

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Vern Halter, Mayor

PLANNING COMMISSION

Mary Anderson, District 1
Jason Ortiz, District 2
Patricia Chesbro, District 3
Colleen Vague, Chair, District 4
Chris Elder, District 5
Stafford Glashan, District 6
Sassan Mossanen, District 7



John Moosey, Borough Manager

**PLANNING & LAND USE
DEPARTMENT**

Eileen Probasco, Director of Planning &
Land Use
Kim Sollien, Planning Services Manager
Alex Strawn, Development Services
Manager
Fred Wagner, Platting Officer
Mary Brodigan, Planning Clerk

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

January 6, 2020 REGULAR MEETING 6:00 p.m.

- I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PLEDGE OF ALLEGIANCE
- IV. CONSENT AGENDA

Items on the consent agenda are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

 - A. MINUTES
 1. December 16, 2019, regular meeting minutes
 - B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
 1. **Resolution PC 20-03**, a conditional use permit in accordance with MSB 17.60 – Conditional Uses; for the operation of a marijuana retail facility, located at 173 N. Rosie Circle (Tax ID# 17N01W11A011); within Township 17 North, Range 1 West, Section 11, Seward Meridian. Public Hearing: February 3, 2020. (*Applicant: Kyle Lutz, on behalf of Laughing Salmon; Staff: Mark Whisenhunt*)
 2. **Resolution PC 20-04**, a conditional use permit in accordance with MSB 17.30 – Conditional Use Permit for Earth Material Extraction, located at 3429 N. Pittman Road (Tax ID# 18N02WB002 and 18B02W23A002); within Township 18 North, Range 2 West, Section 23, Seward Meridian. A CUP would allow for the removal of approximately 400,000 cubic yards of

earth materials through 2059. Public Hearing: February 3, 2020. (*Applicant: Dan Steiner, on behalf of Foremost Construction, Staff: Joe Metzger*)

- C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS
- V. COMMITTEE REPORTS
- VI. AGENCY/STAFF REPORTS
- VII. LAND USE CLASSIFICATIONS
- VIII. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)
- IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS (*Public Hearings shall not begin before 6:15 p.m.*)

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

The Planning Commission members may submit questions to the Planning Commission Clerk concerning the following matters or request for more information from the applicant at the time of the introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing.

- A. **Resolution PC 20-01**, a Conditional Use Permit in Accordance with MSB 17.60 – Conditional Uses; for the operation of a marijuana retail facility, located at 5320 W. Parks Highway (Tax ID# 17N02W11A013); within Township 17 North, Range 2 West, Section 11, Seward Meridian. (*Applicant: Charles Pasco, on behalf of Green Raven, LLC; Staff: Joe Metzger*)
- B. **Resolution PC 20-02**, A Conditional Use Permit in accordance with MSB 17.70 – Regulation of Alcoholic Beverage Uses, for the operation of a beverage dispensary; located at Mile 68 of the Denali Highway (Tax ID# U05278000L00); within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian. (*Applicant: Claude and Jennifer Bondy, on behalf of Alpine Creek Lodge; Staff: Joe Metzger*)
- X. PUBLIC HEARING: LEGISLATIVE MATTERS
- XI. CORRESPONDENCE & INFORMATION
- XII. UNFINISHED BUSINESS
- XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

- A. Adjudicatory (*if needed*)
- B. Election of Planning Commission Chair and Vice Chair
- C. Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (Mandatory Midnight)

In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for definition of "Interested Party." The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the Borough Internet home page, <http://www.matsugov.us>, in the Borough Clerk's office, or at various libraries within the Borough.

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

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**INTRODUCTION FOR PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. PC 20-03

**Laughing Salmon
Marijuana Retail Facility CUP
173 N. Rosie Circle**

(Page 5 - 30)

INTRODUCTION FOR PUBLIC HEARING



MATANUSKA-SUSITNA BOROUGH

**Planning and Land Use Department
Development Services Division**

350 East Dahlia Avenue • Palmer, AK 99645

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

Email: permitcenter@matsugov.us

CONDITIONAL USE PERMIT FOR MARIJUANA RELATED FACILITIES – MSB 17.60

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

Application fee must be attached:

- \$1,000 for Marijuana Retail Facility
- \$1,000 for Marijuana Cultivation Facility

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

Required Attachments for a Marijuana Cultivation Facility:

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

Required Attachments for Both Retail and Cultivation Facilities:

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

Subject Property: Township: 17N, Range: 01W, Section: 11, Meridian: A011
 MSB Tax ID# 17N01W11A011
 SUBDIVISION: Guardian View Plaza BLOCK(S): _____, LOT(S): #1
 STREET ADDRESS: 173 N. Rosie Circle Lot #1
 FACILITY / BUSINESS NAME: Laughing Salmon

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

Name of Property Owner	Name of Agent / Contact for application
<u>Kyle Lutz</u>	_____
Mailing: <u>5684 N. Gooseberry</u>	Mailing: _____
<u>Cr., Wasilla, AK 99654</u>	_____
Phone: Hm _____ Fax _____	Phone: Hm _____ Fax _____
Wk _____ Cell <u>(907) 232-6295</u>	Wk _____ Cell _____
E-mail <u>Kyle.lutz21@gmail.com</u>	E-mail _____

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

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

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

17.60.170 Standards for Marijuana Retail Facilities:	Attached
Describe how the subject parcel is appropriate for the proposed conditional use. Include information detailing: <ul style="list-style-type: none"> The proximity of the proposed use to existing businesses; The proximity of parcels developed with residential uses; Whether the roads associated with the proposed use have been, or will be, appropriate for commercial use; and Proposed hours of operations. <u>8 AM - 12 AM 7 days a week</u> 	Yes
Provide information showing minimum parking standards have been met as required by MSB 17.60.170 (B) and (C).	X

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

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

MSB Tax account #(s) 17N01W11A011 and, I hereby apply for approval of a conditional use permit to operate a marijuana related facility on the property as described in this application.

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

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

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

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

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


 Signature: Property Owner

Kyle Lutz
 Printed Name

10/15/19
 Date

Signature: Agent

Printed Name

Date

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Matanuska Borough Planning Commission Questions

Laughing Salmon, LLC Cannabis Retail Store

Matanuska - Susitna Borough
Development Services

NOV 21 2019

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

- Yes, Laughing Salmon retail store is a newly constructed building located at Guardian View Plaza, 173 North Rosie Circle off the Palmer Wasilla Highway. This new construction will be compatible with its surrounding area and improve the value, character and integrity of the commercial land and surrounding areas. This will be the first building/business in located on Guardian View Plaza and assist in bringing in new development on the property. Located to the east of this commercial property there is a crowley gas station and a diversified tire, located to the south of the property there is a mechanic shop and residential properties, located to the west of the property there are cabin rentals (off cottonwood creek) and a hair salon, located to the north of the property (other side of the Palmer/Wasilla Highway) there is a tattoo parlor and residential properties near Wasilla Lake.

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

- This conditional use permit will not be harmful to the public's health, safety, convenience and/or welfare. All Laughing Salmon products that will be sold in this retail marijuana facility containing cannabis will have all the required testing done, per state regulations and taxed by the state of Alaska and Matanuska-Susitna Borough. Laughing Salmon will have 360-degree video surveillance around the outside of the building with glass break sensors on the windows and 24/7 security monitoring. We will have a detailed security plan as well as a waste management plan, loitering prevention plan, and diversion prevention plan. No one under 21

will be allowed to enter the building and valid ID's will be checked at the door to ensure they are 21 years of age or older.

Security Plan

Laughing Salmon will have high quality surveillance cameras surrounding the outside of the building with adequate lighting to ensure clear camera coverage. All exterior windows will have glass breaks for the alarm system. Window are tinted to ensure the inside of the building will not be visible to the public. Inside the building will have motion detection and cameras completely covering every room with panic buttons for employees. Doors will have door break alarms and card swipe access control. All video surveillance will be stored for a minimum of 40 days onto a DVR locked in a secure room. Any product onsite will be stored and locked into safes/locking coolers when the store is closed for business. Laughing Salmon will be using the State approved Metrc tracking system along with the POS software that works with Metrc.

Laughing Salmon plans on employing 10-15 employees for the retail store. Employees will be required to be 21 years of age or older and have a valid state issued marijuana handlers card. They will also be required to have a food handler permit issued by the DEC. At all times Laughing Salmon employees are required to have their marijuana handler card, state issued ID and their Laughing Salmon employee badge on their persons at all times. Card access will be given to employees only and we will be able to monitor their access points through the card access software. Employees will be required to have Metrc training, POS system training, and emergency response training prior to being authorized to work at Laughing Salmon. Any non-employees that wish to visit or are delivering marijuana products will be required to sign into a log book, assigned a visitor badge and escorted by a Laughing Salmon Employee.

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

- All setbacks, lot areas, buffers and safeguards have been followed as per the guardian view plaza's declarations and the Mat-Su Borough. Northside of the building is set back 36', Southside is 318', Eastside is 16',

and West side is 78' from the property lines. Driveway permit #24348 is for the access to the Palmer Wasilla Highway which is located to the North West of the Laughing Salmon Retail Store. The entrance from the Palmer Wasilla Highway that enters Laughing Salmon marijuana retail has good visibility both east and west to allow traffic entering and exiting a clear view.

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

- Laughing Salmon fulfills all requirements required for a marijuana retail facility as per MSB Chapter 17.60 and 17.60.60.

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

- No loitering will be allowed on this premises and signs will be posted on the front and side door of the building. Persons found to be loitering will be asked to leave the premises. During summers months Laughing Salmon may hold an outdoor BBQ event in which food will be served to customers. At no time will customers/employees be allowed to consume Marijuana or Alcohol on site. On the southside of the building additional seating and parking will be available. Small speakers may be used to lightly play music during these BBQ events. BBQ events will be held during business hours of 10 a.m.-6 p.m. BBQ events will comply with the Borough noise ordinance outlined in MSB 8.52. Noise should not be an issue inside or outside of the Marijuana retail store. There will be no ventilation on this building. All marijuana products stored inside this store will be sealed in containers to minimize any odors.

Describe measures taken to reduce negative effects upon adjacent properties by: increased property line and right-of-way bumpers, planted berms and landscaping, and site of building design features which contribute to the character of the surrounding area.

- H5 construction helped us design the building and constructed it for HTF investments and is being leased to Laughing Salmon, LLC. H5 has been building numerous commercial buildings for many types of businesses and have made an amazing change in the character of the commercial/retail buildings in the area. Landscaping on the north and south side of the building will be done the summer following the completion of the building which will include some seeded grass and flowers during the summer. Asphalt has been laid down for parking and will make a clean appeal to the building and access for parking. Property line buffers have been made to best suit adjacent properties to ensure this new development can be built nicely.

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

- The surrounding area consists of commercial buildings and commercial businesses along the Palmer Wasilla Highway. Palmer Wasilla Highway has a high volume of traffic that passes by each day. The entrance that enters Laughing Salmon marijuana retail has good visibility both east and west to allow traffic entering and exiting a clear view. With an essential gas station and diversified tire shop just to the east of this location that see a high volume of traffic. Also, the planned Hermon Rd extension that will come out directly to the east of Laughing Salmon and the planned turn lanes for Palmer Wasilla Highway will allow an additional entrance and exit route to the Palmer Wasilla Highway and to Herman road which will help us greatly reduce the traffic pattern on Palmer Wasilla Highway for all surrounding businesses.

Current status of State License application process-17.60.150(D)(1)

- State License #21619 Laughing Salmon is currently complete and approved by the Marijuana Control Board on 11/15/2019 with delegation.
- On-site consumption is not being proposed at this time for Laughing Salmon.

17.60.170 Standards for marijuana retail facilities.

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

a. **The proximity of the proposed use to existing businesses:**

Laughing Salmon Cannabis is located at 173 N Rosie Circle in a new commercial plaza. We will be the first unit to build out to suit the retail store we are applying for. Some businesses nearby include: 500' from a tattoo shop, 725' from Crowley gas service, 1240' from Diversified Tire.

b. **The proximity of parcels developed with residential uses:**

The closest residential use from Laughing Salmon Store is 803' to the south east and south west of the property lines. Surrounding the property to the east, west and south is a heavily covered with trees. The only visible sight of this property is from the Palmer Wasilla Highway. Directly to the North on the other side of the Palmer Wasilla Highway is a vacant parcel of land.

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

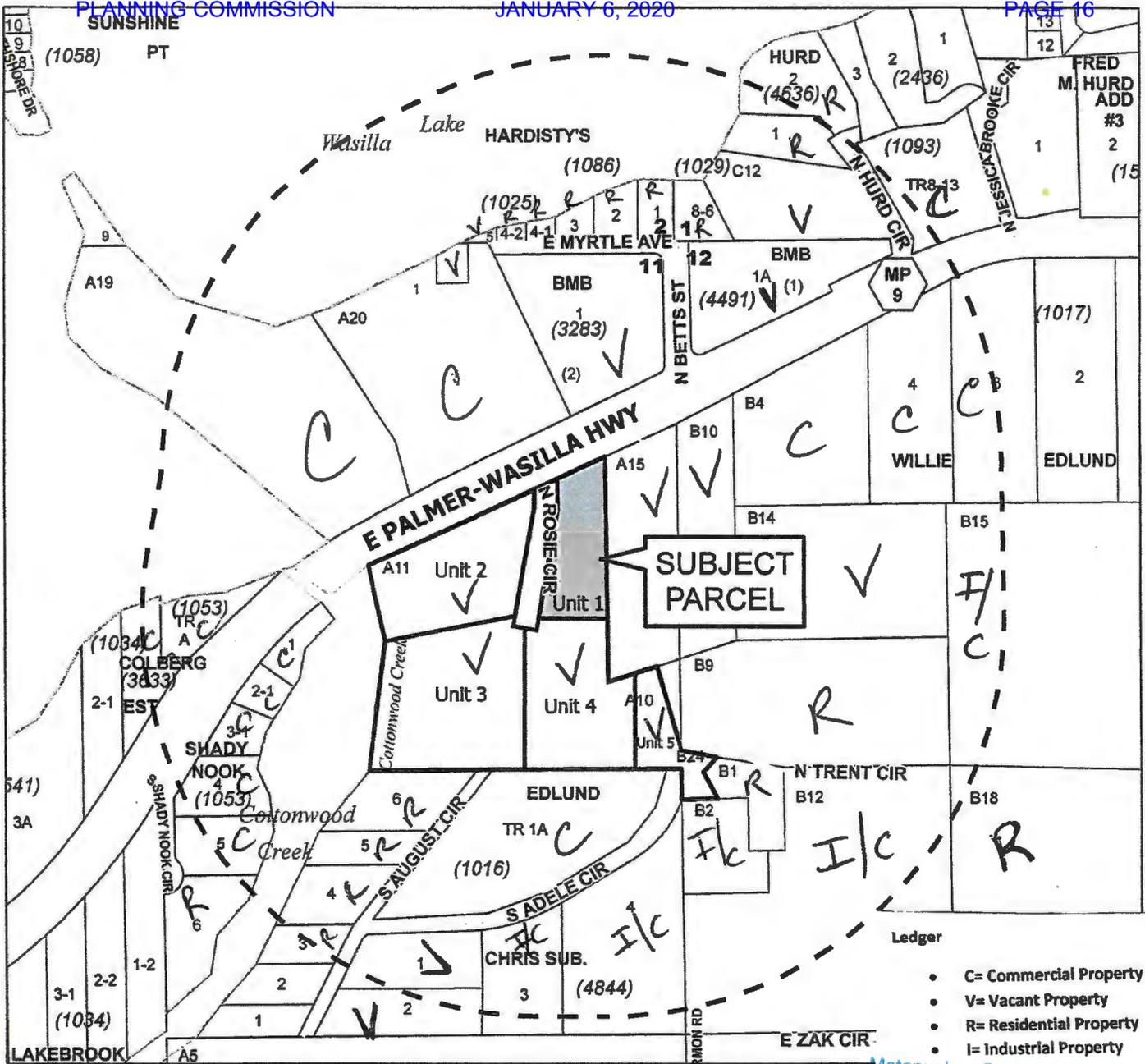
Laughing Salmon has access directly to the Palmer Wasilla Hwy, see attached Driveway Permit #24348.

d. **Proposed hours of operation:**

The proposed hours of operation are Monday through Sunday 8 a.m. through 12 a.m.

e. **Provide information showing minimum parking standards have been met as required by MSB 17.60.170(B) and (C):**

This retail stores total building size is 2520 sq ft. which will require 8 parking spaces at 20'x10' and has a vertical clearance of at least 7'. See attached site plan showing locations and dimensions. Designated parking spaces have been provided and clearly marked to comply with current Americans with Disabilities Act guidelines.



Guardian View Plaza

Unit 1

1000ft Buffer



Guardian View Plaza Condo

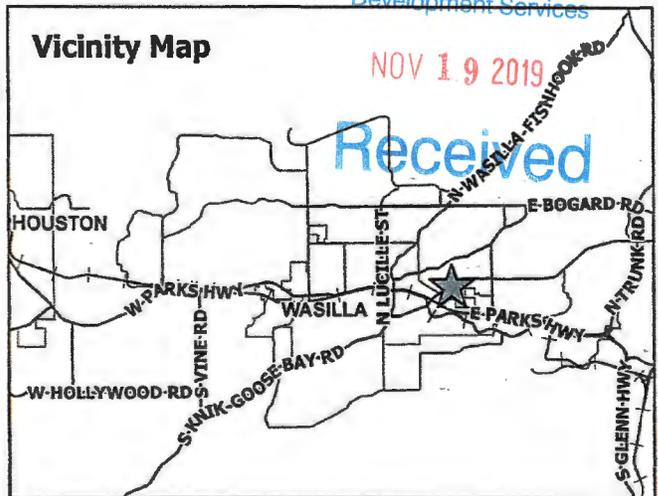


Parcels

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7801.



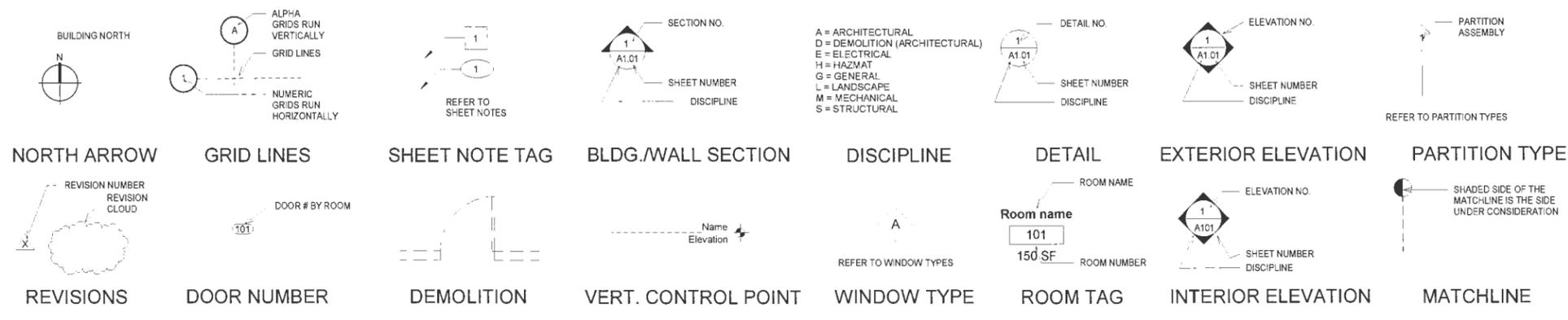
Matanuska - Susitna Borough
Development Services



ARCHITECTURAL ABBREVIATIONS

Table of architectural abbreviations including terms like AND, AT, CENTERLINE, DEGREE, NUMBER, ABOVE, ASPHALTIC CONCRETE, etc.

ARCHITECTURAL SYMBOLS LEGEND



MAP OF ALASKA



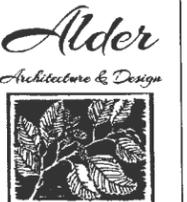
DRAWING INDEX

Table of drawing index listing drawing numbers and titles: GENERAL, COVER SHEET & INFORMATION, SPECIFICATIONS, ADA SHEET, etc.

Matanuska - Susitna Borough Development Services

NOV 14 2019

Received



247 S. Alaska Street Palmer, Alaska 99645 907-745-ALDR (2537) AlderArchitecture@gmail.com



HTF INVESTMENTS BUILDING 173 N. ROSIE CIRCLE LOT #1 Wasilla, Alaska

Table with 3 columns: NO., DESCRIPTION, DATE. Row 1: 1 PANEL LAYOUTS 7-26-19

Table with 2 columns: DRAWN BY, DATE. Row 1: BLS 7-17-19

Table with 2 columns: CHECKED, JOB NO. Row 1: AML 19028

Table with 2 columns: SHEET CONTENTS, SHEET NO. Row 1: COVER SHEET, G1.01

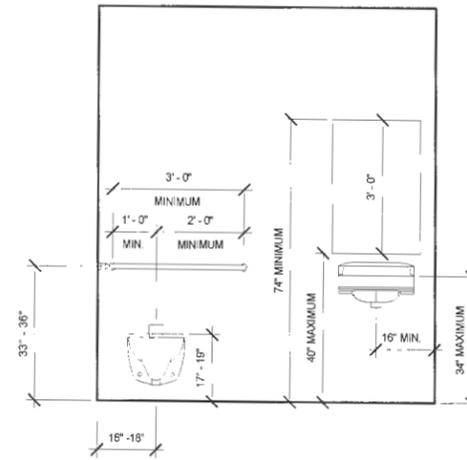
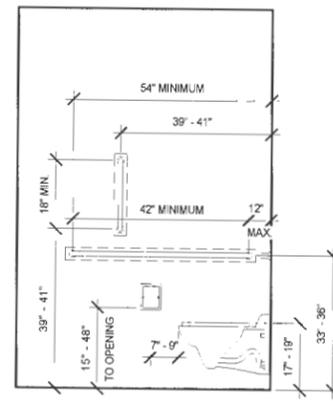
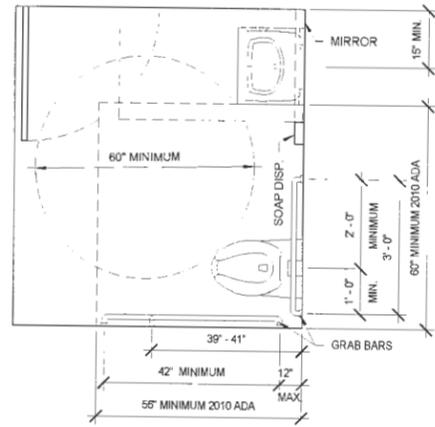
GENERAL NOTES:

- 1. ALL EXTERIOR DIMENSIONS ARE TO OUTSIDE FACE OF FOUNDATION
2. ALL INTERIOR DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED
3. WALL AND CEILING FINISHES SHALL HAVE A FLAME-SPREAD CLASSIFICATION OF NOT GREATER THAN 200.
4. OWNER AND/OR CONTRACTOR IS RESPONSIBLE FOR ALL SITE RELATED ISSUES INCLUDING BUT NOT LIMITED TO SOILS, PROPERTY LINES, GRADING, FOUNDATION STEPS, SETBACKS, SEPTIC SYSTEM, WELL, ZONING, UTILITY EASEMENTS, ETC.
5. SEE STRUCTURAL DRAWINGS FOR ALL STRUCTURAL DESIGN
6. THESE DRAWINGS ARE BASED ON THE CURRENT INFORMATION AVAILABLE. FIELD CONDITIONS WHICH DIFFER MATERIALLY FROM THOSE DEPICTED HEREIN SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT PRIOR TO PROCEEDING.
7. THESE DRAWINGS ARE INTENDED TO CONVEY A GENERAL SENSE OF REQUIRED WORK AND DO NOT ADDRESS EVERY FIELD CONDITION. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND EQUIPMENT REQUIRED TO PROVIDE A COMPLETE FACILITY.
8. CONTRACTOR SHALL COMPLY WITH STATE, LOCAL AND FEDERAL REGULATIONS REGARDING DEMOLITION, HANDLING AND DISPOSAL OF REGULATED MATERIALS. CONTRACTOR SHALL ALSO COMPLY WITH FEDERAL AND STATE OSHA REQUIREMENTS FOR WORKER PROTECTION.
9. ALL WORK WILL BE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE 2012 INTERNATIONAL BUILDING CODE, AND ALL OTHER STATE AND LOCAL CODES, INCLUDING ALL AMENDMENTS.
10. DO NOT SCALE THE DRAWINGS TO OBTAIN CONSTRUCTION DIMENSIONS.
11. ALL INFORMATION SHOULD BE FIELD VERIFIED BEFORE WORK PROCEEDS. ANY DISCREPANCIES FOUND BETWEEN DRAWINGS, DISCIPLINES OR FIELD CONDITIONS, CONTACT THE ARCHITECT IMMEDIATELY.

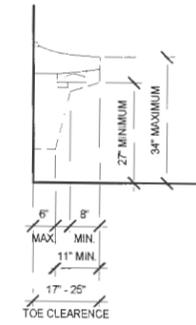
22x34 STANDARD SHEET 11 X 17 SHEET IS HALF SCALE

Drawing File: \\alder\1\homes\ALDER ARCHITECTURE MAIN\2019 Projects\19028 HTF Investments Building P-W Hwy - Wasilla\Project Location\19028 HTF Investments Building 7-26-19.rvt

Plot Date: 7/29/2019 1:30:01 PM



NOTE:
ITEMS NOTED ARE FOR GRAPHIC PURPOSES ONLY AND MAY NOT REPRESENT ACTUAL ITEMS SPECIFIED OR DRAWN ON OTHER APPROPRIATE SHEETS. VERIFY PER PROJECT



Matanuska - Susitna Borough
Development Services

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247 S. Alaska Street
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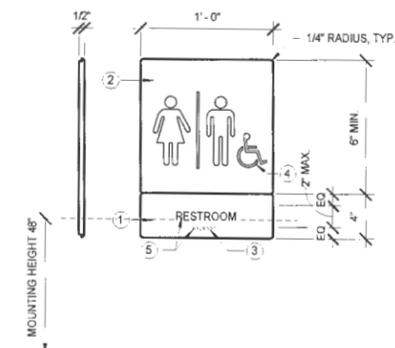
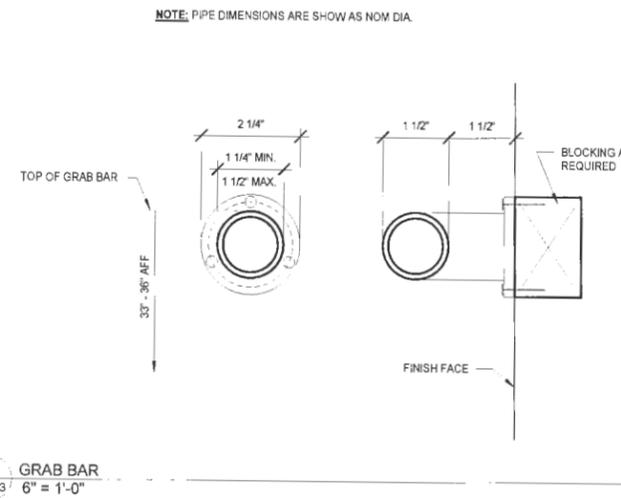
HTF INVESTMENTS BUILDING
173 N. ROSIE CIRCLE LOT #1
Wasilla, Alaska

REVISIONS		
NO.	DESCRIPTION	DATE
1	PANEL LAYOUTS	7-26-19
2	FLR PLN MODS	7-29-19
3		
4		

DRAWN BY	DATE
REL	7-17-19
CHECKED	JOB NO.
AML	18028

SHEET CONTENTS
ADA SHEET

SHEET NO
G1.03



- 1 RESTROOM IDENTIFICATION SYMBOL COLOR TO CONTRAST W/ DOOR FINISH
- 2 SYMBOL BACKGROUND - 1/4" THICK MATTE ACRYLIC BACK PAINTED COLOR TO CONTRAST W/ DOOR FINISH
- 3 CORRESPONDING GRADE II BRAILLE
- 4 SYMBOL OF ACCESSIBILITY
- 5 NOT IN PICTOGRAM FIELD



247 S. Alaska Street
Palmer, Alaska 99645
907-745-ALDR (2537)
AlderArchitecture@gmail.com

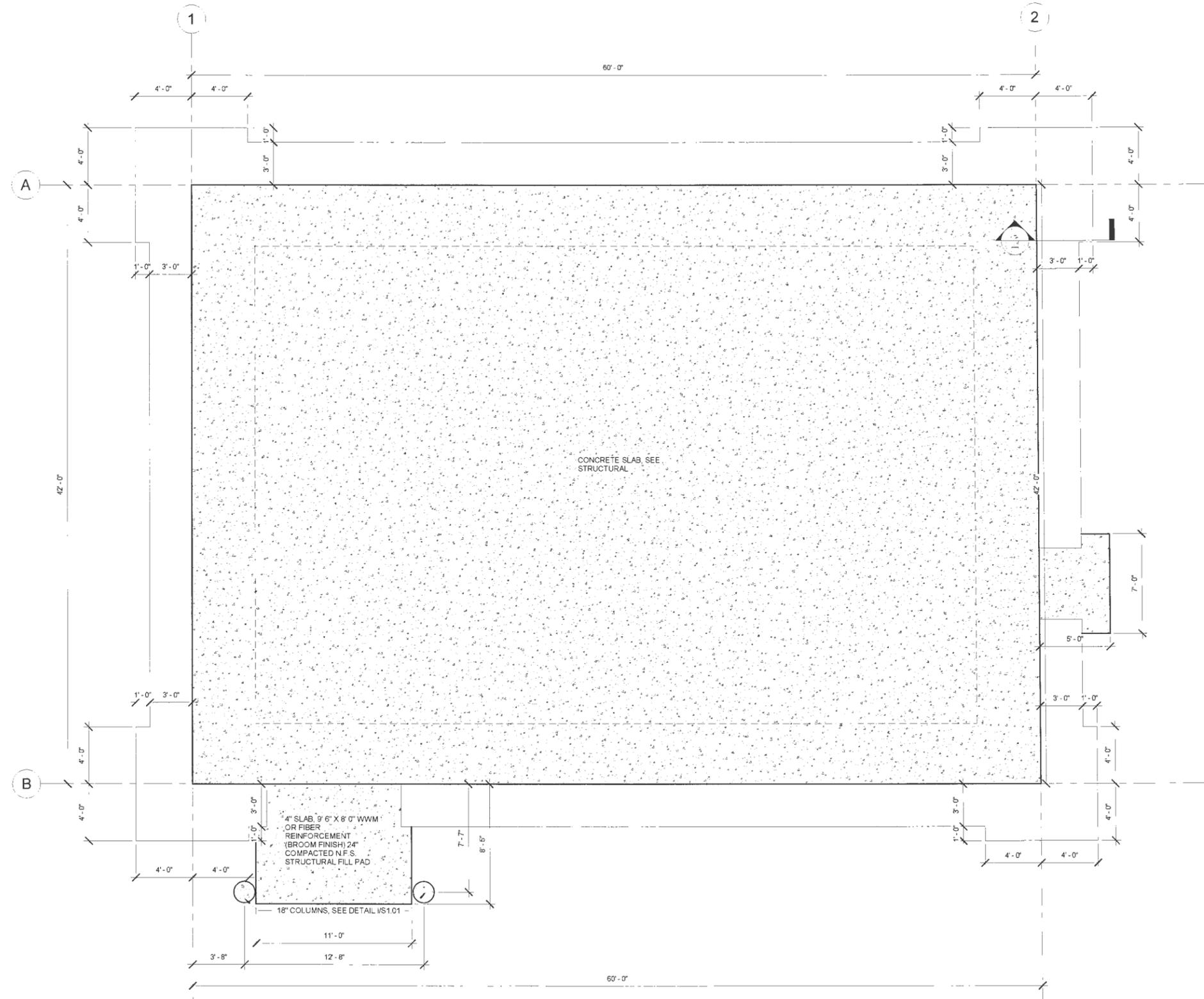


Matanuska - Susitna Borough
Development Services

NOV 14 2019

Received

HTF INVESTMENTS BUILDING
173 N. ROSIE CIRCLE LOT #1
Wasilla, Alaska



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8. CONTRACTOR SHALL COMPLY WITH STATE, LOCAL AND FEDERAL REGULATIONS REGARDING DEMOLITION, HANDLING AND DISPOSAL OF REGULATED MATERIALS. CONTRACTOR SHALL ALSO COMPLY WITH FEDERAL AND STATE OSHA REQUIREMENTS FOR WORKER PROTECTION.
9. ALL WORK WILL BE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE 2012 INTERNATIONAL BUILDING CODE, AND ALL OTHER STATE AND LOCAL CODES, INCLUDING ALL AMENDMENTS.
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REVISIONS		
NO.	DESCRIPTION	DATE
1	PANEL LAYOUTS	7-26-19
2	FLR PLN MODS	7-29-19
3		
4		

DRAWN BY	DATE
BLS	7-17-19
CHECKED	JOB NO.
AML	19028

SHEET CONTENTS	
FOUNDATION PLAN	

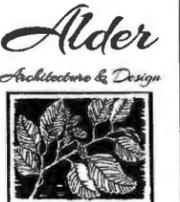
SHEET NO	A1.00
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22x34 STANDARD SHEET
11 X 17 SHEET IS HALF SCALE

1 FOUNDATION PLAN
A1.00 1/4" = 1'-0"

Drawing File: \\Alder\homes\ALDER ARCHITECTURE MAIN\2019 Project\19028 HTF Investments Building P.W. Hwy - Wasilla\Project Location\19028 HTF Investments Building 7-26-19.rvt

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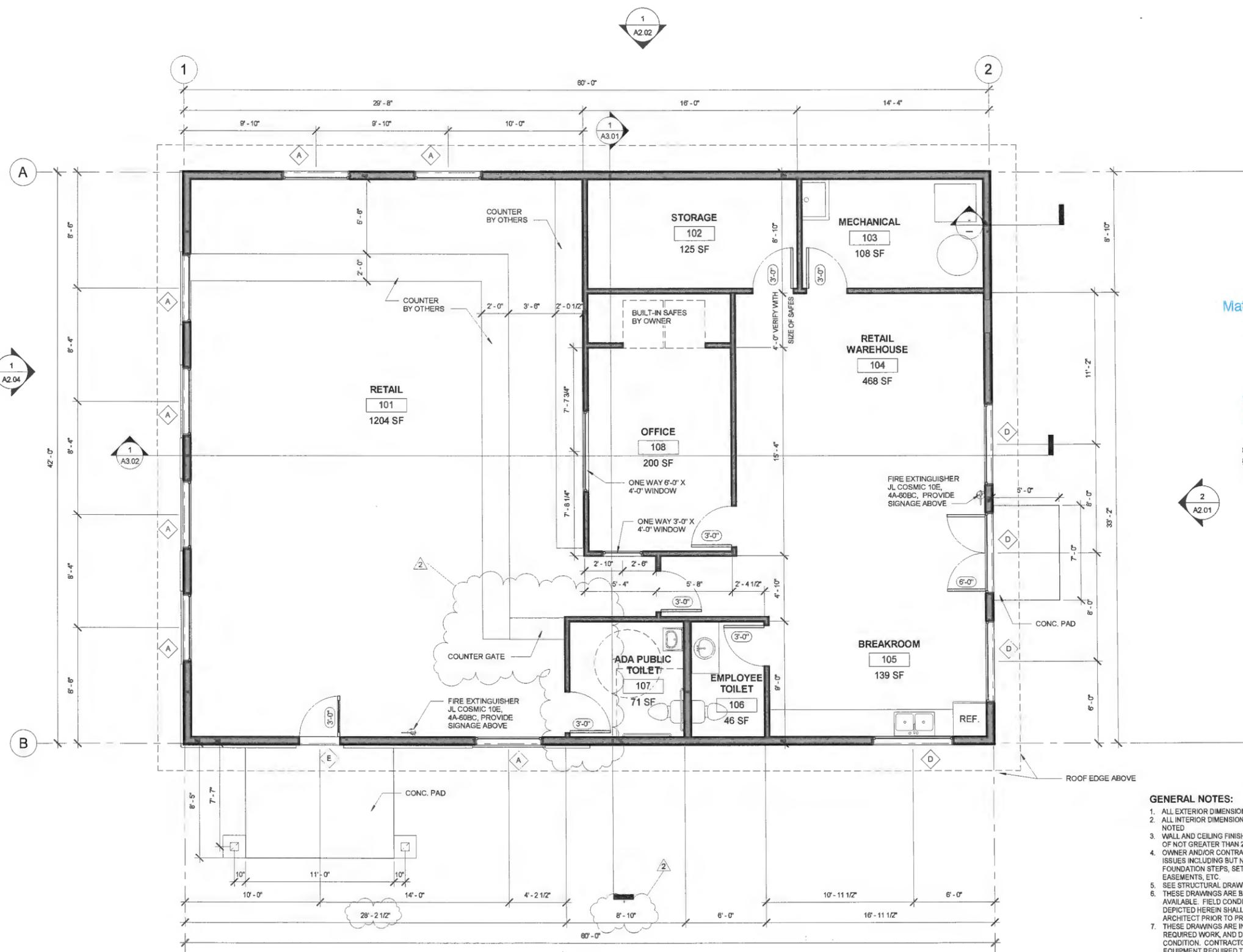


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HTF INVESTMENTS BUILDING
173 N. ROSIE CIRCLE LOT #1
Wasilla, Alaska



- GENERAL NOTES:**
1. ALL EXTERIOR DIMENSIONS ARE TO OUTSIDE FACE OF FOUNDATION
 2. ALL INTERIOR DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED
 3. WALL AND CEILING FINISHES SHALL HAVE A FLAME-SPREAD CLASSIFICATION OF NOT GREATER THAN 200.
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SHEET CONTENTS	
MAIN FLOOR PLAN	

SHEET NO	
A1.01	

22x34 STANDARD SHEET
11 X 17 SHEET IS HALF SCALE

Drawing File: \\Alder\1\homes\ALDER ARCHITECTURE MAIN\2019 Projects\19028 HTF Investments Building P-W Hwy - Wasilla\Project Location\19028 HTF Investments Building 7-26-19.rvt

