gramm3r facility (Example: converting 1 ounce of flower to pre-rolled and packed marijuana cigarettes). All Bad Gramm3r employees, agents and licensees will be trained and required to not accept any marijuana containing products from customers wanting to return their product. In the event that a customer vacates the Bad Gramm3r facility and leaves the marijuana product behind, that product will be recorded and logged as marijuana to be rendered unusable and AMCO will be notified in the marijuana tracking system. After 3 days, if the customer has not returned to retrieve the marijuana product they left behind, it will be rendered unusable and disposed of.

Disposal of any solid or liquid marijuana waste. Bad Gramm3r will use the Matanuska Susitna Borough Central Landfill to dispose of its marijuana waste that has been rendered unusable. A record of the final destination and the delivery date of marijuana rendered unusable will be kept. These records will be filed in the high security room and maintained for a minimum of 3 years. 306.740

21 and older compliance

In an effort to maintain the security of the marijuana and marijuana products Bad Gramm3r will monitor and restrict access to the premises. All persons attempting to gain access to the premises will have to check in at the register adjacent to the public entrance. All persons must provide valid photo identification or valid passport with no exceptions. Bad Gramm3r staff will refuse entrance to any person who does not produce a form of valid photo identification showing the person is 21 years of age or older. Valid identification forms include: unexpired and unaltered passport; unexpired and unaltered state issue driver's license, instruction permit, or identification card of the US, District of Columbia, or a province of Canada; and identification card issued by a federal or state agency authorized to issue a driver's license or identification card. At no time will a person under the age of 21 be permitted to remain on the premises or purchase marijuana or other paraphernalia. If at any time Bad Gramm3r staff suspects that a sale is being made on behalf of an individual under the age of 21, the staff may refuse the transaction and ask the individual to vacate the premises. If necessary, local law enforcement and

the MCB may be notified of the wrongdoing. Additionally, Bad Gramm3r will display signs that clearly indicate that no person under the age of 21 is allowed on the premises. These signs will be located in conspicuous locations at the public entrance and at the customer check-in register.

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Exhibit R

Current status of State License application process.

Under Review. 11/08/16

Exhibit S

Describe how the subject parcel is appropriate for the proposed conditional use. Include information detailing:

The proximity of the proposed use to existing businesses;

The proximity of parcels developed with residential uses; and

Whether the roads associated with the proposed use have been, or will be, appropriate for commercial use.

The Bad Gramm3r parcel is adjacent to Ferguson Plumbing. Ferguson Plumbing has occupied their space since the year 2000. Parcels that have Bogard frontage are commonly used for commercial purposes.

More information provided in Exhibit J.1 and J.2.

The Bad Gramm3r parcel is adjacent to 2 parcels developed with residential use. The residential use property to our North has a 6' wooden fence on the lot line and has one window facing the back of the Bad Gramm3r facility. This property cannot and will not see our signs, our parking area, or our public entrance. It is also adjacent to Ferguson Plumbing which operates forklifts and other heavy machinery routinely. The residential use property to our West was built in 2016 and occupied in fall of 2016. It has no windows facing the Bad Gramm3r facility. There are currently trees and other vegetation along the entire shared property line. Additionally, in the next 3 years, Bad Gramm3r will build a fence to provide an even more robust barrier between the two properties. **More information provided in Exhibit J.1 and J.2.**

Bad Gramm3r parcel has 120' of Bogard Frontage. Bogard is a major commercial road in the MatSu Borough and serves many businesses. The Bad Gramm3r parcel is accessed via N Helen Lane and has been so since 2004. N Helen Lane serves as the access road for 2 additional parcels developed for commercial use. There are currently 5 lots accessed by N Helen Lane and 3 of them are parcels developed for commercial use.

DIMENSIONS OF ALL STRUCTURES

JAN 05 2017

1743 SQ FT
Net Floor Area

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EXHIBIT a, v, w



Parking Lot

KEY

1 - Indicates a wall that contains 1-1/8" Plywood

2 -Indicates a wall that contains Steel Fencing & 1-1/8" Plywood

3- Indicates a wall that contains 1-1/2" Unistrut Steel Beams & 1-1/8" Plywood

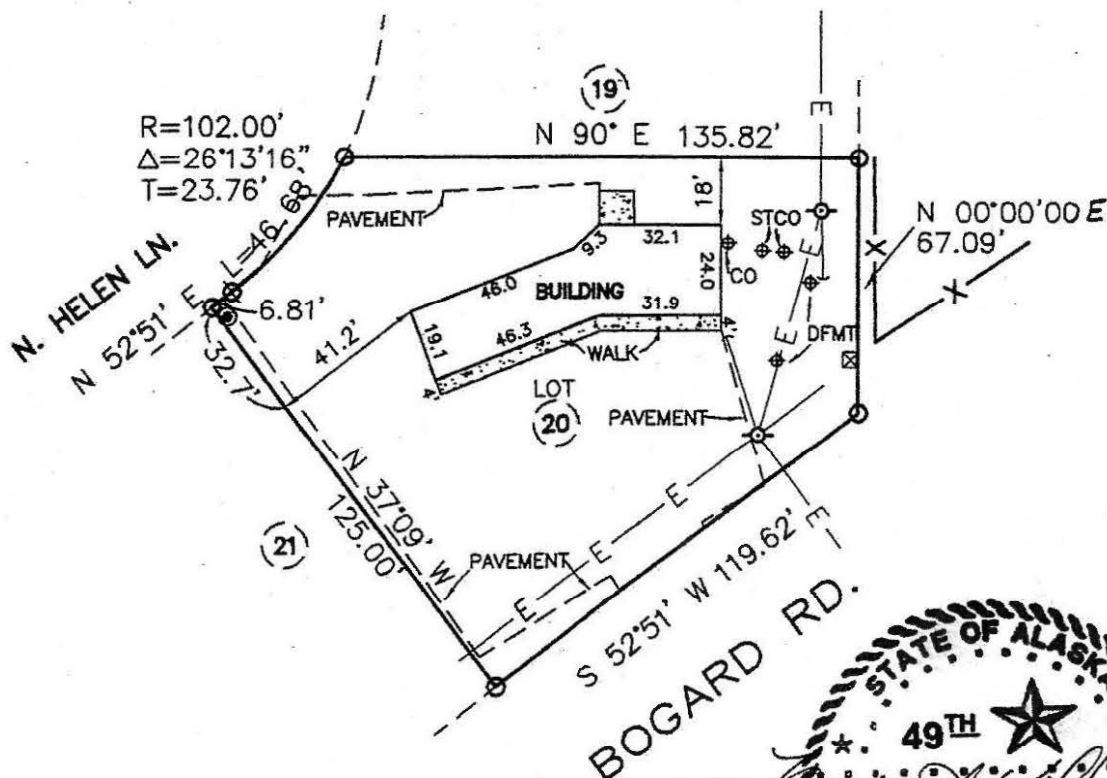
4- Indicates a commercial rated 3/0, 18 gauge metal door with 16 gauge metal frame

IT IS THE RESPONSIBILITY OF THE OWNER OR BUILDER, PRIOR TO CONSTRUCTION, TO VERIFY PROPOSED BUILDING GRADE RELATIVE TO FINISHED GRADE AND UTILITY CONNECTIONS AND TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT.

LEG D

- = FOUND 5/8" REBAR, W/ RED PLASTIC CAP "DECAMP 2071-S"
- ⊙ = POWER POLE
- ⊠ = CABLE TV BOX
- ⌵ = GUY ANCHOR
- E- = POWER LINE
- X- = 5' CHAIN LINK FENCE
- ⊙ = WELL

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AS-BUILT LOT SURVEY



LOT 20
WILLIWAW SUBDIVISION
PALMER RECORDING DISTRICT, ALASKA

ADD UTILITIES 4/04
AS-BUILT 7/28/04

KEN DeCAMP - LAND SURVEYING

P.O. BOX 875614, WASILLA, ALASKA 99687
PHONE: (907) 376-3206

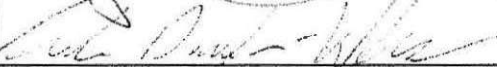
PREPARED FOR:
BERKLEY TILTON

DRAWN BY: RKD, JR	DATE: JULY 2004	DWG. NO ---	FIELD BOOK: 180
CHECKED BY: RKD	SCALE: 1"=50'	PLAT FILING NO.: W-72	SEC., TWP., & RG: SEC. 2, T17N, R1W

* Signatures of the houses on N. Helen Lane
closest to Bad Gramm3r

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By way of this signature page, I hereby state that I have no issue with the cannabis dispensary, Bad Gramm3r at 1150 North Helen Lane, being located in my neighborhood.

DATE	PRINTED NAME	ADDRESS	SIGNATURE
11/10/16	Mr. Schmitt, Timothy	1136 N Helen Lane unit B	Tim P. Merschhoff
NOV 12 2016	Loranne Weaver	1124 N Helen Lane	for Ann Wea
Nov 11 2016	Sarah Skiles	1190 N Helen Lane	
Nov 4	Ryan VanBottle	1115 N Helen Ln	
11-4-16	Colt Donald-Huffman	1110 N. Helen Ln.	
11-4-16	Mary Saechow	1098 N. Helen Ln	Mary Saechow
11-10-16	Ian Quint	1164 N. Helen	Ian Quint
11-14	Olivia Vincent	925 Helen Ln	Olivia Vincent

Matanuska-Susitna Borough
Development Services

NOV 21 2016

Received

Permit



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-8158

Email: planning@matsugov.us

CONDITIONAL USE PERMIT FOR A MARIJUANA RETAIL FACILITY

PERMIT#: 176020160006

ACTION: In accordance with provisions in Matanuska-Susitna Borough Code 17.60, a Conditional Use Permit for a Marijuana Retail Facility is hereby approved as referenced within this document. This permit is for the operation of a Marijuana Retail Facility known as Bad Gramm3r on the permitted site noted below. This decision is based on the findings of fact and conclusions of law contained within MSB Planning Commission Resolution No. 17-03, dated March 20, 2017.

EFFECTIVE DATE: March 20, 2017

PERMITTED SITE: 1150 N. Helen Lane
Tax ID# 1068000L020

PERMITTEE Peter Zell, dba Bad Gramm3r
5850 E. Alder Circle
Wasilla, AK 99654

PROPERTY OWNER: 4208 Land Trust
5850 E. Alder Circle
Wasilla, AK 99654

General Requirements and Conditions:

All development and use of the permitted site shall occur as described in the approved application submitted and as further specified by the conditions listed herein. Any variation from the requirements or conditions of this permit, or from borough code, may be grounds for penalties as authorized by borough code.