Plot Date: 7/29/2019 12:20:35 PM

1 MAIN FLOOR
A1.01 1/4" = 1'-0"

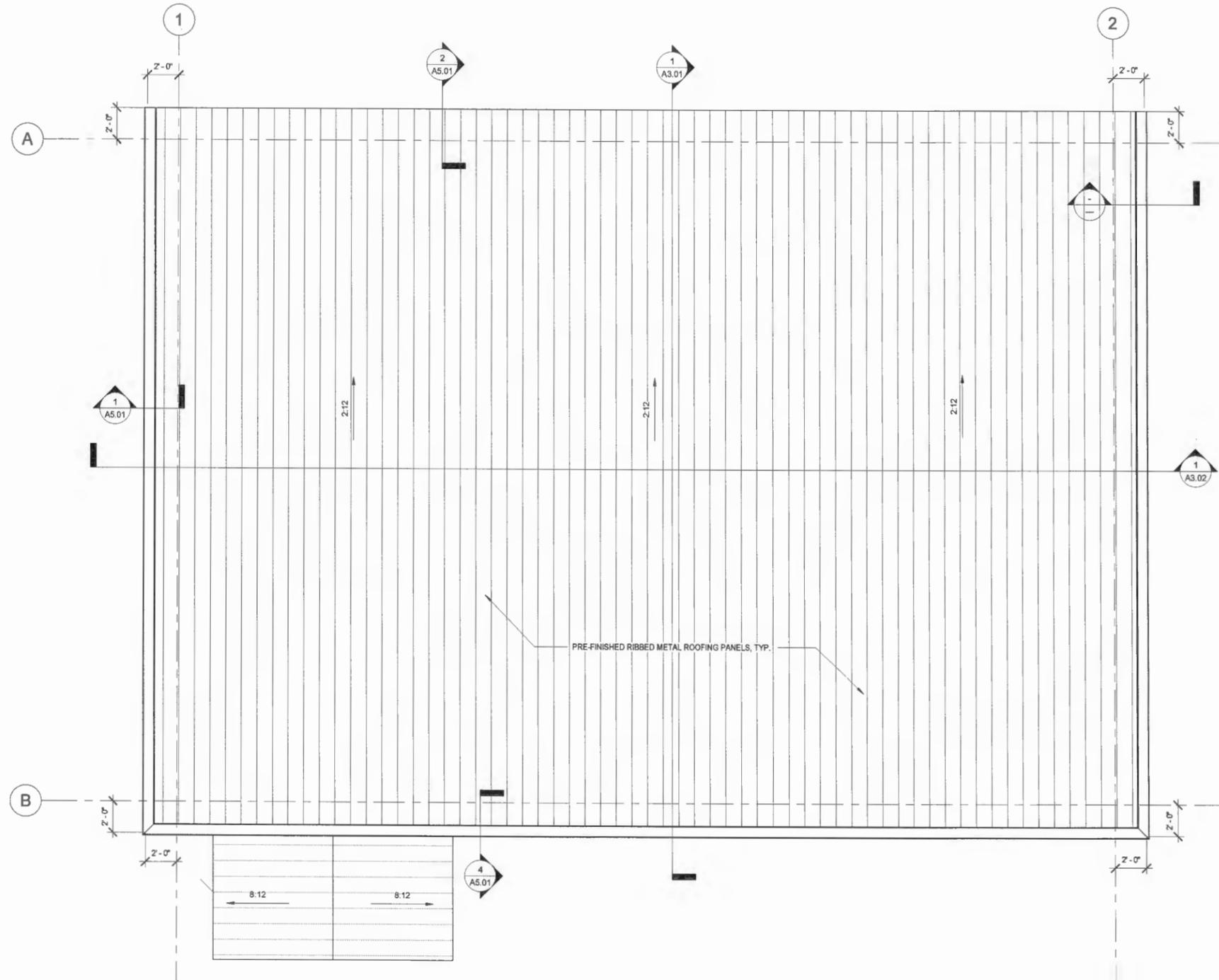


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HTF INVESTMENTS BUILDING
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SHEET CONTENTS	
ROOF PLAN	

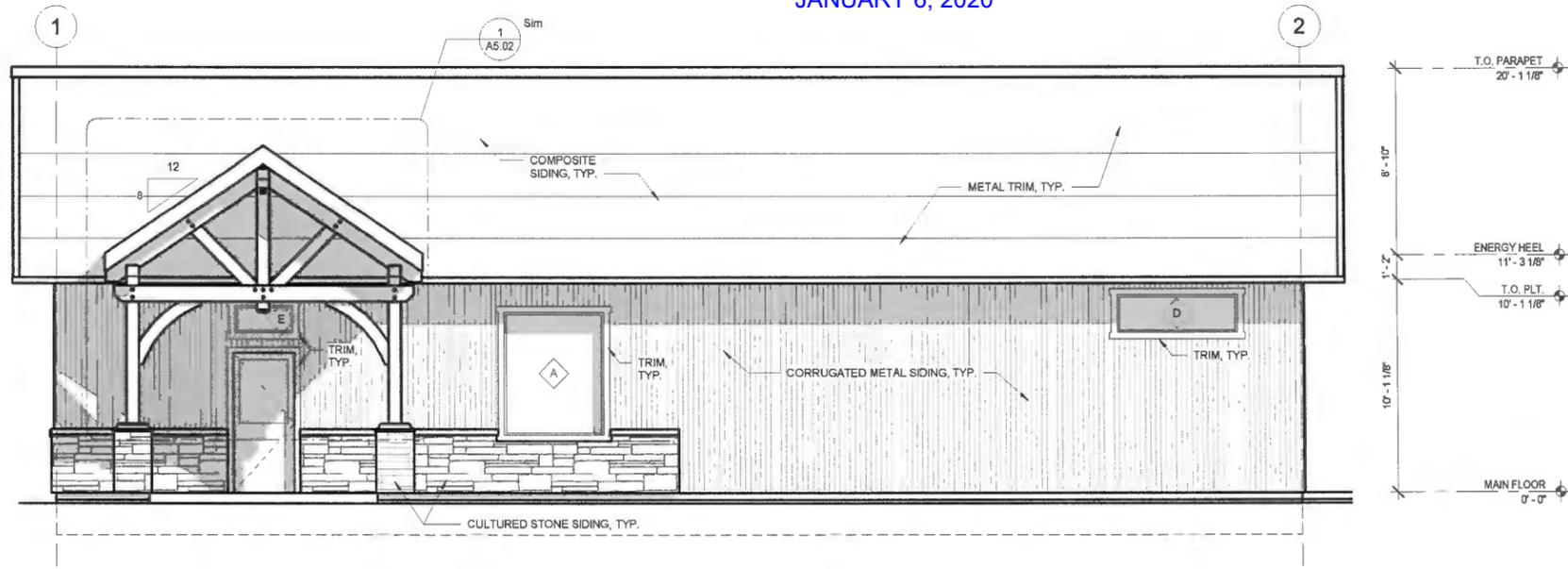
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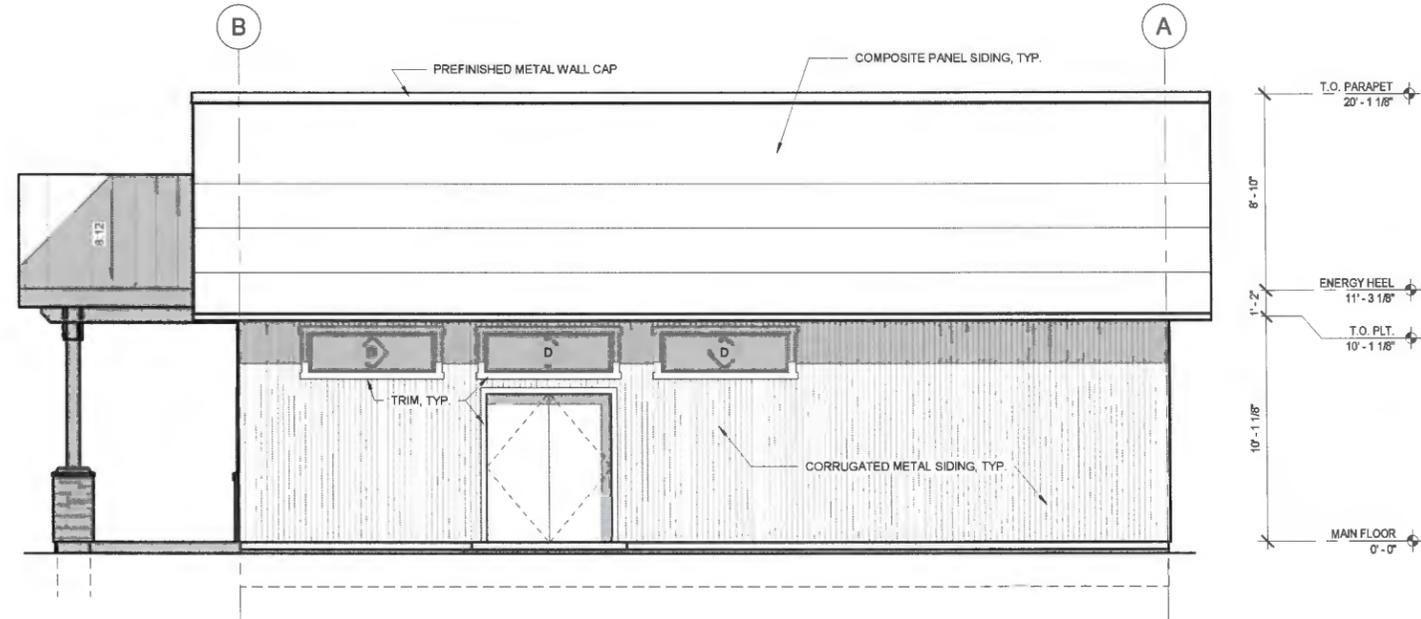
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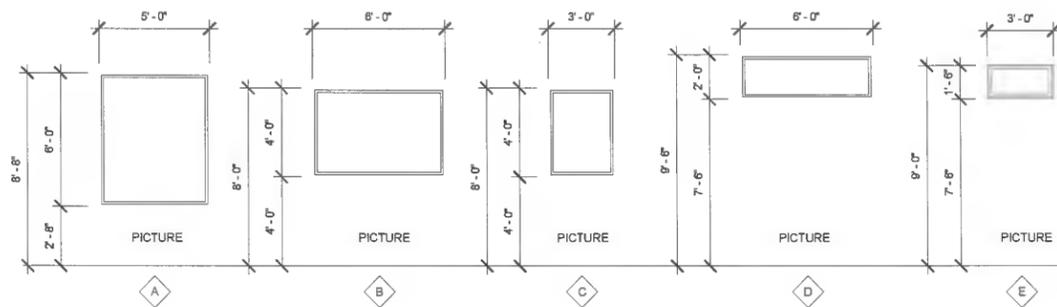
1 ROOF PLAN
A1.02 1/4" = 1'-0"



1 WEST ELEVATION
A2.01 1/4" = 1'-0"



2 SOUTH ELEVATION
A2.01 1/4" = 1'-0"



3 WINDOW SCHEDULE
A2.01 1/4" = 1'-0"

NOTES:

1. CONTRACTOR RESPONSIBLE FOR QUANTITY OF WINDOWS DIMENSIONS ARE ROUGH OPENING SIZES
2. ALL GLAZINGS TO BE LOW-E WINDOWS TO HAVE SECURITY ALARM SYSTEMS INSTALLED ON ALL EXTERIOR ENTRY POINTS, SEE A.M.C.O. REGULATIONS.
- 3.
- 4.

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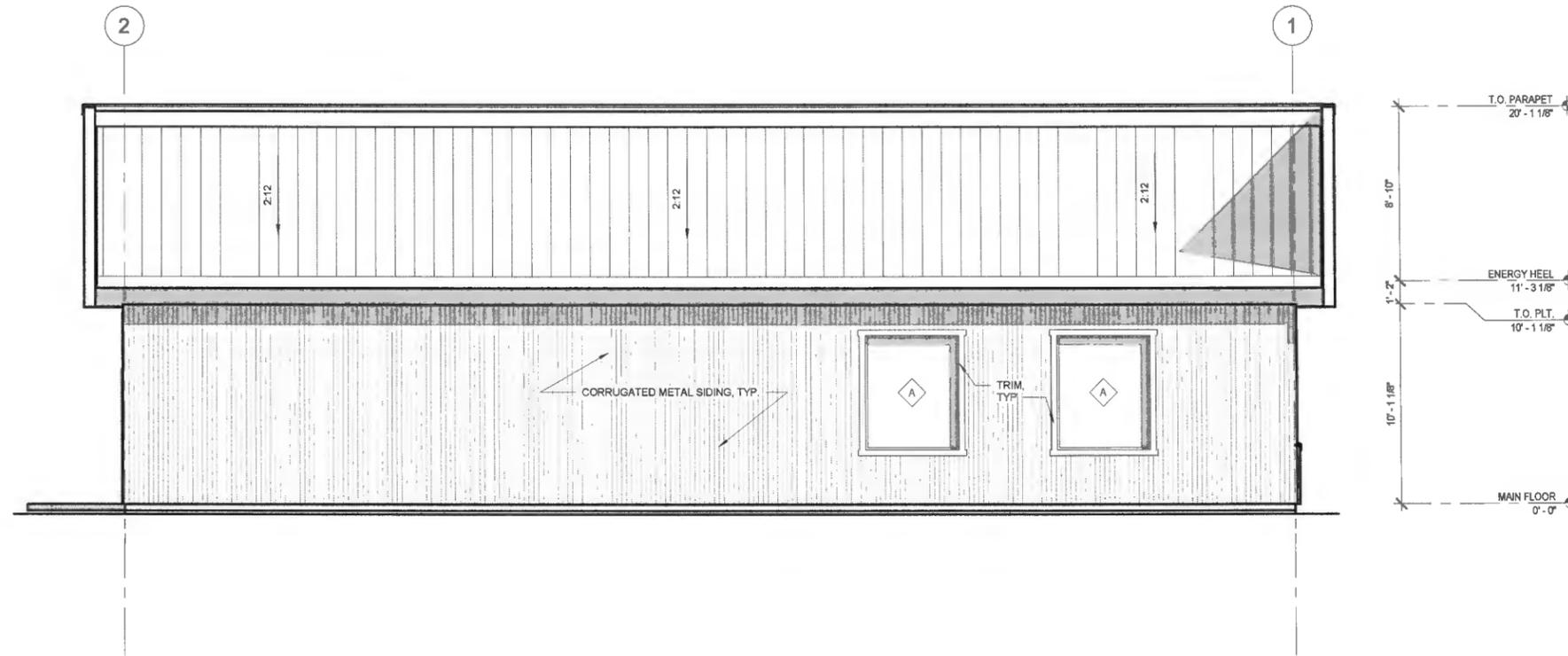
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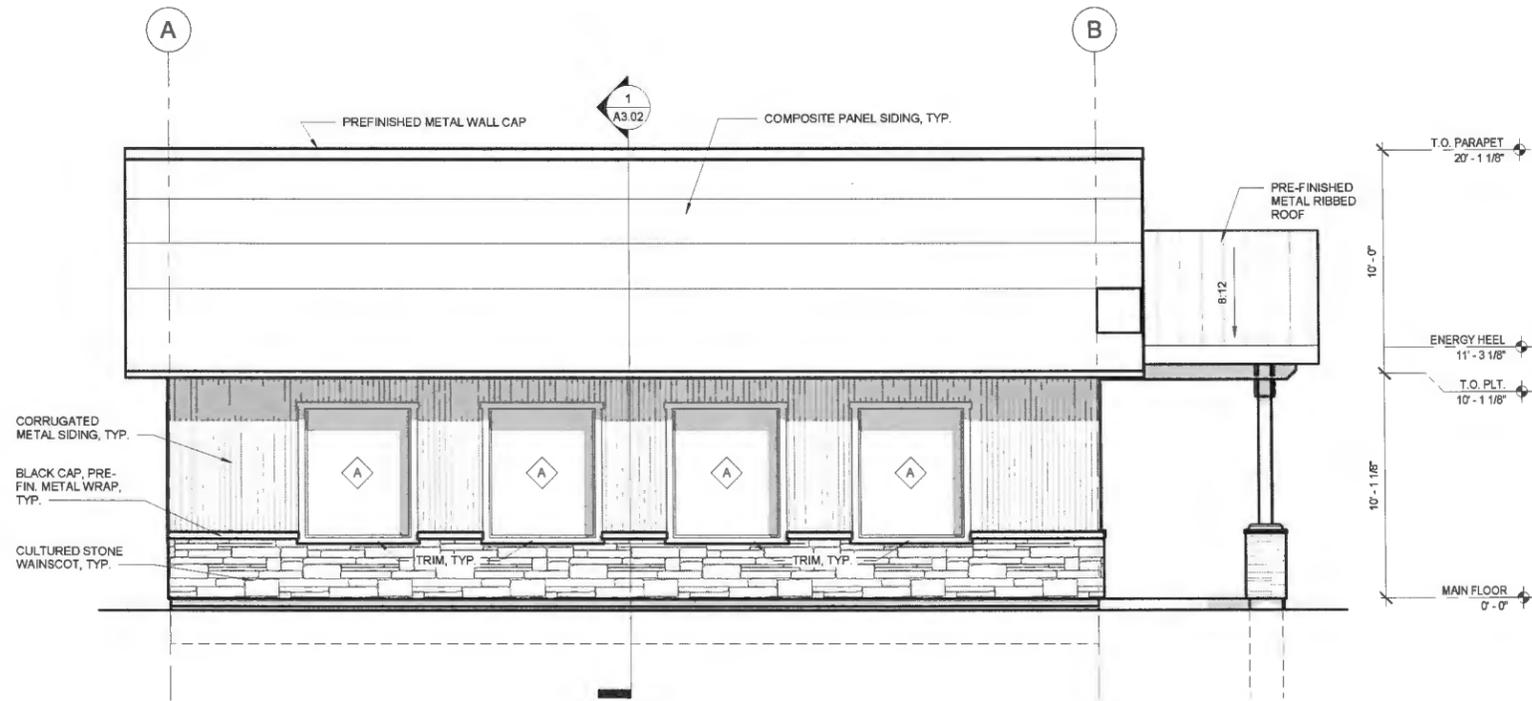
SHEET CONTENTS
BUILDING ELEVATIONS

SHEET NO
A2.01

22x34 STANDARD SHEET
11 X 17 SHEET IS HALF SCALE



1 EAST ELEVATION
A2.02
1/4" = 1'-0"



2 NORTH ELEVATION
A2.02
1/4" = 1'-0"

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BUILDING ELEVATIONS	

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A2.02	

22x34 STANDARD SHEET
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1
A2.03 3D VIEW 1



2
A2.03 3D VIEW 2

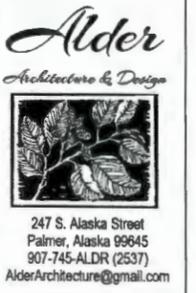


3
A2.03 3D VIEW 3

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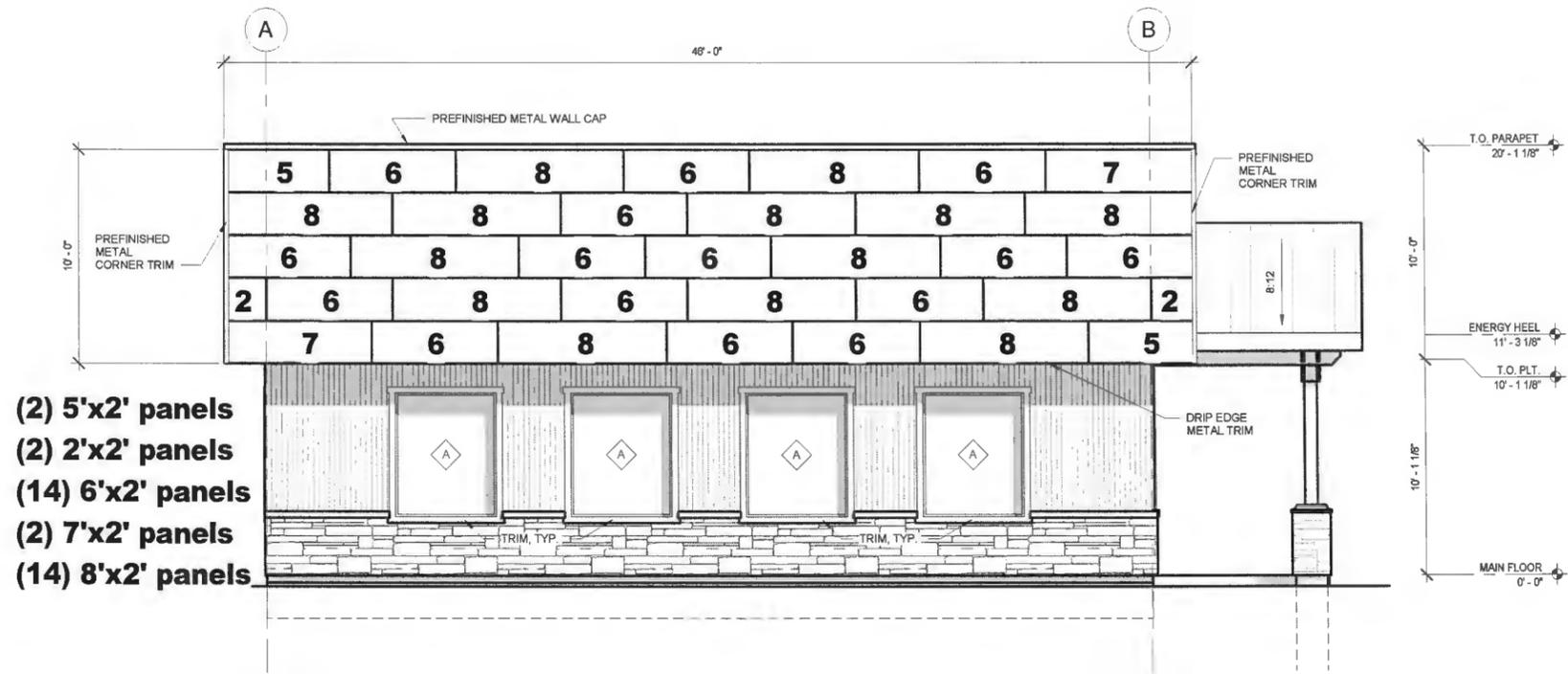
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3D VIEWS

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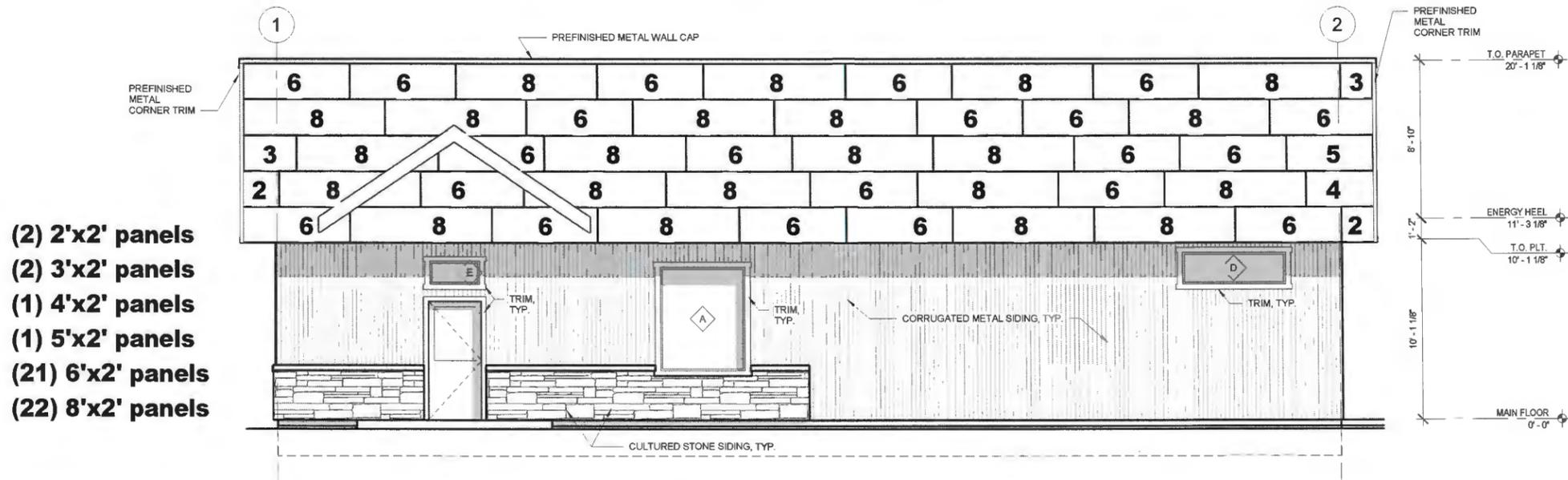
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Plot Date: 7/29/2019 1:26:54 PM



- (2) 5'x2' panels
- (2) 2'x2' panels
- (14) 6'x2' panels
- (2) 7'x2' panels
- (14) 8'x2' panels

1 Panel Layout NORTH ELEVATION
1/4" = 1'-0"



- (2) 2'x2' panels
- (2) 3'x2' panels
- (1) 4'x2' panels
- (1) 5'x2' panels
- (21) 6'x2' panels
- (22) 8'x2' panels

2 Panel Layout WEST ELEVATION
1/4" = 1'-0"

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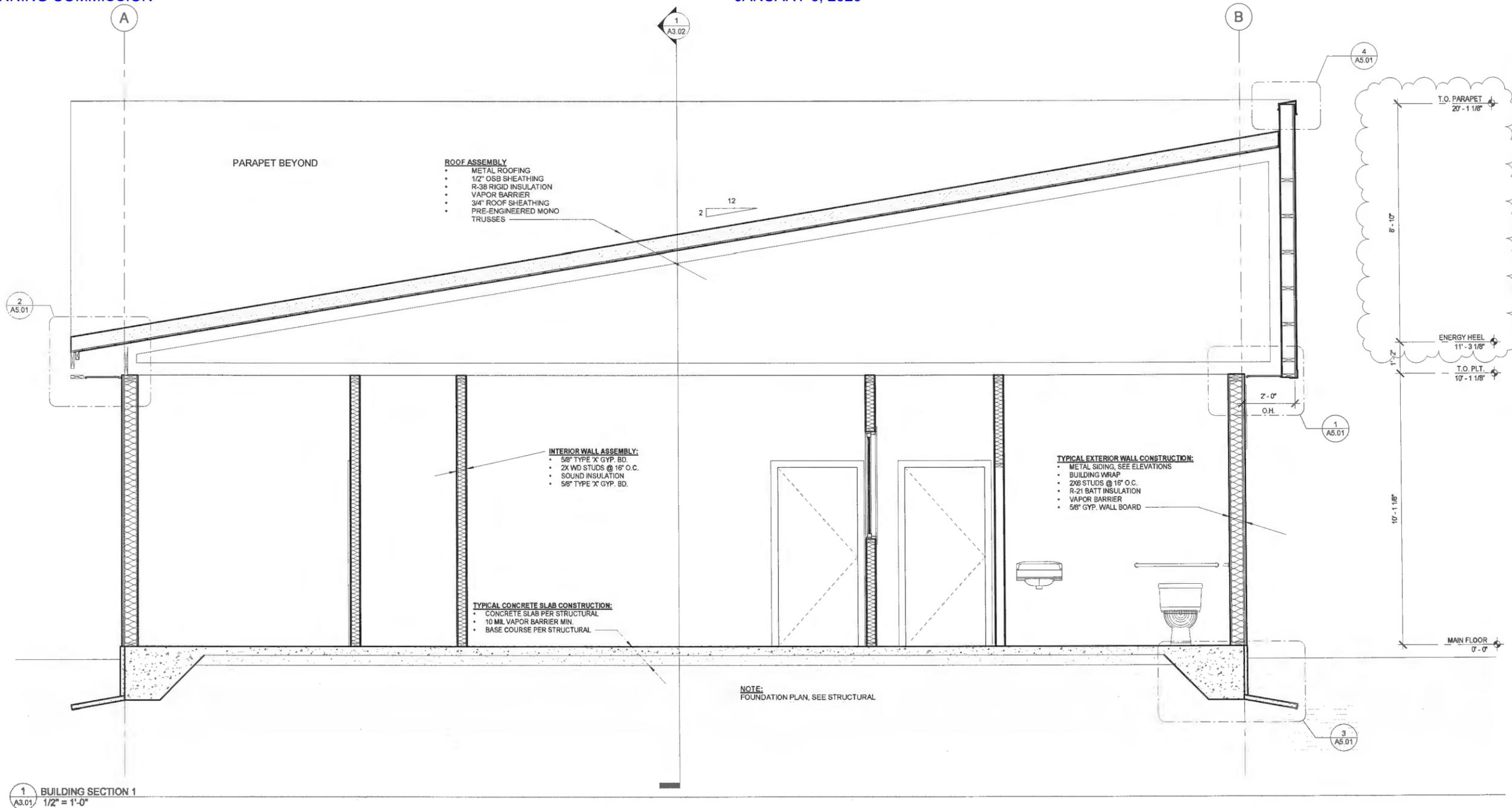
HTF INVESTMENTS BUILDING
173 N. ROSIE CIRCLE LOT #1
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SHEET CONTENTS	
PARAPET PANEL LAYOUTS	

SHEET NO	
A2.04	



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**HTF INVESTMENTS BUILDING
173 N. ROSIE CIRCLE LOT #1
Wasilla, Alaska**

1 BUILDING SECTION 1
A3.01 1/2" = 1'-0"

NOTE:
FOUNDATION PLAN, SEE STRUCTURAL

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SHEET CONTENTS	
BUILDING SECTION 1	

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A3.01	

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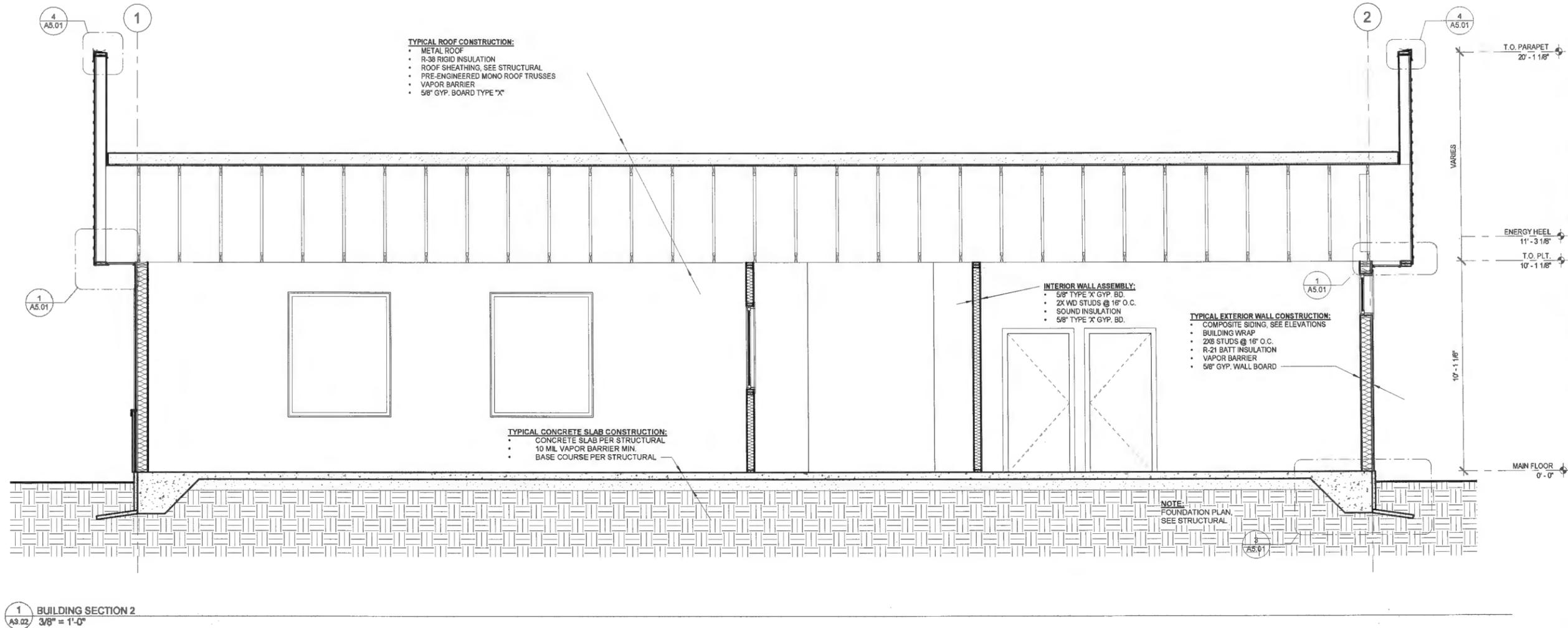
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Plot Date: 7/29/2019 1:29:58 PM



1 BUILDING SECTION 2
A3.02 3/8" = 1'-0"

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BUILDING SECTION 2	

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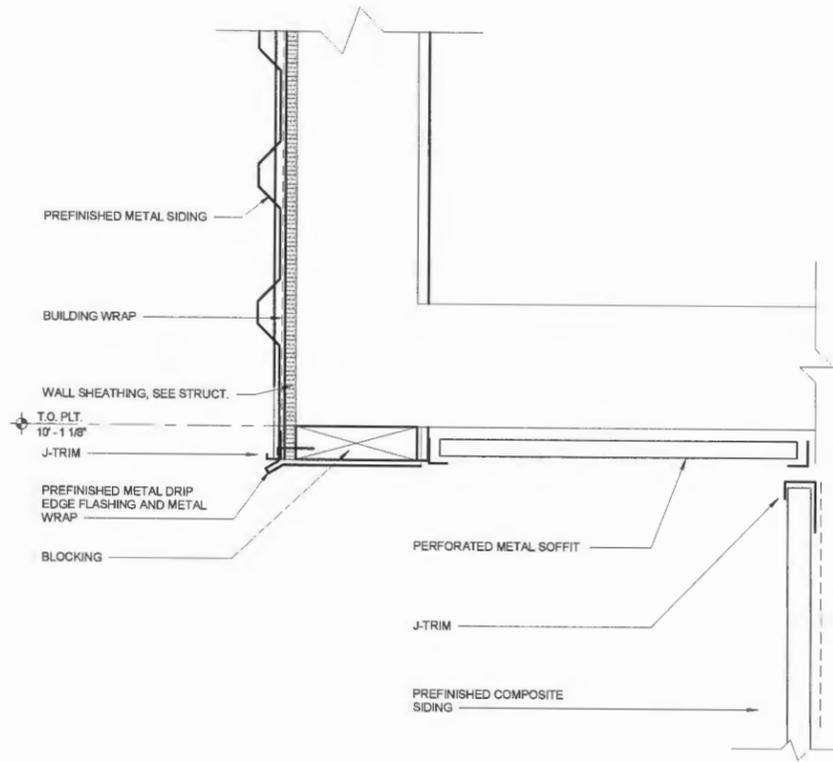
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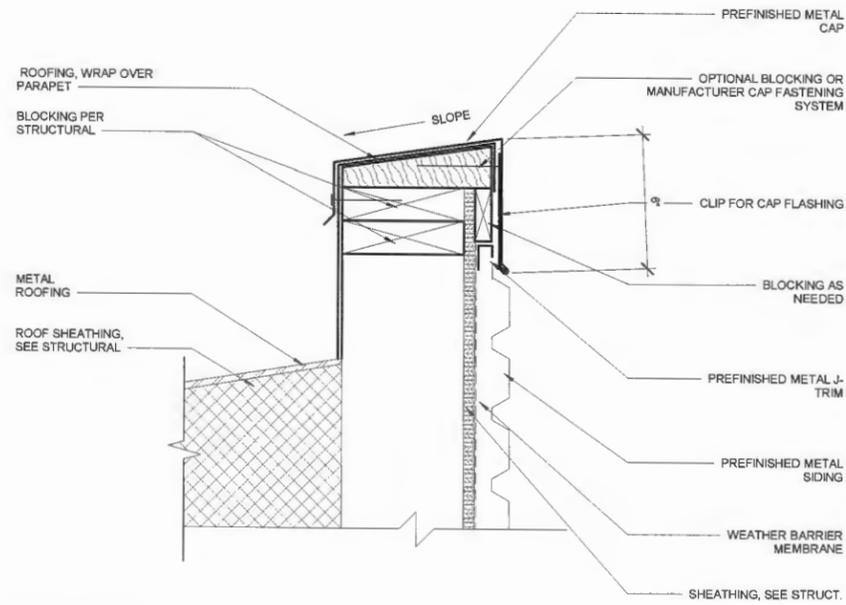
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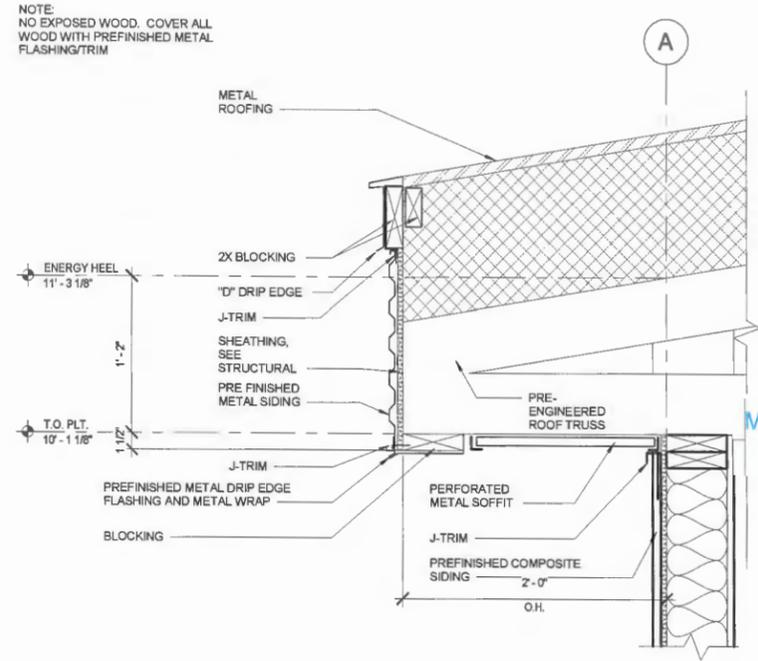


1 BOTTOM OF PARAPET DETAIL
A5.01 3" = 1'-0"

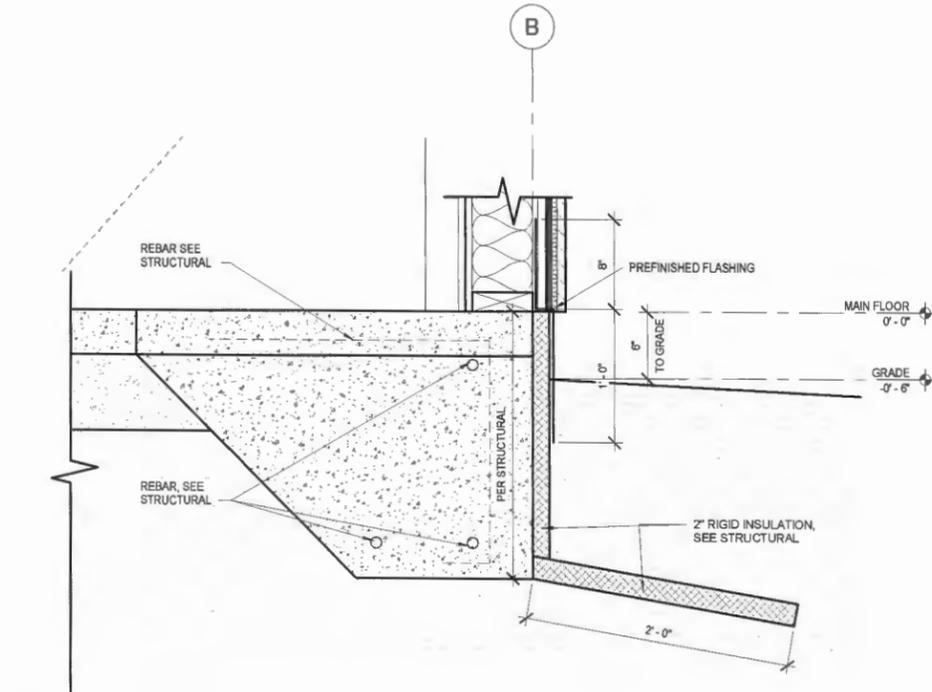
NOTE:
NO EXPOSED WOOD. COVER ALL
WOOD WITH PREFINISHED METAL
FLASHING/TRIM



4 PARAPET CAP DETAIL
A5.01 3" = 1'-0"



2 HEEL DETAIL
A5.01 1 1/2" = 1'-0"



3 SLAB EDGE DETAIL, TYP.
A5.01 1 1/2" = 1'-0"



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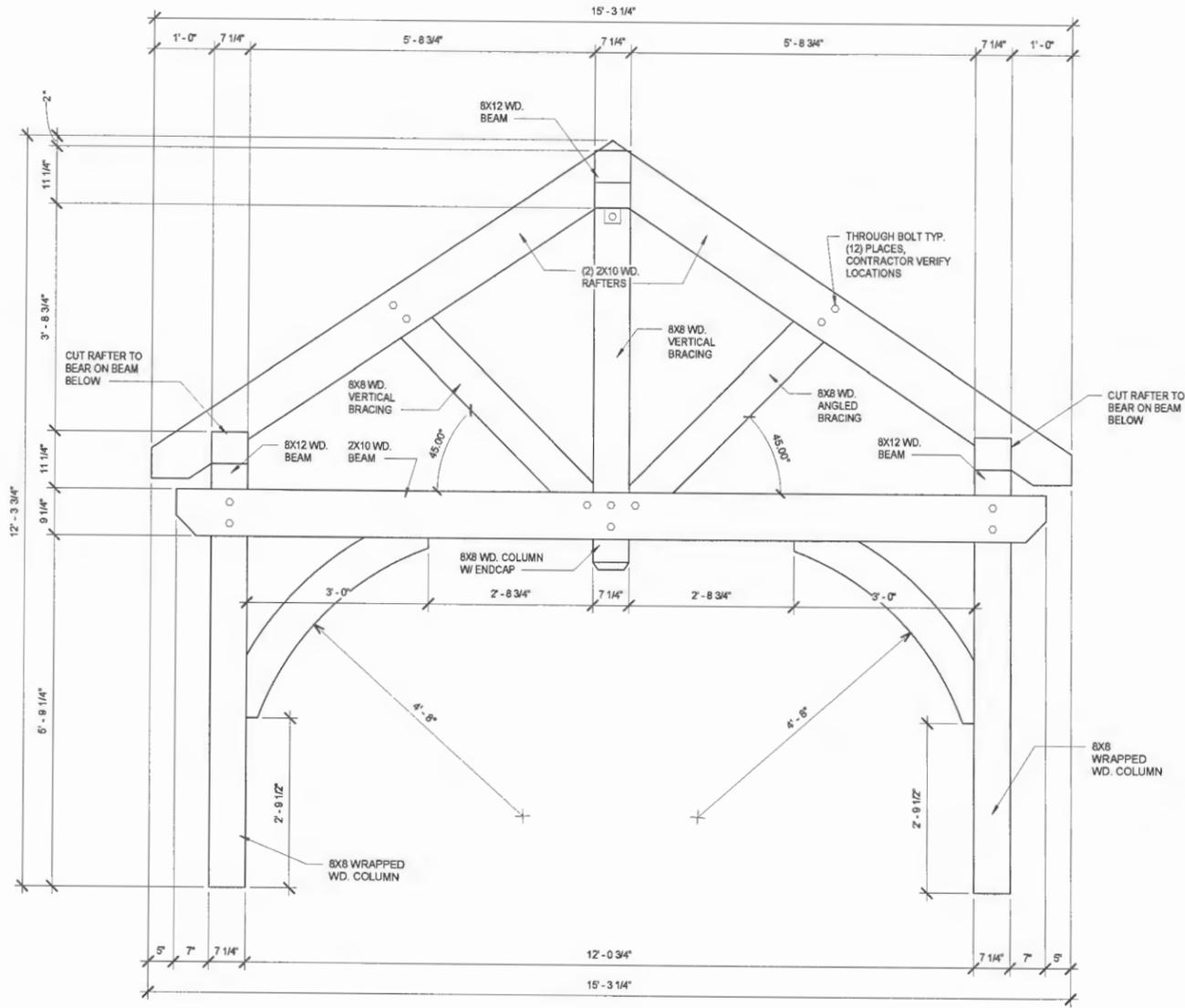
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DETAILS

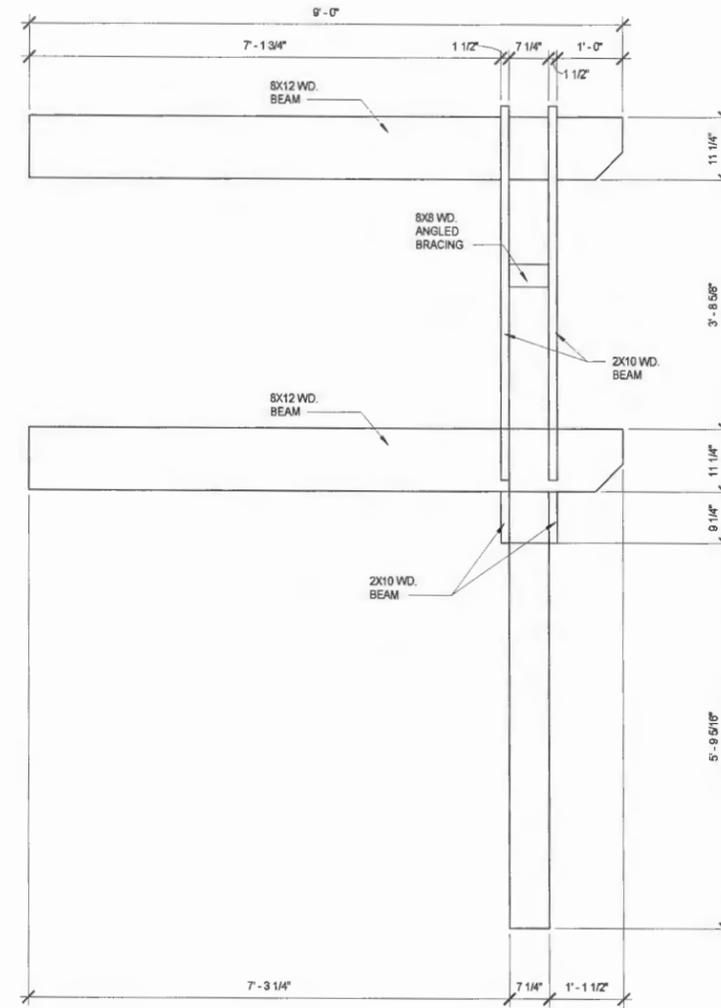
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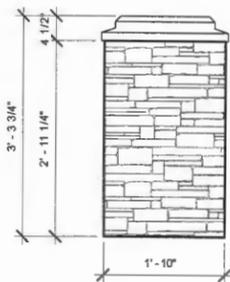
22x34 STANDARD SHEET
11 X 17 SHEET IS HALF SCALE



1 ENTRANCE TIMBER FRONT ELEVATION
A5.02 3/4" = 1'-0"



2 ENTRANCE TIMBER LEFT ELEVATION
A5.02 3/4" = 1'-0"



3 FRONT COLUMN DETAIL
A5.02 3/4" = 1'-0"



HTF INVESTMENTS BUILDING
173 N. ROSIE CIRCLE LOT #1
Wasilla, Alaska

REVISIONS		
NO.	DESCRIPTION	DATE
1	PANEL LAYOUTS	7-26-19
2	FLR PLN MODS	7-29-19
3		
4		

DRAWN BY	REL	DATE
AML		7-17-19
CHECKED	AML	JOB NO.
		19028

SHEET CONTENTS
DETAILS

SHEET NO
A5.02

Matanuska - Susitna Borough
Development Services

NOV 14 2019

Received

Drawing File: \\alder\thomes\alder ARCHITECTURE MAIN\2019 Projects\19028 HTF Investments Building P-W Hwy - Wasilla\Project Location\19028 HTF Investments Building 7-26-19.rvt
Plot Date: 7/29/2019 1:30:01 PM

**INTRODUCTION FOR PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. PC 20-04

**Foremost Construction
Earth Materials Extraction CUP
3429 N. Pittman Road**

(Page 31 - 70)

INTRODUCTION FOR PUBLIC HEARING



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

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

Email: permitcenter@matsugov.us

RECEIVED
JUN 25 2019

APPLICATION FOR A CONDITIONAL USE PERMIT FOR EARTH MATERIALS EXTRACTION – MSB 17.30

PERMIT CENTER

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

THIS APPLICATION IS FOR MATERIALS EXTRACTION THAT **DOES NOT** OCCUR WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE. IF YOUR PLAN INCLUDES EXTRACTION WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE YOU MUST COMPLETE THE APPLICATION SPECIFIC TO THAT PURPOSE.

Application fee must be attached, check one:

- \$500 for Administrative Permit (Less than two years or less than 7,000cy annually)
- \$1,000 for Conditional Use Permit (More than two years and more than 7,000cy annually)

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

Subject Property: Township: 18 N, Range: 2 W, Section: 23, Meridian: Seward
 MSB Tax ID# 87185 18N02W23B002 and 18N02W23A002
 SUBDIVISION: _____ BLOCK(S): _____, LOT(S): Tract A
 STREET ADDRESS: 3429 N. Pittman Road Wasilla, AK
 FACILITY / BUSINESS NAME: Foremost Construction - Gravel Pit

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

Name of Property Owner
Irina Filyuk - Foremost Construction
 Mailing: P.O. Box 871874
Wasilla, AK 99687
 Phone: Hm _____ Fax _____
 Wk _____ Cell 907-814-6898
 E-mail foremostconstruction@yahoo.com

Name of Agent / Contact for application
Dan Steiner, PE
 Mailing: 5900 W. Dewberry Dr.
Wasilla, AK 99623
 Phone: Hm _____ Fax _____
 Wk 907-357-5609 Cell 907-715-7704
 E-mail dsteiner@mtaonline.net

Description What type(s) of material is being extracted? _____

Sand, gravel, topsoil.

Total acreage area of all parcels on which the activity will occur: 48.3

Total acreage area of earth material extraction activity: 41

Total cubic yards extraction per year: 10,000 C.Y.

Total projected cubic yards to be extracted: 400,000 C.Y.

What is the estimated final year extraction will occur? 2059

Required information

1. Attach a plan of sufficient detail to demonstrate compliance with the requirements of MSB 17.28.050 and MSB 17.28.060.

Plan of Operation	Attached
Provide seasonal start and end dates	See Narrative
Provide days of the week operations will take place.	See Narrative
Provide hours of operation.	See Narrative
Estimated end date of extraction	See Narrative
Estimated end date of reclamation	See Narrative
Describe all other uses occurring on the site	See Narrative
Describe methods used to prevent problems on adjacent properties, such as lateral support (steep slopes), water quality, drainage, flooding, dust control and maintenance of roads; how will the operation monitor the seasonal high water table to stay at least four feet above it	See Narrative
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes and estimated final grade	See Narrative Sheet C2.0 - SECTIONS.

2. Submit a site plan. Drawings must be detailed and **drawn to scale**. Drawings under seal of an engineer or surveyor are recommended but not required.

SITE PLAN REQUIREMENTS	Attached
Identify location of permanent and semi-permanent structures on the site for verification of setback requirements. Include wells and septic systems.	Sheet C1.0
Depict buffer areas, driveways, dedicated public access easements, and noise buffers (such as fences, berms or retained vegetated areas), and drainage control such as ditches, settling ponds etc.	Sheet C1.0
Identify wetlands and waterbodies on site and within one mile	Sheet C0.2
Identify existing surrounding land uses within one mile	Provided by MSB
Identify surrounding property ownership (i.e. public vs. private) within one mile of exterior boundaries	Provided by MSB
Show entire area intended for gravel/material extraction activity and the boundary of the lot(s) containing the operation. Identify areas used for past and future phases of the activity. Identify phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.	Sheet C1.0

Road and access plan that includes anticipated routes and traffic volumes. If the level of activity exceeds the minimum levels specified in MSB 17.61.090, traffic standards, a traffic control plan consistent with state regulations may be required	Sheet C1.0
Visual screening measures that include a detailed description of the type of visual screening to be utilized. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission	Sheet C1.0
Noise mitigation measures that include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties. Measures shall include, but not be limited to, hours of operation of noise-producing equipment, erecting noise barriers (i.e., berms a minimum of 10 feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features	Sheet C1.0
Proposed lighting plan	Sheet C1.0
Other (as required by MSB Planning Department)	

3. Submit a reclamation plan including the following:

Reclamation Plan	Attached
Provided timeline for reclamation at particular locations and that is in compliance with MSB 17.28.067	Sheet C3.0
Provide copy of reclamation financial assurance filed with the State of Alaska (If exempt, provide qualifying documents for exemption)	Sheet C3.0

4. Submit documentation of compliance with borough, state and federal laws:

COMPLIANCE WITH BOROUGH, STATE AND FEDERAL LAWS	Applied for (list file #)	Attached (list file #) or N/A
Mining license as required by the Alaska State Department of Revenue, pursuant to A.S.42.65		N/A
Mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land		N/A
Reclamation plan as required by ADNR, pursuant to A.S. 27.19	Sheet C3.0	
Notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements		Attached
United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.		N/A
Other (Such as, driveway / access permits. List as appropriate.)	*	

* ADOT Driveway Permit. See Sheet C1.0

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

MSB Tax account #(s) _____ and, I hereby apply for approval of conditional use permit for earth material extraction activities on the property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.28, MSB 17.30 and with all other applicable borough, state and federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.30.055.

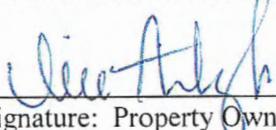
I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorizations may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health,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

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

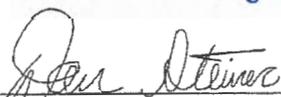
I understand that this permit may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land. Additionally, I agree to comply with 17.30.120 Transfer of Conditional Use Permit, in the event this permit is transferred to a subsequent property owner.

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

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


Signature: Property Owner

Irina Filyuk 6/25/19
Printed Name Date


Signature: Agent

Dan Steiner 6/25/19
Printed Name Date

5900 W. Dewberry Dr
Wasilla, AK 99623

SDCS, LLC

STEINER DESIGN & CONSTRUCTION SERVICES, LLC

Phone: (907) 357-5609
Fax: (907) 357-5608

June 25, 2019

Planning and Land Use Department
Development Services Division
Matanuska-Susitna Borough
350 E. Dahlia Ave.
Palmer, AK 99645-6488



Re: Foremost Construction – Gravel Pit - Application for Condition Use
Engineering Narrative

To Whom it May Concern,

As part of the MSB “Earth Materials Extraction” application, the following information is provided to meet requirements of MSB 17.28.050 and MSB 17.28.060:

- Seasonal Start and End dates: None to operate year-round.
- Days of operation: Monday - Saturday
- Hours of operation: 7:30 am - 5:30 pm.
- Estimated End Date of Extraction: Dec. 31, 2059
- Estimated End Date of Reclamation: Dec. 31, 2060
- Other uses occurring on site: Screening of gravel and sand, stockpile of soil, processing topsoil.
- Problem prevention:

Lateral Support: Final slopes will be 5h:1v or flatter.

Water Quality: This action will not encounter groundwater. No other water quality issues anticipated.

Drainage: This action will create a low spot on the site. No runoff is anticipated to leave the site.

Mr. Fred Wagner
Matanuska-Susitna Borough
Engineering Report – Pittman Flats Subdivision

Page 2 of 2

Dust Control: Dealt with the site vegetative buffer. Water truck to sprinkle site if needed.

Maintenance of Road: Site operate has needed equipment to maintain on site roads.

Flooding: The site is very flat. There are no waterways to this site.
Flooding is not anticipated

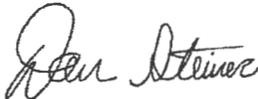
Groundwater Monitoring: There are five test wells on site (See C1.0).
These will be used to monitor groundwater levels to maintain excavation +4' above groundwater.

Please note that the Meadow Lakes Comprehensive Plan discourages “large scale” gravel pits. However, it states that a promising source of continued local economic prosperity for the Meadow Lakes area is its significant gravel reserves (Page 21). However, this document does not give a definition for “large scale”. Based on the estimated annual volume of extraction to be 10,500 cubic yards, we feel that this would certainly not be a large scale gravel pit.

It does list items that should be required in the case of developing new gravel pits on page 37. We feel that we have meet these requirements, including a 100' perimeter buffer and ask for your thoughtful consideration in this matter.

Thank you for your help with this project.

Sincerely,



Dan Steiner, P.E.
Manager

des
encl.



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-8158
www.permitcenter@matsugov.us

July 11, 2019

Dan Steiner
on Behalf of Foremost Construction Pit
5900 W. Dewberry Drive
Wasilla, AK 99623

Subject: Conditional Use Permit Application for Earth Materials Extraction – Request for Additional Information
Location: 3429 N. Pittman Road; Parcel Account #18N02W23B002

Dear Mr. Steiner,

Borough staff has reviewed the application material and the site plan(s) submitted on June 25, 2019 for a Conditional Use Permit for the extraction of earth materials under MSB 17.30 on the above referenced property. It has been determined that the following information needs to be provided and/or clarified in order to process this request.

1. Please indicate the anticipated number of traffic trips per day for the proposed use. One “round trip” equals two trips.
2. The application material indicates a job shack, portable restroom, equipment, etc will be relocated around the site as needed. Are there any additional screening/buffering measures that will be implemented to minimize impacts on the adjacent landowner from this portable equipment?
3. Is the location of the job shack, portable restroom, equipment, etc depicted on the site plan in the intended position for the start of the proposed mining operation?
4. The application material indicates the earthen berms will be 14’ tall, but does not include the width of the berms. Provide the width of the berms.
5. Provide a copy of the approved Mining and Reclamation Plan, and financial assurance by the Alaska Department of Natural Resources Division of Mining, Land, and Water for the proposed use.
6. Provide documentation from a qualified individual indicating “No-SWPPP needed at this time.”

7. The application material indicates the proposed lighting plan is found on the site plan Sheet C1.0, however, there is no lighting plan shown on Sheet C1.0. Please clarify.
8. The site plan are not to scale. The key indicates (1"=80' plotted at 22'x 34'), however the site plans submitted are on 11"x 17". The scale is not accurate even when converting the scale to 1"=160'). Resubmit drawings and site plans drawn to scale.
9. Identify wetlands and waterbodies on the site and within one mile. The application material indicates this is depicted on "Sheet C0.2", but no such document was including in the application.
10. The site plan/narrative does not identify the phases of proposed mining activities. Submit documentation indicating the phases of the proposed mining activities, a map showing the specific areas to be mined, a description of the topography and vegetation, and the time sequence for mining particular locations on the property.
11. Provide proof of a State of Alaska Driveway Permit allowing access to and from N. Pittman Road.
12. The application narrative lists some steps that will be taken to prevent potential problems on adjacent properties, but provides little detail. Provide a more detailed description of the preventative measures.

Once the items above have been addressed and we have determined the application to be complete, staff will begin the public notice process. Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-7862, or email: joseph.metzger@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,



Joseph Metzger, Planner II
Development Services Division
Matanuska-Susitna Borough

Joseph Metzger

From: dsteiner@mtaonline.net
Sent: Wednesday, July 24, 2019 5:07 PM
To: Joseph Metzger
Cc: 'Irina Filyuk'
Subject: RE: RFAI Foremost Construction
Attachments: FOREMOST CONSTRUCTION - GRAVEL PIT PLANS 7-24-19.pdf; 19-007 MSGP SWPPP - All.pdf

Follow Up Flag: Follow up
Flag Status: Flagged



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

Joe,

Below are the responses to your request for additional information. The number represents the number in the list if items form your letter.

1. It is estimated that there will be 20 (10 round trips) per day.
2. No other screening/buffering measures will be implemented. The 100' vegetative buffer and the 14' soil berm will be sufficient.
3. The owner has decided that the items listed will not be relocated. The note stating that they will be relocated has been removed.
4. The width of the berm will be a minimum of 40' wide. A note stating this has been added to C1.0
5. Pending
6. I am sorry if my responses have been confusing regarding the SWPPP. A SWPPP has been prepared is will be implemented once the gravel pit has been approved and the owner moves forward with development.
7. If gravel is extracted during the times of the year when lighting is needed, lights will be off of the job shack and from a portable light/generator that will only operate during working hours.
8. The scale is correct. The west property line was miss labeled. This has been corrected.
9. Sheet C0.2 added.
10. A the phases have been added to sheet C1.0.
11. Pending
12. Please see the following for additional information for preventative measures:

Lateral Support: All Federal, State, and Local safety regulations will be followed during the extraction of soil from the site. The site will be maintained in an acceptable state while not being used that will provide adequate lateral support to all excavation slopes. The final slopes of the site once soil has been extracted will be 5h:1v or flatter which is a very stable slope for this type of soil

Water Quality: With the existing soils, there will be no standing water on the site. Also, as soil is removed, groundwater will not be encountered. No water quality issues will need to be addressed.

Drainage: This site is very flat, as is the property surrounding this site. Because of the flat topography and the existing soils, no drainage will enter the site from adjacent properties The extraction of soil from this site will create a low spot on the site and so no runoff will leave the site. With the type of existing soil a this site, rain and snowmelt will be absorbed into the soil. There will be no drainage issues at this site.

Dust Control: The vegetative buffer surrounding the site will protect adjacent properties from dust from the site. If there is an issue with dust, a water truck will be used to sprinkle site to keep dust down. The site will be sprinkled as needed depending on the days there will be traffic at the site and depending on the volume of traffic.

Maintenance of Road: The only "road" that will need to be maintained is the driveway at the site. Site operate has needed equipment to maintain on site roads. If there is mud tracked onto Pittman Road, the owner will sweep and/or wash the dust and/or mud off the road.

Flooding: There are no waterways to this site and no runoff from adjacent properties. The only flooding that could take place is from rainfall that falls directly onto the site. However, with the type of existing soils, all rainfall will be absorbed directly into the soil.

Groundwater Monitoring: There are five test wells on site (See C1.0). These will be used to monitor groundwater levels. The on-site operators will monitor groundwater elevations, and using construction levels will make sure that excavation will not be closer than 4' above the groundwater.

Attached are updated plans and a copy of the SWPPP.

If you need hard copies brought to your office, please contact Irena Filyuk and she will deliver them to your office.

Dan Steiner, PE
SDCS, LLC
(wk) 907-357-5609
(fax) 907-357-5608
(cell) 907-715-7704

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Sent: Thursday, July 11, 2019 11:28 AM
To: dsteiner@mtaonline.net
Subject: RFAI Foremost Construction

Good Morning Dan,

Attached, please find a letter requesting additional information for the Foremost Construction CUP application.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

Joseph Metzger

From: Joseph Metzger
Sent: Friday, October 25, 2019 9:59 AM
To: Dan Steiner; 'Irina Filyuk'
Subject: RFAI Foremost Construction Pit 10-25-19
Attachments: Foremost Construction RFAI 10-25-19.pdf

Good morning Dan and Irina,

Staff has determined some more information is needed to process this request. Please see the attached letter requesting additional information on your CUP request. As always if you have questions or need clarification on any matter don't hesitate to contact me.

Respectfully,

Joe Metzger
MSB Planner
907-861-7862

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

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

www.permitcenter@matsugov.us

October 25, 2019

Dan Steiner
on Behalf of Foremost Construction Pit
5900 W. Dewberry Drive
Wasilla, AK 99623

Subject: Conditional Use Permit Application for Earth Materials Extraction – Request for Additional Information
Location: 3429 N. Pittman Road; Parcel Account #18N02W23B002

Dear Mr. Steiner,

Borough staff has reviewed the application material and the additional information submittals received on July 25, 2019 and October 14, 2019 for a Conditional Use Permit request for the extraction of earth materials under MSB 17.30 on the above referenced property. It has been determined that the following information needs to be provided and/or clarified in order to process this request.

1. Staff has been provided with a “Letter of Acceptance for Non-State Land Reclamation Letter of Intent” from the State of Alaska, however, the LOI only includes 4-acres of the 48.3-acre tract. Is this LOI for a specific phase of mining or portion of the property? Please clarify and elaborate.
2. Staff understands a SWPPP has been created and will be implemented if a permit is granted, however, documentation from a qualified individual indicating “No-SWPPP needed at this time” needs to be provided.
3. Identify wetlands and waterbodies on the site and within one mile. The application material indicates this is depicted on “Sheet C0.2”, but it unclear what is a waterbody or wetland. Please clarify. The National Wetlands Inventory or similar database is typically a great resource for such information.
4. Site plan C1.0 indicates there are 10 phases of mining, but, but it does not provide the time and sequence for the mining of the phases. Please clarify and elaborate.

Once the items above have been addressed and we have determined the application to be complete, staff will begin the public notice process. Should you have any questions or require additional

information, please feel free to contact me at the above mailing address, phone: 861-7862, or email: joseph.metzger@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,



Joseph Metzger, Planner II
Development Services Division
Matanuska-Susitna Borough

5900 W. Dewberry Dr
Wasilla, AK 99623

SDCS, LLC

STEINER DESIGN & CONSTRUCTION SERVICES, LLC

Phone: (907) 357-5609
Fax: (907) 357-5608

November 7, 2019

Joseph Metzger, Planner II
Development Services Division
Matanuska-Susitna Borough
350 E. Dahlia Ave.
Palmer, AK 99645-6488



Re: Conditional Use Permit Application for Earth Materials Extraction
Response to MSB Request for Additional Information

Location: 3429 N. Pittman Road; Parcel Account #18N02W23B002

Mr. Metzger,

We have received your letter dated October 25, 2019 requesting additional information. This letter is in response to that request. Your number requests are listed below with our response in bold.

1. Staff has been provided with a "Letter of Acceptance for Non-State Land Reclamation Letter of Intent" from the State of Alaska, however, the LOI only includes 4-acres of the 48.3-acre tract. Is this LOI for a specific phase of mining or portion of the property? Please clarify and elaborate.

As part of the Alaska DNR Letter of Intent, the project owner is required to put up a "bond" to cover the area that needs to be reclaimed after material extraction is completed. Since this project will take place over +20 years, it was not feasible for the project owner to provide a bond for the entire site since only a small portion of the site will be mined at any one time. DNR agreed to require a bond for only 4-acres. This requirement is based on an agreement with the project owner that land will be reclaimed as material extraction takes place so that no more than 4-acres will be mined at a time.

2. Staff understands a SWPPP has been created and will be implemented if a permit is granted, however, documentation from a qualified individual indicating "No-SWPPP needed at this time" needs to be provided.

Per our phone conversation, a letter is included with this submittal from a qualified individual stating that at this time a SWPPP is not needed. See attached letter.

Mr. Joseph Metzger
Development Services Division
Matanuska-Susitna Borough

Page 2 of 2

3. Identify wetlands and waterbodies on the site and within one mile. The application material indicates this is depicted on "Sheet C0.2", but it unclear what is a waterbody or wetland. Please clarify. The National Wetlands Inventory or similar database is typically a great resource for such information.

Sheet C0.2 has been updated to include the locations of wetlands within one mile of the project site. An updated Sheet C0.2 is included with this letter.

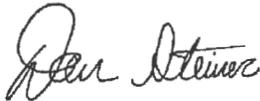
4. Site plan C1.0 indicates there are 10 phases of mining, but, but it does not provide the time and sequence for the mining of the phases. Please clarify and elaborate.

Sheet C1.0 has been updated to include estimated dates (year 1, year 2, etc.) that the phases will take place. An updated Sheet C1.0 is included with this letter.

We hope this letter and the included attachments has provided the needed information you are looking for. We are anxious to continue working through this permitting process.

Thank you for your help with this project.

Sincerely,



Dan Steiner, P.E.
Manager

des
encl.

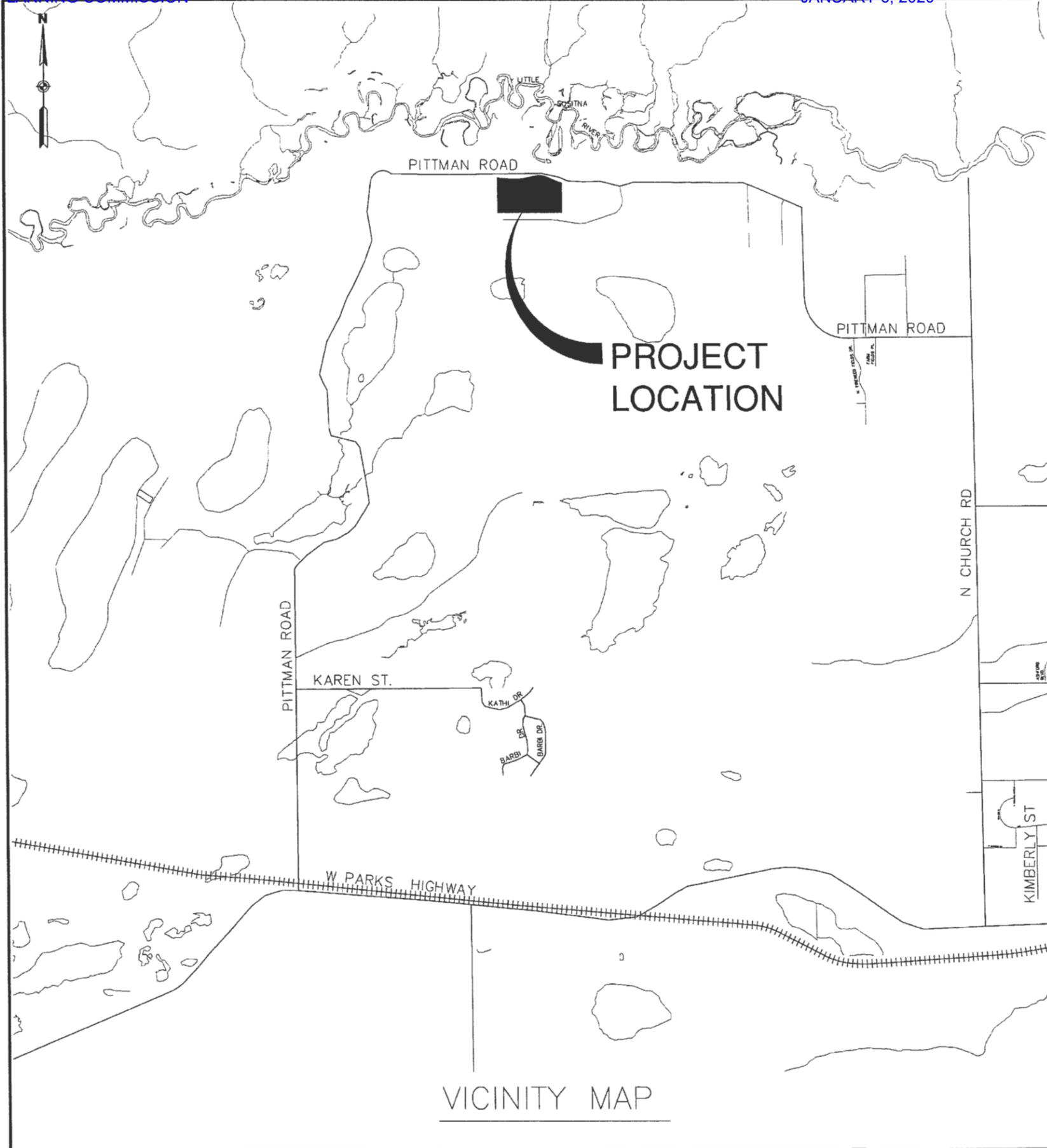
FOREMOST CONSTRUCTION GRAVEL PIT DEVELOPMENT

TRACT A, XXXXX SUBDIVISION WASILLA, AK

SHEET INDEX

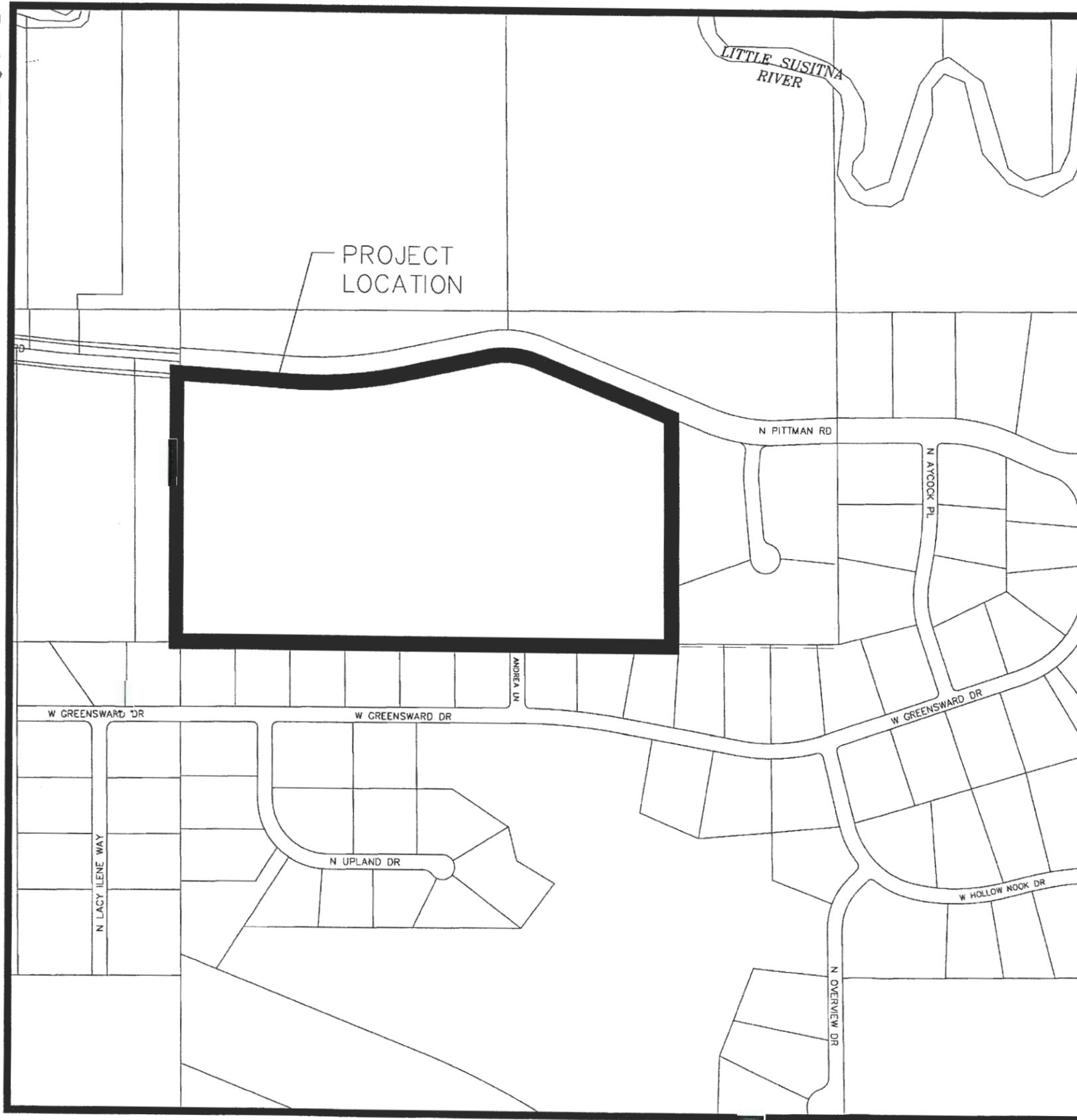
- C0.0 - COVER SHEET
- C0.1 - LOCATION MAP, NOTES
- C0.2 - WATERBODIES AND WETLANDS
- C1.0 - SITE PLAN
- C2.0 - SITE SECTIONS
- C3.0 - RECLAMATION PLAN

RECEIVED
 JUL 25 2019
 MATANUSKA-SUSITNA BOROUGH
 DEVELOPMENT SERVICES



SDCS, LLC
 STEINER DESIGN & CONSTRUCTION SERVICES, LLC
 5900 W. DEWBERRY DR. PH: (907) 357-5609
 WASILLA, AK 99623 FAX: (907) 357-5608

PLAN SET DATE: 7/24/2019



LOCATION MAP

LEGEND

- PROPERTY LINE
- - - - EASEMENT LINE
- EDGE OF VEGETATION
- - - - EDGE OF GRAVEL DRIVEWAY
- - - - BREAK IN GRADE (SOIL BERM)
- ====> CMP CULVERT WITH END SECTIONS

RECEIVED
 JUL 25 2019
 MATANUSKA-SUSITNA BOROUGH
 DEVELOPMENT SERVICES

SURVEY NOTES

1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE POSITION OF THE HORIZONTAL AND VERTICAL CONTROL USED.
2. SURVEY PERFORMED BY BULL MOOSE SURVEYING.