Specific conditions of the permit for the operation of a marijuana retail facility:

1. The owner and/or operator shall comply with all applicable state and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit; and an amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.

3. The fence detailed in the application shall be constructed on the subject property by September 30, 2017.
4. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sound and Vibration.
5. The hours of operation shall not exceed 10:00 a.m. – 8:00 p.m., daily.

The decision may be appealed within 21 days of the date of approval by the Planning Commission in accordance with MSB 15.39 – Board of Adjustment and Appeals.



Eileen Probasco, Director
Planning & Land Use Department



Date of Issuance



Matanuska-Susitna Borough

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350 E Dahlia Ave, Palmer AK 99645

Permit.Center@matsu.gov

907-861-7822

DRIVEWAY PERMIT

Permit Number: **DRIVE-2026-033829**

Issue Date: **09/24/2026**

Job Address: **1150 N Helen Ln**

Parcel: **1068000L020**

The Matanuska-Susitna Borough has completed the final inspection of your driveway. The driveway has been constructed in accordance with Borough standards and complies with all conditions set forth by the initial inspection.

As the property owner, you are responsible for maintaining the driveway approach in compliance with the terms and standards of this permit. This includes keeping the driveway culvert clear of dirt, debris, and obstructions to ensure proper drainage and avoid damage to the roadway or adjacent properties.

Please note that any future changes to land use or modifications to the driveway may require additional permits.

For questions or additional information regarding your driveway or this permit, please contact the Permit Center at (907) 861-7822.

SITE PHOTOS



PRIVATE PROPERTY
ALCOHOL AND MARIJUANA
CONSUMPTION IS
PROHIBITED.
No Loitering - No Panhandling
No Trespassing
No Littering - No Smoking



This property
is under
AUDIO & VIDEO
SURVEILLANCE
ALL activity is
recorded

NO ONE
UNDER
21 YEARS
OF AGE
ALLOWED
(3AAC 306.710)

BAD GRAMMAR
• CONSUMPTION OF MARIJUANA IN PUBLIC IS PROHIBITED BY LAW.
• TRANSPORTATION OR CARRIAGE OF MARIJUANA OR MARIJUANA PRODUCTS ON ALASKA WATERWAYS, INCLUDING CRUISE SHIPS, OR BY AIR CARRIER, IS PROHIBITED BY FEDERAL LAW.
• TRANSPORTATION OR SHIPMENT OF MARIJUANA OR MARIJUANA PRODUCTS OUTSIDE THE STATE OF ALASKA IS PROHIBITED BY FEDERAL LAW.
• PROVIDING MARIJUANA TO PERSONS UNDER 21 YEARS OF AGE IS PROHIBITED BY LAW.



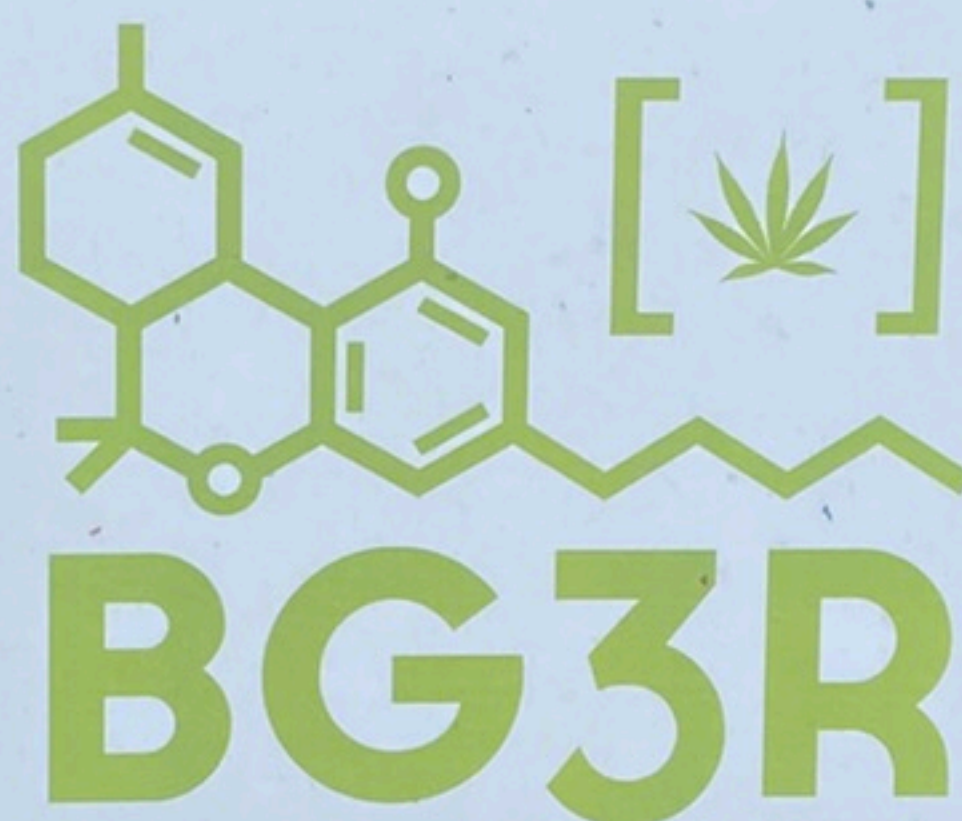
Temporary Hours Change

Opening at 10 AM

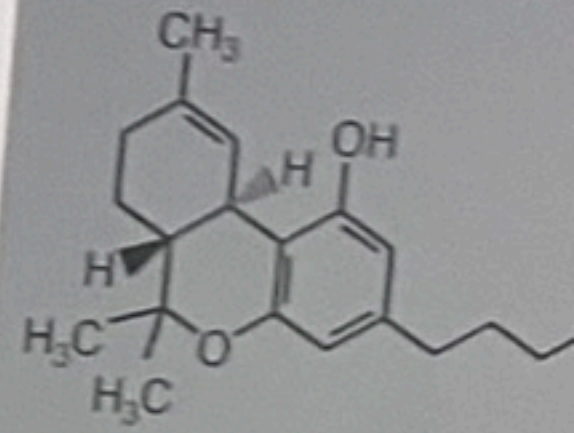
For a limited time, we'll be opening at **10 AM** instead of our usual **9 AM**. We apologize for any inconvenience this may cause and truly appreciate your flexibility. As of now, this is only temporary and is due to Borough regulations. We thank you for being a loyal Bad Gramm3r customer!!!

Early Bird Happy Hour — Join us from 10-11 AM

Thank you for your understanding and patience—we appreciate you!



RESTRICTED
ACCESS AREA
ALL VISITORS
MUST BE
ESCORTED



This property
is under
AUDIO & VIDEO
SURVEILLANCE
ALL activity is
recorded

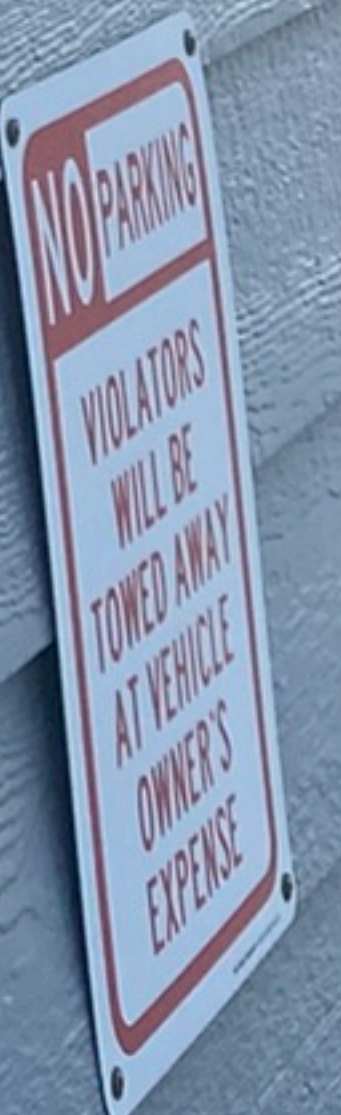
VOTE **NO**
ON PROP B-1
WWW.SAVETHEMATSU.ORG

OCTOBER 4TH 2016

SAY NO
TO PROHIBITION































Communication and Deficient Application Material

Re: CUP for Bad Gramm3r

From Teri Zell <ak49zells@mtaonline.net>

Date Fri 8/7/2026 12:56 PM

To Wade Long <Wade.Long@matsugov.us>

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

That will be fine. Thank you! See you Monday.

On 8/7/2026 12:50 PM, Wade Long wrote:

Hi Teri,

11:30 would work better, if that's possible?

Wade Long

Development Services Manager

Matanuska-Susitna Borough

350 E. Dahlia Ave

Palmer, AK 99645

office: 907-861-7865

cell: 907-707-4741

From: Teri Zell <ak49zells@mtaonline.net>

Sent: Friday, August 7, 2026 12:19 PM

To: Wade Long <Wade.Long@matsugov.us>

Subject: Re: CUP for Bad Gramm3r

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

Will 10am on Monday work for you?

On 8/7/2026 6:48 AM, Wade Long wrote:

Good Morning Teri,

Thank you for this information. I've started the permit application in our system and received your payment. So you're aware Assembly Member Sumner directed us to draft legislation to refund your payment. I'm working on that and will have it to the Clerk soon to get on an agenda. In the meantime, if I need something in processing your application, I'll let you know. I will still need to do a site visit and get updated pictures; this will involve touring the facility. Can you please let me know a day and time that works for you all? Thank you very much.

Respectfully,

Wade Long

Development Services Manager
Matanuska-Susitna Borough
350 E. Dahlia Ave
Palmer, AK 99645
office: 907-861-7865
cell: 907-707-4741

October 5, 2026
Planning Commission Packet
87 of 138

From: Teri Zell <ak49zells@mtaonline.net>
Sent: Wednesday, July 29, 2026 1:25 PM
To: Wade Long <wade.long@matsugov.us>
Subject: CUP for Bad Gramm3r

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

Bad Gramm3r, LLC AMCO License 11121 at 1150 North Helen Lane, Wasilla, AK 99654, would like the MatSu Borough to approve a change to our operating hours that are currently set at 10am-8pm. The **new hours would be 9am to 8pm.**

I would also like to point out that the new CUP permit application is extremely different from the one we originally submitted and rather confusing for me. For instance, the first page is asking location and when I put in our store address, it says it does not exist.

You told me that you were going to send me a digital copy of our original application but I have not received it yet. If permitted, I would like to use that to re-apply.

Thank you for your consideration of this request. I would like to get this process done as quickly as possible because it is causing undo hardship on some of our staff, and it is also causing us a large loss of revenue.