CALL BEFORE YOU DIG
 The Contractor shall notify all area utility companies prior to commencement of excavation. The following is a partial list:
 ALASKA DIG LINE (907) 278-3121, (800) 478-3121



SDCS, LLC
 STENER DESIGN & CONSTRUCTION SERVICES, LLC
 5900 W. DEWBERRY DR. PH: (907) 357-5609
 WASILLA, AK 99623 FAX: (907) 357-5608

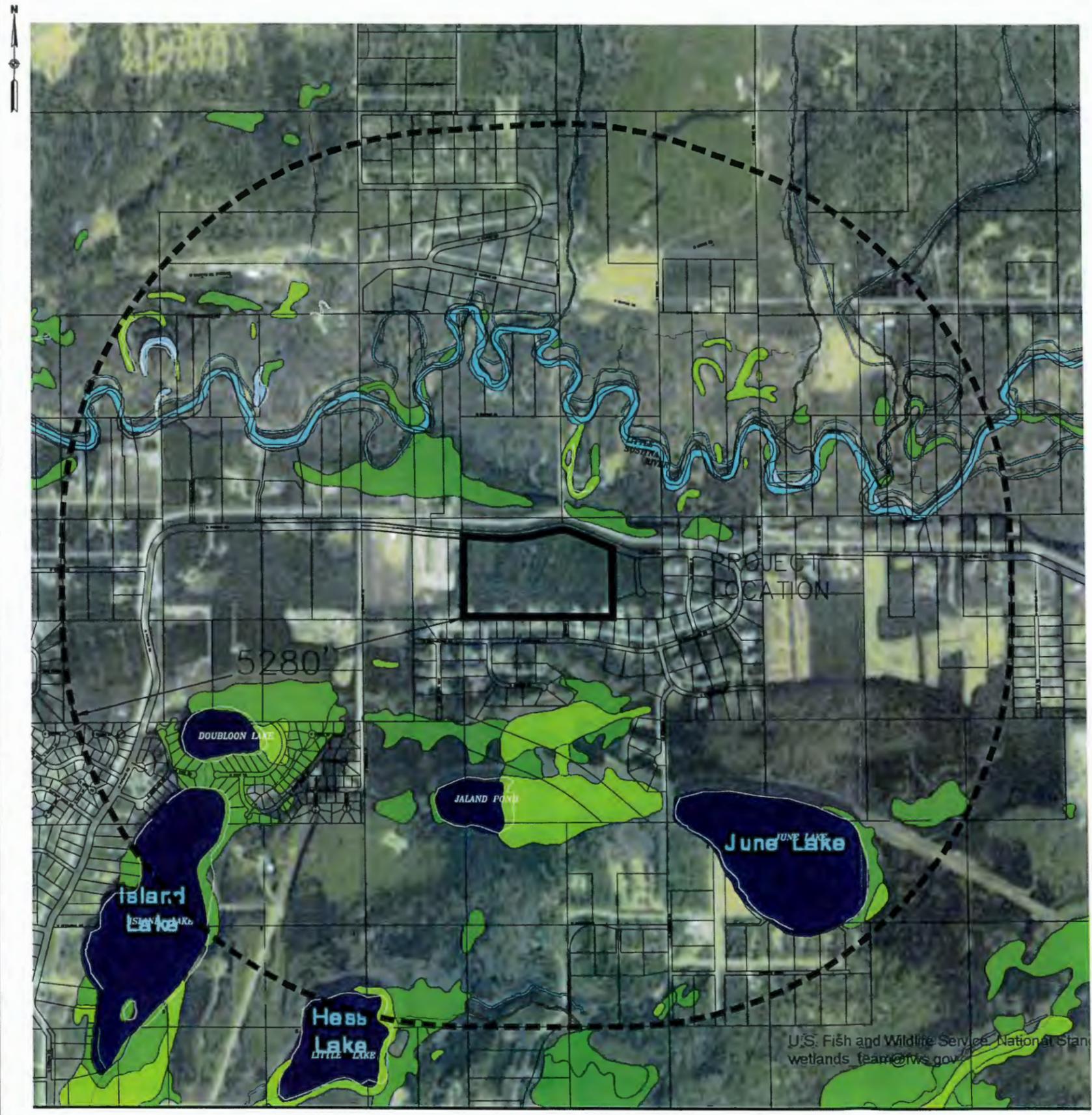
FOREMOST CONSTRUCTION
GRAVEL PIT DEVELOPMENT
 TRACT A, XXXXX SUBDIVISION
 WASILLA, ALASKA

BY	DATE	REVISIONS

JOB NO.: 17-009
 DATE: 7/24/2019
 DRAWN: DES
 REVIEWED: DES

SHEET TITLE
 LOCATIONS MAP
 LEGEND
 CONSTRUCTION NOTES

SHEET
 CO.1



- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine



SDCS, LLC
 STEINER DESIGN & CONSTRUCTION SERVICES, LLC
 5900 W. DEWBERRY DR. PH: (907) 357-5609
 WASILLA, AK 99623 FAX: (907) 357-5608

FOREMOST CONSTRUCTION
GRAVEL PIT DEVELOPMENT
 TRACT A, PITTMAN FLATS SUBDIVISION
 WASILLA, ALASKA

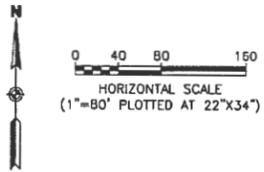
BY	DATE	REVISIONS

JOB NO.: 17-009
 DATE: 11/6/2019
 DRAWN: DES
 REVIEWED: DES

SHEET TITLE
 WATERBODIES
 AND
 WETLANDS

SHEET
 CO.2

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 NOV 7 2019
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 NOV 07 2019
 MATANUSKA-SUSITNA BOROUGH
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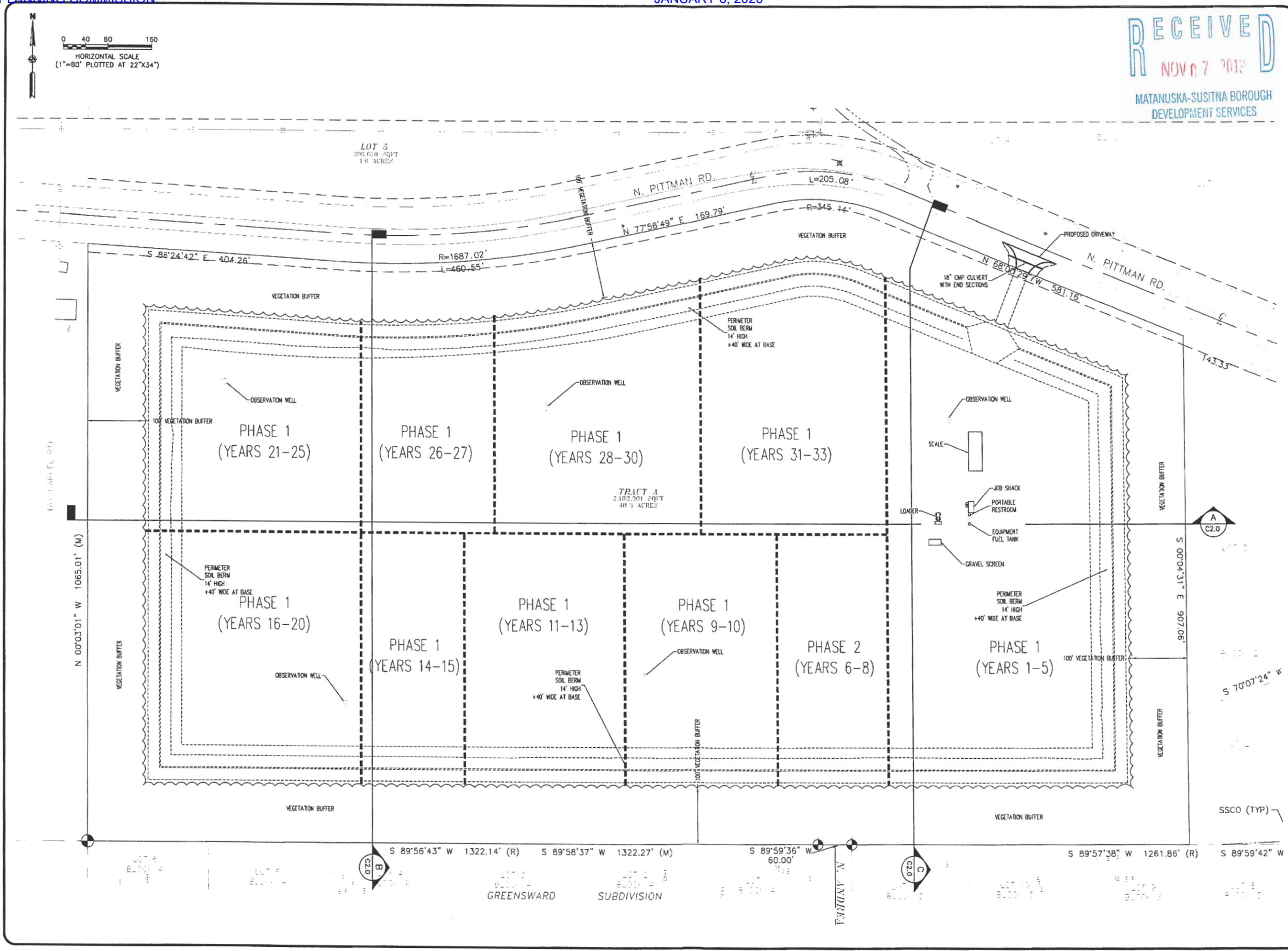
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GRAVEL PIT DEVELOPMENT
 TRACT A, PITTMAN FLATS SUBDIVISION
 WASILLA, ALASKA

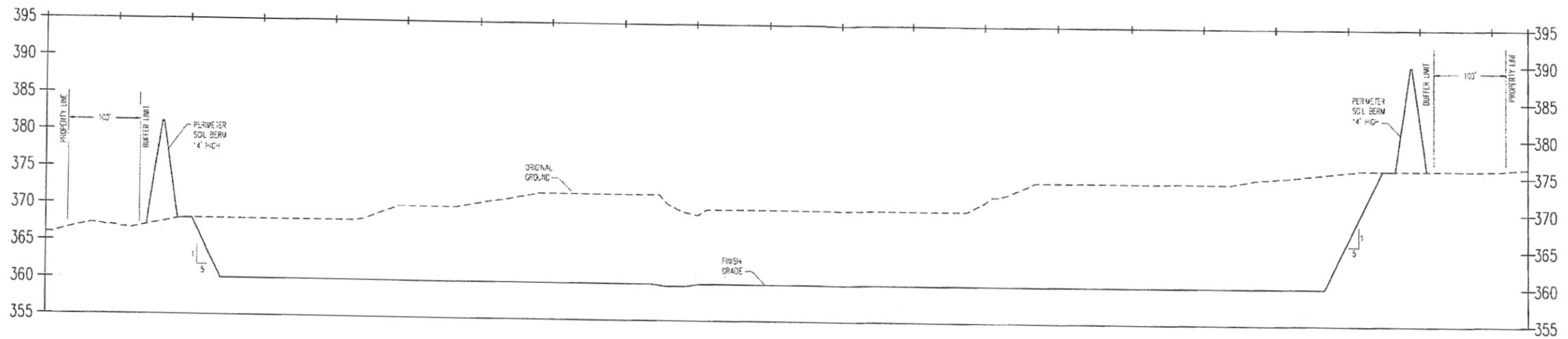
BY	DATE	REVISIONS

JOB NO.: 17-009
 DATE: 11/6/2019
 DRAWN: DES
 REVIEWED: DES

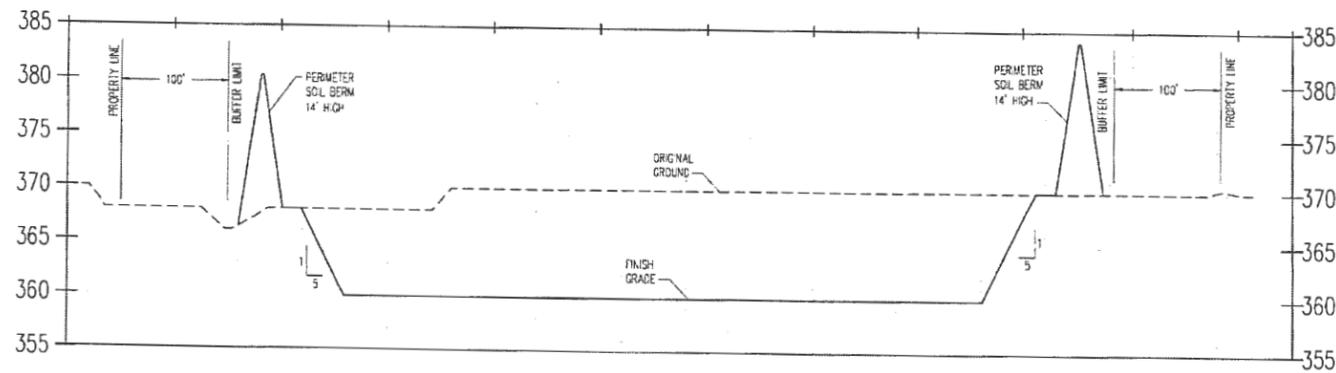
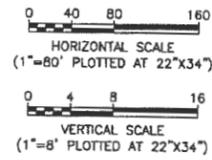
SHEET TITLE
 SITE PLAN

SHEET
 C1.0

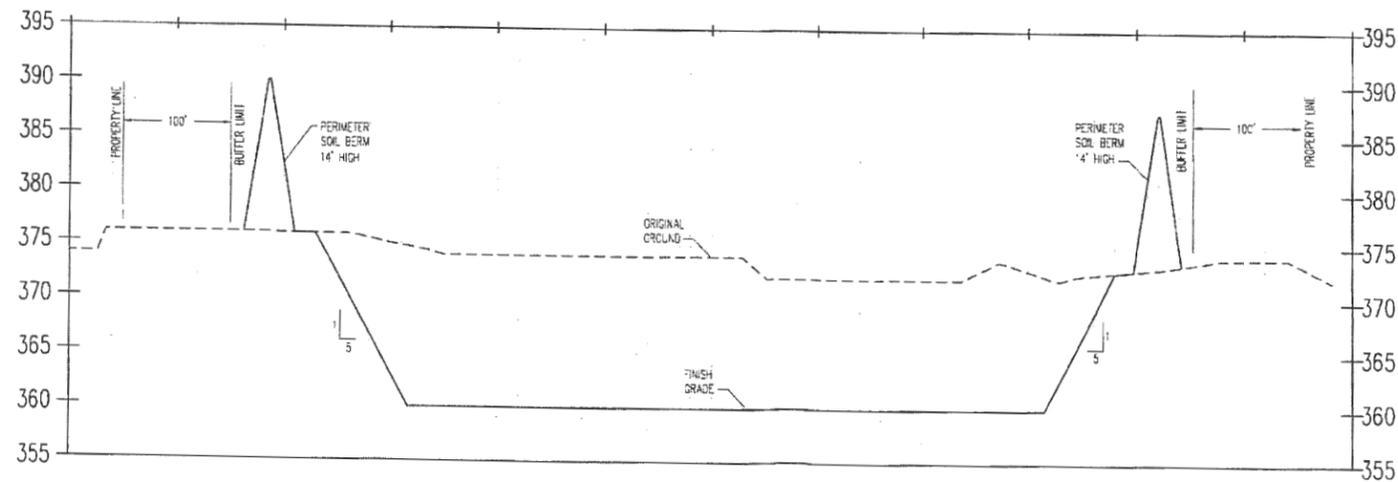




SECTION A PROFILE



SECTION B PROFILE



SECTION C PROFILE

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JUL 25 2019
MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES



SDCS, LLC
STEINER DESIGN & CONSTRUCTION SERVICES, LLC
5900 W. DEWBERRY DR. PH: (907) 357-5609
WASILLA, AK 99623 FAX: (907) 357-5608

FOREMOST CONSTRUCTION
GRAVEL PIT DEVELOPMENT
TRACT A, XXXXX SUBDIVISION
WASILLA, ALASKA

BY	DATE	REVISIONS

JOB NO.: 17-009
DATE: 6/25/2019
DRAWN: DES
REVIEWED: DES

SHEET TITLE
SITE SECTIONS

SHEET
C2.0

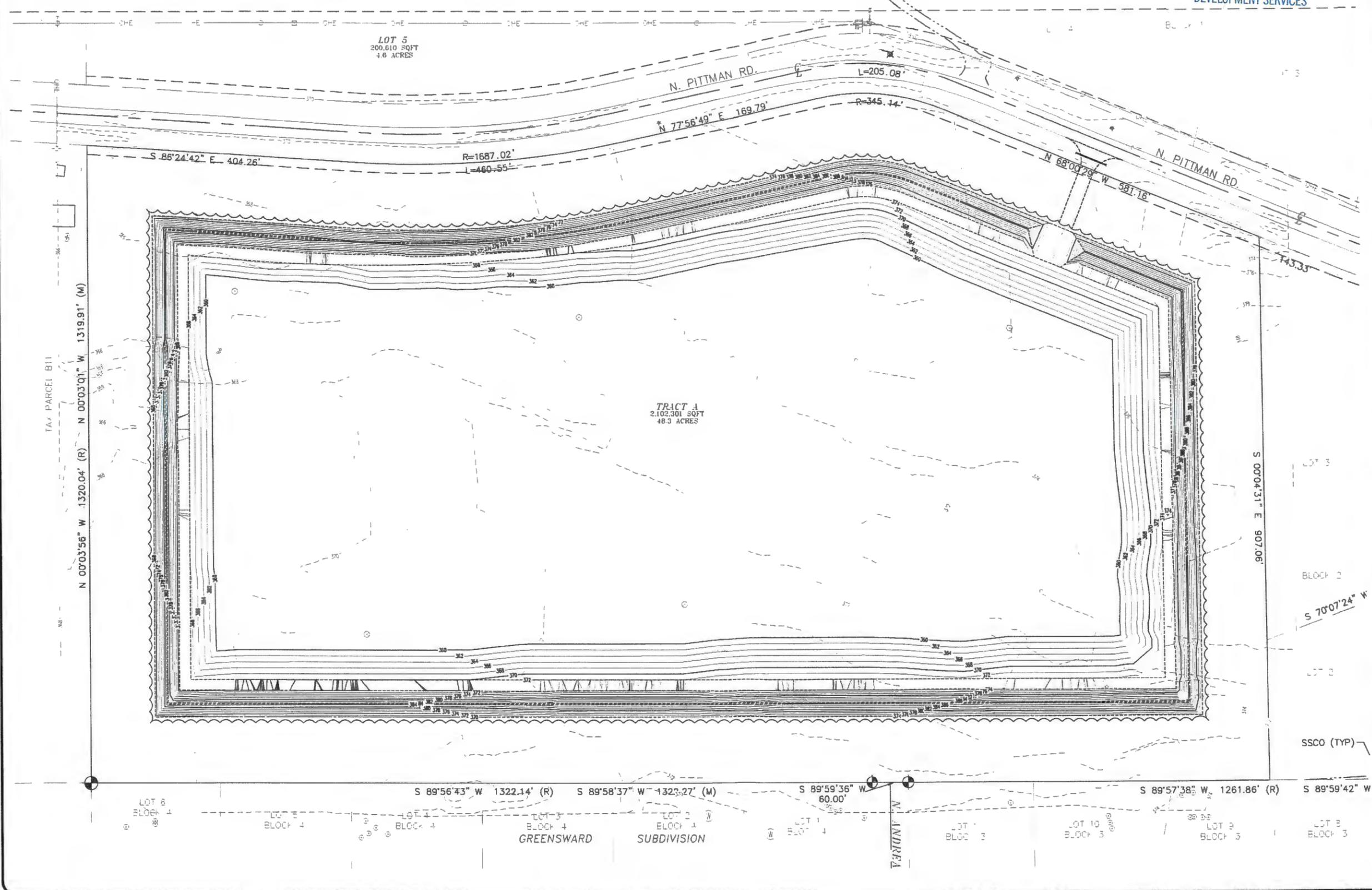
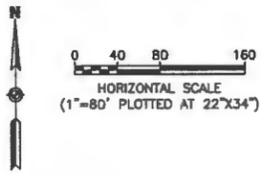
RECEIVED
JUL 25 2019

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES



NOTES

1. FINISH GRADE IS SHOWN WITH FINAL CONTOURS. FINAL FINISH GRADE MAY CHANGE DEPENDING ON WHAT SOILS ARE ENCOUNTERED AS SOIL IS EXTRACTED FROM THE SITE.
2. FINISH SLOPES WILL BE TRACK WALKED WITH TRACK EQUIPMENT AND/OR COVERED WITH TOPSOIL AND SEED.
3. ROOT/ORGANIC DEBRIS WILL EITHER BE BURNED, BURIED, OR LEVELED AND COVERED WITH TOPSOIL.
4. RECLAMATION PLAN MAY CHANGE AS OTHER DEVELOPMENT OPPORTUNITIES BECOME AVAILABLE. THE OWNER WILL UPDATE THE RECLAMATION PLAN AS NEEDED TO REPRESENT ANY FUTURE CHANGES TO THE PLAN.



SDCS, LLC
 STENER DESIGN & CONSTRUCTION SERVICES, LLC
 5900 W. DEWBERRY DR. PH: (907) 357-5609
 WASILLA, AK 99623 FAX: (907) 357-5608

FOREMOST CONSTRUCTION
GRAVEL PIT DEVELOPMENT
 TRACT A, XXXXX SUBDIVISION
 WASILLA, ALASKA

BY	DATE	REVISIONS

JOB NO.: 17-009
 DATE: 6/25/2019
 DRAWN: DES
 REVIEWED: DES

SHEET TITLE
 RECLAMATION PLAN

SHEET
 C3.0



THE STATE
of **ALASKA**

GOVERNOR MICHAEL J. DUNLEAVY

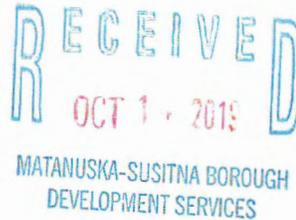
Department of Natural Resources

DIVISION OF MINING, LAND & WATER
Southcentral Regional Land Office

550 West 7th Avenue, Suite 900C
Anchorage, Alaska 99501-3577
Main: 907.269.8503
TDD: 907.269.8411
Fax: 907.269.8913

September 9, 2019

Irina Filyuk
P.O. Box 871874
Wasilla, AK 99687



Re: LAS 33000 – Letter of Acceptance for Non-State Land Reclamation Letter of Intent

Dear Ms. Filyuk,

The Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW), Southcentral Regional Office (SCRO), received your Letter of Intent (LOI) for the reclamation of 4 acres after extracting 10,000 cubic yards of gravel and sand. According to the application, the subject site is located on private land within Seward Meridian, Township 18 North, Range 2 West, Section 18, Tract A.

Thank you for submitting a LOI for gravel and sand extraction activities. After reviewing the LOI we have determined that the LOI is complete as submitted. The proposed reclamation measures are appropriate provided that the operation is conducted in a manner that will prevent unnecessary and undue degradation of land and water resources, and the operation shall be reclaimed using current reclamation methods so that the site is left in a stable and safe condition. No financial assurance is required for activities under a LOI.

Although the proposed gravel and sand extraction is exempt under the provision for small operations, an annual reclamation statement needs to be filed with this office at the end of the year. This statement should disclose the total acreage and volume of material mined in the current year, the total acreage reclaimed, and the specific reclamation methods used to comply with AS 27.19.020 (Reclamation Standards). Please submit this statement to SCRO no later than December 31, 2019. If a statement is not submitted, subsequent operations, regardless of size, will no longer be exempt from a mining reclamation plan and bonding.

This acceptance letter does not alleviate the necessity to obtain authorizations required by other agencies and entities for this activity. The LOI needs to be completed on an annual basis; this LOI is effective for the calendar year of 2019. If you have any questions, please feel free to contact Kyle Kidder at (907) 269-8560 or at kyle.kidder@alaska.gov.

Respectfully,

Clark Cox
Regional Manager

A handwritten signature in black ink, appearing to be "Clark Cox".

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5900 W. Dewberry Dr
Wasilla, AK 99623

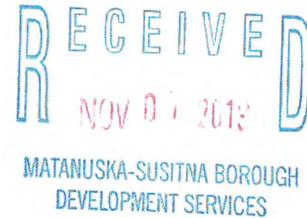
SDCS, LLC

STEINER DESIGN & CONSTRUCTION SERVICES, LLC

Phone: (907) 357-5609
Fax: (907) 357-5608

November 7, 2019

Joseph Metzger, Planner II
Development Services Division
Matanuska-Susitna Borough
350 E. Dahlia Ave.
Palmer, AK 99645-6488



Re: Conditional Use Permit Application for Earth Materials Extraction
No Notice of Intent (NOI) is needed at this time.

Location: 3429 N. Pittman Road; Parcel Account #18N02W23B002

Mr. Metzger,

Per your request, this letter is to address the need for an NOI and Storm Water Pollution Prevention Plan (SWPPP).

The State of Alaska Department of Environmental Conservation (ADEC) has issued a Multi-Sector General Permit (MSGP) covering storm water discharges associated with industrial activities. The above reference project will need to seek coverage under this MSGP. To do this an NOI is filed with ADEC seven days prior to beginning material extraction at the site. Part of getting coverage under the MSGP is to have a SWPPP prepared for the project.

A SWPPP has been prepared for this site. However, until the MSB permitting process is completed, no material extraction will take place. Because of this, an NOI is not needed at this time. Once this gravel pit has the needed permits, the project owner will file an electronic NOI with ADEC to seek coverage under the MSGP.

Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Dan Steiner".

Dan Steiner, P.E.
Manager

des

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ATC No. 29591



RECEIVED
OCT 14 2019
MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

State of Alaska

Department of Transportation and Public Facilities

Driveway Approval to Construct (ATC) #29591

This Approval to Construct (ATC) pertains only to State rights of way.

Contact Name: Irina Filyuk

Phone Number: (907) 841-6898

Owner: FOREMOST CONSTRUCTION LLC

Mailing Address: PO BOX 871874, Wasilla AK 99687

Driveway Location: Wasilla DW– NHN N Pittman Rd – T 18N R2W Sec 23, Lot A2, MSB Parcel ID# 33912

Approval to Construct Expires: (9/30/2020)

Driveway Provisions:

A copy of this ATC must be on site during construction of the driveway.

The State reserves the right to require cessation and removal of all activities from the right of way if any conditions of this ATC are violated.

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

A driveway or approach road constructed under permit within a highway right of way is the property of the State, but all cost and liability arising from the construction, operation, or maintenance practices to accommodate a driveway constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway within the right of way resulting from DOT&PF's activities, or activities under a permit issued under 17 AAC 15.

Owner is responsible for adjusting or relocating the driveway without cost or liability to DOT&PF, if the use or safety of the highway requires that the driveway be adjusted or relocated.

If driveway construction interferes with the public's safety and/or use of public facilities within the State right of way, the Owner will be directed to stop work until adjustments satisfactory to

DOT&PF are complete. If any conditions are violated, the State reserves the right to require the cessation of all activities from the area.

Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization from the U.S. Army Corps of Engineers (USACE). Before any filling activities take place within the right of way, or on the property adjacent to the right of way affected by this permit, it is the responsibility of the owner to contact the USACE before filling activities take place.

www.poa.usace.army.mil/reg

The Owner will obtain all necessary Federal, State, and Municipal permits and licenses required by law. Note: for relocation or adjustment of any utility within State rights of way a DOT&PF Utility Permit (or amendment as appropriate) may be required.

The Owner will construct and maintain a driveway in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.20(b))

If, as a result of this project, any improvements within the State right of way are damaged, the Owner will be responsible for restoring them to their previous condition. DOT&PF inspection and approval of the restored improvements is required. (17 AAC 10.065)

No person will place, leave, or deposit upon any street, avenue, alley, sidewalk, or other public rights of way any snow or ice which has been removed from a private driveway, private parking area, or the adjacent property. The Owner is responsible for their snow removal contractors actions concerning placement of snow from Owner's property.

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

No equipment or materials are permitted to be stock piled on the shoulder during non-working hours.

Any survey monument or monument accessory which will be disturbed or destroyed during construction of the driveway, will be referenced prior to the disturbance and restored or replaced by a Land Surveyor licensed in the State of Alaska. The Land Surveyor must file a Monument Record in accordance with AS 34.65.040. All Monument Records will be reviewed by the Department prior to filing with the District Recorder.

All litter and debris generated as a result of this project must be removed and properly disposed of by the contractor. The Owner will be responsible for any and all costs incurred by the State associated with clean up or restoration of the right of way.

Design Criteria:

A.	Driveway width	24	Feet
B.	Left edge clearance	300	Feet
C.	Right edge clearance	970	Feet
D.	Left return radius	40	Feet
E.	Right return radius	40	Feet
F.	Shoulder width	2	Feet
G.	Approach angle	90	Degrees
H.	Curb type	None	
I.	Curb to sidewalk distance	None	
J.	Left driveway foreslope	4:1	Or match existing
K.	Right driveway foreslope	4:1	Or match existing
L.	Culvert length	38	Feet (field fit)
M.	Landing grade	2	Percent
N.	Landing length	30	Feet
O.	Culvert size	18	Inches
P.	Culvert type	Corrugated Metal Pipe (CMP)	
Q.	Ditch depth	3	Feet
R.	Shoulder type	Gravel	
S.	Road surface type	Paved	
T.	Driveway surface type	Asphalt	

If a culvert is required by this ATC, the following applies:

- Culvert length and ditch depth, as stipulated in the Design Criteria, are generally based on information supplied by the applicant and must be verified on site during construction,
- Culvert and culvert ends must be installed at time of the driveway construction,
- Ensure a minimum ground cover of 12-inches is over the culvert prior to paving.
- HDPE is preferred however CMP may be used;
- Maintain existing drainage patterns.

Landings from all paved roads must be paved from the edge of pavement to the radius return or a distance stipulated by the Design Criteria "Landing length."

Traffic Control for Driveway Construction:

The Owner or their contractor shall obtain a Lane Closure Permit for any work that closes traffic lanes, roadway shoulder, or pathway/sidewalk.

Short term or short duration work within the right of way does not typically require a Lane Closure Permit provided it conforms to the table below:

	WORK ON THE SHOULDER	WORK BEYOND SHOULDER (ROADSIDE)
DURATION	Less than 1 hour	Less than one day
TIME OF DAY	Daylight conditions only	
BASIC TRAFFIC SAFETY REQUIREMENTS	Use high intensity rotating, flashing, oscillating or strobe light on top of all vehicles visible for 700 feet or more in all directions. Wear orange work vests labeled as meeting ANSI/ISEA 107-2004 Class 2 with Level 2 retroreflective material.	
WORK EXAMPLES	Offloading equipment to the roadside. Matching paved driveway to edge of roadway pavement Sweeping the roadway shoulder.	

Do not park equipment within 30 feet of the edge of traveled way or within 10 feet of a curb when not working.

A permit for this driveway will be issued only after construction is complete and accepted by the Department of Transportation and Public Facilities. Please contact DOT&PF for an inspection after final construction of driveway.

Special Conditions: Truck haul warning signs during active haul are the owner's responsibility when they increase trucks per hour into the 25 / hr range. That requires a lane closure permit to install signs.

Incorporated as part of this ATC:

- Site Plan

I, Inna Filyuk, the Owner, acknowledge and accept that I will comply with all the provisions and conditions of this ATC.

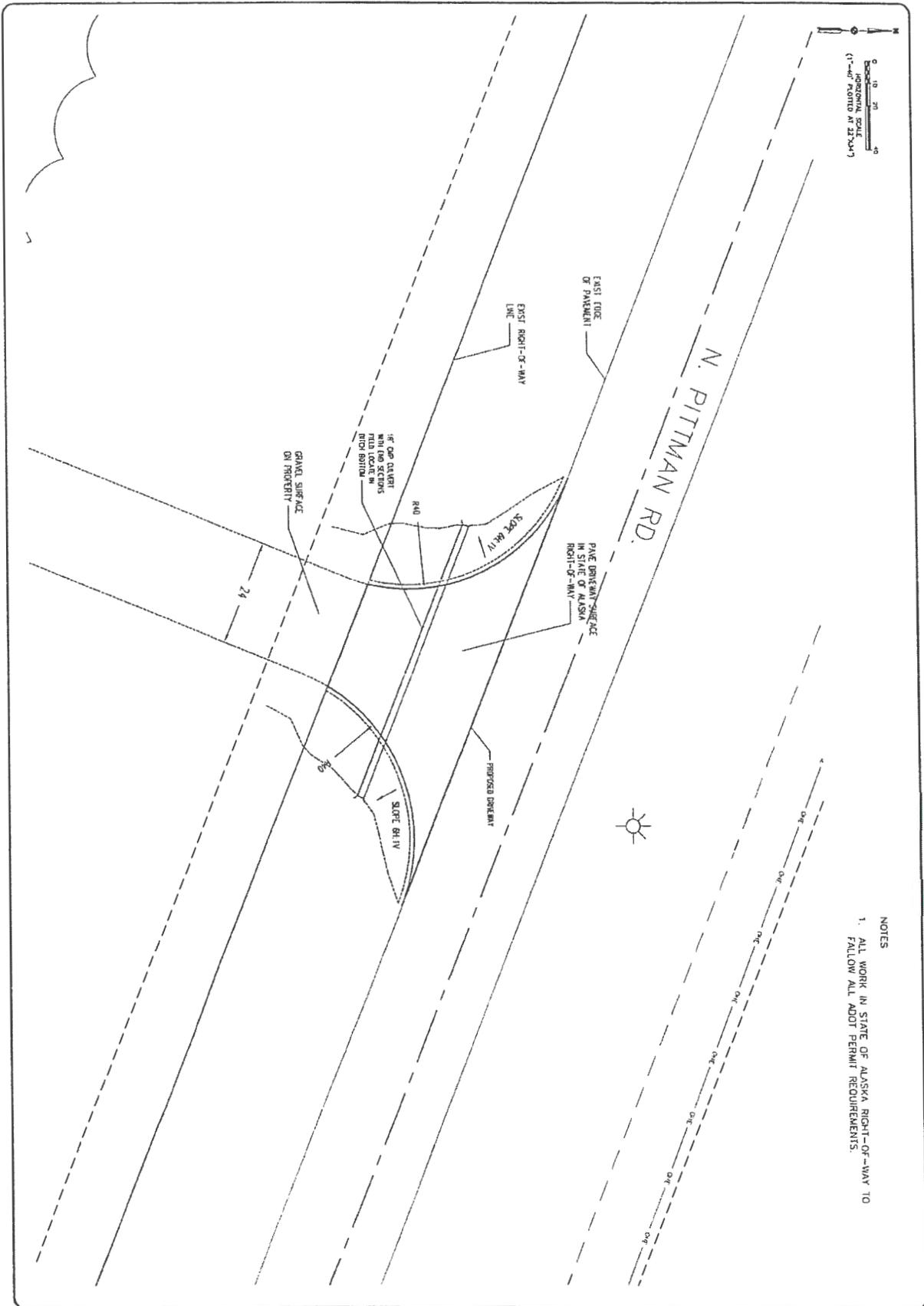

Owner Signature

10/8/19
Date


DOT&PF Signature

10/14/19
Date

ATC No 29591



NOTES
 1. ALL WORK IN STATE OF ALASKA RIGHT-OF-WAY TO FOLLOW ALL ADOT PERMIT REQUIREMENTS.

SHEET
 C1.1

SHEET TITLE
 DRAINWAY PLAN

JOB NO.: 17-008
 DATE: 8/1/2019
 DRAWN: DKS
 REVIEWED: DES

BY	DATE	REVISIONS

FOREMOST CONSTRUCTION
GRAVEL PIT DEVELOPMENT
 TRACT A, PITTMAN FLATS SUBDIVISION
 WASILLA, ALASKA

SDCS, LLC
 STEINER DESIGN & CONSTRUCTION SERVICES, LLC
 5900 W. DEWBERRY DR. PH: (907) 357-5609
 WASILLA, AK 99623 FAX: (907) 357-5608



-  Subject Parcel
-  Government or School Grounds
-  Religious
-  Residential
-  Commercial
-  Industrial
-  Agricultural
-  Recreational
-  Parcels

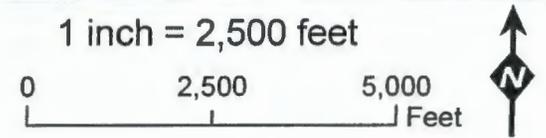


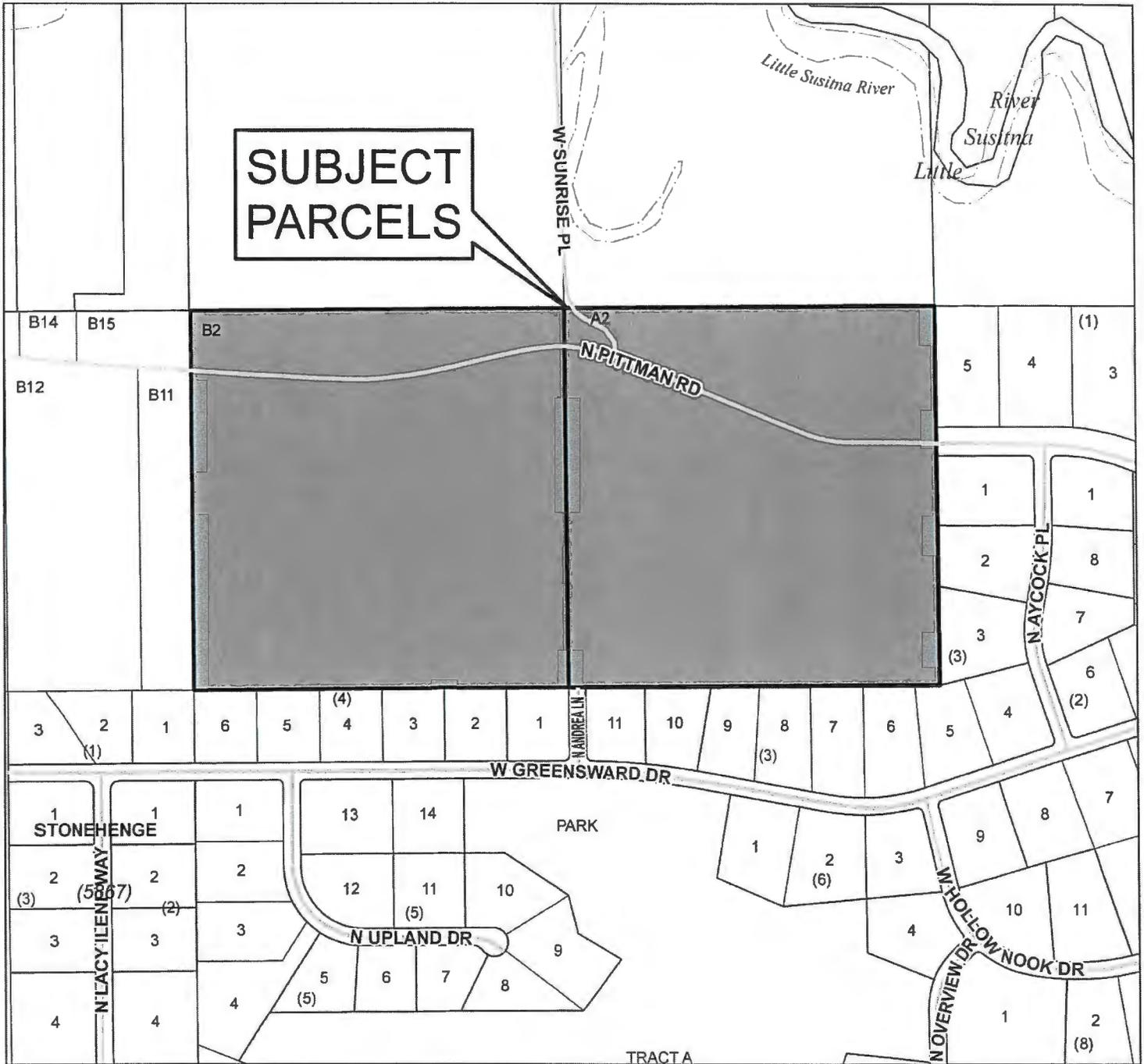
This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7601.

Surrounding Land Uses

Date: 12/11/2019

1 inch = 2,500 feet

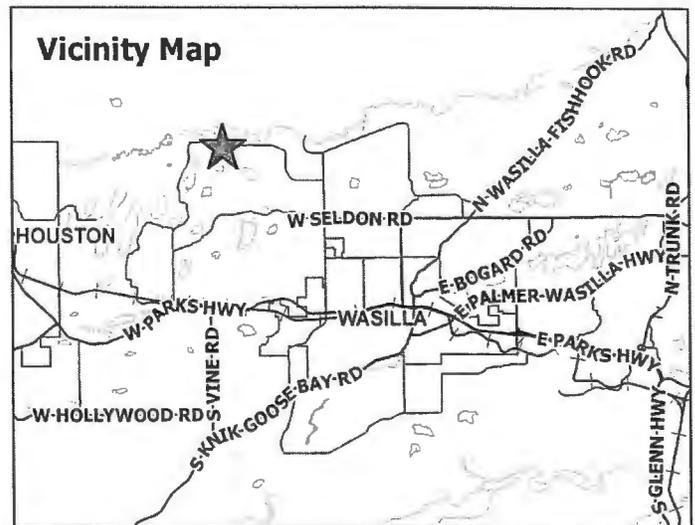


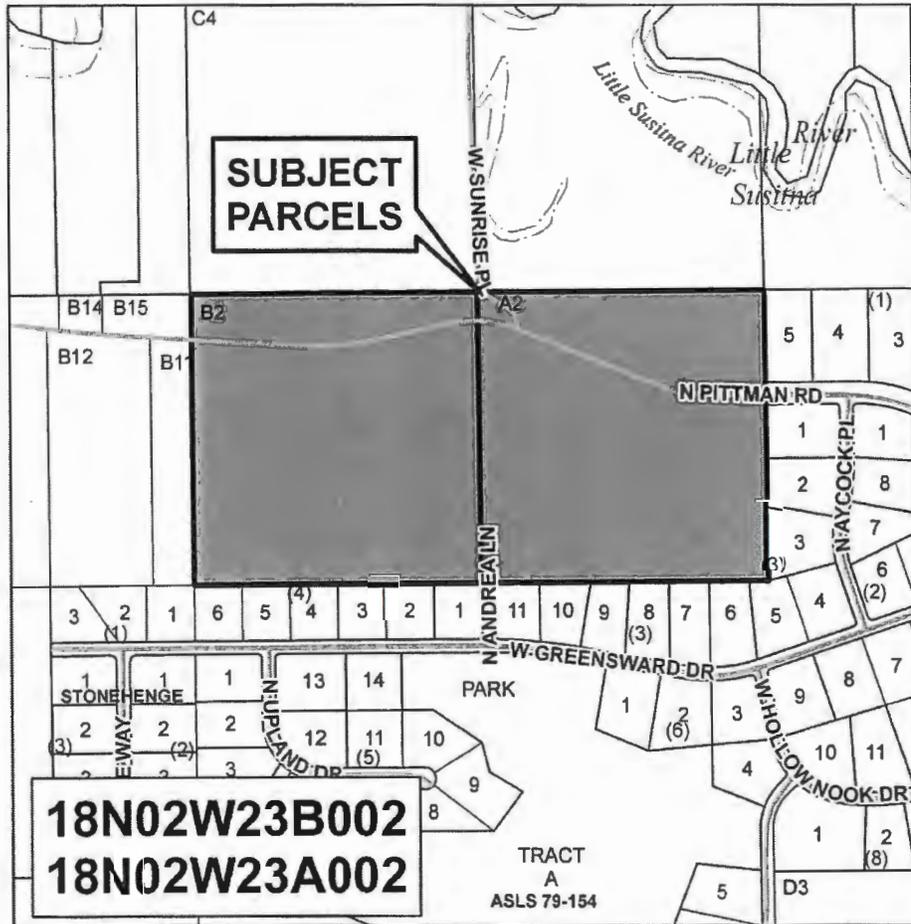


18N02W23B002
18N02W23A002



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MATANUSKA-SUSITNA BOROUGH

Real Property Detail for Account: 18N02W23A002

Site Information

Account Number	18N02W23A002	Subdivision	
Parcel ID	33912	City	None
TRS	S18N02W23	Map HO08	Tax Map
Abbreviated Description (Not for Conveyance)	TOWNSHIP 18N RANGE 2W SECTION 23 LOT A2		

Ownership

Owners	FOREMOST CONSTRUCTION LLC	Buyers	
Primary Owner's Address	PO BOX 871874 WASILLA AK 99687-1874	Primary Buyer's Address	

Appraisal Information

Appraisal				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed ¹
2019	\$69,800.00	\$0.00	\$69,800.00	2019	\$69,800.00	\$0.00	\$69,800.00
2018	\$69,800.00	\$0.00	\$69,800.00	2018	\$69,800.00	\$0.00	\$69,800.00
2017	\$69,800.00	\$0.00	\$69,800.00	2017	\$69,800.00	\$0.00	\$69,800.00

Building Information

Building Item Details

Building Number	Description	Area	Percent Complete
-----------------	-------------	------	------------------

Tax/Billing Information

Tax/Billing Information				Recorded Documents		Recording Info (offsite link to DNR)
Year	Certified	Zone	Mill	Date	Type	
2019	Yes	0041	15.149	6/28/2018	WARRANTY DEED (ALL TYPES)	Palmer 2018-013073-0
2018	Yes	0041	15.069	11/3/2014	GRANT DEED	Palmer 2014-022172-0
2017	Yes	0041	15.07	12/20/2013	GRANT DEED	Palmer 2013-027181-0

Tax Account Status ²

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total	LID Exists
Current	\$54.53		\$0.00	\$0.00	\$0.00	\$0.00 No

Land and Miscellaneous

Gross Acreage	Taxable Acreage	Assembly District	Precinct	Fire Service Area	Road Service Area
31.00	31.00	Assembly District 007	10-025	136 WEST LAKES FSA	028 Gold Trail RSA

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

Last Updated: 12/11/2019 12:00:17 AM

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



MATANUSKA-SUSITNA BOROUGH

Real Property Detail for Account: 18N02W23B002

Site Information

Account Number 18N02W23B002 Subdivision
 Parcel ID 87185 City None
 TRS S18N02W23 Map HO03 Tax Map
 Abbreviated Description (Not for Conveyance) TOWNSHIP 18N RANGE 2W SECTION 23 LOT B2

Site Address 3429 N PITTMAN RD

Ownership

Owners FOREMOST CONSTRUCTION LLC Buyers
 Primary Owner's Address PO BOX 871874 WASILLA AK 99687-1874 Primary Buyer's Address

Appraisal Information

Appraisal Information				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed ¹
2019	\$90,000.00	\$0.00	\$90,000.00	2019	\$90,000.00	\$0.00	\$90,000.00
2018	\$90,000.00	\$0.00	\$90,000.00	2018	\$90,000.00	\$0.00	\$90,000.00
2017	\$90,000.00	\$0.00	\$90,000.00	2017	\$90,000.00	\$0.00	\$90,000.00

Building Information

Building Item Details

Building Number Description Area Percent Complete

Tax/Billing Information

Year	Certified	Zone Mill	Tax Billed	Date	Type	Recording Info (offsite link to DNR)
2019	Yes	0041	::	6/28/2018	WARRANTY DEED (ALL TYPES)	Palmer 2018-013073-0
2018	Yes	0041	15.069	11/3/2014	GRANT DEED	Palmer 2014-022172-0
2017	Yes	0041	15.07	12/20/2013	GRANT DEED	Palmer 2013-027181-0

Tax Account Status ²

Status Tax Balance Farm Disabled Veteran Senior Total LID Exists
 Current \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 No

Land and Miscellaneous

Gross Acreage Taxable Acreage Assembly District Precinct Fire Service Area Road Service Area
 40.00 40.00 Assembly District 007 10-025 136 WEST LAKES FSA 028 Gold Trail RSA

¹ Total Assessed is net of exemptions and deferrals, 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.

Last Updated: 6/25/2019 12:00:48 AM

**PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. PC 20-01

Green Raven
Marijuana Retail Facility CUP
5320 W. Parks Highway

(Page 71 - 186)

PUBLIC HEARING

STAFF REPORT



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

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

www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

Date: December 18, 2019

File Number: 176020190006

Applicant: Charles Pasco (dba Green Raven, LLC)

Property Owner: A&E Storage, LLC

Request: Planning Commission Resolution 20-01
Conditional Use Permit for the operation of a marijuana retail facility in accordance with MSB Chapter 17.60 – Conditional Uses

Location: 5320 W. Parks Highway (Tax ID# 17N02W11A013); within Township 17 North, Range 2 West, Section 11, Seward Meridian

Size of Property: 3.78 acres

Size of Facility: 1,370 Square Feet

Reviewed By: Eileen Probasco, Planning & Land Use Director,
Alex Strawn, Development Services Manager 

Staff: Joe Metzger, Planner II 

Staff Recommendation: Approval with conditions

EXECUTIVE SUMMARY

A conditional use permit application has been submitted for the operation of a marijuana retail facility. The applicant is proposing to operate the facility in an existing commercial structure approximately 1,370 square feet in size. MSB 17.60.030 requires a conditional use permit for the operation of a marijuana retail facility. Unless this type of use is maintained under and in accordance with a lawfully issued permit, a marijuana retail facility is declared to be a public nuisance. Operation of such a land use without a permit is prohibited.

LAND USE

Existing Land Use:

The subject parcel has been used as commercial property since the early 1970's. Currently there is an operating commercial storage facility in two of the four structures on the property. Other commercial uses the property has accommodated include: a coffee/expresso business, office space rental, a gas station, and convenience store.

The proposed use accesses W. Parks Highway southbound via an existing state permitted driveway on the north side of the property and has approximately 700' of road frontage. The proposed use also accesses W. Museum Place on the western part of the property via a Borough permitted driveway. W. Museum Place provides northbound access to the Parks Highway.

Surrounding Land Uses:

The subject parcel abuts the W. Parks Highway right-of-way on the north side of the property. A 50' easement abuts the property on the east. The parcel to the east of the easement is vacant and undeveloped. The parcel to the south is also vacant and undeveloped. W. Museum Place abuts the subject parcel to the west and the land to the west of the right of way is vacant and undeveloped. The closest residential home is located to the northeast and is approximately 1,400 feet from the proposed use. The surrounding area is mixed use and lots within 1,000 feet of the proposed use range in size from approximately 4.5 to 80 acres.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

On November 8, 2019 notices were mailed to all property owners within a 600-foot radius of the use. A total of 10 notices were mailed. The permit application notification was published in the November 13, 2019 issue of the Frontiersman. The application material was posted on the Borough web site for public review on November 8, 2019. The proposed use is within the Meadow Lakes Community Council boundary and a notice was mailed and emailed to them on November 8, 2019. Staff did not receive any comments from the public on this request.

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 proposed retail facility will be wholly contained within a commercial structure approximately 1,370 square feet in size.

2. The subject parcel has historically been used for commercial purposes since the early 1970's.
3. An operating commercial storage is located in two of the four structures on the subject parcel.
4. Historic commercial uses on the property include: commercial storage, a coffee/expresso business, office space rental, a gas station, and convenience store.
5. The proposed use accesses W. Parks Highway on the north side of the property from an existing, State permitted driveway and accesses W. Museum Place on the west side of the property via a Borough permitted driveway.
6. W. Parks Highway is classified as a major highway by the State and has many different uses on its frontage, including residential, commercial, and industrial.
7. The subject parcel has approximately 700' of road frontage and abuts the W. Parks Highway to the north.
8. The closest residential structure is located to the northeast and is approximately 1,400 feet away from the proposed use.
9. The application material indicates the proposed use will have two signs. One sign will be the business logo, a green raven, and will be illuminated, while the other sign will have the name of the business, Green Raven.
10. The proposed use abuts the W. Parks Highway right-of-way on the north and the W. Museum Circle right-of-way on the west. The parcels to the east and south are vacant and undeveloped.
11. The proposed hours of operation are 10:00 a.m. until 10:00 p.m., daily.
12. Consumption of marijuana is prohibited at the site.
13. Persons under the age of 21 are prohibited from entering the facility.
14. According to the application material, loitering will not be allowed.

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 (Meadow Lakes Elementary School) is approximately 12,000 feet away from the proposed use.
2. Consumption of marijuana is prohibited at the site.
3. Persons under the age of 21 are prohibited from entering the facility.
4. The proposed use accesses W. Parks Highway on the north side of the property from an existing, State permitted driveway and accesses W. Museum Place on the west side of the property via a Borough permitted driveway.

5. W. Parks Highway is classified as a major highway by the State and has many different uses on its frontage, including residential, commercial, and industrial.
6. The subject parcel has approximately 700' of road frontage and abuts the W. Parks Highway to the north.
7. According to the application material, the use has a security plan in place, which includes education of employees on all security measures.
8. Security cameras, motion detectors, panic buttons, and window/door sensors are used to monitor all activities at the facility.
9. The application material indicates the proposed use will have two signs. One sign will be the business logo, a green raven, and will be illuminated, while the other sign will have the name of the business, Green Raven.
10. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-027, for the commercial structure.
11. The commercial structure is in full compliance with the applicable State of Alaska fire code.
12. After proper notification to the State of Alaska Alcohol & Marijuana Control Office, all marijuana products deemed unusable are mixed with compostable material and blended together. The waste will then be taken to the landfill to be disposed of.

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. According to the application material, the commercial structure is set back approximately 80.8 feet from the north lot line, 510 feet from the west lot line, 126.3 feet from the south lot line, and 53.6 feet to the east lot line.
2. The commercial structure meets all applicable setback requirements required by MSB 17.55 – Setbacks and Screening Easements.
3. The closest school (Meadow Lakes Elementary School) is approximately 5,200 feet away from the proposed use.
4. The proposed use accesses W. Parks Highway on the north side of the property from an existing, State permitted driveway and accesses W. Museum Place on the west side of the property via a Borough permitted driveway.
5. W. Parks Highway is classified as a major highway by the State and has many different uses on its frontage, including residential, commercial, and industrial.
6. According to the application material, the use has a security plan in place, which includes education of employees on all security measures.
7. Security cameras, motion detectors, panic buttons, and window/door sensors are used to monitor all activities at the facility.

8. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-027, for the commercial structure.
9. The commercial structure is in full compliance with the applicable State of Alaska fire code.

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

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

Finding of Fact:

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

Conclusion of Law: The application material 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 retail facility will be wholly contained within a commercial structure approximately 1,370 square feet in size.
2. There is no industrial equipment or processes that generate noise associated with the use.
3. Consumption of marijuana is prohibited at the site.
4. The application material indicates odor will be mitigated by a carbon filtration system, which will be monitored and changed out regularly.
5. According to the application material, loitering will not be allowed.

Conclusion of Law: Based on the above findings, 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 proposed retail facility will be wholly contained within a commercial structure approximately 1,370 square feet in size.

2. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-027, for the commercial structure.
3. The commercial structure is in full compliance with the applicable State of Alaska fire code.
4. W. Parks Highway is classified as a major highway by the State and has many different uses on its frontage, including residential, commercial, and industrial.
5. According to the application material, the commercial structure is set back approximately 80.8 feet from the north lot line, 510 feet from the west lot line, 126.3 feet from the south lot line, and 53.6 feet to the east lot line.
6. The closest residential structure is located to the northeast, and is approximately 1,400 feet from the proposed use.
7. The structure meets all applicable setback requirements required by MSB 17.55 – Setbacks and Screening Easements.

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 proposed retail facility will be wholly contained within a commercial structure approximately 1,370 square feet in size.
2. The subject parcel has historically been used for commercial purposes since the early 1970's.
3. An operating commercial storage is located in two of the four structures on the subject parcel.
4. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-027, for the commercial structure.
5. The commercial structure is in full compliance with the applicable State of Alaska fire code.
6. W. Parks Highway is classified as a major highway by the State and has many different uses on its frontage, including residential, commercial, and industrial.
7. The closest residential structure is located to the northeast, and is approximately 1,400 feet from the proposed use.
8. According to the application material, the commercial structure is set back approximately 80.8 feet from the north lot line, 510 feet from the west lot line, 126.3 feet from the south lot line, and 53.6 feet to the east lot line.
9. The structure meets all applicable setback requirements required by MSB 17.55 – Setbacks and Screening Easements.
10. The subject parcel abuts the W. Parks Highway right-of-way on the north side of the property. The parcels to the east and south are vacant, and undeveloped. W. Museum Place abuts the subject parcel to the west.

11. The proposed hours of operation are 10:00 a.m. until 10:00 p.m., daily
12. Consumption of marijuana is prohibited at the site.
13. According to the application material, loitering will not be allowed.

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

Finding of Fact:

1. The closest school (Meadow Lakes Elementary School) is approximately 12,000 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. At the November 13-15, 2019 State of Alaska Marijuana Control Board meeting, the Board voted to approve Green Raven, LLC Retail Marijuana Store License #22091 with delegation.
2. A copy of the delegated approval for the applicant's marijuana retail facility has been provided to the MSB Development Services Division.

Conclusion of Law: Based on the above findings, the applicant has provided a copy of the documents 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 Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-027, for the commercial structure.

2. The commercial structure is in full compliance with the applicable State of Alaska fire code.
3. The applicant has provided a copy of the approved Plan Review #2020-027.

Conclusion of Law: Based on the above findings, 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 proposed use accesses W. Parks Highway on the north side of the property from an existing, State permitted driveway and accesses W. Museum Place on the west side of the property via a Borough permitted driveway.
2. An operating commercial storage is located in two of the four structures on the subject parcel.
3. W. Parks Highway is classified as a major highway by the State and has many different uses on its frontage, including residential, commercial, and industrial.
4. The subject parcel has approximately 700' of road frontage and abuts the W. Parks Highway to the north.
5. The subject parcel has historically been used for commercial purposes since the early 1970's.
6. The proposed operating hours are 10:00 a.m. until 10:00 p.m., daily.
7. According to the application material, the commercial structure is set back approximately 80.8 feet from the north lot line, 510 feet from the west lot line, 126.3 feet from the south lot line, and 53.6 feet to the east lot line.
8. The closest residential structure is located to the northeast, and is approximately 1,400 feet from the proposed use.

Conclusion of Law: Based on the above findings, 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, ten feet wide, and have a vertical clearance of at least seven feet.

Findings of Fact:

1. The use is approximately 1,370 square feet in size.

2. A marijuana retail facility 1,370 square feet in size is required to provide four parking spaces with one ADA compliant space.
3. Four customer parking spaces are being provided.
4. Each space is 20 feet in length and ten feet wide.
5. There are no vertical clearance limitations on site.

Conclusion of Law: Based on the above findings, 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. A marijuana retail facility 1,370 square feet in size is required to provide four parking spaces with one ADA compliant space.
2. ADA guidelines require one van accessible parking space, 11 feet wide with a five-foot wide parking isle, for every 1 to 25 spaces.
3. According to the site plan, four customer parking spaces will be provided.
4. According to the application material, one van accessible parking space, 18 feet wide (including the parking isle) and 20 feet long will be provided.

Conclusion of Law: Based on the above findings, 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, 1,370 square feet in size, at 5320 W. Parks Highway (Tax ID# 17N02W11A013). The proposed use 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 operation 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. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. Borough staff shall be permitted to enter 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.
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. – 12:00 a.m., daily.

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

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

Photo's taken by Joe Metzger, MSB Planner,
during a December 13, 2019 Site Inspection

Proposed Marijuana Retail Facility



Proposed Marijuana Retail Facility



Marijuana Retail Facility and Parking Area



Proposed Marijuana Retail Facility



Looking North from Retail Facility



Driveway/Easement On Northeast Portion of Parcel



Looking to the West



Looking East



Looking to the Northeast

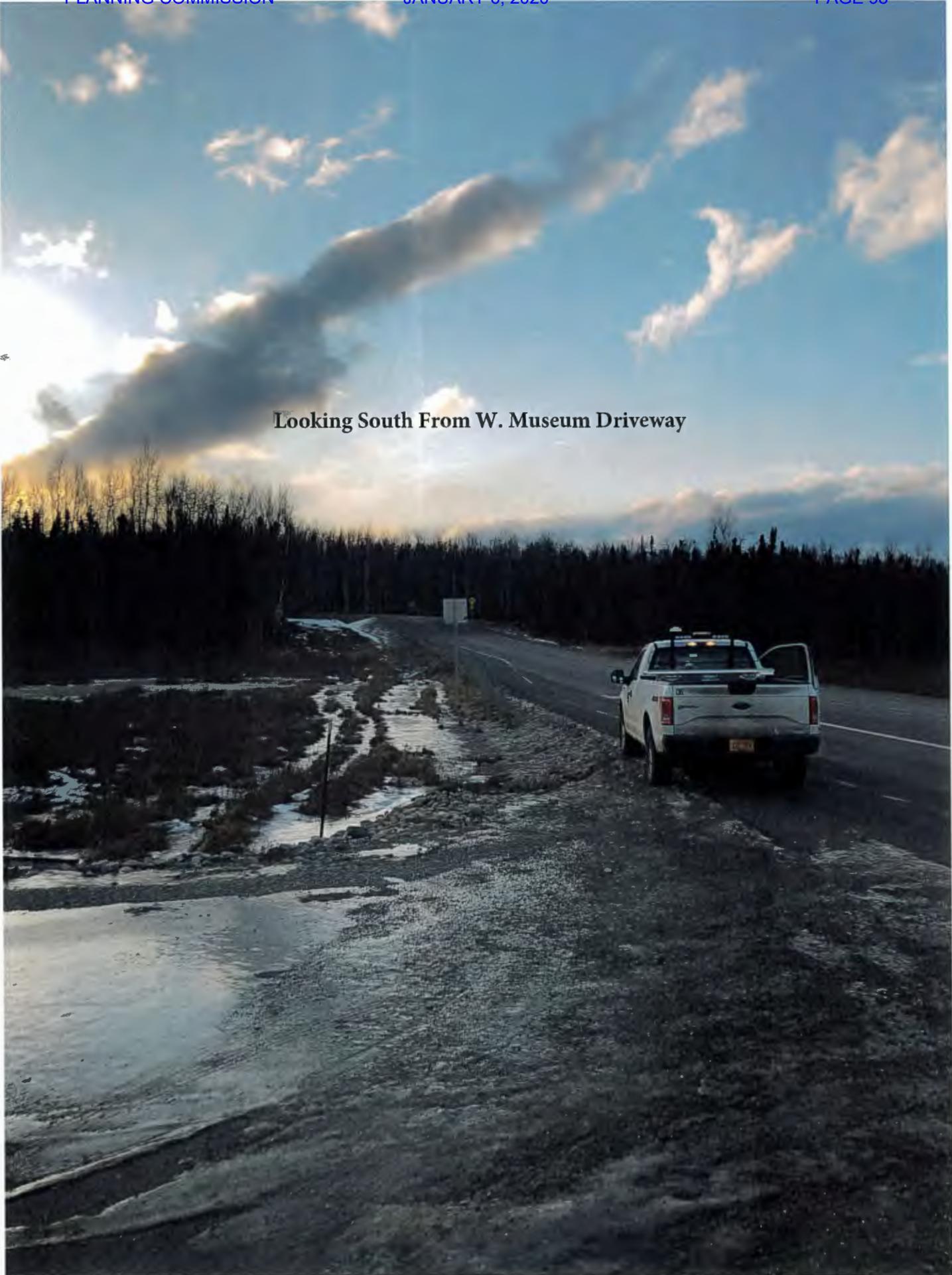


Driveway Entrance via W. Museum Place



Driveway Entrance via W. Museum Place





Looking South From W. Museum Driveway

Looking North From W. Museum Place Driveway



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Frontiersman

Growing with the Valley since 1947.

Accounts Payable

DEC 05 2019

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5751 E. MAYFLOWER CT.
Wasilla, AK 99654

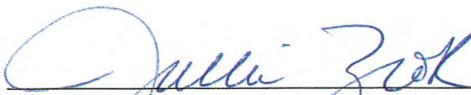
(907) 352-2264 ph
(907) 352-2277 fax

AFFIDAVIT OF PUBLICATION

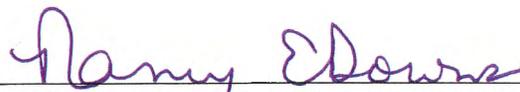
UNITED STATES OF AMERICA, STATE OF ALASKA, THIRD DIVISION
 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, THIS DAY
 PERSONALLY APPEARED BEFORE **JULLIE ZOOK** WHO, BEING
 FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT SHE IS THE
 LEGAL AD CLERK OF THE **FRONTIERSMAN**
 PUBLISHED AT WASILLA AND CIRCULATED THROUGH OUT MATANUSKA SUSITNA
 BOROUGH, IN SAID DIVISION THREE AND STATE OF ALASKA
 AND THAT THE ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE
 COPY, WAS PUBLISHED ON THE FOLLOWING DAYS:

NOVEMBER 13, 2019

AND THAT THE RATE CHARGED THEREIN IS NOT IN EXCESS OF
THE RATE CHARGED PRIVATE INDIVIDUALS.



 SUBSCRIBED AND SWORN TO BEFORE ME
 THIS 14TH DAY OF NOVEMBER 2019.



 NOTARY PUBLIC FOR STATE OF ALASKA

NOTARY PUBLIC NANCY E DOWNS STATE OF ALASKA MY COMMISSION EXPIRES AUG. 25, 2023
--

MATANUSKA SUSITNA BOROUGH PAGE
ACCOUNT NUMBER 405249

PUBLIC HEARING



The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on **Monday, January 6, 2020**, 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.

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for a Conditional Use Permit for a marijuana retail facility, known as Green Raven, LLC at 5320 W Parks Highway, (Tax ID# 17N02W11A013); within Township 17 North, Range 2 West, Section 11, Seward Meridian.

The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request for more information from the applicant at the time of introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material may also be reviewed at the Borough Permit Center. For additional information, you may contact Joseph Metzger, Planner II, at 861-7862. Written comments can be mailed to: MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645, or e-mail comments to Joseph.Metzger@matsugov.us. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an "interested party". See MSB 15.39.010 for the definition of "interested party". The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before **December 2, 2019** and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission.



Certificate of Bulk Mailing – Domestic

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Mailed For: **Joe Metgger Development Services**
 Mailed By: **Manna Celli**

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[Signature]
 (Postmaster or Designee)



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A & E STORAGE LLC
%SHANE DIPPERT
5320 W PARKS HWY
MEADOW LAKE AK 99623-1005

59997000U0123 2
ALASKA WIRELESS NETWORK LLC
5380 PARKS HWY SITE
STE 1000
2550 DENALI ST
ANCHORAGE AK 99503

59997000U0466 3
AWN TOWER COMPANY LLC
% RYAN LLC - PTS DEPT. 850
PO BOX 460169
HOUSTON TX 77056

217N02W11A027 4
CAMPBELL ALVIN C & MARY LEE
5329 E 24TH AVE
ANCHORAGE AK 99508

217N02W11A025 5
COLASKA INC
240 W 68TH AVE
ANCHORAGE, AK 99518

217N02W11A012 6
MCGILLIVRAY FAMILY TR
MCGILLIVRAY RYAN T & KARIN S
11520 JEROME ST
ANCHORAGE AK 99516-1420

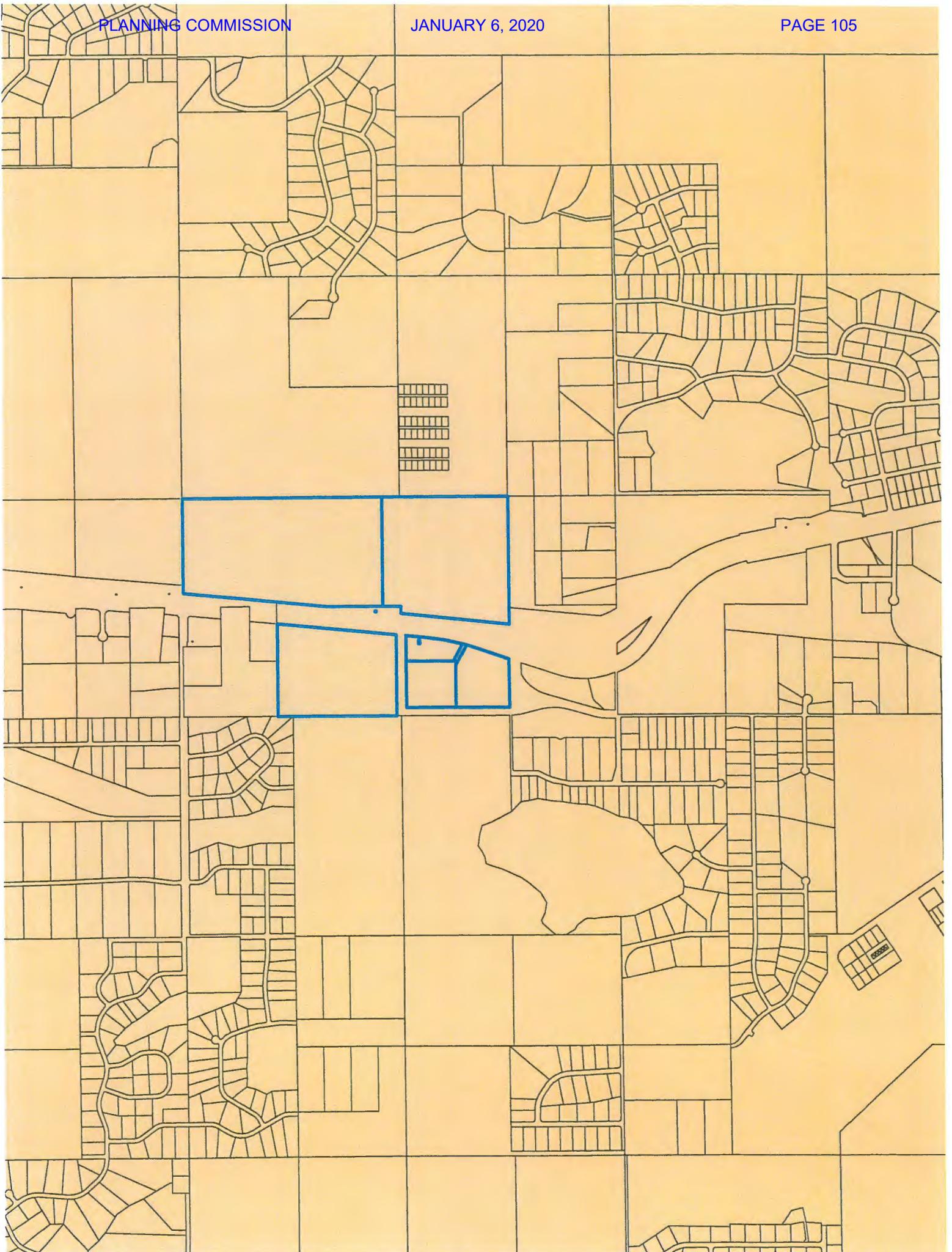
217N02W11A026 7
SUSITNA INDUSTRIAL RAIL PARK LLC
200
813 D ST
ANCHORAGE AK 99501-3510

217N02W11B007 8
VALLEY REAL ESTATE LLC
PO BOX 873088
WASILLA AK 99687-3088

59997000U0388 9
VERIZON WIRELESS
5320 PARKS HWY SITE
ATTN PROPERTY TAX DEPT
PO BOX 635
BASKING RIDGE NJ 07920-0635

tara0609
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MEADOW LAKES COMMUNITY COUNCIL
1210 N KIM DRIVE, SUITE B
WASILLA, AK 99623-1921



Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

tara0609
9
11/6/2019 1:31:41 PM

The Planning Commission of the Matanuska-Susitna Borough will consider the following:
Application: Conditional Use Permit for the operation a Marijuana Retail Facility
MSB Code Section: MSB 17.60 – Conditional Uses
Applicant: Charles Pasco on behalf of Green Raven, LLC
Location: 5320 W. Parks Highway, (Tax ID# 17N02W11A013); within Township 17 North, Range 2 West, Section 11, Seward Meridian.
Request: An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for a conditional use permit for the operation of a marijuana retail facility.

The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **January 6, 2020 at 6:00 p.m.** in the Borough Assembly Chambers, 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. The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request more information from the applicant at the time of introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing. Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material is also available for review at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to the MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to Joseph.Metzger@matsugov.us. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated as an "interested party." See MSB 15.39.010 for 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.matsugov.us, in the Borough Clerk's office, or at various libraries within the borough.

Comments are due on or before **December 2, 2019** and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission.

Name: _____ **Mailing Address:** _____

Location/Legal Description of your property: _____

Comments: _____

Note: Vicinity Map Located on Reverse Side

Joseph Metzger

From: Joseph Metzger
Sent: Friday, November 8, 2019 1:04 PM
To: 'allen.kemplen@alaska.gov'; 'tucker.hurn@alaska.gov'; 'melanie.nichols@alaska.gov'; 'kyler.hylton@alaska.gov'; 'sarah.wilber@alaska.gov'; 'mearow@matanuska.com'; 'rglenn@mta-telco.com'; 'jthompson@mta-telco.com'; 'row@enstarnaturalgas.com'; 'ospdesign@gci.com'; Eric Phillips; Jude Bilafer; Cindy Corey; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Karol Riese; Taunnie Boothby; Theresa Taranto; John Aschenbrenner; John Aschenbrenner; Sloan VonGunten; Jill Irsik; Michelle Wagner; Cheryl Scott; 'info@mlccak.org'; 'tedleonarddistrict4@gmail.com'
Subject: RFC Green Raven, LLC CUP for a marijuana retail facility due December 2

Date: November 8, 2019
To: Various Governmental Agencies
From: Joseph Metzger, Planner II
Subject: Request for Review and Comments Governmental Agencies
Project: Conditional Use Permit for the Operation of a Marijuana Retail Facility
Location: 5320 W Parks Highway, (Tax ID# 17N02W11A013); within Township 17 North, Range 2 West, Section 11, Seward Meridian.
Applicant: Charles Pasco, on behalf of Green Raven, LLC

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application materials may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be reviewed at the Borough Permit Center. A direct link to the application material is here:

<https://www.matsugov.us/publicnotice/green-raven-llc-conditional-use-permit>

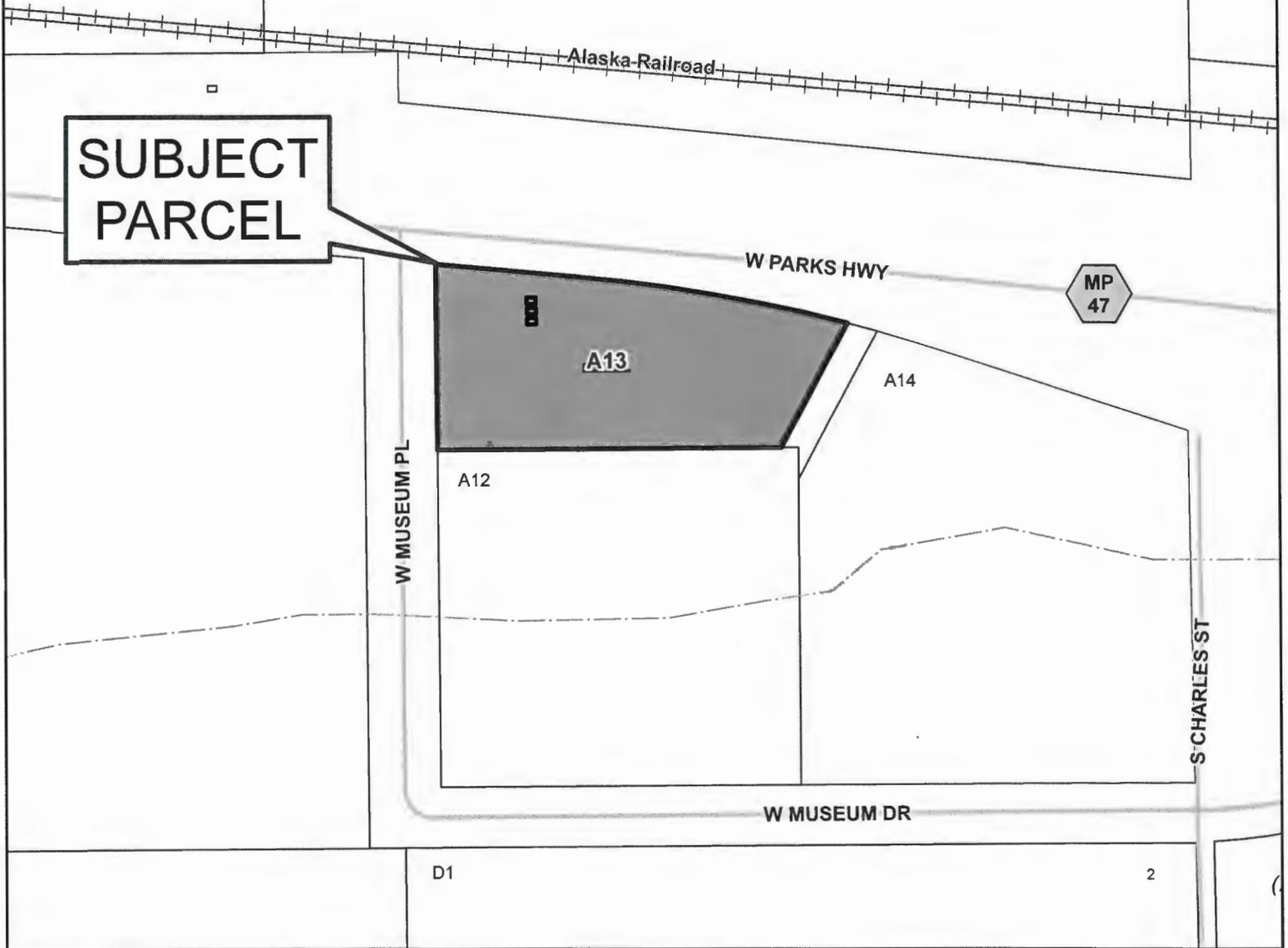
Comments are due on or before **December 2, 2019** and will be included in the Planning Commission packet for the Commissioner’s review and information. Please be advised that comments received after that date will not be included in the staff report to the Planning Commission. Thank you for your review.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

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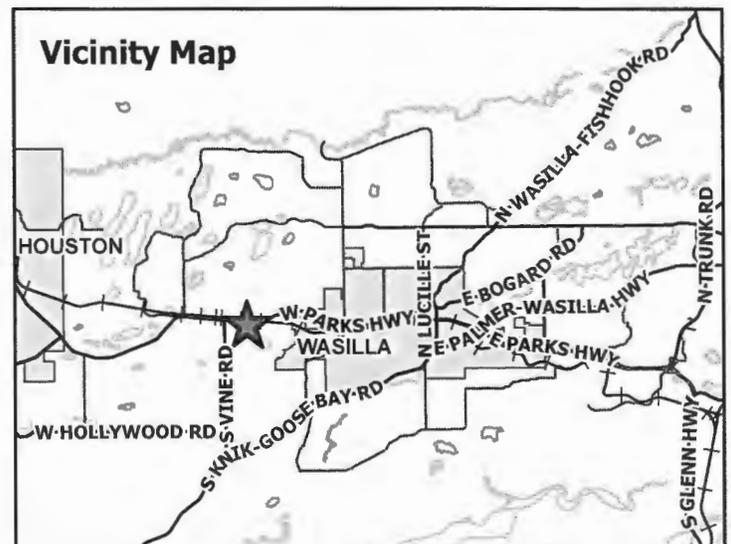
VICINITY MAP