Thank you.

Teri Zell
Bad Gramm3r



Virus-free. www.avast.com

Thank you! Bad Gramm3r, LLC

From Teri Zell <ak49zells@mtaonline.net>

Date Tue 8/4/2026 1:17 PM

To Wade Long <wade.long@matsugov.us>

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

Hi Wade. I wanted to personally thank you for your help in getting our CUP for Bad Gramm3r done. Having to re-do the permit application was rather a daunting task for me (just having had a total knee replacement surgery) and I want you to know that it is appreciated very much.

Peter told me that he spoke with you this morning and everything is taken care of to get this in front of the Planning Commission? Please let me know if there is anything else that needs to be submitted.

Once again, thank you so much for your help!

Teri Zell
Bad Gramm3r, CFO
1150 North Helen Lane
Wasilla, AK 99654



Virus-free. www.avast.com

Re: Planning Commission Hearing Date Planned - Bad Gramm3r

From Wade Long <Wade.Long@matsu.gov>

Date Tue 9/22/2026 2:39 PM

To Teri Zell <ak49zells@mtaonline.net>

Hello,

In our analysis of your commercial operation, it has come to our attention that your driveway must meet new standards in MSB 11.12. Please apply and pay for a high volume driveway permit at matsu.gov/permitportal. For any questions regarding this process, please feel free to contact Michelle Olsen at 907-861-7803 or michelle.olsen@matsu.gov. This will need to be resolved by Oct 19th or it will be a condition of the permit. Thank you.

Respectfully,

Wade Long

Development Services Manager

Matanuska-Susitna Borough

350 E. Dahlia Ave

Palmer, AK 99645

office: 907-861-7865

cell: 907-707-4741

From: Teri Zell <ak49zells@mtaonline.net>

Sent: Tuesday, September 8, 2026 12:47 PM

To: Wade Long <Wade.Long@matsu.gov>

Subject: Re: Planning Commission Hearing Date Planned - Bad Gramm3r

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

Thank you.

On 9/8/2026 9:47 AM, Wade Long wrote:

Good Morning,

The Planning Commission public hearings are at the Mat-Su Borough building at 350 E Dahlia Ave, Palmer, AK and are held at 6:00PM.

Wade Long

Development Services Manager

Matanuska-Susitna Borough

350 E. Dahlia Ave

Palmer, AK 99645

office: 907-861-7865

cell: 907-707-4741

From: Teri Zell <ak49zells@mtaonline.net>
Sent: Sunday, September 6, 2026 2:24 PM
To: Wade Long <Wade.Long@matsu.gov>
Subject: Re: Planning Commission Hearing Date Planned - Bad Gramm3r

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

One more question please. What time does the meeting start?

Thank you.

On 9/4/2026 7:58 AM, Wade Long wrote:

Good morning,

No, not both; just the 19th.

Respectfully,
Wade

Get [Outlook for iOS](#)

From: Teri Zell <ak49zells@mtaonline.net>
Sent: Thursday, September 3, 2026 6:24 PM
To: Wade Long <Wade.Long@matsu.gov>
Subject: Re: Planning Commission Hearing Date Planned - Bad Gramm3r

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

Do we need to be at both meetings?

Thank you.

Teri

On 9/3/2026 10:45 AM, Wade Long wrote:

Hi Peter,

Please know that the introduction of your CUP to the Planning Commission is planned for 10/5 with a public hearing of 10/19.
Thank you.

Wade Long
Development Services Manager
Matanuska-Susitna Borough
350 E. Dahlia Ave
Palmer, AK 99645
office: 907-861-7865
cell: 907-707-4741



MSB 17.60 - Application for Marijuana Retail Facility (Tax ID #1068000L020)

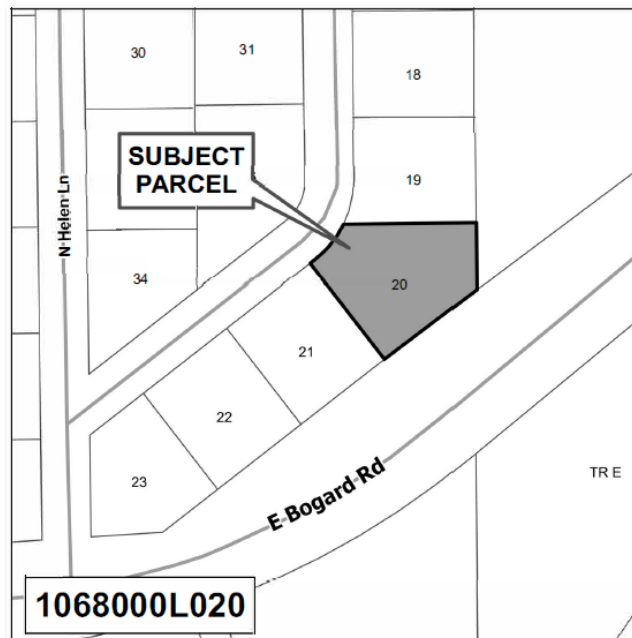
Peter Zell for Bad Gramm3r, submitted an application for a conditional use permit under MSB 17.60 – Conditional Uses for the Operation of a Marijuana Retail Facility, to change the operating hours. The site is located at 1150 N Helen Lane, Tax ID #1068000L020; within Township 17 North, Range 1 West, Section 02, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on **Monday, October 19, 2026, 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.matsu.gov by clicking on “All Public Notices & Announcements.” For additional information, you may contact Wade Long, Development Services Manager, by phone: 907-861-7865. Provide written comments by e-mail to Wade.Long@matsu.gov, 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. To be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for the definition of interested party. The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsu.gov, in the Borough Clerk’s office, and at various libraries within the borough.

Comments are due on or before **October 5, 2026**, 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.



Bad Gramm3r Mailing List Map Pull



«NAME»
«ADDRESS_1»
«ADDRESS_2»
«ADDRESS_3»

The Matanuska-Susitna Borough Planning Commission will consider the following:

Peter Zell for Bad Gramm3r, submitted an application for a conditional use permit under MSB 17.60 – Conditional Uses for the Operation of a Marijuana Retail Facility, to change the operating hours. The site is located at 1150 N Helen Lane, Tax ID #1068000L020; within Township 17 North, Range 1 West, Section 02, Seward Meridian.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on **Monday, October 19, 2026, 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.matsu.gov by clicking on “All Public Notices & Announcements.” For additional information, you may contact Wade Long, Development Services Manager, by phone: 907-861-7865. Provide written comments by e-mail to Wade.Long@matsu.gov, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

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Comments are due on or before **October 5, 2026**, 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.

Name: _____ Mailing Address: _____

Location/Legal Description of your property: _____

Comments: _____

Note: Vicinity Map Located on Reverse Side



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)

Number of Identical Weight Pieces 46	Class of Mail 1st	Postage for Each Mailpiece Paid ☐ Verified	Number of Pieces to the Pound 45
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Total Number of Pounds 1160.0	Total Postage Paid for Mailpieces \$35.88	Fee Paid \$14.00
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Mailed For Permit Center	Mailed By Betty Jean Black
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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.

Amy Martiny
(Postmaster or Designee)

Postage: Mailers must affix meter, PC Permit or (uncanceled) postage stamps here in payment of total fee due.



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!® Transaction Number here: _____



PS Form 3606-D, January 2016 PSN 7530-17-000-5548

See Reverse for Instructions

Number	Owner 1	Owner 2	Mailing Address Line 2	Mailing Address Line 1	Mailing Address City	Mailing Address State	Mailing Address Zipcode
1	ANCHETA BRANDON L S & AIREN G			1110 N HELEN LN	WASILLA	AK	99654
2	BAILEY TIMOTHY & LUCY			966 N HELEN LN	WASILLA	AK	99654-6516
3	BAIR NATHANAE L W			1600 N CATALINA DR	WASILLA	AK	99654
4	BARRIO BENJAMIN			1151 N HELEN LN	WASILLA	AK	99654-6522
5	BIG TRUCK LAND TRUST			189 E NELSON AVE	WASILLA	AK	99654
6	BOZINE MICHAEL			1055 N HELEN LN	WASILLA	AK	99654
7	BRU-NETTE LLC			3275 E TAMARAK AVE	WASILLA	AK	99654
8	BURT PATRICIA L			1115 N HELEN LN	WASILLA	AK	99654-6522
9	CANTER DAVID			940 N HELEN LN	WASILLA	AK	99654
10	CST PROPERTIES LLC			PO BOX 2954	PALMER	AK	99645-2954
11	DAVIES JAMES M & PENNY D		BOX 175	205 E DIMOND BLVD	ANCHORAGE	AK	99515
12	EASTFORK LLC			6382 E BEECHCRAFT RD	WASILLA	AK	99654-9332
13	EATON CHRISTOPHER & SARAH			770 W SARAH'S WAY	WASILLA	AK	99654
14	FARRELL LARRY & PAMELA R			921 NORTH SHORE DR	WASILLA	AK	99654
15	FIREWEED TRUST			881 N NORTHSHORE DR	WASILLA	AK	99654-6545
16	FUSSELL THEODORE J III			PO BOX 876963	WASILLA	AK	99687-6963
17	GARCIA CRISTIAN ADALBERTO C			1164 N HELEN LN	WASILLA	AK	99654-6575
18	GARTLAND COLE			980 N HELEN LN	WASILLA	AK	99654
19	HACKER LISABETH J			935 N NORTHSHORE DR	WASILLA	AK	99654
20	HERSH SOREN H			2680 S RUE DE LA PAIX LOO	WASILLA	AK	99623
21	HUBBARD LESTER HALL			1062 N HELEN LN	WASILLA	AK	99654
22	JOHNSON DEVON			925 N HELEN LN	WASILLA	AK	99654
23	KEW PROPERTIES LLC			3800 CENTERPOINT DR	ANCHORAGE	AK	99503
24	KLEBESADEL THOMAS			668 E BEAVER AVE	PALMER	AK	99645
25	KOPP FAM TR			910 N NORTHSHORE DR	WASILLA	AK	99654
26	LEMMER AARON J		STE 700	PO BOX 872652	WASILLA	AK	99687
27	MAT-SU RESORT LLC			2501 BLUEBERRY RD	ANCHORAGE	AK	99503-2621
28	MINNICK KALEI M			PO BOX 876054	WASILLA	AK	99687-6054
29	PAYTON DIANNE D			941 N NORTHSHORE DR	WASILLA	AK	99654
30	PERKINS HENRY B & ALICE L			PO BOX 873447	WASILLA	AK	99687-3447
31	ROBERTS CHRIS			975 N HELEN LN	WASILLA	AK	99654-6520
32	ROY MICHAEL			7497 S TWIN ST	PALMER	AK	99645
33	RRC SOLUTIONS LLC			3601 MINNESOTA DR	ANCHORAGE	AK	99503
34	SATTERFIELD GARY G & CYNTHIA R TRES			610 E PRIMROSE CIR	PALMER	AK	99645-6825
35	SIKES MERLE L & PATRICIA M		# A	7532 E HEAVENLY CIR	WASILLA	AK	99654-0063
36	SIRES LEROY & BEVERLY J			10949 KATEPWA ST	APPLE VALLEY	CA	92308
37	SNOW NINOTCHKA M			985 N HELEN LN	WASILLA	AK	99654
38	SWAN MICHELLE L			1070 N HELEN LN	WASILLA	AK	99654
39	TRIANTAFYLLOU SANDRA R ETAL			961 N NORTHSHORE DR	WASILLA	AK	99654
40	TUPOU PENITIKETO & SHALOME			926 N HELEN LN	WASILLA	AK	99654
41	VERNON TYLER A & EMILEA J			1098 N HELEN LN	WASILLA	AK	99654
42	VILLATORO EVER LOPEZ TR AGR			6761 REEDYKE CIR	ANCHORAGE	AK	99507
43	WELLS BRYAN D & ROSEMARY E			1085 N HELEN LN	WASILLA	AK	99654
44	WHALEY WAYNE N			PO BOX 874577	WASILLA	AK	99687
45	ZELL 2015 FAM TR			5850 E ALDER CIR	WASILLA	AK	99654
46	NORTH LAKES COMMUNITY COUNCIL		#2 PMB 449	3060 N LAZY EIGHT CT	WASILLA	AK	99654

RESOLUTION

By: Wade Long
Introduced: October 5, 2026
Public Hearing: October 19, 2026
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION SERIAL NO. 26-20**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING AN AMENDMENT OF THE HOURS OF OPERATION FOR AN EXISTING CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY AT 1150 N. HELEN LANE, LOCATED WITHIN TOWNSHIP 17 NORTH, RANGE 1 WEST, SECTION 2, SEWARD MERIDIAN; TAX ID# 1068000L020.

WHEREAS, an application had been received from Peter Zell, dba Bad Gramrn3r, for the amendment of the hours of operation of a current conditional use permit for the operation of a marijuana retail facility at 1150 N. Helen lane, located within Township 17 North, Range 1 West, Section 2, Seward Meridian; Tax ID# 1068000L020; 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 facility is declared to be a public nuisance; and

WHEREAS, an operation of such a land use without a permit is prohibited; and

WHEREAS, the proposed conditional use operation is wholly contained within the 1,743 square foot commercial building; and

WHEREAS, there is no industrial equipment or processes that

generates noise associated with the proposed use; and

WHEREAS, there are no outdoor speakers or public announcement systems associated with the proposed use; and

WHEREAS, the daily trip rate for a marijuana retail facility is estimated to be 211.12 to 259.31 per 1,000 square feet of the commercial facility; and

WHEREAS, the daily trip rate for the proposed 1,743 square foot marijuana retail facility is estimated to be 368 to 452 vehicles per day; and

WHEREAS, the peak hour trip rate is estimated to be 29 to 44 vehicles; and

WHEREAS, the daily trip rate for the proposed use is less than 100 vehicles during the morning or afternoon peak hour, and less than a total of 750 vehicles per day; and

WHEREAS, the proposed use will not be processing, manufacturing, or storing hazardous substances identified in MSB 17.61.020 (A) (3); and

WHEREAS, the proposed use is confined to a generally flat area on the parcel; and

WHEREAS, the proposed use is commercial retail in nature and will not generate contaminated water runoff; and

WHEREAS, the property is located in the Core Area; however,

there are no specific zoning designations for this parcel; and

WHEREAS, the applicable subdivision restrictions (dated July 25, 1967) describe the subject lot, as well as Lots 1, 19, 21, 22, and 23 as commercial; and

WHEREAS, the subject lot was developed for and has been used as commercial since 2004; and

WHEREAS, the subject location has been used for commercial retail for approximately twenty-two years; and

WHEREAS, lots 20, 21, 22, and 23 of the Williwaw Subdivision are sandwiched between two roads: Bogard road to the south and Helen Lane to the north. Accessing Bogard road is prohibited and as such, lots are required to access Helen Lane; and

WHEREAS, lot 23 of the Williwaw Subdivision was developed for and has been used as commercial since 1985; and

WHEREAS, a large commercial use directly abuts the subject parcel and subdivision to the east; and

WHEREAS, a large commercial medical plaza directly abuts the subject subdivision to the west; and

WHEREAS, the subject structure will maintain the appearance and size since its original construction in 2004; and

WHEREAS, the closest school (Wasilla High School) is approximately 4,400 feet away from the proposed use; and

WHEREAS, consumption of marijuana is prohibited at the site;

and

WHEREAS, the applicant has a Matanuska-Susitna Borough driveway permit for legal access bn to Helen Lane; and

WHEREAS, the projected peak-hour traffic volume exceeds ten trips based on the Institute of Transportation Engineers Trip Generation Manual; therefore, a high-volume driveway permit is required; and

WHEREAS, access onto Helen Lane is preferred as it is a lower classification of road (minor collector), as opposed to Bogard Road which has a higher classification (minor arterial); and

WHEREAS, persons under the age of 21 are prohibited from entering the proposed use; and

WHEREAS, according to the application material, the proposed use will have a robust security plan in place; and

WHEREAS, all marijuana products deemed unusable will be sealed in a container and disposed of at the Matanuska-Susitna Borough landfill, after proper notification of the State of Alaska Alcohol & Marijuana Control Office; and

WHEREAS, the existing structure meets all applicable setback requirements required by MSB 17.55 - Setbacks and Screening Easements; and

WHEREAS, currently a six foot tall wooden fence exists along the north side lot line between lots 19 and 20. There is also a 6 foot privacy fence on the west side between Lots 21 and 20; and

WHEREAS, all of the required site plans and operational information have been provided by the applicant; and

WHEREAS, according to the application material, all marijuana will be stored in sealed containers; and

WHEREAS, according to the application material, loitering will not be allowed, helping to ensure noise and odor will not be an issue; and

WHEREAS, No new landscaping or berms are planned or required by code; and

WHEREAS, on February 2, 2017, the State of Alaska Marijuana Control Board voted unanimously to approve Bad Gramm3r's Retail Marijuana Store License# 11121 with delegation; and

WHEREAS, official minutes from the Marijuana Control Board meeting showing Bad Gramm3r's delegated approval was obtained from the State of Alaska's official website; and

WHEREAS, the Matanuska-Susitna Borough Fire Code Official has issued Plan Review #2016-096 for Tenant Improvement Approval; and

WHEREAS, a certificate of occupancy must still be issued by the MSB Fire Code Official upon completion of remodel work within the subject building; and

WHEREAS, Helen Lane is a paved road, it has been used for both residential and commercial uses since 2004; and

WHEREAS, according to the site plan, nine customer parking

spaces are provided; and

WHEREAS, according to the site plan, each space will be 20 feet in length and ten feet wide; and

WHEREAS, according to the applicant, there are no vertical clearance limitations on site; and

WHEREAS, ADA guidelines require one van accessible parking space with an eight foot wide parking isle, for every 1 to 25 spaces; and

WHEREAS, one van accessible parking space with a ten foot wide parking isle is provided; 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 October 19, 2026 on this matter.

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 26-20:

1. The use will not exceed sound levels set forth in MSB

17.61.080 and noise levels exceeding the levels in MSB

17.61.080 are prohibited. As such, a Core Area Conditional

Use Permit is not required under this standard (MSB

17.61.020 (A) (1)) .

2. Since the use will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day, as specified in MSB 17.61.090, Traffic Standards, a Core Area Conditional Use Permit is not required under this standard (MSB 17.61.020 (A) (2)) .
3. Since the proposed use will not be processing, manufacturing, or storing hazardous substances beyond the thresholds identified in MSB 17.61.020 (A) (3), a Core Area Conditional Use Permit is not required under this standard (MSB 17.61.020 (A) (3)) .
4. The proposed use will not generate contaminated water runoff or other discharges that are likely to violate state water quality standards or negatively impact groundwater or surface water quality beyond adjacent property lines. As such, a Core Area Conditional Use Permit is not required under this standard (MSB 17.61.020 (A) (4)) .
5. The proposed use, with conditions, will not detract from the value, character and integrity of the surrounding area (MSB 17.60.100 (B) (1)) .
6. The proposed use will not be harmful to the public health, safety, convenience and welfare (MSB 17.60.100 (B) (2)) .
7. Sufficient setbacks, lot area, buffers or other

safeguards are being provided (MSB 17.60.100(8)(3)).

8. The applicant has met all of the requirements of this chapter (MSB 17.60.100(B)(4)).
9. The proposed use will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
10. Measures are in place to reduce negative effects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
11. The proposed use is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
12. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).
13. Documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60150{0}(1)).
14. The proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).
15. The proposed use is located on a parcel that is appropriate for commercial use (MSB 17.60.170(A)(1-3)).
16. The proposed use meets the minimum number of parking space for retail facilities (MSB 17.60.170(8)).
17. The proposed use complies 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. The owner and/or operator shall comply with all applicable state and local regulations.
2. All aspects of the operation shall comply with the description detailed in the application material and with the conditions of this permit; and an amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. Use of access from North Helen lane requires a high volume driveway permit to meet compliance with MSB 11.12 Driveway Standards.
4. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound and Vibration.
5. 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.

6. On-site consumption of marijuana and marijuana products
is prohibited.

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this 19th day of October, 2026.

Richard Allen, Chair

ATTEST:

Kayla Smith, Planning Clerk

(SEAL)

INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE

Resolution No. 26-21

A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Adoption of the Fiscal Year (FY) 2028 Capital Improvement Program (CIP).

Staff: Natasha Grover, Current Planner

Public Hearing Date: October 19, 2026

CAPITAL IMPROVEMENT PROGRAM (CIP)

2027-2028 (FY 28)



Matanuska-Susitna Borough
Planning Division

<https://cip.matsugov.us/>



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Capital Improvement Program Overview

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The Matanuska Susitna Borough (MSB) Capital Improvement Program (CIP) originated in 1965 as part of the MSB's capital budget. The CIP's purpose is to help the MSB plan and budget for community infrastructure improvements.