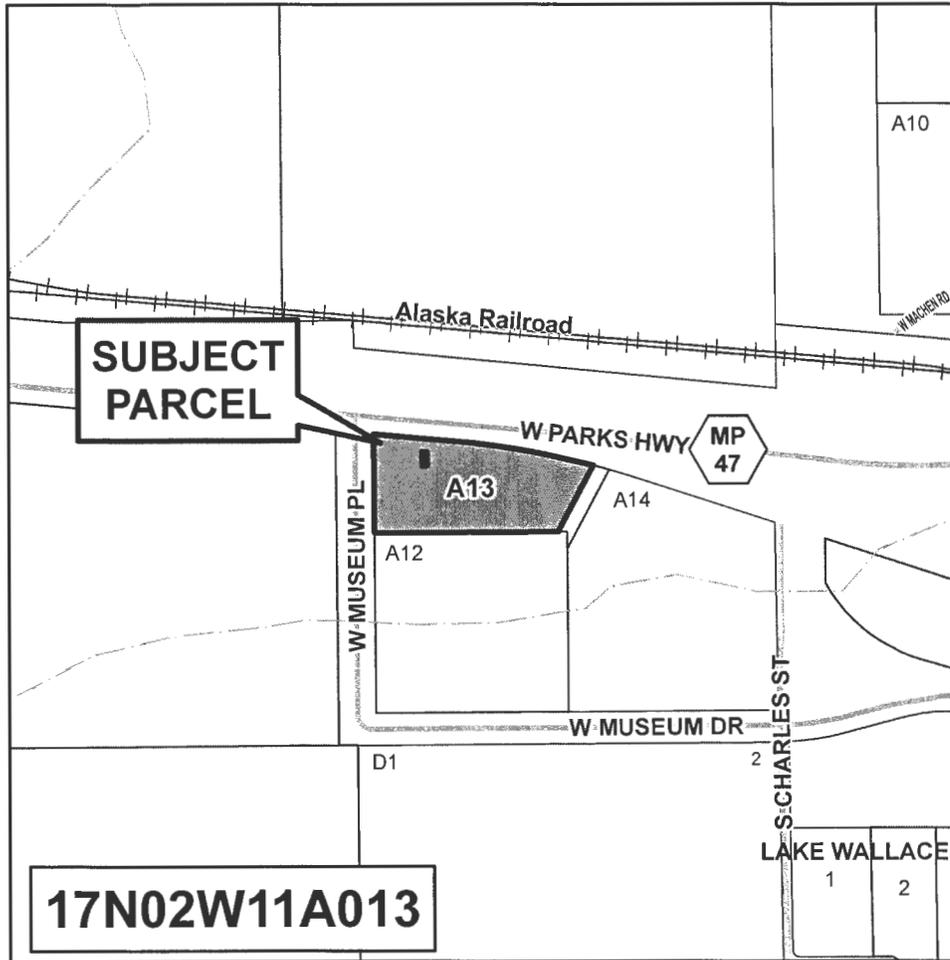


17N02W11A013



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SITE PLAN

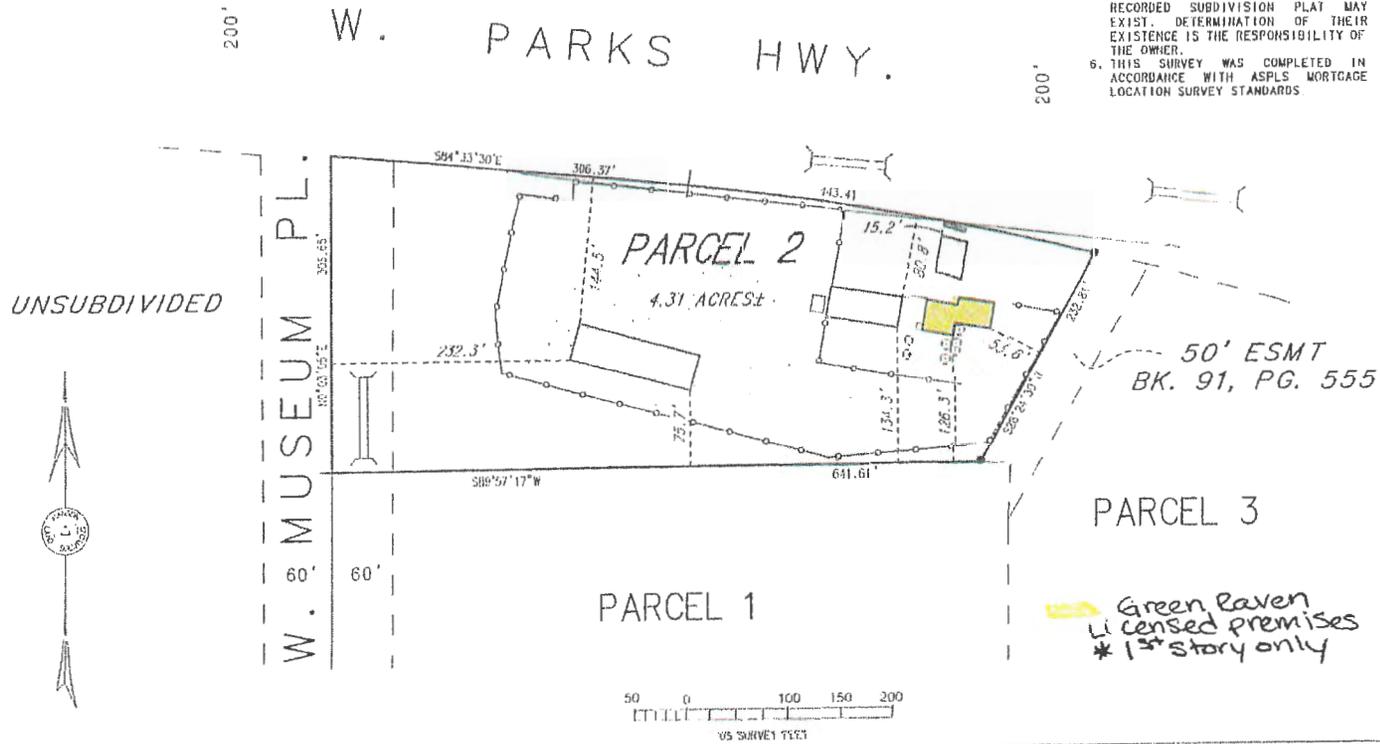
Green Raven LLC

License # 22091

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HANSON LAND SOLUTIONS
305 E. FINEWOOD AVE.
PALMER, ALASKA 99645
(907) 746-7128



AS-BUILT SURVEY

I HEREBY CERTIFY THAT THIS DOCUMENT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, OF THE FOLLOWING REAL PROPERTY:

PARCEL 2
WAVIER RES.
75-06
(PLAT 79-175W)

PALMER RECORDING DISTRICT

LOCATED WITHIN
NE 1/4 SEC. 11,
T. 17N. R. 2W.
SM, AK

CONTAINING
4.31 ACRES
MORE OR LESS

SCALE: 1"=100' JOB: 19-185

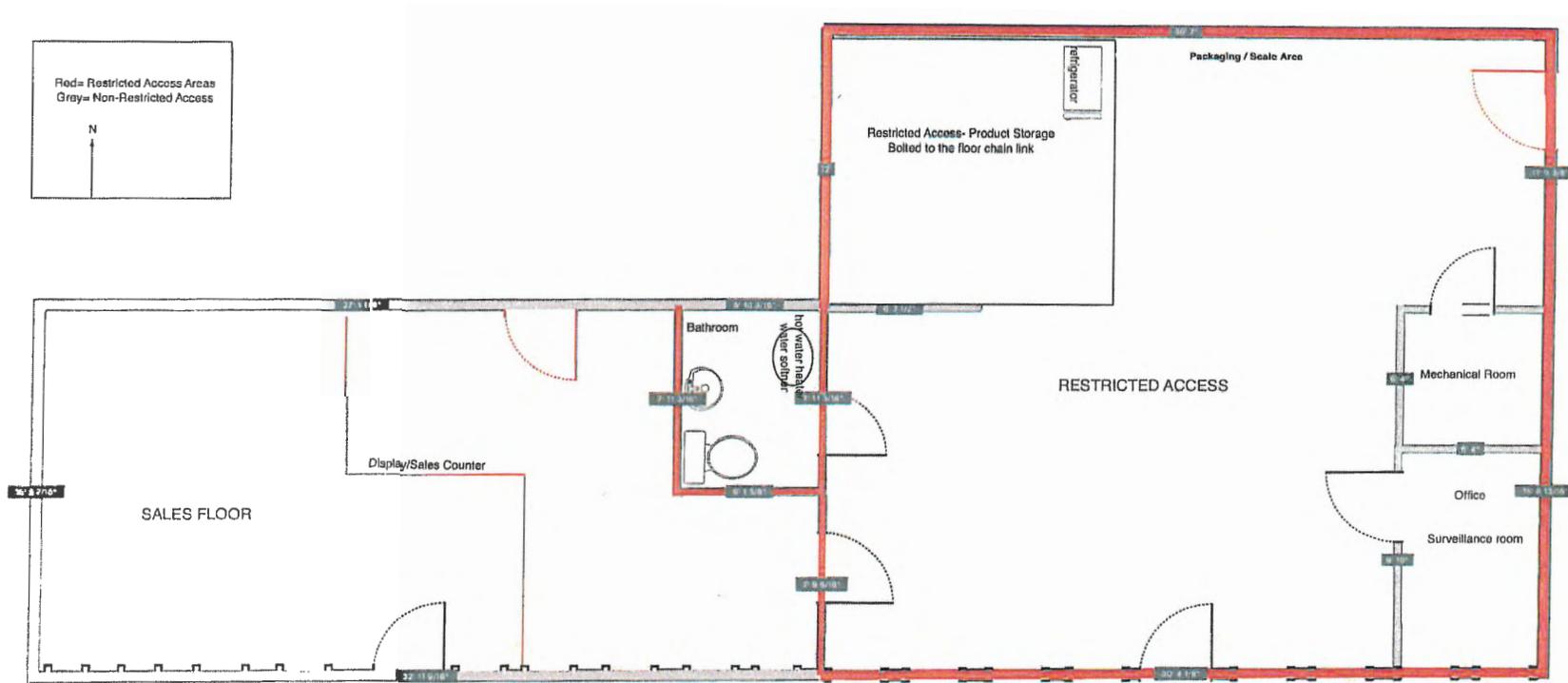
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CK:CEH 06/07/19 01 OF 01

Diagram # 3

MJ-02 Diagram1 and Diagram 2

Green Raven
#22091



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DEVELOPMENT SERVICES

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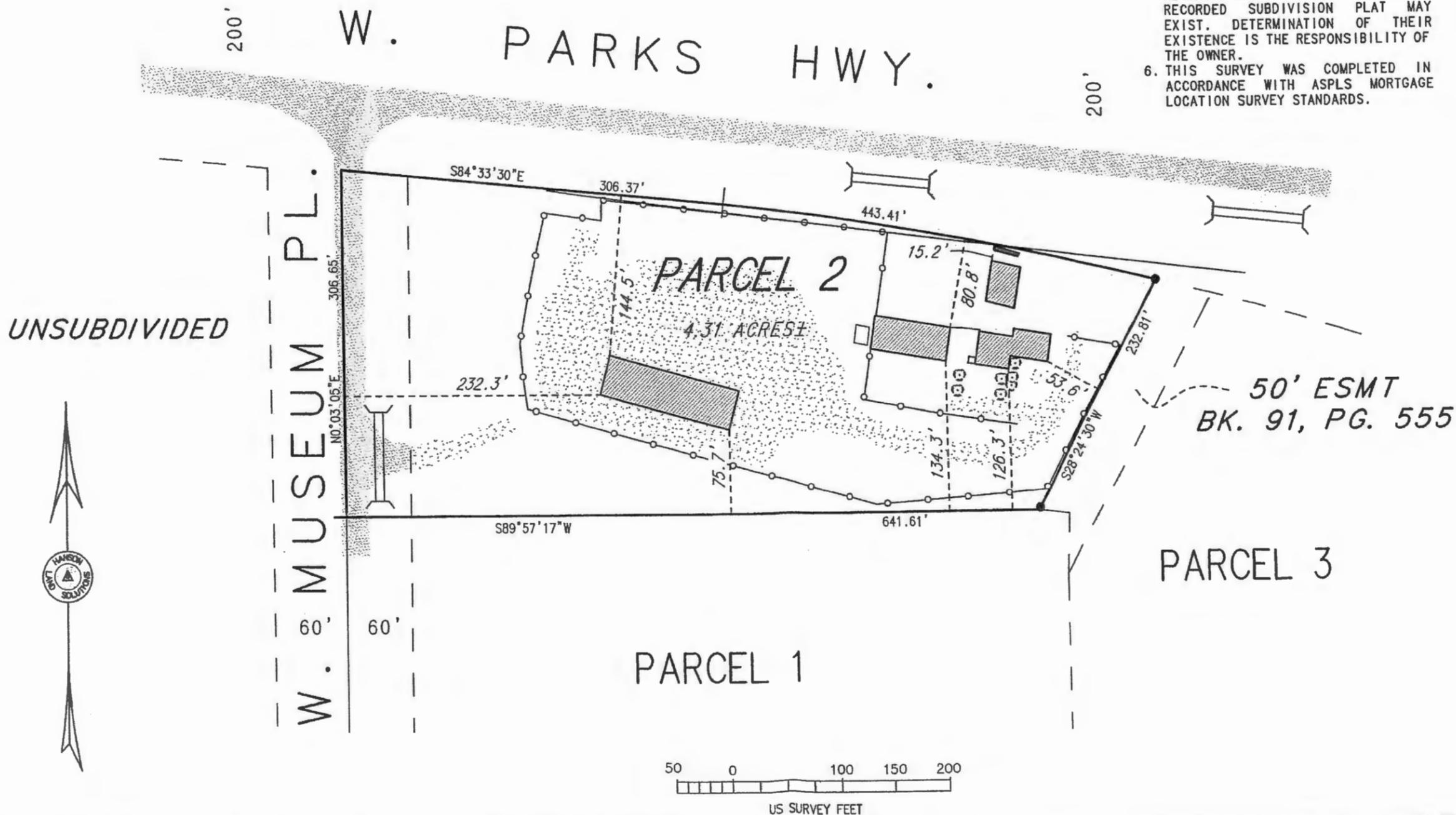
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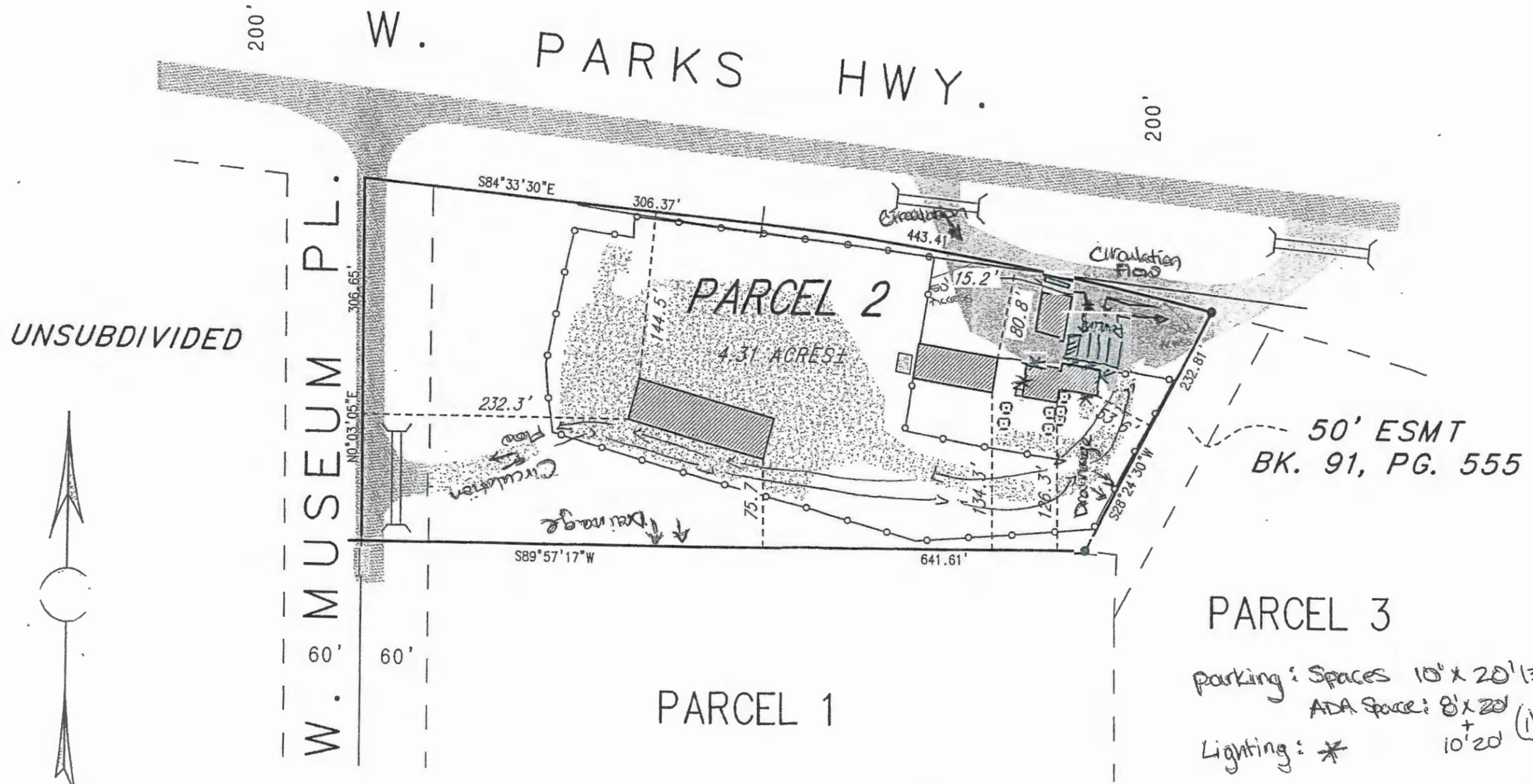


UNSUBDIVIDED



Green Raven

RECEIVED
OCT 10 2019
PERMIT CENTER



PARCEL 2
WAVIER RES.
75-06
(PLAT 79-175W)

50' ESMT
BK. 91, PG. 555

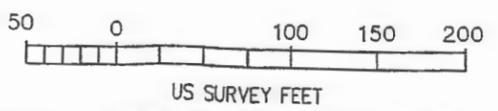
PALMER RECORDING
DISTRICT

LOCATED WITHIN
NE 1/4 SEC. 11,
T. 17N. R. 2W.
SM, AK

PARCEL 3
Parking: Spaces 10' x 20' (3)
ADA Space: 8' x 20'
Lighting: * 10' x 20' (1)

CONTAINING
4.31 ACRES
MORE OR LESS

SCALE: 1"=100' | JOB: 19-186
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CK: CEH | 06/07/19 | 01 OF 01



APPLICATION MATERIAL



MATANUSKA-SUSITNA BOROUGH

**Planning and Land Use Department
Development Services Division**

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-8158
Email: permitcenter@matsugov.us

**CONDITIONAL USE PERMIT FOR
MARIJUANA RELATED FACILITIES – MSB 17.60**

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

Application fee must be attached:

- \$1,000 for Marijuana Retail Facility
- \$1,000 for Marijuana Cultivation Facility

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

Required Attachments for a Marijuana Cultivation Facility:

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

Required Attachments for Both Retail and Cultivation Facilities:

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

Subject Property: Township: 17N, Range: 2W, Section: 11, Meridian: Lot A13
 MSB Tax ID# 17N02W11A013
 SUBDIVISION: _____ BLOCK(S): _____, LOT(S): A13
 STREET ADDRESS: 5320 W. Parks Hwy Wasilla, AK 99623
 FACILITY / BUSINESS NAME: Green Raven, LLC

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

Name of Property Owner
A+E Storage LLC
 Mailing: 5320 W. Parks Hwy
Wasilla, AK 99623
 Phone: Hm _____ Fax _____
 Wk _____ Cell 354-3072
 E-mail A-E-storage@hotmail.com

Name of Agent / Contact for application
Charles Pasco II
 Mailing: PO Box 879084
Wasilla, AK 99687
 Phone: Hm _____ Fax _____
 Wk _____ Cell 355-5607
 E-mail greenravenak@gmail.com

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

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

In order to grant a conditional use permit under MSB 17.60, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:	Attached
Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	
Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?	
Are sufficient setbacks, lot area, buffers and other safeguards being provided?	
Does the conditional use fulfill all other requirements of MSB Chapter 17.60 pertaining to the conditional use in this section?	
Describe measures taken to prevent any potential negative effect upon other properties in the area due to such factors as noise and odor.	
Describe measures taken to reduce negative effects upon adjacent properties by: <ul style="list-style-type: none"> • Increased property line and right-of-way buffers • Planted berms and landscaping • Site and building design features which contribute to the character of the surrounding area 	
Describe how this use is compatible with the character of the surrounding area.	
Current status of State License application process – 17.60.150 (D) (1)	

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

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

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

MSB Tax account #(s) 17ND2W11AD13 and, I hereby apply for approval of a conditional use permit to operate a marijuana related facility on the property as described in this application.

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

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

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

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

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

 Shane Dipper 8/15/19
 Signature: Property Owner Printed Name Date

 Mark Michael Pasco 8/15/19
 Signature: Agent Printed Name Date

15 August 2019
Agent Authorization

I, Shane Dippert (owner of A&E Storage LLC), authorize Charles Pasco II to be the agent/person of contact for the Conditional Use Permit for Marijuana Related Facilities. I am the owner of MSB tax ID# 17N02W11A013, 5320 W Parks Hwy, Wasilla, AK 99623.

Regards,



907-354-3072
A-E-storage@hotmail.com



MATANUSKA-SUSITNA BOROUGH

Real Property Detail for Account: 17N02W11A013

Site Information

Account Number 17N02W11A013 Subdivision
 Parcel ID 21169 City None
 TRS S17N02W11 Map HO09 Tax Map
 Abbreviated Description (Not for Conveyance) TOWNSHIP 17N RANGE 2W SECTION 11 LOT A13

Site Address 5320 W PARKS HWY
 Ownership
 Owners A & E STORAGE LLC Buyers
 Primary Owner's Address 5320 W PARKS HWY MEADOW LAKE AK 99623-1005 Primary Buyer's Address

Appraisal Information				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed ¹
2019	\$172,900.00	\$167,300.00	\$340,200.00	2019	\$172,900.00	\$167,300.00	\$340,200.00
2018	\$172,900.00	\$168,200.00	\$341,100.00	2018	\$172,900.00	\$168,200.00	\$341,100.00
2017	\$172,900.00	\$171,300.00	\$344,200.00	2017	\$172,900.00	\$171,300.00	\$344,200.00

Building Information

Structure 0 of 3
 Business Use A&E Storage Residential Units 0
 Design Use Warehousing & Storage Condition Standard
 Construction Type Design Commercial Basement None
 Grade Pole Year Built 2012
 Building Appraisal None Foundation Wood Posts
 Septic Well
 Structure 0 of 3
 Business Use None Residential Units 2
 Design Use Transient Lodging Condition Standard
 Construction Type Design Commercial Basement None
 Grade Concrete Block Year Built 1972
 Building Appraisal None Foundation Concrete Block
 Septic Well
 Structure 1 of 3
 Business Use Office/Esspresso Residential Units 0
 Design Use Other Misc Services Condition Standard
 Construction Type Design Commercial Basement None
 Grade Frame Year Built 1972
 Building Appraisal None Foundation Concrete Block
 Septic Well 1 - Drilled Well
 Septic Septic - 1 - Septic Tank

Building Item Details

Building Number	Description	Area	Percent Complete
Tax/Billing Information			
Year Certified	Zone	Mill	Tax Billed
2019 Yes	0037	16.589	\$5643.58
2018 Yes	0037	16.509	\$5631.22
2017 Yes	0037	16.51	\$5682.74
		Recorded Documents	
		Date	Type
		6/21/2012	WARRANTY DEED (ALL TYPES)
		2/10/2012	QUITCLAIM DEED (ALL TYPE)
		5/15/1989	TRUSTEES DEED
		Recording Info (offsite link to DNR)	
		Palmer 2012-012927-0	
		Palmer 201200254-9-0	
		Palmer Bk: 515 Pg: 444	

Tax Account Status ²

Status Tax Balance Farm Disabled Veteran Senior Total LID Exists
 Current \$2,821.79 \$0.00 \$0.00 \$0.00 \$0.00 No

Land and Miscellaneous

Gross Acreage 3.78 Taxable Acreage 3.78 Assembly District 004
 Precinct 07-130 Fire Service Area 130 Central Mat-Su
 Road Service Area 027 Meadow Lakes RSA

¹ Total Assessed is net of exemptions and deferrals, 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.



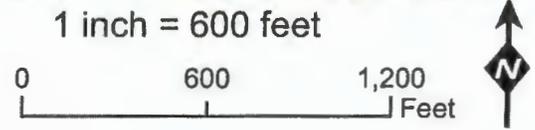


Legend

- 1000' Buffer
- Subject Parcel
- Roads
- Government or School Grounds
- Religious
- Residential
- Commercial
- Industrial
- Agricultural
- Recreational
- Parcels

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Date: 7/31/2019



Green Raven LLC

License # 22091

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75-06
(PLAT 79-175W)

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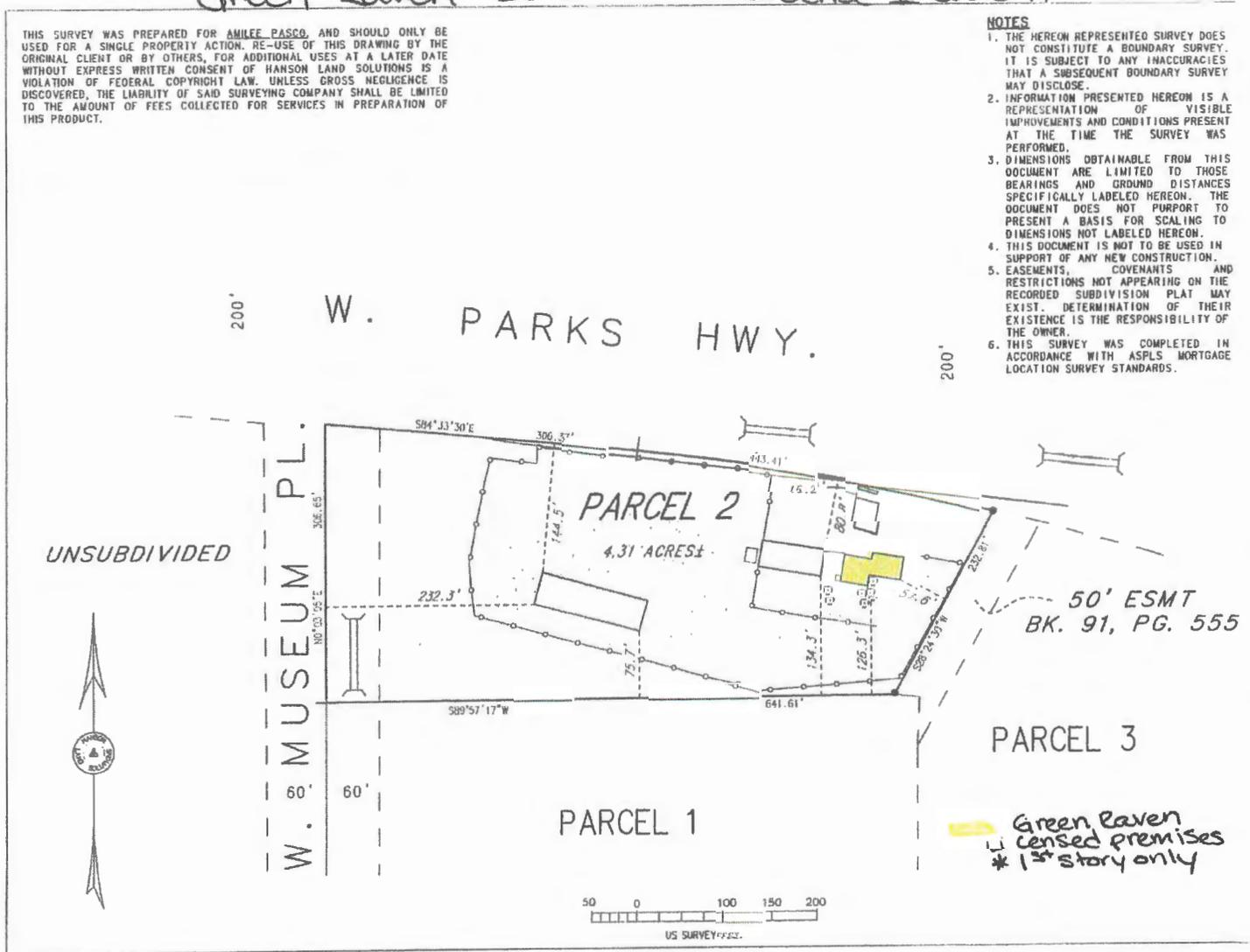


Diagram # 3

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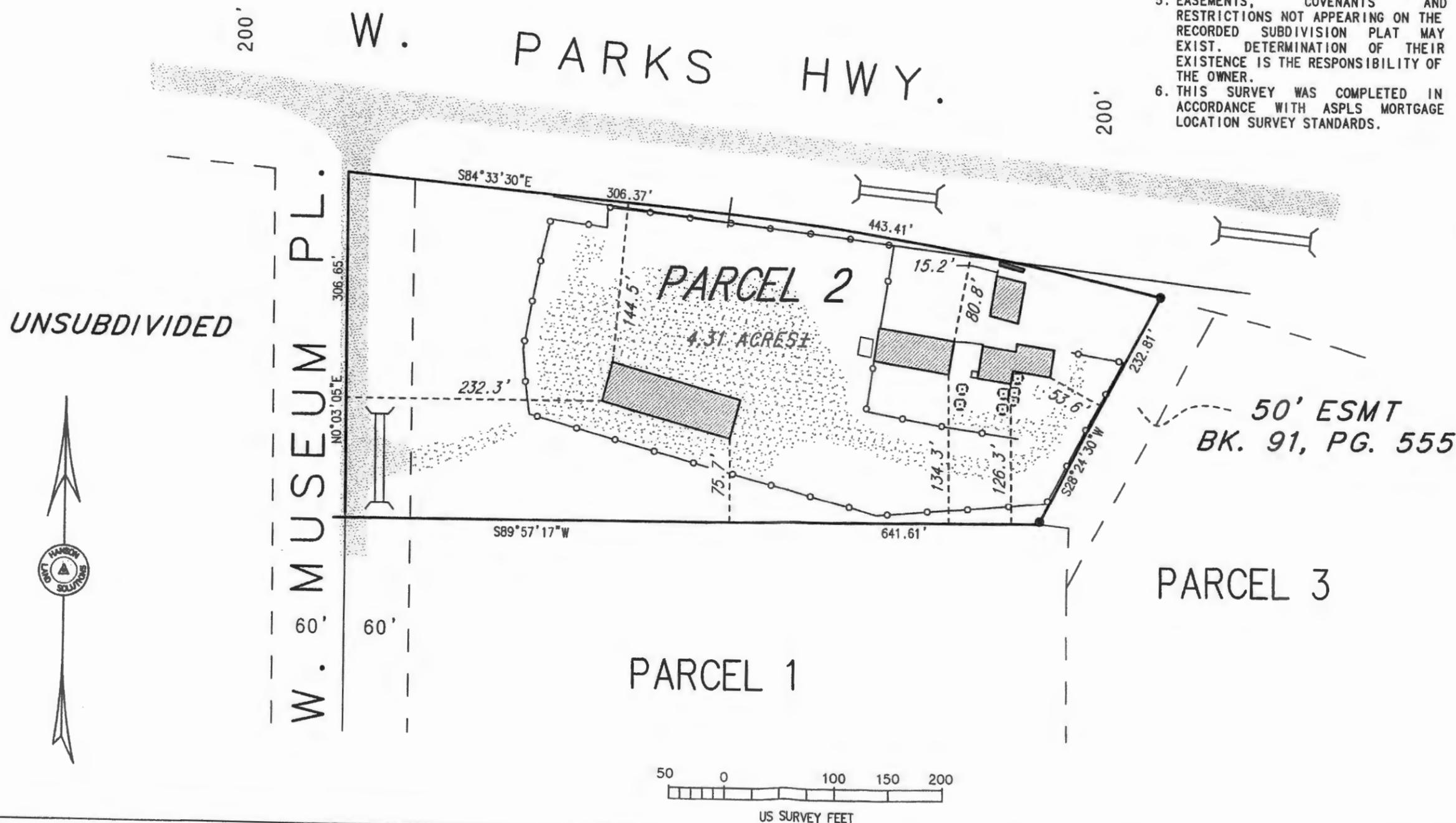
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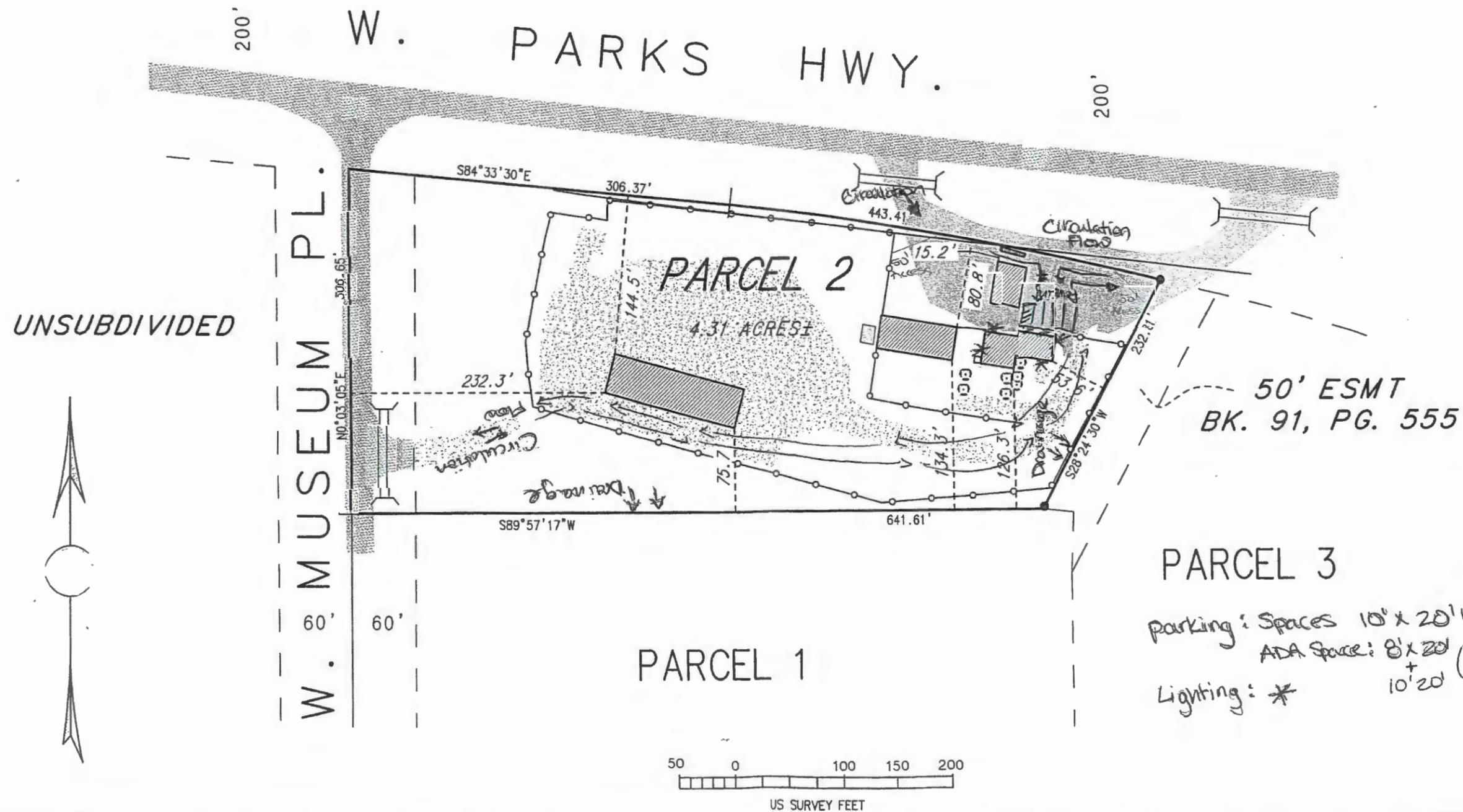
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Green Raven

RECEIVED
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PERMIT CENTER



PARCEL 2
WAVIER RES.
75-06
(PLAT 79-175W)

PALMER RECORDING
DISTRICT

LOCATED WITHIN
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PARCEL 3
parking: Spaces 10' x 20' (3)
ADA Space: 8' x 20' (1)
Lighting: *

In order to grant a conditional use permit under MSB 17.60, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:

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

Currently the building is being used as the office for a storage facility, in the past it has been a consignment shop, parts retail store, etc. So, it will remain a commercially used property. Along the Parks Highway, the majority of the lots are commercially used. The facility is compatible with the surrounding area and will not detract from the integrity or character.

Will the granting of the CUP be harmful to public health, safety, convenience, and welfare?

It will not be harmful to public health, safety, convenience, and welfare as it will be in an established building for commercial use.

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

The unit is in the building of a commercially used building that meets all the required setbacks. The windows will have a material put on them so that the interior of the building cannot be seen from outside the facility. In addition, there will be window security bars on the windows in the event that a window is broken, so no one will be able to enter the facility. There will also be security surveillance in place.

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

Yes.

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

Odor will be mitigated by a carbon filtration system which will be monitored and changed out regularly. There will not be additional noise created because of the retail facility.

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

Increased property line and right of way buffers: The rented unit has been used commercially pervious to this one, it has designated parking spaces for its customers. Additionally, there is a fence that surrounds the majority of the property; that area which is not enclosed by the fence on the sides and back still have the natural vegetation; the side that does not have the "natural vegetation is along the Parks Highway and has a public easement.

Planted berms and landscaping: The property does not currently have any landscaping or berms, as it is a mostly flat gravel plot. We will ensure that the parking area, walkway, and outdoor areas are kept clean of debris and clutter. In the summer, there will be plants outside along the walkway.

Site and building design features which contribute to the character of the surrounding area: This will remain a mixed-use property. There will remain 1 apartment in the building above part of the retail space; the storage facility will also remain. There are also properties

Conditional Use Permit Narrative

Site Plan: Proposed and existing structure(s) on the site. Indicate which structure will be used for the proposed use. Dimensions and locations of all existing and proposed structures on the site in relation to all property lines.:

Existing Structures include:

1. Office/Espresso Hut: 340 sq ft
2. Apartment above office space: 759 sq ft
3. Office/Retail Building: 1368 sq ft (To be used as marijuana retail space)
4. Garage: 2100 sq ft
5. Covered Storage: 4320 sg ft

Signage Existing and proposed:

Existing: A& E Storage signs on the hut; this will remain

Proposed: A licensed marijuana establishment may have not more than three signs that are visible to the general public from the public right-of-way. Two of the three signs may only be placed in the marijuana facility's window or attached to the outside of the licensed premises. The size of each sign may not exceed 4,800 square inches.

Location and dimensions for all access points to and from the site from public right-of-ways or public access easements:

There is access to the front of property off the Parks highway from 2 driveway points, both of which go through the public access easements.

There is also access to the back of the property by using the driveway off of Museum Drive. All Driveway Permits have been applied for and are attached.

Buffering:

There is a chain link fence that surrounds the majority of the property. Behind the fence, is a tree line, and to the northside of the fence (land that abuts Museum Dr.), it is natural vegetation.

The lot is a graveled lot, with no ability to do landscaping.

The store will be in a building which is painted white, to match the other building structures on the property.

Drainage:

Property is naturally sloping away from structure and will remain that way (drains north).

Vehicular and pedestrian circulation patterns:

There are 3 routes for pedestrians and Vehicles.

There are 2 driveway access points off the of Parks Highway and a 3RD off of Museum Drive. All areas are wide enough for 2 lanes.

Map: See Attached map for property uses within 1000'.

that are mixed use and commercial in the surrounding area. Since it is an existing building, the design feature will remain the same and not change the character of the surrounding area.

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

The surrounding area along the Parks Highway is commercial use, with stores, gas stations, service companies, etc; it will fit right in with the area.

Current status of State License application process:

Queue

Standards for Marijuana Retail Facilities:

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 retail facility will be on the same property as a storage facility (both commercial operations). In addition, the surrounding area consists of commercial use and undeveloped property.
- The proximity of parcels developed with residential uses: There is an area significantly behind the proposed retail shop that has been developed for residential use.
- Whether the roads associated with the proposed use have been or will be, appropriate for commercial use: The roads to the property are already appropriate for commercial use, as they currently being used commercially.
- Proposed Hours of Operation: 10am-10pm
- Provide Information showing minimum parking standards have been met: There are 4 parking spaces (of which one is ADA) in front of the leased area, as well as overflow parking behind the building. The rounded up sq ft of the rented space is 1400 sq ft; thus requiring 4 parking spaces.