Throughout the past five decades, the CIP has evolved and taken many forms. In 2022, the CIP process and criteria were updated at the request of the Planning Commission and the Assembly to provide a better process for community members and MSB departments to nominate capital projects. This current process provides a ranked list of priority projects for consideration in the budget cycle making the community's voice more clear.

While each MSB Department submits operational capital budget nominations, the CIP program is designed to elevate projects with community support during the budget cycle. These projects contribute directly to the *quality of life* of residents and enhance the visitor experience. Valid nominations are those that are eligible for MSB areawide funding. Common project nominations may include facility improvements and upgrades, trail and parking improvements, and trailhead amenity projects. CIP projects could also include libraries, transit facilities, interpretive signs for educational and historical community display, and other infrastructure designed to make the Matanuska-Susitna Borough the *greatest community in Alaska to live, work, and play*.



Nominations

The online CIP application is active year-round through the CIP portal on the MSB website. Submissions received between August 1, 2025, and August 17, 2026, were eligible for this year's FY 28 CIP consideration. Nominations submitted after August 17, 2026, will be evaluated during next year's CIP review.



Public Engagement

The Planning Division solicited nominations and community input throughout the year through:

- Public Facing Website <https://cip.matsugov.us/>
- Social Media Campaign - Facebook Posts and *Planner Platform* E-Newsletter
- Direct E-Mail Communication with All Community Councils
- Presentations at Community Councils, as requested



Qualifying Criteria

To qualify as a valid CIP project, nominations must be eligible for areawide funding and meet the requirements of MSB code.

All nominations are initially evaluated against the following criteria to ensure that the project fits the program.



- Must Fall Within Borough Powers (MSB 1.10.100 - 1.10.170)
- Cannot be Considered Routine Maintenance or Equipment Replacement
- Must Have a Minimum Cost of \$20,000, Not to Exceed \$1,000,000
- Must Have a Lifespan of Over Five Years
- Must Align with an MSB Assembly Adopted Plan



Scoring & Ranking

The scoring committee is comprised of MSB Department representatives from Public Works, Finance, Planning, Emergency Services, and Parks and Recreation Services.

All the nominations were presented to the CIP scoring committee for verification of validity. Then all valid projects were scored based on ten weighted criteria.

Weighted Scoring Categories

Projects are scored using a weighted system. This ensures that the projects that best reflect the MSB priorities for capital improvement projects rise to the top of the list.



Relevance to existing MSB projects

Supports quality of life

Has external (non-MSB) funding sources

Has public support

Positive impact on public health

Alignment with a Borough plan

Identified costs and secured partial funding

Positive impact on environmental quality

Economic benefit to the community

Legal requirement



FY 28 CIP NOMINATIONS RANKED

9 valid projects were nominated by the community and by the MSB Parks & Outdoor Recreation Services. The projects are listed in order of score by the committee. Cost estimates are rough order of magnitude for planning purposes.

The top nine (9) projects, totaling \$3.33M are considered priority projects. If approved for funding, the nine projects could be completed during the six-year CIP funding cycle if \$500,000 per year were allocated to the FY28 CIP program.

RANK	PROJECT	SUMMARY	ESTIMATE
1	Skeetawk Mid Mountain Gondola	Install gondola for Lift 2 (Phase 1b of Development Plan)	\$1 M
2	Talkeetna Lakes Park Wolverine Loop Expansion	Add 6km of new to the Nordic ski trail system	\$775k
3	South Knik River Community Emergency Storage Addition	Addition to Community Council building to house emergency supplies	\$100k
4	Matanuska Peak Trailhead Vault Toilet	Provide restroom at popular Borough trailhead	\$75k
5	Wildwood Skatepark Redevelopment	Convert brownfield site into 9,379 square foot concrete recreation area	\$406k
6	Chulitna River Bluff Trail Re-Route	Re-route existing trail to a location outside gravel pit boundaries	\$112k
7	Jordan Lake Park Vault Toilet	Provide access to restroom facilities at developing park location	\$115k
8	Beaver Lake Road Pedestrian & Bike Path	Build a pathway providing safe cycling and pedestrian access	\$500k
9	Meadow Lakes Community Park Garage Storage Building	Provide secure storage for park maintenance and equipment	\$252k



FY 28 CIP PRIORITY PROJECTS (TOP 9)



#1 Skeetawk Mid Mountain Gondola

This project would install a 1-mile long gondola to provide access to 500 acres of terrain at Skeetawk. The project would support year-round recreation, improve accessibility, and advance the mountain's long-term development goals identified in the Hatcher Pass Management Plan and Borough Strategic Plan.



#2 Talkeetna Lakes Park Wolverine Loop Expansion

This project would add approximately 6 km of new trail, expanding the Talkeetna Lakes Park Nordic trail system from 9 km to nearly 15 km and include intermediate-level difficulty. The trail would serve as a dedicated Nordic ski trail in winter and a shared-use trail for hiking, running and mountain biking in summer.



#3 South Knik River Community Emergency Storage Addition

This addition to the current Community Council building will offer the necessary space to house emergency supplies that would serve the surrounding communities during natural disasters.



FY 28 CIP PRIORITY PROJECTS (TOP 9)



#4 Matanuska Peak Trailhead Vault Toilet

Trailhead users currently have nowhere to dispose of garbage or use restroom facilities. This project would offer restroom amenities to trail users and help to keep neighboring private properties clean.



#5 Wildwoods Skatepark Redevelopment

The Wildwoods Park Talkeetna Skatepark Improvement Project will convert the former library site into a dedicated concrete skatepark for youth, families, and visitors. The project will provide a safe space for wheeled recreation in downtown Talkeetna and support community recreation goals. Construction is anticipated in 2027–2028 following funding.



#6 Chulitna River Bluff Trail Re-Route

This project would provide a 4,390-foot re-route of the existing Chulitna Bluff winter trail. The existing trail runs through both a state gravel pit and borough gravel pit. Re-routing will help maintain the trails safety and public accessibility.



FY 28 CIP PRIORITY PROJECTS (TOP 9)



#7 Jordan Lake Park Vault Toilet

This project would install a vault toilet at Jordan Lake Park in Big Lake. Community events are being planned and held at the park that draw hundreds of people who need access to the vault toilet amenities.



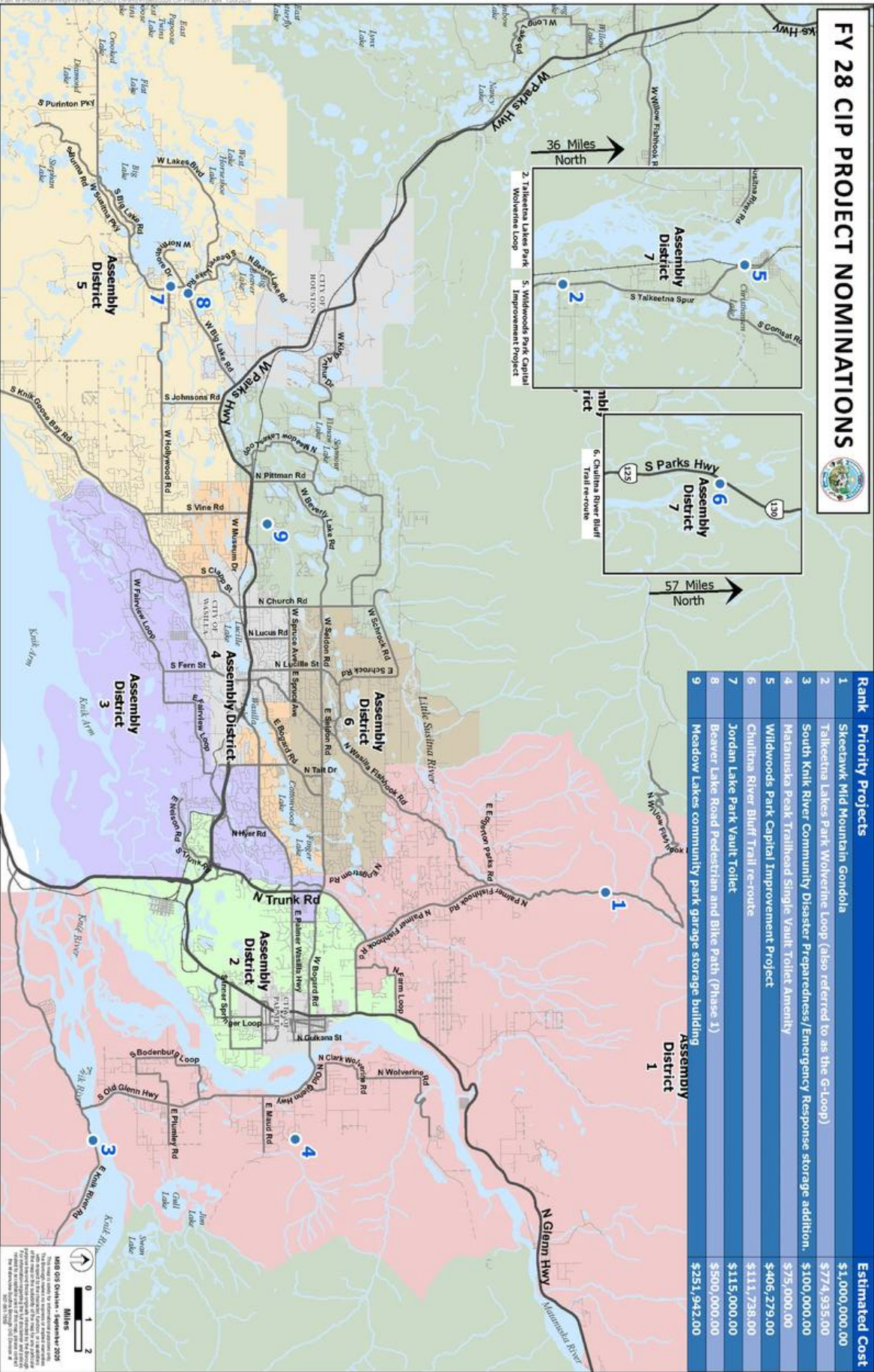
#8 Beaver Lake Road Pedestrian & Bike Path

This project would build a non-motorized pathway adjacent to Beaver Lake Road, providing safe cycling and pedestrian access. The pathway would serve Rocky Lake Campground and Meadow Creek, which are favorite destinations for camping, swimming, fishing, cross country skiing and floating the creek.



#9 Meadow Lakes Community Park Garage Storage Building

This project would replace an existing shed structure with a safe and secure unheated building. The building will provide storage space for a mower, a plow truck, and any other maintenance materials or equipment needed for the park.