Floor Plan For Marijuana retail facilities: See Attached

Fire Code: Submitted

DEC: Submitted

AMCO: Queue as of 8/19/19

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Joseph Metzger

From: Joseph Metzger
Sent: Thursday, September 19, 2019 4:43 PM
To: 'Charles Pasco'
Subject: Green Raven-Request for Additional Information
Attachments: Green Raven RFAI 9-19-19.pdf

Good Afternoon Mr. Pasco,

Attached, please find a letter requesting additional information on your CUP request for a marijuana retail facility. If you have any questions, don't hesitate to contact me.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

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

www.matsugov.us

September 19, 2019

Charles Pasco II
Green Raven, LLC
PO Box 879084
Wasilla, Alaska 99687

SUBJECT: Conditional Use Permit Application – Request for Required Information
LOCATION: 5320 W. Parks Highway (Tax ID: 17N02W11A013)

Dear Mr. Pasco,

Borough staff has reviewed the application material and the site plan(s) submitted on August 21, 2019 for a Conditional Use Permit to operate a Marijuana Retail Facility under MSB 17.60 on the above referenced property. It has been determined that the following information needs to be provided and/or clarified in order to process this request:

1. Site Plan
 - a. The site plans that have been submitted are not to scale. It appears the scale for diagram #3 would be accurate, but the site plan has been reduced. Please provide updated site plans to scale.
 - b. Indicate the location and dimensions for all access points to and from the site to public rights-of-way or public access easements.
 - c. Indicate the pedestrian and vehicular circulation patterns.
 - d. Indicate the location of the parking area(s) and include the dimensions of the parking spaces on the site plan.
 - e. Indicate the direction(s) the subject parcel drains.
 - f. Include the location of exterior site lighting on the site plan.
2. The application does not indicate if there will be any signage associated with the proposed use. Please clarify and provide information on the location and type(s) of signage that will be used.
3. The narrative includes information on the existing structures, but does not indicate (other than the retail facility) what use is associated with what structure. Please clarify.
4. Please include general security plan information in your narrative. You do not have to list all of the details such as the amount of cameras, location of camera's, etc., but basic security

plan information should be included. As part of this information, be sure to include details about how all employees will be trained on the security plan. Please call me with questions.

5. What is the status of your State License? Do you have a scheduled hearing date with AMCO? Please clarify.
6. Provide documentation that the proposed use is in full compliance with the applicable fire code.
7. The application material indicates driveway permits have been applied for, but have not received final approval. Please provide documentation that the driveways have been permitted.
8. The application material indicates the use will not be harmful to public health, safety, convenience, and welfare, but does not indicate why it will not be or how you will not be. Please elaborate.
9. The application material indicates the use will be compatible and will not detract from the value, character and integrity of the surrounding area because it has been commercially used in the past and will continue to be commercially used. Please elaborate as to why the proposed use will be compatible and will not detract from the value, character, and integrity of the surrounding area.
10. The application material is silent on exterior lighting. If exterior lighting will be utilized, indicate on the site plan where the lighting will be and if there are measures being taken to prevent light spillage unto adjacent properties.

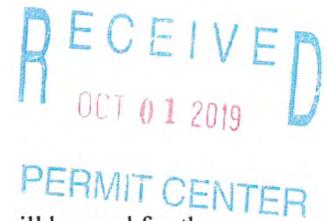
Once an application has been determined to be complete, staff will begin the public notice process.

Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-7862, or email: joseph.metzger@matsu.gov. Thank you for your time and consideration on this matter.

Respectfully,



Joseph Metzger
Planner II
Matanuska-Susitna Borough

Conditional Use Permit Narrative

Site Plan: Proposed and existing structure(s) on the site. Indicate which structure will be used for the proposed use. Dimensions and locations of all existing and proposed structures on the site in relation to all property lines.:

Existing Structures include:

1. Office/Esspresso Hut: 340 sq ft- Vacant, not currently in use
2. Apartment above office space: 759 sq ft- Vacant and will remain that way
3. Office/Retail Building: 1368 sq ft (To be used as marijuana retail space)
4. Garage: 2100 sq ft – A&E Storage; indoor
5. Covered Storage: 4320 sq ft- A&E Storage

Signage Existing and proposed:

Existing: A& E Storage signs on the hut; this will remain

Proposed: A licensed marijuana establishment may have not more than three signs that are visible to the general public from the public right-of-way. Two of the three signs may only be placed in the marijuana facility's window or attached to the outside of the licensed premises. The size of each sign may not exceed 4,800 square inches.

Green Raven to put a lit sign above the office/esspresso hut and a sign on the retail building front.

The sign above the office/building hut (of the roof) will be the logo (a green raven); the sign on the retail building front will be the name 'Green Raven'.

Location and dimensions for all access points to and from the site from public right-of-ways or public access easements:

There is access to the front of property off the Parks highway from 2 driveway points, both of which go through the public access easements.

There is also access to the back of the property by using the driveway off of Museum Drive.

All Driveway Permits have been applied for and are attached; State of Alaska driveway permits have been issued; waiting on the borough to send out final status.

Buffering:

There is a chain link fence that surrounds the majority of the property. Behind the fence, is a tree line, and to the northside of the fence (land that abuts Museum Dr.), it is natural vegetation.

The lot is a graveled lot, with no ability to do landscaping.

The store will be in a building which is painted white, to match the other building structures on the property.

Drainage:

Property is naturally sloping away from structure and will remain that way (drains north and).

Vehicular and pedestrian circulation patterns:

There are 3 routes for pedestrians and Vehicles.

There are 2 driveway access points off the of Parks Highway and a 3RD off of Museum Drive. All areas are wide enough for 2 lanes.

Outdoor Lighting:

There is lighting (8 4ft light bars-2 bulb each) under the covered walkway in front of the entrance to the retail space for Green Raven as well an exterior light above each of the other 3 doors. There will not be light spillage onto adjacent properties as there is natural vegetation and tree line along the side an back of the property which block the light; the front of the building faces the parks highway.

Map: See Attached map for property uses within 1000'.

In order to grant a conditional use permit under MSB 17.60, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:

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

Currently the building is being used as the office for a storage facility, in the past it has been a consignment shop, parts retail store, etc. So, it will remain a commercially used property. Along the Parks Highway, the majority of the lots are commercially used. The facility is compatible with the surrounding area. The building and grounds will be maintained to ensure that it does not detract from the value, character or integrity of the surrounding area.

Will the granting of the CUP be harmful to public health, safety, convenience, and welfare?

It will not be harmful to public health, safety, convenience, and welfare as it will be in an established building for commercial use. There will not be smoking or loitering of any type permitted on the grounds and there will be security measures in place to monitor activity around the facility.

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

The unit is in the building of a commercially used building that meets all the required setbacks. The windows will have a material put on them so that the interior of the building cannot be seen from outside the facility. In addition, there will be window security bars on the windows in the event that a window is broken, so no one will be able to enter the facility. Green Raven will have a security system installed which will include cameras, alarms, panic buttons, motion detectors, and window/door sensors. All employees will receive in house training on how to operate the panic buttons, how to scan the area prior to departing the facility and entering the facility; managers will be trained on how to arm and disarm the security system.

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

Yes.

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

Odor will be mitigated by a carbon filtration system which will be monitored and changed out regularly. There will not be additional noise created because of the retail facility.

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

Increased property line and right of way buffers: The rented unit has been used commercially previous to this one, it has designated parking spaces for its customers. Additionally, there is a fence that surrounds the majority of the property; that area which is not enclosed by the fence on the sides and back still have the natural vegetation; the side that does not have the natural vegetation is along the Parks Highway and has a public easement.

Planted berms and landscaping: The property does not currently have any landscaping or berms, as it is a mostly flat gravel plot. We will ensure that the parking area, walkway, and outdoor areas are kept clean of debris and clutter. In the summer, there will be plants outside along the walkway.

Site and building design features which contribute to the character of the surrounding area: This will remain a mixed-use property. There will remain 1 apartment in the building above part of the retail space which will remain vacant; the storage facility will also remain. There are also properties that are mixed use and commercial in the surrounding area. Since it is an existing building, the design feature will remain the same and not change the character of the surrounding area.

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

The surrounding area along the Parks Highway is commercial use, with stores, gas stations, service companies, etc; it will fit right in with the area.

Current status of State License application process:

Complete- AMCO hearing November 13-15, 2019.

Standards for Marijuana Retail Facilities:

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 retail facility will be on the same property as a storage facility (both commercial operations). In addition, the surrounding area consists of commercial use and undeveloped property.
- The proximity of parcels developed with residential uses: There is an area significantly behind the proposed retail shop that has been developed for residential use.

- Whether the roads associated with the proposed use have been or will be, appropriate for commercial use: The roads to the property are already appropriate for commercial use, as they currently being used commercially.
- Proposed Hours of Operation: 10am-10pm
- Provide Information showing minimum parking standards have been met: There are 4 parking spaces (of which one is ADA) in front of the leased area, as well as overflow parking behind the building. The rounded up sq ft of the rented space is 1400 sq ft; thus requiring 4 parking spaces.

Floor Plan For Marijuana retail facilities: See Attached

Fire Code: Submitted; approval attached

DEC: Submitted

AMCO: Complete; AMCO meeting Nov 13-15, 2019.

Joseph Metzger

From: Charles Pasco <greenravenak@gmail.com>
Sent: Thursday, October 10, 2019 4:49 PM
To: Joseph Metzger
Subject: Re: Green Raven application
Attachments: as-built.PDF

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

Hi Joe,

Attached is the as-built with nothing else on it, as Amilee said she was able to answer the other questions when she dropped the site plan off.

Let me know if there is anything else needed.

Thanks,
Chuck

On Thu, Oct 10, 2019 at 10:22 AM Joseph Metzger <Joseph.Metzger@matsugov.us> wrote:

Hey Charles,

It was good to speak with you on the phone the other day about your application. With your submittal of additional information on October 1, 2019, I believe you are very close to having a complete application. Once we have a complete application, we will start the public notice process and get the public hearing scheduled.

As we talked about on the phone, please provide an electronic copy of the site plan, or drop off a site plan that is to scale (needs to be on 11x14 paper).

Please also make the corrections and additions to the site plan you submitted on October 1 (the one that includes the hand drawn circulation patterns, parking, etc.)

And just to clarify, you indicate that there will be 4 parking spaces, 3 (10' x 20') and 1 space that conforms to ADA parking standards 8'x20' + 10' 20'. Does the (10' 20') indicate the aisle width for the ADA parking space? Please clarify.

Respectfully,

Joe Metzger

MSB Planner II

907-861-7862

Joseph Metzger

From: Joseph Metzger
Sent: Wednesday, December 11, 2019 11:01 AM
To: 'Charles Pasco'
Subject: RE: Green Raven Clarification

Thanks for clarifying these matters Chuck.

Joe

From: Charles Pasco <greenravenak@gmail.com>
Sent: Wednesday, December 11, 2019 10:27 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: Re: Green Raven Clarification

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

Joe-

The ADA space will be a total of 18'x20'.

Cannabis waste Material Disposal Procedure:

When there is Cannabis waste material generated, it will be weighed and AMCO will be notified as well as Metrc being updated to reflect the waste weights. After a 3 day waiting period, the waste will then be mixed in equal parts with compostable material such as paper, sawdust, etc and then disposed of via the landfill.

Thanks,
Chuck

On Wed, Dec 11, 2019 at 7:39 AM Joseph Metzger <Joseph.Metzger@matsugov.us> wrote:

Good Morning Pasco's

Could you clarify the ADA parking space dimensions as in the length, width, and aisle space? On the site plan it indicates the ADA Space as: 8' x 20' + 10' 20'.

Could you outline your cannabis waste material disposal procedures?

Thank you and if you have any questions don't hesitate to contact me.

Respectfully,

Joe Metzger

MSB Planner II

907-861-7862



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

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

ALCOHOL AND MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

November 26, 2019

Green Raven, LLC
DBA Green Raven, LLC

Via: greenravenak@gmail.com

Re: Green Raven, LLC #22091

Dear Green Raven, LLC:

At the November 13-15, 2019, meeting of the Marijuana Control Board in Anchorage, Alaska, the board voted to approve your new marijuana retail store application with delegation to the director. Delegation means that the board has authorized me to issue the license once all outstanding approvals are received.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Mikal Martin".

Mikal Martin
Records and Licensing Supervisor

For
Glen Klinkhart,
Interim Director

cc: License File
Matanuska-Susitna Borough

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE

State of Alaska / Commerce / Marijuana / License Search / License #22091

[Return to Search Results](#)

LICENSE NUMBER 22091

License Number: 22091

License Status: Delegated

License Type: Retail Marijuana Store

Doing Business As: Green Raven LLC

Business License Number: 2088944

Issue Date:

Effective Date:

Expiration Date:

Email Address: greenravenak@gmail.com

Physical Address: 5320 W Parks Hwy
Wasilla, AK 99623
UNITED STATES

Licensees: Green Raven LLC 10108192

Entity Officials: Charles Pasco II

Onsite Consumption Endorsement

Status:

Approval Date:

Issue Date:

Effective Date:

MSB • Department of Emergency Services • Central Mat-Su Fire Department

Fire & Life Safety Division

Physical: 1911 S Terrace Court, Palmer

Mailing: 101 W Swanson Avenue • Wasilla, AK 99654

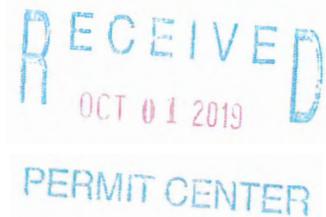
Office (907) 861-8030 • Fax (907) 861-8157 • E-mail: FireCode@matsugov.us



September 18, 2019

Charles Pasco II
Green Raven LLC
PO Box 879084 Wasilla AK

SUBJECT: Green Raven
FIRE SERVICE AREA: Central Mat-Su FSA
PLAN REVIEW: 2020-027
TYPE OF CONSTRUCTION: V-B
OCCUPANCY TYPE: M
2012 INTERNATIONAL BUILDING AND FIRE CODE



Dear Mr. Pasco:

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 the remodel work. Any changes to the approved plans must be submitted to this office for review and approval. **You are prohibited to occupy this building until construction is completed for which plans have been examined and approved. After completion of the construction, you must schedule a certificate of occupancy inspection prior to opening.**

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. Also understand that approval of submitted plans is not approval of omissions or oversights by this office or noncompliance with any applicable regulations. The plans have not been reviewed for compliance with the Federal Americans with Disabilities Act or structural requirements.

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

Sincerely,

Jeffrey L. Anderson
Fire Code Official

RECEIVED
 OCT 01 2019
 PERMIT CENTER

Fire and Life Safety Division

Central Mat-Su Fire Service Area No. 130 - District 1
 Department of Emergency Services, Matanuska-Susitna Borough



Plan Review #2020-027

Green Raven LLC

Tenant Improvement Approval

This is to certify that the plans for this building were reviewed by CMSFD's Fire & Life Safety Division on 9/18/2019, for conformance with AS 18.70.010-100; 13 AAC 50.027. This certificate becomes invalid 180 days after 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.

[Handwritten Signature]
 by Jeffrey L. Anderson, Fire Code Official

Authority: AS 18.70.080, 13 AAC 50.075 & MSB RS 06-054



Matanuska-Susitna Borough
Planning and Land Use Department
Development Services Division

350 East Dahlia Ave Palmer, AK 99645
Phone (907) 861-7822 / Fax (907) 861-8158
www.matsugov.us

FINAL DRIVEWAY ACCEPTANCE

PERMIT # D22402
TAX PARCEL ID # 17N02W11A013

December 12, 2019

The Matanuska-Susitna Borough has performed the Final Inspection of your driveway. The driveway has been adequately constructed to Borough standards and to the conditions outlined by the initial driveway inspector. Your Approved Driveway Permit Number is listed above.

Please keep this letter.

If you have any questions or concerns about your driveway or this permit, you may contact the Permit Center at 907-861-7822.

Sincerely,

A handwritten signature in black ink that reads "Michelle Olsen".

Michelle Olsen, CFM
Permit Technician

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RECEIVED
OCT 01 2019

Driveway Permit No. 29607

PERMIT CENTER



State of Alaska
Department of Transportation and Public Facilities

Driveway Permit #29607

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

Contact Name: Shane Dippert

Phone Number: (907) 354-3072

Owner: A & E Storage LLC
Mailing Address: 5320 W. Parks Highway
Wasilla, AK 99623

Driveway Location: Wasilla DW – 5320 West Parks Highway (MP 47) – T17N R2W Sec 11, Lot A13– Parcel ID: 21169

Design Criteria

Driveway width	26 Feet	Road surface type	Paved
Left edge clearance	250 Feet	Shoulder type	Gravel
Right edge clearance	400 Feet	Landing surface type	Asphalt
Left return radius	40 Feet	Left driveway fore slope	3: 1
Right return radius	20 Feet	Right driveway fore lope	3: 1
Shoulder width	2 Feet	Ditch depth	2 Feet
Approach angle	90 Degrees	Culvert Type	Corrugated Metal Pipe
Landing grade	+/- 1 Percent	Culvert Size	18 Inches
Landing length	30 Feet	Culvert Length	66 Feet

This permit applies only to the Department of Transportation & Public Facilities (DOT&PF) State right of way.

Any survey monument or monument accessory that will be disturbed or destroyed during construction of the driveway must be referenced prior to the disturbance and restored or replaced by a Land Surveyor licensed in the State of Alaska. The Land Surveyor must file a Monument Record in accordance with AS 34.65.040. All monument records must be reviewed by DOT&PF prior to filing with the District Recorder.

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

A driveway constructed under permit within a highway right of way is the property of the State, constructed under permit within a highway right-of-way is the property of the State, but all cost

Driveway Permit No. 29607

and liability arising from the construction, operation, or maintenance of a driveway is at the sole expense of those lands served.

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

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

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

A Permittee shall construct and maintain a driveway in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.20(b)) If the Permittee damages any improvements within the State right of way, the Permittee will be responsible for returning them to their previous condition. DOT&PF inspection and approval of the restored improvements is required. (17 AAC 10.065)

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

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

If a culvert is required by this driveway permit, culvert ends must be installed at the time of construction and maintained continuously by the Permittee. Please contact DOT&PF for information about acceptable driveway markers (i.e., size, materials, distance, etc.) for placement within the right of way.

Permittee may not push or otherwise deposit upon any street, avenue, alley, sidewalk, or other public right of way any snow or ice which has been removed from a private driveway, private parking area, or the adjacent property. (13 AAC 02.530)

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

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

Driveway Permit No. 29607

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

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

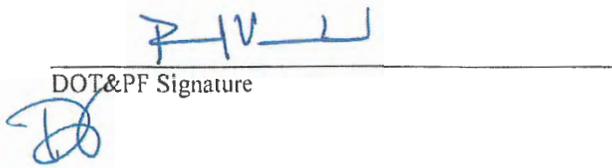
Attachments included as part of this permit are:

- Site Plan – SOA Project No. 52929 TCP22A

I, Shane Dippert, acknowledge and accept that I will comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.


Owner Signature

9-19-19
Date


DOT&PF Signature

9.20.19
Date

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MATANUSKA-SUSITNA BOROUGH
 Planning and Land Use Department
 Development Services Division
 350 East Dahlia Avenue, Palmer, Alaska 99645
 (907) 861-7822 Fax (907) 861-8158
 E-mail: PermitCenter@matsugov.us

RECEIVED
 AUG 07 2019
 PERMIT CENTER

Driveway Permit Application

Permit Fee \$200 (\$150 Refundable if completed within 3 years)

PERMIT NO: 22402

Property Owner (Name):			Applicant/Agent (Name):		
A & E Stoage LLC			Amilee Pasco		
Mailing Address:			Mailing Address:		
5320 W PARKS HWY			PO BOX 879084		
City:	State:	Zip:	City:	State:	Zip:
Wasilla	AK	99623	Wasilla	AK	99687
Phone:		Fax (optional):	Phone:		Fax (optional):
907-354-3072			907-315-4475		
Email (optional):			E-mail (optional):		
			amileepasco@yahoo.com		
Site Address:			Driveway Location Will Be Marked With:		
5320 W PARKS HWY			Existing		
Property Tax ID #:			Expected Completion Date:		
17N02W11A013					
Applying for Access Onto:		IF ACCESS IS ONTO A PAVED ROAD, APRON LENGTH TO			
Museum Dr		BE 2' MINIMUM			

The Permittee certifies that he/she is the owner, lessee, or authorized agent of the property, that the conditions, restrictions and regulations of the borough will be complied with and that he/she will maintain the driveway in accordance with the provisions and standards attached to this permit, and any applicable code. I hereby certify that the information submitted on this application is complete and accurate to the best of my knowledge and that I am the applicant or agent of the same as stated in the attached documentation. By signing this permit I acknowledge and agree to accept the Driveway Standards and Provisions attached to this permit.

PERMITTEE: Amilee Pasco DATE: 8/7/19
Signature of Permittee

PERMIT GRANTED BY: _____ DATE: _____
 Borough Representative

From: **Kutcher, Gabe J (DOT)** gabe.kutcher@alaska.gov
 Subject: Driveway Application No. 29607 Payment Confirmation
 Date: August 7, 2019 at 12:14 PM
 To: amileepasco@yahoo.com
 Cc: a-e-storage@hotmail.com



Hello Amilee Pasco,

Thank you for paying the non-refundable application associated with the State of Alaska, Right of Way Driveway permit application No. 29607. Payment receipt is attached with email.

As soon as I compile the necessary documents from the Parks Highway project that improved the access to Parks Highway, our office will transmit documents for signature. If either of you have any questions contact me at (907) 269-0691.

Gabe

Gabe Kutcher, Right of Way Agent
 State of Alaska DOT&PF, Central Region Right of Way
 4111 Aviation Ave, Anchorage, AK 99502
 P: (907) 269-0691 E: gabe.kutcher@alaska.gov

ROW IRIS REVENUE CODING COVER SHEET FOR FINANCE
PERMIT REVENUE

ROUTING INFORMATION	DATE: 8/7/2019	VERIFIED BY <i>Gabe Kutcher</i>
ATTN: Account Receivable Desk	AGENT: Gabe Kutcher	
SECTION: Finance	PHONE: 269-0691	

Name: A&E Storage,LLC _____

Permit File No. DW 29607 _____

NON-REFUNDABLE PERMIT FEES	DEPT, FUND, AND APPROPRIATION UNIT	UNIT	REVENUE SOURCE	ACT. PRGM.	SUB-ACTIVITY	FUNCTION CODE
<input type="checkbox"/> HIGHWAY EVENT PERMIT						
<input type="checkbox"/> TEMP. CONSTRUC. PERMIT						
<input type="checkbox"/> LANE CLOSURE PERMIT						
<input checked="" type="checkbox"/> DRIVEWAY APPLICATION	TEMPLATE NO. TCRW03	4090	5113	115N	RWPM	EPRMT PYMT
<input type="checkbox"/> SIGN PROGRAM						
<input type="checkbox"/> OTHER _____						



Application for Food Establishment Permit

Alaska Department of Environmental Conservation
 Division of Environmental Health
 Food Safety and Sanitation Program



Permit ID: _____

Section 1- GENERAL INFORMATION (All applicants complete entire section – please print).					
Purpose (check one) <input checked="" type="checkbox"/> New <input type="checkbox"/> Information Change <input type="checkbox"/> Extensive Remodel <input type="checkbox"/> Change of owner/operator <input type="checkbox"/> Reactivate					
Owner/Business Information	Name of Entity or Owner Responsible for Food Service Green Raven LLC		AK Business License # 20888944		
	Business/Corporate Mailing Address PO Box 879084		City Wasilla	State ak	Zip 99687
	Business/Corporate Phone 907-355-5607		Email greenravenak@gmail.com		
	Owner(s) or Corporate Officer(s) & Title(s) or Responsible Party Charles Pasco II			Fax	
	Type of Entity <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Other:				
Establishment Information	Establishment Name Green Raven LLC		Physical Location 5320 W Parks Hwy		Nearest Community Meadow Lakes
	Establishment Mailing Address PO Box 879084		City Wasilla	State ak	Zip 99687
	Establishment Phone		Fax	Contact Person Charles Pasco	
	Establishment Physical Address 5320 W Parks Hwy		City Wasilla	State ak	Zip 99623
SEATING: (Food Service Only) <input checked="" type="checkbox"/> N/A <input type="checkbox"/> 25 or less <input type="checkbox"/> 26-100 <input type="checkbox"/> > 101					
TYPE OF OPERATION Please describe the type of facility you plan to open below (i.e. restaurant, bar, grocery store, etc.)					
Marijuana Retail Store					
SECTION 2 – NEW OR EXTENSIVELY REMODELED FACILITIES					
a. A plan review will be required if your facility has never been permitted by the Alaska’s Food Safety and Sanitation Program; has not had an active permit in the last five years; will be extensively remodeled; or is a new construction. If any of these apply, a Plan Review Application is required to process your application. Have you attached the Plan Review Application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION 3 – COMPLETE FOR ALL FOOD ESTABLISHMENTS (Check all that apply)					
<u>FOOD SERVICE ESTABLISHMENTS</u>					
a. A copy of your menu will be required. Have you attached a copy of the proposed menu? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
b. Attach appropriate label, placard, or menu notation for the <u>consumer advisories</u> if you serve: <input type="checkbox"/> Wild Mushrooms <input type="checkbox"/> Unpasteurized juices <input type="checkbox"/> Farmed halibut, salmon, or sablefish <input type="checkbox"/> Raw/undercooked animal foods such as beef, shell eggs, lamb, pork, poultry, seafood, and shellfish.					
c. Methods of food preparation (check the one that most closely describes the establishment): <input type="checkbox"/> Assembly of Ready to Eat Foods <input type="checkbox"/> Cook and Serve <input type="checkbox"/> Hot or cold Service for 2 hours or more is done -Will keep product in a refrigerator until it is sold to a customer <input type="checkbox"/> Complex (Preparation 1 day or more in advance, cooling and reheating is done).					
d. Style of Service: <input type="checkbox"/> Counter Service <input type="checkbox"/> Self Service (i.e. buffet line, salad bar) <input type="checkbox"/> Table Service <input checked="" type="checkbox"/> Other: Will sell prepackaged oils, wax, and edibles					
e. Do you plan to operate as a <u>caterer</u> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes , list all the equipment used to protect food from contamination and maintain product temperature during: Transportation: _____ Hot or Cold Holding: _____					

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2019 – 028540 – 0

Recording District 311 Palmer

12/11/2019 12:11 PM

Page 1 of 3

CC



THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR RECORDING DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.

DO NOT DETACH

**PRE-EXISTING LEGAL NONCONFORMING STATUS DETERMINATION
ORDER #178020190017**

Based on the application and supporting documentation, it is my determination that the structure, an approximately 25' x 45' pavilion like covered structure set back 15.2 feet from the West Parks Highway right-of-way on (Grantee) Parcel Lot A13, within Township 17 North, Range 2 West, Section 11, Seward Meridian (MSB Tax ID# 17N02W11A013), more commonly known as 5320 West Parks Highway, located in the Palmer Recording District, Third Judicial District, State of Alaska, qualifies for pre-existing legal nonconforming status. This order does not apply to any other structures on the parcel.

1. A determination of pre-existing legal nonconforming status does not relieve the property owner of any other federal, state or local requirements governing land use.
2. This order does not release the property owner from any obligations under any existing relevant subdivision covenants.
3. Any expansion of the nonconforming structures envelopes (i.e. volume, height, width or area) which would increase the nonconformity is prohibited.
4. All subsequent development on the subject property must comply with the land use regulations of the Matanuska-Susitna Borough (Grantor).
5. The subject structure, if destroyed, is eligible for reconstruction in the same location within two years of the date of destruction as addressed in MSB 17.80.090(B). The replacement structure may not be increased in size, vertically or horizontally, from that which existed at the date of this order.

This order may be appealed to the Board of Adjustment and Appeals in accordance with the requirements of MSB 15.39.

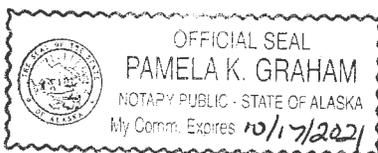
Date: 12/4/2019

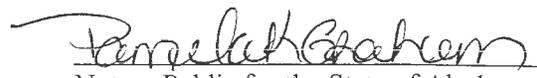


Alex Strawn, Development Services Manager
Matanuska-Susitna Borough

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

THIS IS TO CERTIFY that on this 4th day of December, 2019 before me, the undersigned, a Notary Public in and for the state of Alaska, duly commissioned and sworn, personally appeared Alex Strawn, to me known to be the Development Services Manager of the Matanuska-Susitna Borough, a municipal corporation organized and existing under the laws of the state of Alaska, and who acknowledged to me that he executed the within and foregoing document on behalf of said corporation by authority of it's borough assembly as the voluntary act and deed for the uses and purposes stated therein.





Notary Public for the State of Alaska
My commission expires:
10/17/2021

RETURN TO: Matanuska-Susitna Borough, 350 East Dahlia Avenue, Palmer, Alaska 99645
MSB File # 178020190017



THIS SURVEY WAS PREPARED FOR AMILFE PASCO, AND SHOULD ONLY BE USED FOR A SINGLE PROPERTY ACTION. RE-USE OF THIS DRAWING BY THE ORIGINAL CLIENT OR BY OTHERS, FOR ADDITIONAL USES AT A LATER DATE WITHOUT EXPRESS WRITTEN CONSENT OF HANSON LAND SOLUTIONS IS A VIOLATION OF FEDERAL COPYRIGHT LAW. UNLESS GROSS NEGLIGENCE IS DISCOVERED, THE LIABILITY OF SAID SURVEYING COMPANY SHALL BE LIMITED TO THE AMOUNT OF FEES COLLECTED FOR SERVICES IN PREPARATION OF THIS PRODUCT.

RECEIVED
OCT 10 2019
MATAPUSKA-SUSITNA BORONCHI
DEVELOPMENT SERVICES

NOTES

1. THE HEREON REPRESENTED SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY. IT IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE.
2. INFORMATION PRESENTED HEREON IS A REPRESENTATION OF VISIBLE IMPROVEMENTS AND CONDITIONS PRESENT AT THE TIME THE SURVEY WAS PERFORMED.
3. DIMENSIONS OBTAINABLE FROM THIS DOCUMENT ARE LIMITED TO THOSE BEARINGS AND GROUND DISTANCES SPECIFICALLY LABELED HEREON. THE DOCUMENT DOES NOT PURPORT TO PRESENT A BASIS FOR SCALING TO DIMENSIONS NOT LABELED HEREON.
4. THIS DOCUMENT IS NOT TO BE USED IN SUPPORT OF ANY NEW CONSTRUCTION.
5. EASEMENTS, COVENANTS AND RESTRICTIONS NOT APPEARING ON THE RECORDED SUBDIVISION PLAT MAY EXIST. DETERMINATION OF THEIR EXISTENCE IS THE RESPONSIBILITY OF THE OWNER.
6. THIS SURVEY WAS COMPLETED IN ACCORDANCE WITH ASPLS MORTGAGE LOCATION SURVEY STANDARDS.



HANSON LAND SOLUTIONS
305 E. FIREWED AVE.
PALMER, ALASKA 99645
(907) 746-7738



AS-BUILT SURVEY

I HEREBY CERTIFY THAT THIS DOCUMENT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, OF THE FOLLOWING REAL PROPERTY:

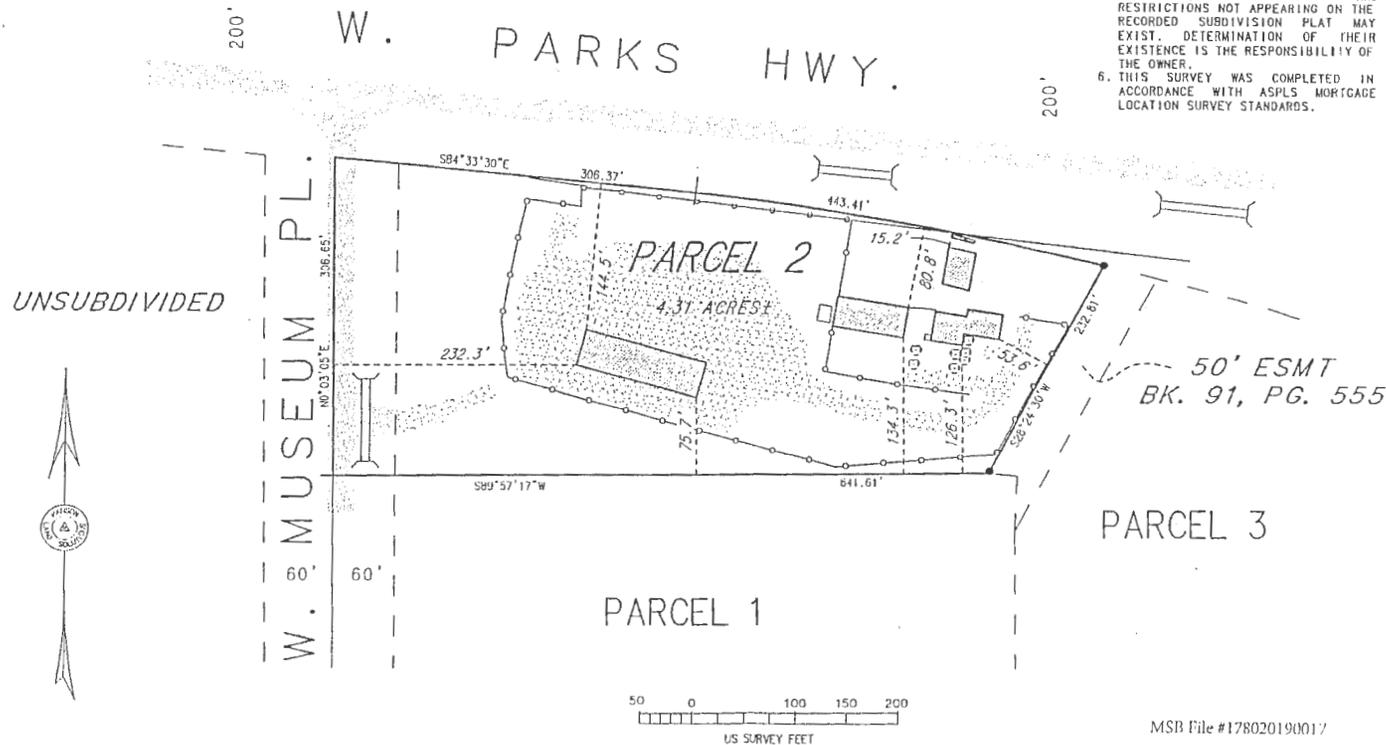
PARCEL 2
WAVIER RES.
75-06
(PLAT 79-175W)

PALMER RECORDING DISTRICT

LOCATED WITHIN
NE 1/4 SEC. 11,
T. 17N. R. 2W.
SM, AK

CONTAINING
4.31 ACRES
MORE OR LESS

SCALE: 1"=100' JOB: 19-186
DW: CLF FILE: 19-186 AD
CK: CEH 06/07/19 01 OF 01



MSB File #178020190017



UNSUBDIVIDED

W. MUSEUM PL.

W. PARKS HWY.

PARCEL 1

PARCEL 2
4.31 ACRES

PARCEL 3

50' ESMT
BK. 91, PG. 555



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Agency Comments

Joseph Metzger

From: Theresa Taranto
Sent: Wednesday, November 13, 2019 11:08 AM
To: Joseph Metzger
Subject: RE: RFC Green Raven, LLC CUP for a marijuana retail facility due December 2

Follow Up Flag: Follow up
Flag Status: Flagged

FIRM 8055, X Zone
No other comments.

Thank you,

Theresa Taranto
Mat-Su Borough
Development Services
Administrative Specialist

350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574
www.matsugov.us

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Sent: Friday, November 8, 2019 1:04 PM
To: 'allen.kemplen@alaska.gov' <allen.kemplen@alaska.gov>; 'tucker.hurn@alaska.gov' <tucker.hurn@alaska.gov>; 'melanie.nichols@alaska.gov' <melanie.nichols@alaska.gov>; 'kyler.hylton@alaska.gov' <kyler.hylton@alaska.gov>; 'sarah.wilber@alaska.gov' <sarah.wilber@alaska.gov>; 'mearow@matanuska.com' <mearow@matanuska.com>; 'rglenn@mta-telco.com' <rglenn@mta-telco.com>; 'jthompson@mta-telco.com' <jthompson@mta-telco.com>; 'row@enstarnaturalgas.com' <row@enstarnaturalgas.com>; 'ospdesign@gci.com' <ospdesign@gci.com>; Eric Phillips <Eric.Phillips@matsugov.us>; Jude Bilafer <Jude.Bilafer@matsugov.us>; Cindy Corey <Cindy.Corey@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Nicole Wilkins <Nicole.Wilkins@matsugov.us>; Karol Riese <Karol.Riese@matsugov.us>; Taunnie Boothby <Taunnie.Boothby@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Sloan VonGunten <Sloan.VonGunten@matsugov.us>; Jill Irsik <Jill.Irsik@matsugov.us>; Michelle Wagner <Michelle.Wagner@matsugov.us>; Cheryl Scott <Cheryl.Scott@matsugov.us>; info@mlccak.org; tedleonarddistrict4@gmail.com
Subject: RFC Green Raven, LLC CUP for a marijuana retail facility due December 2

Date: November 8, 2019
To: Various Governmental Agencies
From: Joseph Metzger, Planner II
Subject: Request for Review and Comments Governmental Agencies
Project: Conditional Use Permit for the Operation of a Marijuana Retail Facility

Location: 5320 W Parks Highway, (Tax ID# 17N02W11A013); within Township 17 North, Range 2 West, Section 11, Seward Meridian.

Applicant: Charles Pasco, on behalf of Green Raven, LLC

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application materials may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be reviewed at the Borough Permit Center. A direct link to the application material is here:

<https://www.matsugov.us/publicnotice/green-raven-llc-conditional-use-permit>

Comments are due on or before ***December 2, 2019*** and will be included in the Planning Commission packet for the Commissioner’s review and information. Please be advised that comments received after that date will not be included in the staff report to the Planning Commission. Thank you for your review.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862



ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department
Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

November 15, 2019

Joseph Metzger, MSB Planner II
Matanuska-Susitna Borough
Planning & Land Use Department
350 East Dahlia Avenue
Palmer, Alaska 99645-6488

Subject: Conditional Use Permit for a Marijuana Cultivation Facility located at 5320 W Parks Highway within Township 17 North, Range 2 West, Section 11, Seward Meridian.

Dear Mr. Metzger:

ENSTAR Natural Gas Company has reviewed the application for the Conditional Use Permit for a Marijuana Cultivation Facility.

We have no comments or concerns related to this activity.

If you have any questions, please feel free to contact me at 907-334-7944 or by email at cassie.acres@enstarnaturalgas.com.

Sincerely,

A handwritten signature in black ink that reads "Cassie Acres".

Cassie Acres
Right-of-Way and Compliance Technician
ENSTAR Natural Gas Company

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**PLANNING COMMISSION
RESOLUTION**

By: Joe Metzger
Introduced: December 16, 2019
Public Hearing: January 6, 2020
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 20-01**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY AT 5320 W. PARKS HIGHWAY (TAX ID# 17N02W11A013); WITHIN TOWNSHIP 17 NORTH, RANGE 2 WEST, SECTION 11, SEWARD MERIDIAN.