SCHEDULE & PROCESS

MSB Code 3.04.060 requires that the MSB Manager submit the Capital Improvement Program projects to the Planning Commission for review and comment prior to presentation to the MSB Assembly. The CIP list and the Manager's recommendations are formalized via Borough Assembly Resolution. Assembly approval of the CIP list does not guarantee funding.

Following approval, the project list will be available to the Manager and the Assembly for inclusion in the annual budget.

FY 2028 CIP Timeline:

DATE	MILESTONE	STATUS
Aug-Sept 2026	Scoring and Ranking	
Oct 2026	Planning Commission	
Nov-Dec 2026	MSB Assembly	
Dec 2026	Approved projects are available for inclusion in the annual capital budget	



MSB Capital Improvement Program (CIP) Nomination Evaluation Sheet			Project Name: Project ID #				NOTES:
Project Met Criteria: Y/N			Possible Scores				
Score	Weight	Category	0	1	2	3	
	x5	Public Health and Safety	Project has no impact on existing public health and/or safety status	Project addresses a minor public health and/or safety issue, but is not an urgent, continual need or hazard	Project increases public health and/or safety but is not an urgent, continual need or hazard	Project addresses an immediate recognized safety hazard, public health and/or safety need	
	x5	Mandates or Other Legal Requirements	Project is not mandated or otherwise required by court order, judgment, or governmental agreements	Project addresses anticipated mandates, other legal requirements, or governmental agreements	Project addresses an imminent government mandate, grant requirement, court order or judgment, or is required as part of a governmental agreement	Project is due to government mandates, grants, court orders and/or judgments, or is required as part of a governmental agreement	
	x5	Relationship to Current Projects	Project is not related to other projects currently underway by MSB	Project is associated with other projects but is not essential to their completion	Project is linked to other MSB projects currently underway and public dollars will be maximized by combining projects	Project is linked to other projects currently underway and is essential to their completion	
	x5	Economic Benefit	Project would have a significant ongoing cost to MSB	Project would have minimal cost or no ongoing costs to MSB	Project would create minimal revenue for some local business	Project would create significant revenue for a wide range of local business	Does the project have MSB committed maintenance or operating costs? Will the project create revenue for the MSB community?
	x4	Quality of Life/Health & Wellness	Project does not affect the quality of life or health & wellness of MSB residents	Project moderately impacts the quality of life or health & wellness of a small percentage of MSB residents	Project greatly impacts the quality of life or health & wellness of a specific group of MSB residents	Project greatly impacts the quality of life or health & wellness for a wide range of MSB residents	
	x4	MSB Policies and Priorities	Project is not specifically mentioned in any Borough plan, and is vaguely tied to a goal or objective	Project is not specifically mentioned in any Borough plan, but clearly aligns with a goal or objective of a Borough plan	Project is specifically mentioned in a Borough plan as a community priority	Project is specifically mentioned in a Borough plan and directly relates to the Assembly's Strategic Plan	If it's not tied to an adopted MSB Plan or left blank, does it align with one of these Strategic Goals? If so, to what scale? *Economic Growth & Diversification *Deliver High Quality Service *Managing Growth
	x3	Funding Status	Project cost has not been identified.	Project cost has been identified but there are no known funding sources.	Project cost has been identified and there are secured funding sources	Project has already received partial funding and is underway	
	x3	External Funding	0-25% known external funding source	26-50% known external funding source	51-75% known external funding source	76-100% known external funding source	
	x2	Environmental Quality	Project will have a negative effect on the environmental quality of the Borough	Project will not affect the environmental quality of the Borough	Project will improve current ecosystem services being provided to the Borough	Project will enhance the environment and provide added ecosystem services to the Borough	
	x2	Resolution or Letter of Support	Project has a resolution or letter in opposition to the project	Project does not have a resolution or letter of opposition or support	Project has a letter of support from an individual	Project has a resolution or letter of support from a community council, city, MSB Department, or other governing body	

By: Natasha Grover
Introduced: October 5, 2026
Public Hearing: October 19, 2026
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION SERIAL NO. 26-21**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION
RECOMMENDING ADOPTION OF THE FISCAL YEAR (FY) 2028 CAPITAL
IMPROVEMENT PROGRAM (CIP).

WHEREAS, the Capital Improvement Program (CIP) is a program managed by the Planning and Land Use Department designed to solicit, prioritize, and recommend public infrastructure project nominations from the community and Borough departments on an annual basis; and

WHEREAS, the CIP provides the Assembly with a prioritized list of community-supported infrastructure projects for consideration during annual Borough budget deliberations; and

WHEREAS, the CIP provides the Assembly with a vetted list of community infrastructure and public facility projects to be included in the annual state and federal legislative priorities list; and

WHEREAS, the CIP is a budget planning tool used by governments to plan for annual investments necessary to build important public infrastructure over a six-year budget period; and

WHEREAS, in the 2023 Strategic Plan, the Assembly identified three Focus Areas: Economic Growth and Diversification, Delivering High Quality Services, and Managing Growth; and

WHEREAS, under the Managing Growth focus area, identifying and documenting needed public infrastructure and supporting its development was called out as a strategy under Economic Growth and Diversification focus area, the CIP is a tool that assists with the implementation of the MSB 2023-2028 Strategic Plan focus area goals; and

WHEREAS, investment in community infrastructure is a function of the Matanuska-Susitna Borough government and supports residents' quality of life, recreation opportunities, tourism, and the economy; and

WHEREAS, the FY28 CIP valid nominations included nine (9) projects; and

WHEREAS, the nine (9) projects being presented for FY28 CIP include:

- 1) Skeetawk Mid Mountain Gondola
- 2) Talkeetna Lakes Park Wolverine Loop (G-Loop) Expansion
- 3) South Knik River Community Emergency Storage Addition
- 4) Matanuska Peak Trailhead Vault Toilet
- 5) Wildwoods Skatepark Redevelopment
- 6) Chulitna River Bluff Trail Re-Route

- 7) Jordan Lake Park Vault Toilet
- 8) Beaver Lake Road Pedestrian & Bike Path
- 9) Meadow Lakes Community Park Garage Storage Building

These nine projects, if approved, will make up the FY28 CIP project list; and

WHEREAS, MSB code 03.04.060 requires that the Borough Manager submit a Capital Improvement Program to the Planning Commission for review and comment annually.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends to the Assembly the adoption of the FY28 Capital Improvement Program project list.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the MSB Planning Commission hereby recommends that the MSB Assembly allocate or seek funding to support the construction or advancement of projects identified in the FY28 Capital Improvement Program.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 19 day of October, 2026.

RICHARD ALLEN, CHAIR

ATTEST:

KAYLA SMITH, Planning Clerk

(SEAL)

PUBLIC HEARING LEGISLATIVE

Resolution No. 26-19

A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending The Matanuska-Susitna Borough Assembly Establish The Greater Oilwell Road Community Council District.

Staff: Paul Clark, Long Range Planner

SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ESTABLISHING THE GREATER OILWELL ROAD COMMUNITY COUNCIL BOUNDARY AREA.

AGENDA OF: October 20, 2026

Assembly Action:

AGENDA ACTION REQUESTED: Present to the Assembly for consideration.

Route To	Signatures
Originator	X
Department Director	X
Finance Director	X
Borough Attorney	X
Borough Manager	X
Borough Clerk	X

ATTACHMENT (S) : Resolution Serial No. 26-099 (2 pp)
 Greater Oilwell Road Community Council Boundary
 Area Map (1 pp)
 Greater Oilwell Road Community Association Bylaws
 (6 pp)
 Greater Oilwell Road Community Association
 Resolution 26-01 (2 pp)
 Planning Commission Resolution No. 26-19 (2 pp)

SUMMARY STATEMENT: Approval of this resolution would recognize the geographic boundary area for the Greater Oilwell Road Community Council District. Residents in the Greater Oilwell Road area, as well as property owners in the area who reside elsewhere, have formed a community association to encourage public participation,

improve communication with the Borough, and provide an organized process for addressing local issues. The Greater Oilwell Road Community Association (GORCA) has held at least two meetings in the proposed district that were advertised in accordance with MSB 2.76.030(B)(5). However, it adopted bylaws defining membership as "each landowner within the prescribed boundaries who is 18 years of age or older and has paid the annual membership dues." Because membership is based on landownership rather than residency, GORCA does not meet the community council definition in MSB 2.76.030(A)(1). GORCA seeks to represent the community in a manner similar to the Louise Susitna Tyone Community Association, where property owners also significantly outnumber residents.

GORCA is petitioning the MSB to establish a new community council district that is not currently included within the boundaries of any existing community council district. The proposed boundaries were drafted by community members and were refined using Borough GIS mapping. They represent a logical community planning area based on existing development patterns, transportation corridors, and shared community interests in accord with MSB 2.76.040(A). Residents and property owners in this area have interests that differ sufficiently from adjacent community council areas to warrant recognition of a separate geographic area for community representation. Those interests include the area's distinct access routes, landownership patterns, development context, and local planning concerns, which are better addressed through a dedicated forum focused on the Greater Oilwell Road area. Once a district is established for this area, GORCA may be eligible to apply for Community Assistance Grants.

FISCAL IMPACT: No direct fiscal impact is anticipated from adoption of this resolution.

RECOMMENDATION OF ADMINISTRATION: Respectfully request approval.

Action:

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 26-099**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY
ESTABLISHING THE GREATER OILWELL ROAD COMMUNITY COUNCIL DISTRICT.

WHEREAS, community council districts are defined by the Assembly to group residents within natural communities and to recognize community interests in setting boundaries (MSB 2.76.040 (A); and

WHEREAS, community councils provide a recognized forum through which residents may participate in local planning efforts, communicate community concerns, and provide recommendations to the Borough on matters affecting their neighborhoods and surrounding area; and

WHEREAS, residents and property owners within the Greater Oilwell Road area have formed the Greater Oilwell Road Community Association (GORCA) to encourage public participation, improve communication with the Borough, and provide an organized means of addressing issues affecting the area; and

WHEREAS, GORCA bylaws are similar to the Louise Susitna Tyone Community Association, which, though not an officially recognized community council, serves as a representative organization for the Louise, Susitna & Tyone Lakes Community Council District; and

WHEREAS, to be eligible for Community Assistance Program

grants, a community council or association must operate within a designated community council district; and

WHEREAS, the proposed Greater Oilwell Road Community Council District is not included in the boundaries of any other community council districts and represents a logical community planning area based upon existing development patterns, transportation corridors, and community interests; and

NOW, THEREFORE, BE IT RESOLVED, the Borough Assembly hereby establishes the Greater Oilwell Road Community Council District as depicted in Attachment A of the Information Memorandum.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2026.

EDNA DeVRIES, Borough Mayor

ATTEST:

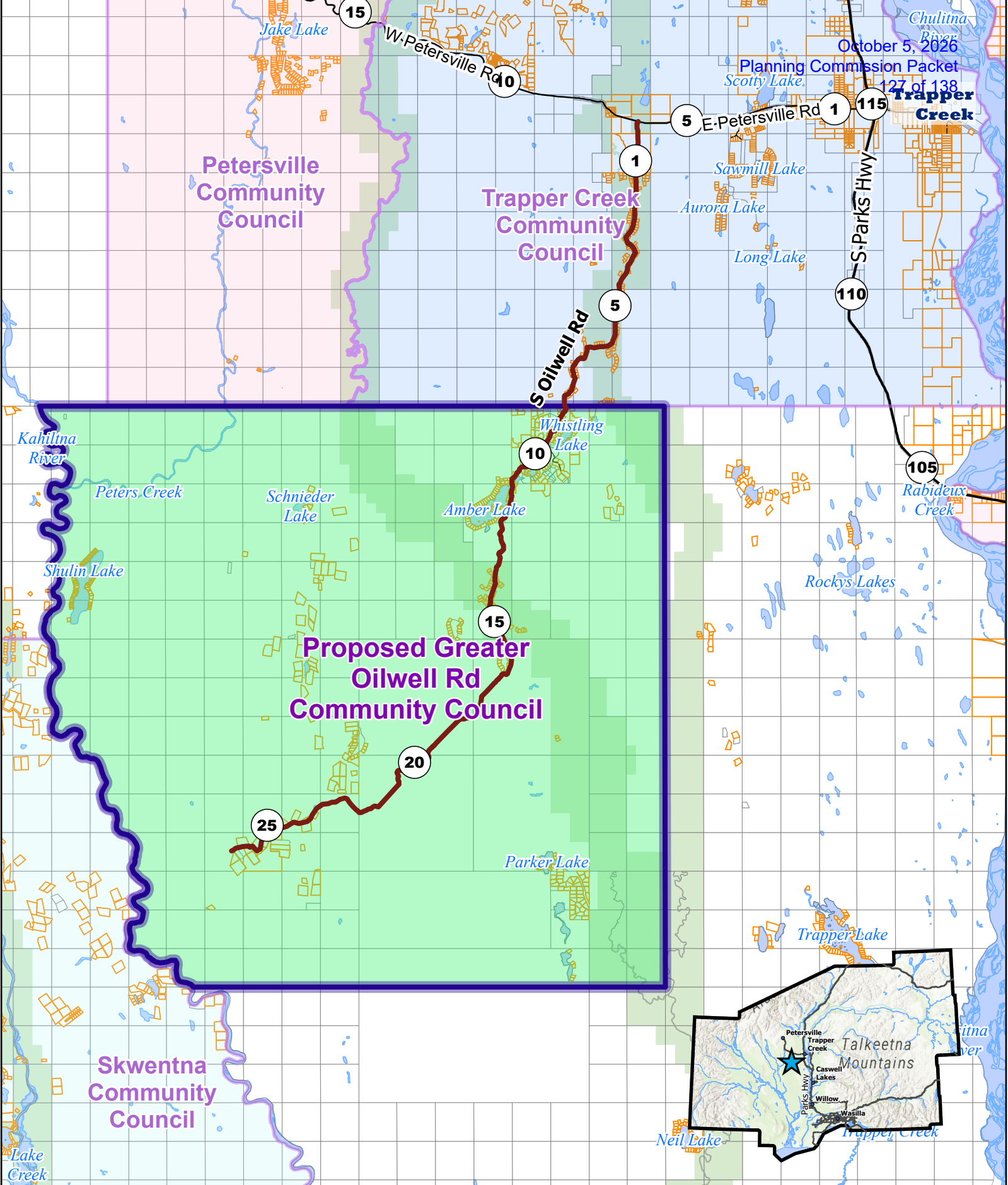
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

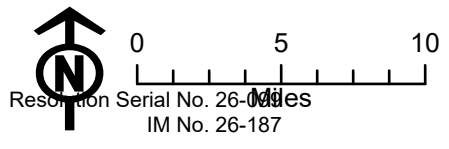
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Trapper Creek



Oilwell Rd Community Council Boundary Proposal



BYLAWS OF THE GREATER OILWELL ROAD AREA COMMUNITY ASSOCIATION

Effective Date June 1, 2026

ARTICLE 1. PURPOSE

Greater Oilwell Road Community Association, Incorporated (hereafter GORCA or the Association) acts to promote the interest and welfare of its residents by providing a forum for community engagement, facilitating communication with the local and state governments, and addressing issues of mutual concern to sustain an all-seasons recreation predominate lifestyle.

The area encompassed within GORCA boundaries is a semi-remote community, predominantly comprised of part-time recreational residents along with some full-time residents. Most private lands were obtained through State land sales and State large parcel recreational subdivisions. Access is from Oilwell Road and connecting trails. The area is entirely off-grid. Hunting, fishing, and all-season outdoor recreation predominate the lifestyle.

ARTICLE 2. OFFICES AND BOUNDARIES

SECTION 1. PRINCIPAL OFFICE & REGISTERED AGENT

- A. The physical location of the Greater Oilwell Road Community Association shall be at mile 8.75 Oilwell Rd (Cottonwood Creek parking lot).
- B. The Registered Agent shall be appointed by the Board of Directors.

SECTION 2. BOUNDARIES

The GORCA shall cover the area as designated by the Matanuska-Susitna Borough (MSB) Assembly, with specific details available on the MSB's official website. See attached map.

ARTICLE 3. MEMBERSHIP

SECTION 1. MEMBERS

A. Members shall consist of each landowner within the prescribed boundaries who are 18 years of age or older and who has paid the annual membership dues.

B. Membership dues for GORCA are \$10 per year. Payable annually. Membership dues will be payable per fiscal year with donations allowable up to \$50 per landowner per year.

SECTION 2. ANNUAL MEETING

An annual meeting of the membership shall be held in the month of July each year for the election of Directors and other business matters.

SECTION 3. SPECIAL ASSOCIATION MEETING

Special Association meetings may be called by the President or any two Directors, or by a petition signed by at least 10% of the membership.

SECTION 4. NOTICE OF ASSOCIATION MEETINGS

Written notice stating the place, date, and time of meetings shall be posted at a public access point and online platforms no fewer than fifteen (15) days prior to the meeting. This shall include a physical sign posting within our boundaries, posting on the group Facebook Page, and an email will also be sent out to all members on the email list.

SECTION 5. QUORUM

Twenty (20) or more members shall constitute a quorum at the annual meeting. A majority of the Board shall constitute a quorum at all other meetings. Attendance can be in person, by phone, by proxy, or other means including virtual.

SECTION 6. VOTING

Members shall have one vote per property. Owners of multiple properties are limited to one vote. Votes may be cast in person, by proxy, mail, and email as approved by the Board. All actions shall be determined by majority of votes cast, unless otherwise specified in the bylaws.

SECTION 7. PROXIES

Voting by proxy is permitted with written authorization submitted to the Secretary prior to the meeting. Proxies expire after six months unless otherwise specified.

ARTICLE 4. BOARD OF DIRECTORS

SECTION 1. GENERAL POWERS

The day to day business of the GORCA shall be managed by its Board of Directors.

SECTION 2. NUMBER AND TERMS

A. The Board shall consist of five (5) Directors.

B. Directors shall serve three-year terms, staggered as follows for the first election:

- 2 Directors: full 3-year terms
- 2 Directors: 2-year terms
- 1 Directors: 1-year terms

C. All Directors must be members in good standing of the Association.

SECTION 3. OFFICERS

The Board shall elect from among themselves a President, Vice-President, Secretary, and Treasurer. Each officer shall hold office until a successor shall have been duly elected, or until death, resignation or removal in the manner provided. The position of Treasurer may be combined to Secretary/Treasurer at the Board's discretion. For additional information, please reference Article 5 Officers' Duties.

SECTION 4. BOARD MEETINGS

A. Regular Board meetings shall be held as scheduled by the Board. No decisions will be made without a full quorum meeting that allows members to vote.

B. A majority of the Board shall constitute a quorum.

C. Action may be taken without a meeting with written consent of the majority of the members.

SECTION 5. VACANCIES

Vacancies may be filled by majority vote of the Board until the next regular election.

SECTION 6. REMOVAL

- A. A Director may be removed by a two-thirds vote of the membership present and voting. More than 2 unexcused absences is cause for removal. Excused absences include unexpected life events, and illness.
- B. This section also provides for removal from office of any member of the Board of Directors who vote on any matter which involves a personal conflict of interest. Includes but is not limited to, financial interest, nepotism, vendor relations, and

procurement decisions. Board members will indicate to the Chair any conflicts recognized.

SECTION 7. COMPENSATION

Directors shall not receive compensation for service. Reimbursement for reasonable expenses may be approved by three Directors.

SECTION 8. EMERGENCY POWERS

In the event of a disaster or emergency incapacitating the majority of the Board, the remaining Directors shall retain full authority to act until a quorum is restored.

ARTICLE 5. OFFICERS' DUTIES

SECTION 1. PRESIDENT

The President shall be the chief executive officer, preside at meetings, and execute authorized documents. The President will preside at all meetings of the membership at the regular Board of Directors meeting. The President is authorized to sign, with the Secretary or other elected officer of the GORCA, any deeds, mortgages, contracts or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution shall be expressly delegated to some other agent or officer of GORCA, or shall be required by law to be otherwise signed or executed.

SECTION 2. VICE-PRESIDENT

Shall act in the absence of the President and perform duties as assigned. The Vice President shall perform such other duties as may be assigned by the Board of Directors.

SECTION 3. SECRETARY

The Secretary shall keep the minutes of the meetings, make these minutes part of permanent records of the GORCA and report on the minutes of the previous meeting as requested. Permanent records shall be kept at the principal office. The Secretary shall see that all notices are duly given in accordance with these bylaws or as required by law.

SECTION 4. TREASURER

Responsible for financial accounts, deposits, receipts, and reporting of all money's due and payable to GORCA and deposit all money in the name of GORCA in banks or other depositories selected by GORCA. The position of Treasurer may be combined to Secretary/Treasurer at the Board's discretion.

SECTION 5. REGISTERED AGENT

Shall be appointed by the Board of Directors.

ARTICLE 6. FINANCES

SECTION 1. CONTRACTS

Contracts and agreements shall be approved by the Board of Directors and signed by an officer and one additional board member. Any contracts or agreements exceeding \$250 in value require membership approval.

SECTION 2. EXPENDITURES

All checks, drafts or other orders for payment of money, notes or other evidence of indebtedness issued in the name of GORCA shall be signed by an officer and one other Board member. Transactions exceeding \$250 require membership approval.

SECTION 3. DEPOSITS

All funds shall be deposited in a bank or credit union chosen by the Board.

ARTICLE 7. FISCAL YEAR

The fiscal year shall begin July 1 and end June 30.

ARTICLE 8. ANNUAL BUDGET

A. The Board shall prepare an annual operating budget showing anticipated operating expenses. Separate budgets for special projects shall be included in the annual budget as separate items.

B. The budget shall be presented to the membership for approval by majority vote of the membership.

ARTICLE 9. DISSOLUTION

In the event of dissolution, assets shall be distributed in accordance with Alaska Statutes AS 10.20.300. Under this plan, assets may be dispersed by the Court having jurisdiction over the GORCA.

ARTICLE 10. AMENDMENTS

Bylaws may be amended or repealed by a two-thirds vote of members present at any regular meeting. Thirty days advanced notice is required for any proposed bylaw changes.

ARTICLE 11. INDEMNIFICATION

The GORCA shall have the power to indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that such person is or was a Director, officer, employee, or agent of the Association, against expenses (including attorney's fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by them in connection with such action, suit, or proceeding, if they acted in good faith and in a manner they reasonably believed to be in or not opposed to the best interests of the Association, and, with respect to any criminal action or proceeding, had no reasonable cause to believe their conduct was unlawful.

Indemnification may be provided by resolution of the Board of Directors, by contract, or as otherwise provided by law. This indemnification shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any agreement, vote of disinterested Directors, or otherwise, and shall continue as to a person who has ceased to be a Director, officer, employee, or agent and shall inure to the benefit of the heirs, executors, and administrators of such a person.

The Association may purchase and maintain insurance on behalf of any person who is or was a Director, officer, employee, or agent of the Association, against any liability asserted against them and incurred by them in any such capacity, or arising out of their status as such, whether or not the Association would have the power to indemnify them against such liability under the provisions of this Article

ARTICLE 12. PERSONAL LIABILITY

No Directors of the GORCA shall be personally liable to GORCA or its members for monetary damages for conduct as a Director, except in cases of:

- A. Any breach of the Director's duty of loyalty to the GORCA or its members.
- B. Any acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of the law.
- C. Any distribution which is unlawful.
- D. Any act or omission occurring prior to adoption of these bylaws

GREATER OILWELL ROAD COMMUNITY ASSOCIATION
RESOLUTION NO. 26-01

**A RESOLUTION OF THE GREATER OILWELL ROAD COMMUNITY ASSOCIATION
REQUESTING THAT THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY
ESTABLISH THE GREATER OILWELL ROAD COMMUNITY COUNCIL DISTRICT**

WHEREAS, the property owners of parcels within the Greater Oil Well Road Community have organized and created an association to represent their interests in a remote recreational lifestyle; and

WHEREAS, the proposed Greater Oil Well Road Community Council district is not included in the boundaries of any other community council districts and represents a logical community planning area based upon existing development patterns, landownership, transportation access, and community interests as described in MSB 2.76.040 (A); and

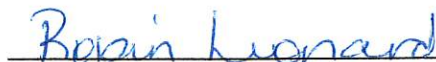
WHEREAS, to be eligible for Community Assistance Program grants, a community council or association must operate within a designated community council district,

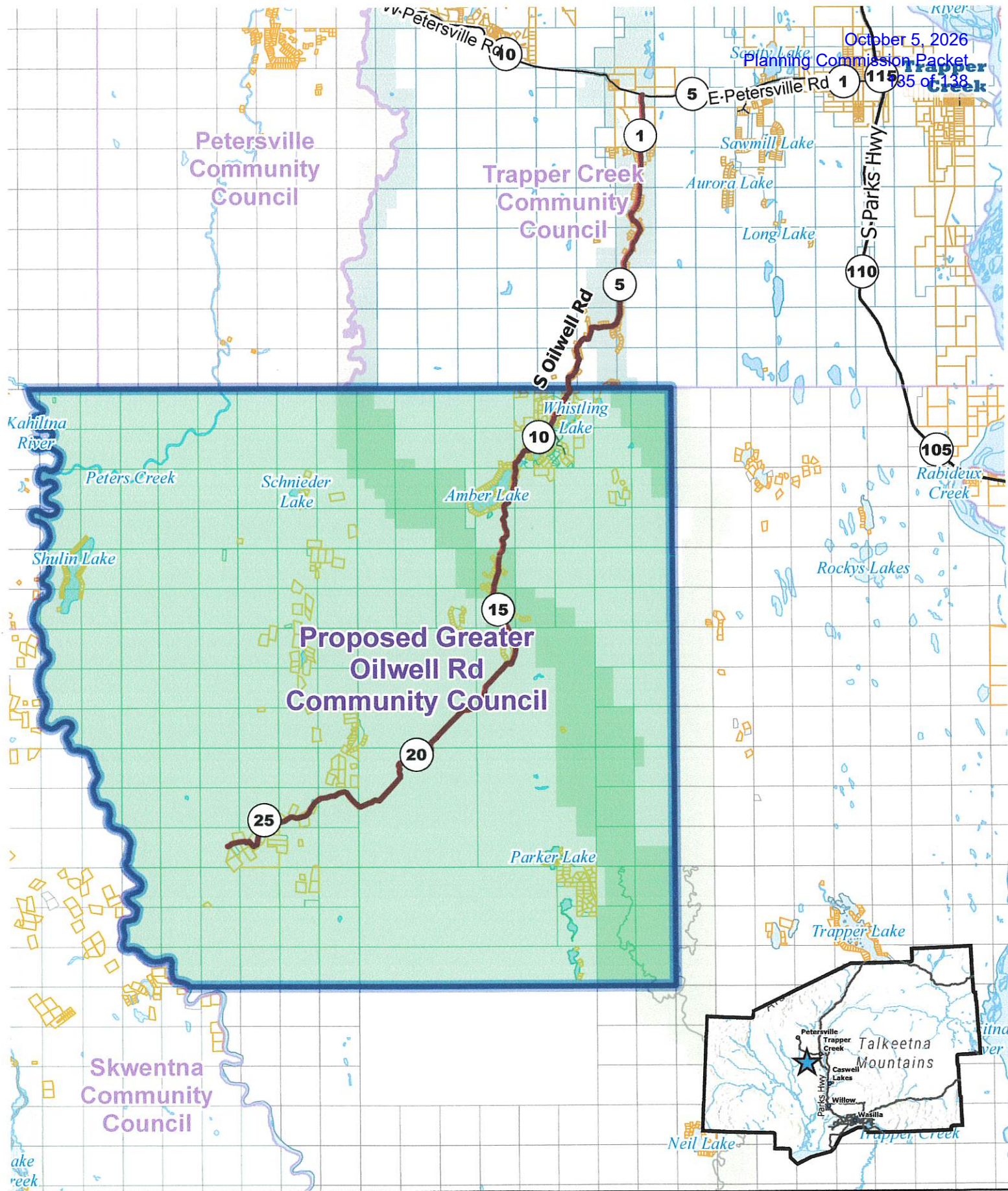
NOW, THEREFORE, BE IT RESOLVED, the Greater Oil Well Road Community Association requests that the Borough Assembly establish the **Greater Oil Well Road Community Association District** as depicted on the attached map.

ADOPTED by the Greater Oilwell Road Community Association on this 24th day of August, 2026.


SYLVAN MORGAN, Chair

ATTEST:


ROBIN LEONARD, Secretary



Oilwell Rd Community Council Boundary Proposal



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Miles

Action:

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 26-19**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION
RECOMMENDING THE ASSEMBLY APPROVE RS 26-099 TO ESTABLISH THE
GREATER OILWELL ROAD COMMUNITY COUNCIL DISTRICT.

WHEREAS, the Matanuska-Susitna Borough Planning Commission
serves as an advisory body to the Borough Assembly on matters
relating to planning, community development, and land use policy;
and

WHEREAS, community council districts are defined by the
Assembly to group residents within natural communities and to
recognize community interests in setting boundaries (MSB
2.76.040(A); and

WHEREAS, community councils provide a recognized forum
through which residents may participate in local planning efforts,
communicate community concerns, and provide recommendations to the
Borough on matters affecting their neighborhoods and surrounding
area; and

WHEREAS, residents and property owners within the Greater
Oilwell Road area have formed the Greater Oilwell Road Community
Association (GORCA) to encourage public participation, improve
communication with the Borough, and provide an organized means of
addressing issues affecting the area; and

WHEREAS, GORCA bylaws are similar to the Louise Susitna Tyone

Community Association, which, though not an officially recognized community council, serves as a representative organization for the Louise, Susitna & Tyone Lakes Community Council District; and

WHEREAS, to be eligible for Community Assistance Program grants, a community council or association must operate within a designated community council district; and

WHEREAS, the proposed Greater Oilwell Road Community Council District is not included in the boundaries of any other community council districts and represents a logical community planning area based upon existing development patterns, transportation corridors, and community interests; and

NOW, THEREFORE, BE IT RESOLVED, the Matanuska-Susitna Borough Planning Commission recommends that the Assembly approve RS 26-099 to establish the Greater Oilwell Road Community Council District as depicted in Attachment A of the Information Memorandum.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2026.

Name, Chair

ATTEST:

LACIE OLIVIERI, Planning Commission Clerk

(SEAL)

COMMISSION BUSINESS



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

Matsu.gov

MEMORANDUM

DATE: September 17, 2026
TO: Planning Commission
FROM: Alex Strawn, Planning and Land Use Director 
SUBJECT: Tentative Future PC Items

Upcoming PC Actions

Quasi-Judicial

- Houdini's Herbs – Marijuana Retail Facility; 8164B01L001A (Staff: Wade Long)
- Butte Land Co. – Earth Materials Extraction; 17N02E35A024 (Staff: Natasha Grover)
- Harman Northeast – Earth Materials Extraction; 18N01W15B015 (Staff: Wade Long)
- Three Bears Alaska Inc. – Core Area Conditional Use Permit; 8211000L001 (Staff: Wade Long)
- Hart – Variance; 8578B05L015A (Staff: Natasha Grover)
- Riordan – Variance; 6041B08L010 (Staff: Natasha Grover)
- Punt Brothers Construction – Variance; 6040B03L003 (Staff: Natasha Grover)
- Nardini – Variance; 6017B02L004 (Staff: Natasha Grover)

Legislative

- Historic Preservation Plan (HPP) (Staff: Paul Clark)