WHEREAS, an application has been received from Charles Pasco on behalf of Green Raven, LLC for a conditional use permit for the operation of a marijuana retail facility at 5320 W. Parks Highway, (Tax ID# 17N02W11A013); within Township 17 North, Range 2 West, Section 11, Seward Meridian; and

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

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

WHEREAS, the proposed retail facility will be wholly contained within a commercial structure approximately 1,370 square feet in size; and

WHEREAS, the subject parcel has been used for commercial purposes since the early 1970's; and

WHEREAS, an operating commercial storage is located in two of the four structures on the subject parcel; and

WHEREAS, historic commercial uses on the property include: commercial storage, a coffee/expresso business, office space rental, a gas station, and convenience store; and

WHEREAS, the proposed use accesses W. Parks Highway on the north side of the property from an existing, State permitted driveway and accesses W. Museum Place on the west side of the property via a Borough permitted driveway; and

WHEREAS, W. Parks Highway is classified as a major highway by the State and has many different uses on its frontage, including residential, commercial, and industrial; and

WHEREAS, the subject parcel has approximately 700' of road frontage and abuts the W. Parks Highway to the north; and

WHEREAS, the closest residential structure is located to the northeast and is approximately 1,400 feet away from the proposed use; and

WHEREAS, the application material indicates the proposed use will have two signs. One sign will be the business logo, a green raven, and will be illuminated, while the other sign will have the name of the business, Green Raven; and

WHEREAS, the proposed use abuts the W. Parks Highway right-of-way on the north and the W. Museum Circle right-of-way on the west. The parcels to the east and south are vacant and undeveloped; and

WHEREAS, the proposed hours of operation are 10:00 a.m. until 10:00 p.m., daily; and

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

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

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

WHEREAS, the closest school (Meadow Lakes Elementary School) is approximately 12,000 feet away from the proposed use; and

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

WHEREAS, security cameras, motion detectors, panic buttons, and window/door sensors are used to monitor all activities at the facility; and

WHEREAS, the Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-027, for the commercial structure; and

WHEREAS, the applicant has provided a copy of the approved Plan Review #2020-027; and

WHEREAS, the commercial structure is in full compliance with the applicable State of Alaska fire code; and

WHEREAS, after proper notification to the State of Alaska Alcohol & Marijuana Control Office, all marijuana products deemed unusable are mixed with compostable material and blended together. The waste will then be taken to the landfill to be disposed of; and

WHEREAS, according to the application material, the commercial structure is set back approximately 80.8 feet from the north lot line, 510 feet from the west lot line, 126.3 feet from the south lot line, and 53.6 feet to the east lot line; and

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

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

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

WHEREAS, the application material indicates odor will be mitigated by a carbon filtration system, which will be monitored and changed out regularly; and

WHEREAS, at the November 13-15, 2019 State of Alaska Marijuana Control Board meeting, the Board voted to approve Green Raven, LLC Retail Marijuana Store License #22091 with delegation; and

WHEREAS, a copy of the delegated approval for the applicant's marijuana retail facility has been provided to the MSB Development Services Division; and

WHEREAS, a marijuana retail facility 1,370 square feet in size is required to provide four parking spaces with one ADA compliant space; and

WHEREAS, four customer parking spaces are being provided; and

WHEREAS, each space is 20 feet in length and ten feet wide; and

WHEREAS, there are no vertical clearance limitations on site; and

WHEREAS, ADA guidelines require one van accessible parking space, 11 feet wide with a five-foot wide parking isle, for every 1 to 25 spaces; and

WHEREAS, according to the application material, one van accessible parking space, 18 feet wide (including the parking isle) and 20 feet long will be 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 January 6, 2020 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 20-01:

1. 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. The proposed use, with conditions, will not be harmful to the public health, safety, convenience, and welfare (MSB 17.60.100(B)(2)).
3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.60.100(B)(3)).
4. The application material meets all of the requirements of this chapter (MSB 17.60.100(B)(4)).
5. The proposed use, with conditions, will not negatively affect other properties due to factors such as noise and odor (MSB 17.60.150(A)(1)).
6. Measures are in place, with conditions, to reduce negative affects upon adjacent properties (MSB 17.60.150(A)(2)(a-c)).
7. The proposed use, with conditions, is compatible with the character of the surrounding area (MSB 17.60.150(A)(3)).
8. The proposed use is more than 1,000 feet away from any school grounds (MSB 17.60.150(B)(1)).

9. The applicant has provided documentation demonstrating all applicable licenses pertaining to 3 AAC 306.005 have been obtained (MSB 17.60.150(D)(1)).
10. The applicant has provided documentation demonstrating the proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).
11. The proposed use is located on a parcel that is appropriate for commercial use (MSB 17.60.170(A)(1-3)).
12. The proposed use meets the minimum number of parking space for retail facilities (MSB 17.60.170(B)).
13. The proposed use complies with current ADA parking space guidelines (MSB 17.60.170(C)).

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 operation 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. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.

3. Borough staff shall be permitted to enter 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.

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. - 12:00 a.m., daily.

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

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ADOPTED by the Matanuska-Susitna Borough Planning Commission
this ___ day of _____, 2020.

COLLEEN VAGUE, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

YES:

NO:

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**PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. PC 20-02

Alpine Creek Lodge
Alcoholic Beverage Dispensary CUP
Mile 68 of the Denali Highway

(Page 187 - 324)

PUBLIC HEARING

STAFF REPORT



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

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

www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

Date: December 18, 2019

File Number: 177020190002

Applicant: Claude and Jennifer Bondy on behalf of Alpine Creek Lodge

Property Owner: Claude and Jennifer Bondy

Request: Planning Commission Resolution 20-02
Request for a conditional use permit for the operation of a beverage dispensary in accordance with MSB Chapter 17.70 – Regulation of Alcoholic Beverage Uses

Location: Mile 68 Denali Highway (Tax ID# U05278000L00);
within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian

Size of Property: 7.70 acres

Reviewed by: Eileen Probasco, Planning & Land Use Director
Alex Strawn, Development Services Manager 

Staff: Joe Metzger, Planner II 

Staff Recommendation: Approval with conditions

EXECUTIVE SUMMARY

A conditional use permit application has been submitted for the operation of a beverage dispensary known as Alpine Creek Lodge. The proposed use will occupy an existing log cabin approximately 535 square feet in size. Alpine Creek Lodge currently operates under a restaurant beer and wine license and would like to expand their alcohol offering to include liquor.

MSB 17.70.020 requires a conditional use permit for the operation of an alcoholic beverage dispensary (bar). Unless this type of use is maintained under and in accordance with a lawfully issued permit, an alcoholic beverage dispensary (bar) is declared to be a public nuisance. Operation of such a land use without a permit is prohibited.

LAND USE

Existing Land Use:

The proposed use is situated on 7.7 acres and located at mile 68 of the Denali Highway. Access to the proposed use is provided via a State permitted driveway. The proposed use will occupy an existing log cabin constructed in the 1960's that is approximately 535 square feet in size. Historically, the property has been used to operate a remote commercial lodge and the applicants and current owners, have operated Alpine Creek Lodge for the last 11 years.

Alpine Creek Lodge, is a year round lodge catering to the needs and wishes of its clientele. The Lodge offers a variety of services including lodging, food, hunting, fishing, and many other adventures. Currently, Alpine Creek Lodge has a restaurant eating place alcohol license, which allows the lodge to sell beer and wine. During the winter months, access to the lodge is typically limited to planes, snow machines, dog teams, and tracked vehicles, as the Denali Highway is commonly closed from October to June.

Surrounding Land Uses:

The subject parcel is located in a remote and isolated area. Large, un-subdivided tracts of land border the proposed use to the north, east, and west. The Denali Highway, abuts the use to the south. The closest business is located approximately 14 miles from the proposed use at mile 81 of the Denali Highway. While it is unclear where the closest residential home to the use is located, there does not appear to be any residential homes within many miles.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

Notices were mailed to all property owners within approximately 59,000 feet of the site. A total of 8 notices were mailed on November 13, 2019. The public hearing notice was published in the November 13, 2019 edition of the Frontiersman. The application material was also posted on the Borough's website on November 13, 2019. The proposed use is not situated within a Community Council boundary, so no notice was sent to the relevant council. Staff received one comment from the public, which is in opposition to the proposed use.

Section 17.70.100 Standards

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

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

(a) *The conditional use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area.*

Findings of Fact:

1. According to the application material and Borough assessment records, the log cabin structure that will contain the proposed use was constructed in the 1960s.
2. Historically, the property has been used to operate a remote commercial lodge and the applicants and current owners have operated Alpine Creek Lodge for the last 11 years.
3. The subject parcel is located in a remote and isolated area. Large, un-subdivided tracts of land border the proposed use to the north, east, and west. The Denali Highway, abuts the use to the south.
4. The closest business is located approximately 14 miles from the proposed use at mile 81 of the Denali Highway.
5. There are no residential homes within several miles of the proposed use.
6. According to the application material, Alpine Creek Lodge is the only business open year round on the 135-mile Denali Highway.
7. The Denali Highway provides the only road access in the area, and has many different uses on its frontage, including residential, commercial, and industrial.
8. According to the application material, the proposed hours of operation are 11:00 a.m. to 12:00 a.m., daily.

Conclusions of Law: Based on the above findings, and with conditions, the proposed use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area (MSB 17.70.100(A)(1)(a)).

(b) That granting the conditional use permit will not be harmful to the public health, safety, convenience and welfare.

Findings of Fact:

1. Access to the proposed use is from the Denali Highway via a State permitted driveway.
2. The proposed use will occupy an existing log cabin structure approximately 535 square feet in size.
3. The subject parcel is located in a remote and isolated area. Large, un-subdivided tracts of land border the proposed use to the north, east, and west. The Denali Highway abuts the use to the south.
4. The closest business is located approximately 14 miles from the proposed use at mile 81 of the Denali Highway.
5. There are no residential homes within several miles of the proposed use.
6. According to the application material, Alpine Creek Lodge is the only business open year round on the 135-mile Denali Highway.
7. The Denali Highway provides the only road access in the area, and has many different uses on its frontage, including residential, commercial, and industrial.

8. The nearest school (Cantwell School) is approximately 67 road miles from the proposed use. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school.
9. Persons under the age of 21 are prohibited from being served alcoholic beverages.
10. The operator of the proposed use is required to operate in accordance with Alaska laws and statutes, which include but are not limited to, mandatory alcohol server education.
11. Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons.
12. According to the application material, the proposed hours of operation are 11:00 a.m. to 12:00 a.m., daily.

Conclusions 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 17.70.100(A)(1)(b)).

(c) That sufficient setbacks, lot area, buffers or other safeguards are being provided to meet the conditions listed in subsections (A) and (B) of this section.

Findings of Fact:

1. Access to the proposed use is from the Denali Highway via a State permitted driveway.
2. The subject parcel is located in a remote and isolated area. Large, un-subdivided tracts of land border the proposed use to the north, east, and west. The Denali Highway abuts the use to the south.
3. The closest business is located approximately 14 miles from the proposed use at mile 81 of the Denali Highway.
4. There are no residential homes within several miles of the proposed use.
5. The nearest school (Cantwell School) is approximately 67 road miles from the proposed use. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school.
6. The subject parcel is approximately 7.7 acres in size.
7. The existing log cabin to be used for the proposed beverage dispensary is greater than 100 feet from any property line.
8. The operator of the proposed use is required to operate in accordance with Alaska laws and statutes, which include but are not limited to, mandatory alcohol server education.
9. Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons.
10. The Alcohol & Marijuana Control Office (AMCO) has no record of violations by Alpine Creek Lodge within the last 12 months.

Conclusions of Law: Based on the above findings, and with conditions, sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.70.100(A)(1)(c)).

(2) *General Standards. In considering whether the general standards are satisfied, the planning commission may weight factors contributing or detracting from the development of a safe, convenient and attractive community, including, but not limited to:*

(a) *Any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare.*

Findings of Fact:

1. The subject parcel is located in a remote and isolated area. Large, un-subdivided tracts of land border the proposed use to the north, east, and west. The Denali Highway abuts the use to the south.
2. The closest business is located approximately 14 miles from the proposed use at mile 81 of the Denali Highway.
3. There are no residential homes within several miles of the proposed use.
4. Access to the proposed use is from the Denali Highway via a State permitted driveway.
5. According to the application material, lighting will not affect adjoining properties and the lighting used will be localized, direct, and low glare.
6. There are no illuminated signs associated with the use.
7. There are no outdoor processes associated with the proposed use.
8. There is no industrial equipment or processes that generate noise or dust associated with the proposed use.
9. The applicant is not proposing any outdoor amplified sound activities.
10. The operation must comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 – Noise, Amplified Sound and Vibration.

Conclusions of Law: Based on the above findings, and with conditions, there will not be any negative effects upon the properties in the area due to such factors as dust, noise, obtrusive advertising and glare (MSB 17.70.100(A)(2)(a)).

(b) *Any potential negative effect on the safe, efficient flow of traffic on any highway arterial, collector or street from which access to and from the establishment is obtained.*

Findings of Fact:

1. Access to the proposed use is from the Denali Highway via a State permitted driveway.
2. During the winter months, access to the lodge is typically limited to planes, snow machines, dog teams, and tracked vehicles, as the Denali Highway is commonly closed from October to June.
3. The Denali Highway is classified as a highway, and as such, is capable of handling the potential increase in traffic.

4. The Denali Highway provides the only road access in the area, and has many different uses on its frontage, including residential, commercial, and industrial.
5. ITE Trip Generation 10th Edition shows a “Drinking Place” 1000-square feet in size is expected to produce 15.53 trips per peak PM hour. The structure that will house the proposed beverage dispensary is approximately 535 square feet and based on these calculations is expected to produce approximately eight (8) trips per peak PM hour.
6. The Alaska Department of Transportation (ADOT) was solicited for comments. ADOT did not submit any comments for the proposed use.

Conclusions of Law: Based on the above findings, and with conditions, the proposed use will not negatively affect the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained (MSB 17.70.100(A)(2)(b)).

(c) The effectiveness of any measures to reduce any negative effect upon adjacent and nearby properties by property line buffers and arterial buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exists onto highways, arterials and collectors, and where the surrounding area is predominantly residential in character, site and building design features that contribute to the residential character of the development.

Findings of Fact:

1. According to the application material and Borough assessment records, the log cabin structure that will contain the proposed use was constructed in the 1960s.
2. Historically, the property has been used to operate a remote commercial lodge and the applicants and current owners have operated Alpine Creek Lodge for the last 11 years.
3. The subject parcel is located in a remote and isolated area. Large, un-subdivided tracts of land border the proposed use to the north, east, and west. The Denali Highway, abuts the use to the south.
4. The closest business is located approximately 14 miles from the proposed use at mile 81 of the Denali Highway.
5. There are no residential homes within several miles of the proposed use.
6. According to the application material, the proposed hours of operation are 11:00 a.m. to 12:00 a.m., daily.
7. Access to the proposed use is from the Denali Highway via a State permitted driveway.
8. According to the application material, lighting will not affect adjoining properties and the lighting used will be localized, direct, and low glare.
9. There are no illuminated signs associated with the use.

Conclusions of Law: Based on the above findings, and with conditions, measures will be in place to reduce any negative effect upon adjacent and nearby properties (MSB 17.70.100(A)(2)(c)).

(d) Whether there are adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit.

Findings of Fact:

1. According to the application material, the parking area provides 25 parking spaces and there are additional parking areas onsite if necessary.
2. According to the site plan, 2 customer parking spaces designated for persons with disabilities will be provided.
3. There is room for one parking space for every 21 square feet of floor area for the entire beverage dispensary building.

Conclusion of Law: Based on the above findings, adequate parking is provided (MSB 17.70.100(A)(2)(d)).

(e) Whether access to the premises will create an unreasonable traffic hazard.

Findings of Fact:

1. Access to the proposed use is from the Denali Highway via a State permitted driveway.
2. During the winter months, access to the lodge is typically limited to planes, snow machines, dog teams, and tracked vehicles, as the Denali Highway is commonly closed from October to June.
3. The Denali Highway provides the only road access in the area, and has many different uses on its frontage, including residential, commercial, and industrial.
4. The Denali Highway is classified as a highway, and as such, is capable of handling the potential increase in traffic.
5. ITE Trip Generation 10th Edition shows a “Drinking Place” 1000-square feet in size is expected to produce 15.53 trips per peak PM hour. The structure that will house the proposed beverage dispensary is approximately 535 square feet and based on these calculations the use is expected to produce approximately eight (8) trips per peak PM hour.
6. The Alaska Department of Transportation (ADOT) was solicited for comments. ADOT did not submit any comments for the proposed use.

Conclusion of Law: Based on the above findings, and with conditions, access to the premises will not create an unreasonable traffic hazard (MSB 17.70.100(A)(2)(e)).

(f) Whether a reasonably expected increase in traffic will overtax existing road systems.

Findings of Fact:

1. Access to the proposed use is from the Denali Highway via a State permitted driveway.

2. During the winter months, access to the lodge is typically limited to planes, snow machines, dog teams, and tracked vehicles, as the Denali Highway is commonly closed from October to June.
3. The Denali Highway provides the only road access in the area, and has many different uses on its frontage, including residential, commercial, and industrial.
4. The Denali Highway is classified as a highway, and as such, is capable of handling the potential increase in traffic.
5. ITE Trip Generation 10th Edition shows a “Drinking Place” 1000-square feet in size is expected to produce 15.53 trips per peak PM hour. The structure that will house the proposed beverage dispensary is approximately 535 square feet and based on these calculations is expected to produce approximately eight (8) trips per peak PM hour.
6. The Alaska Department of Transportation (ADOT) was solicited for comments. ADOT did not submit any comments for the proposed use.

Discussion: The ITE Trip Generation 10th edition does not distinguish between establishments that serve only beer and wine and establishments that offer a full service bar. Based on the calculations provided by the ITE Trip Generation 10th edition, staff does foresee a notable increase in traffic.

Conclusion of Law: Based on the above findings, and with conditions, traffic will not overtax existing road systems (MSB 17.70.100(A)(2)(f)).

(g) Whether the use is incompatible with the character of the surrounding neighborhood.

Findings of Fact:

1. Access to the proposed use is from the Denali Highway via a State permitted driveway.
2. The proposed use will occupy an existing log cabin structure approximately 535 square feet in size.
3. According to the application material and Borough assessment records, the log cabin structure that will contain the proposed use was constructed in the 1960s.
4. Historically, the property has been used to operate a remote commercial lodge and the applicants and current owners, have operated Alpine Creek Lodge for the last 11 years.
5. The subject parcel is located in a remote and isolated area. Large, un-subdivided tracts of land border the proposed use to the north, east, and west. The Denali Highway abuts the use to the south.
6. The closest business is located approximately 14 miles from the proposed use at mile 81 of the Denali Highway.
7. There are no residential homes within several miles of the proposed use.
8. According to the application material, Alpine Creek Lodge is the only business open year round on the 135-mile Denali Highway.

9. The Denali Highway provides the only road access in the area, and has many different uses on its frontage, including residential, commercial, and industrial.
10. The nearest school (Cantwell School) is approximately 67 road miles from the proposed use. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school.
11. According to the application material, the proposed hours of operation are 11:00 a.m. to 12:00 a.m., daily.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use is compatible with the character of the surrounding area (MSB 17.70.100(A)(2)(g)).

(3) *The commission shall deny the application if it does not meet the application standards.*

17.70.110 Special Standards for Liquor Uses.

(A) *In addition to the general standards, a commercial use shall only be approved if it meets the requirements of this section.*

(B) *An application shall be denied if the planning commission finds, based on the evidence presented, that one or more of the following are applicable.*

(1) *There is, or the use would tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area.*

Findings of Fact:

1. The Alcohol & Marijuana Control Office (AMCO) has no record of violations by Alpine Creek Lodge within the last 12 months.
2. The operator of the proposed use is required to operate in accordance with Alaska laws and statutes, which include but are not limited to, mandatory alcohol server education.
3. Persons under the age of 21 are prohibited from being served alcoholic beverages.
4. Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use will not increase the crime rate in the area or increase alcohol-related accidents (MSB 17.70.110(B)(1)).

(2) *The applicant or a person with an interest in the application has had an interest in a liquor license which was suspended or revoked in the 12 month preceding the application.*

Finding of Fact:

1. The Alcohol & Marijuana Control Office (AMCO) has no record of violations by Alpine Creek Lodge within the last 12 months.

Conclusion of Law: Based on the above finding, the applicant has not had a liquor license suspended or revoked in the 12 months preceding the application (MSB 17.70.110(B)(2)).

(3) *The applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public.*

Finding of Fact:

1. There has been no information submitted indicating the applicant, Alpine Creek Lodge, is untrustworthy or unfit to conduct business in the borough or that the applicant is a potential source of harm to the public.
2. The Alcohol & Marijuana Control Office (AMCO) has no record of violations by Alpine Creek Lodge within the last 12 months.

Conclusion of Law: Based on the above finding, the applicant is trustworthy or fit to conduct business in the borough and the applicant is not a potential source of harm to the public (MSB 17.70.110(B)(3)).

STAFF RECOMMENDATIONS

Staff recommends approval of the conditional use permit to operate a beverage dispensary (bar) at Mile 68 Denali Highway (Tax ID# U05278000L00). The proposed use meets all the standards of MSB 17.70.100 and 17.70.110. Staff also recommends the following conditions:

1. The operation shall comply with all other applicable federal, 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. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 17.61.080 – Noise Standards and MSB 8.52 – Noise, Amplified Sound and Vibration.

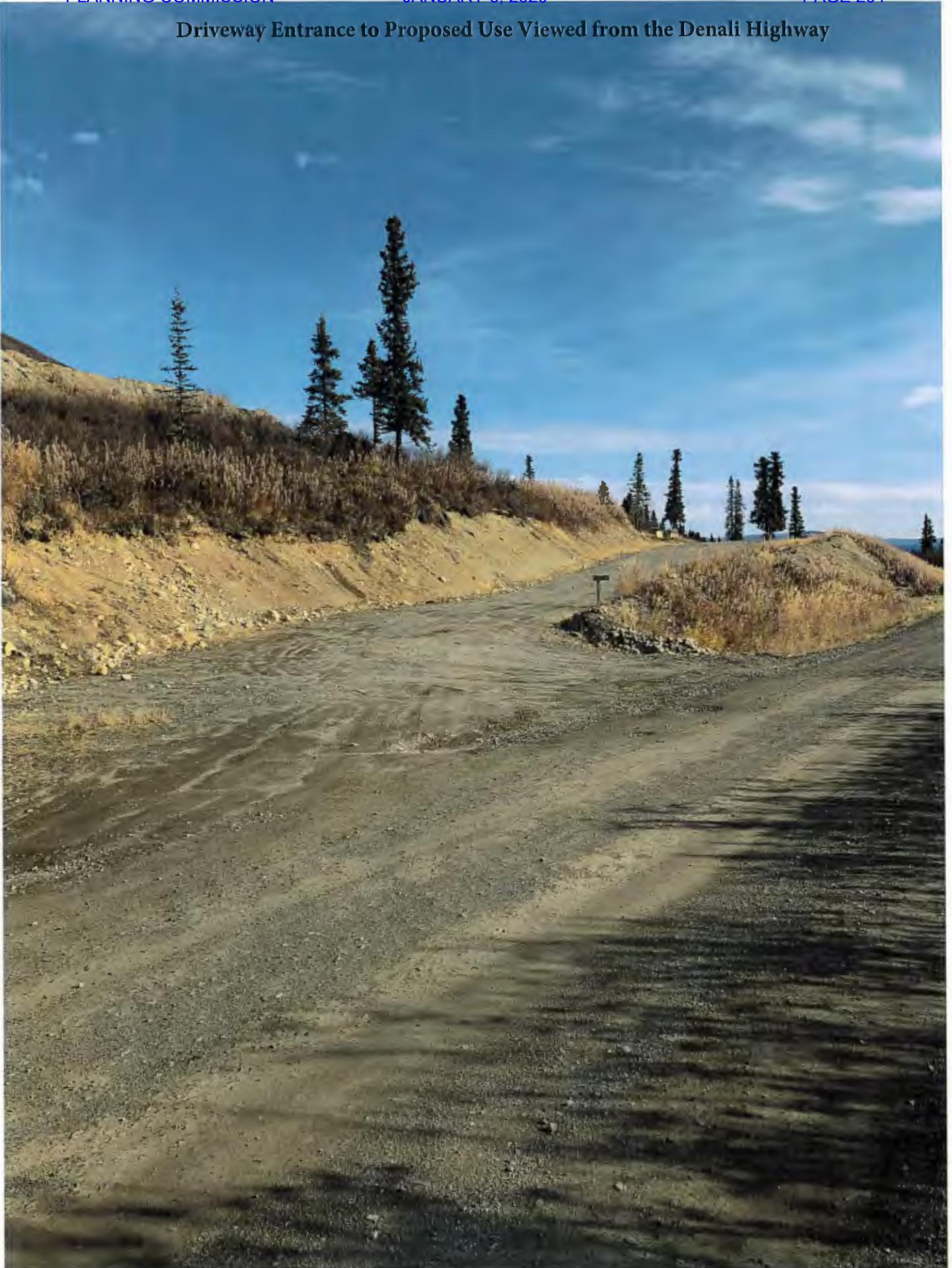
If the Planning Commission chooses to deny this permit, findings for denial must be prepared by the Commission.

Photo's taken by Joe Metzger, MSB Planner,
during a September 27, 2019 Site Inspection

Driveway Entrance to Proposed Use Intersecting with the Denali Highway



Driveway Entrance to Proposed Use Viewed from the Denali Highway



Driveway Entrance to Proposed Use Intersecting with the Denali Highway



Parking Area Looking to the West



ADA Parking Space



ADA Parking Space

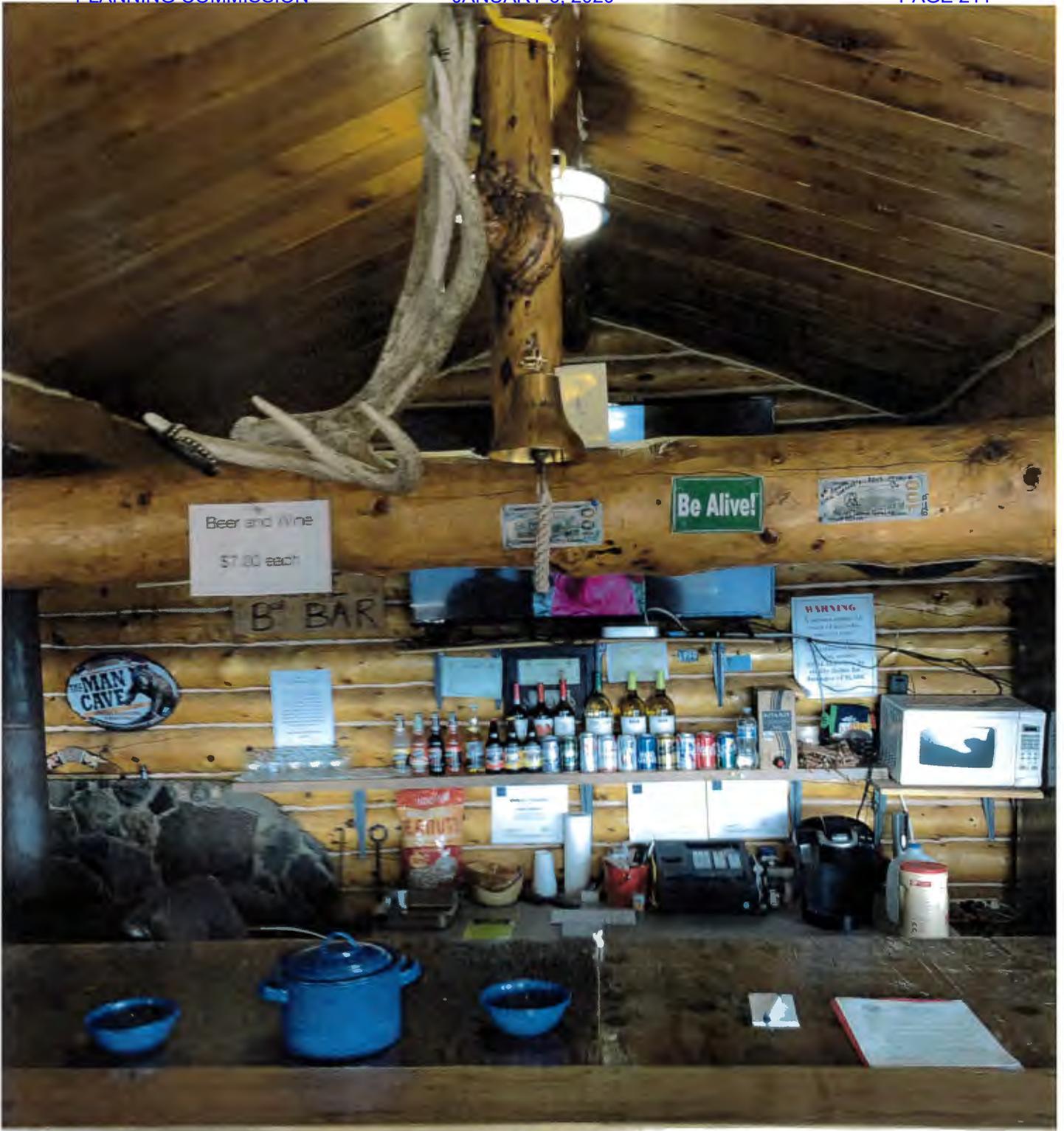


Looking South From Subject Parcel



Entrance to Proposed Beverage Dispensary



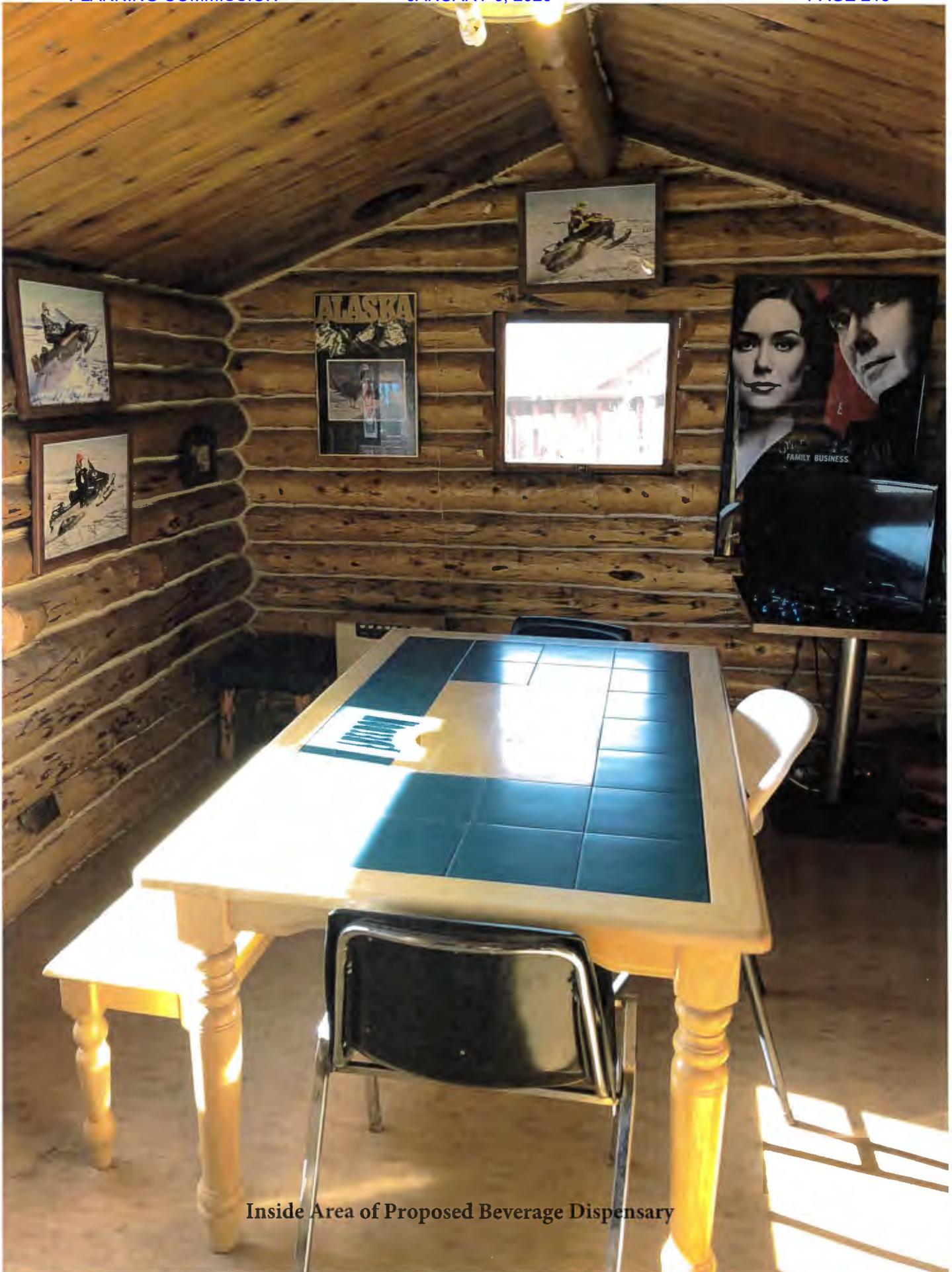


Inside Area of Proposed Beverage Dispensary





Inside Area of Proposed Beverage Dispensary



Inside Area of Proposed Beverage Dispensary



Inside Area of Proposed Beverage Dispensary

Looking South from Outside Beverage Dispensary



Proposed Beverage Dispensary with Alpine Creek Lodge in Background



Frontiersman

Growing with the Valley since 1947.

5751 E. MAYFLOWER CT.
Wasilla, AK 99654

Accounts Payable

DEC 05 2019

Received

(907) 352-2264 ph
(907) 352-2277 fax

AFFIDAVIT OF PUBLICATION

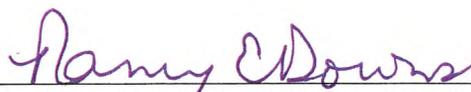
UNITED STATES OF AMERICA, STATE OF ALASKA, THIRD DIVISION
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, THIS DAY
PERSONALLY APPEARED BEFORE **JULLIE ZOOK** WHO, BEING
FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT SHE IS THE
LEGAL AD CLERK OF THE **FRONTIERSMAN**
PUBLISHED AT WASILLA AND CIRCULATED THROUGH OUT MATANUSKA SUSITNA
BOROUGH, IN SAID DIVISION THREE AND STATE OF ALASKA
AND THAT THE ADVERTISEMENT, OF WHICH THE ANNEXED IS A TRUE
COPY, WAS PUBLISHED ON THE FOLLOWING DAYS:

NOVEMBER 13, 2019

AND THAT THE RATE CHARGED THEREIN IS NOT IN EXCESS OF
THE RATE CHARGED PRIVATE INDIVIDUALS.



SUBSCRIBED AND SWORN TO BEFORE ME
THIS 14th DAY OF NOVEMBER 2019.

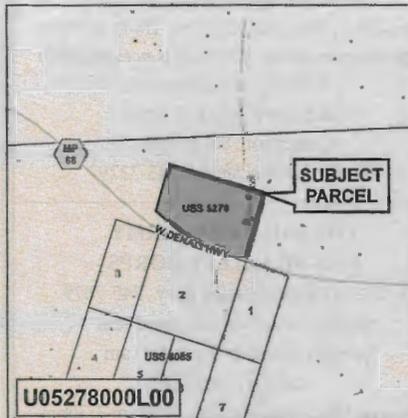


NOTARY PUBLIC FOR STATE OF ALASKA

NOTARY PUBLIC
NANCY E DOWNS
STATE OF ALASKA
MY COMMISSION EXPIRES AUG. 25, 2023

MATANUSKA SUSITNA BOROUGH PAGE
ACCOUNT NUMBER 405249

ALPINE CREEK LODGE - CONDITIONAL USE PERMIT



An application for a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses, has been submitted for the operation of a beverage dispensary.

Location: The proposed use is located at Mile 68 of the Denali Highway (Tax ID# U05278000L00); within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian.

Applicant: Claude and Jennifer Bondy on behalf of Alpine Creek Lodge

Public Hearing: The Planning Commission will conduct a public hearing concerning this application for a conditional use permit on **Monday, January 6, 2020**, 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.

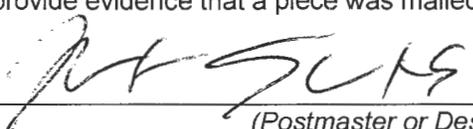
The application material may also be reviewed at the Borough Permit Center. If you have questions or want to submit comments, please contact Joseph Metzger, Planner II at 861-7862 or mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645, or email: joseph.metzger@matsugov.us Comments are due on or before **December 6, 2019** and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission.

Publish: November 13, 2019

11-10-19



Certificate of Bulk Mailing – Domestic

Fee for Certificate		Use Current Price List (Notice 123)	<p>Postage: Mailers must affix meter, PC Postage[®], or (uncanceled) postage stamps here in payment of total fee due.</p> <p>Acceptance employee must cancel postage affixed (by round-date) at the time of mailing.</p> <p>If payment of total fee due is being paid by Permit Imprint, include the <i>PostalOne!</i>[®] Transaction Number here: _____</p>
Up to 1,000 pieces (1 certificate for total number)			
For each additional 1,000 pieces, or fraction thereof			
Duplicate Copy <input type="checkbox"/>			
Number of Identical Weight Pieces 8	Class of Mail 1st	Postage for Each Mailpiece Paid <input type="checkbox"/> Verified	Number of Pieces to the Pound 96
Total Number of Pounds 2.5 oz.	Total Postage Paid for Mailpieces \$4.00	Fee Paid \$8.55	
Mailed For Joe Metzger Dev. Services		Mailed By Jeggy Boswell	
Postmaster's Certification			
It is hereby certified that the number of mailpieces presented and the associated postage and fee were verified. This certificate does not provide evidence that a piece was mailed to a particular address.			
 _____ (Postmaster or Designee)			



Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

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

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

- Application:** Conditional Use Permit for the Operation a Beverage Dispensary
- MSB Code Section:** MSB 17.70 – Regulation of Alcoholic Beverage Uses
- Applicant:** Jennifer and Claude Bondy on behalf of Alpine Creek Lodge
- Location:** Mile 68 Denali Highway, (Tax ID# U05278000L00); within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian.
- Request:** An application for a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses, has been submitted for the operation of a beverage dispensary.

The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **January 6, 2020 at 6:00 p.m.** in the Borough Assembly Chambers, 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. The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request more information from the applicant at the time of introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing. Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material is also available for review at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to the MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to Joseph.Metzger@matsugov.us. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated as an "interested party." See MSB 15.39.010 for 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.matsugov.us, in the Borough Clerk's office, or at various libraries within the borough.

Comments are due on or before **December 6, 2019** and will be included in the Planning Commission packet for the Commissioner’s review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission.

Name: _____ **Mailing Address:** _____

Location/Legal Description of your property: _____

Comments: _____

Note: Vicinity Map Located on Reverse Side

4U04351000L00 1
ALASKA ADVENTURE SERVICES LLC
2877 N MEADOW LAKES DR
WASILLA AK 99623

4U05278000L00 2
BONDY CLAUDE & JENNIFER
% ALPINE CREEK LODGE
PO BOX 121
CANTWELL, AK 99729

4U08085000L01 3
CROW JERRY L
510 HAGAMAN RD
PO BOX 72915
FAIRBANKS, AK 99707-2915

4U04314000L01-1 4
GRATIAS RHOADES LVG TR
GRATIAS DAVE R & RHOADES C L TRES
850 ELAINE DR
ANCHORAGE AK 99504

4U04062000L00 5
JOHNSON JEFFREY B & DIAS M B
JOHNSON C C & JOHNSON M R
JOHNSON E S & JOHNSON G J
23255 GLACIER VIEW DR
EAGLE RIVER AK 99577

4U04339000000 6
MILLS WILLIAM G & MARY ANN
PO BOX 143
STERLING AK 99672-0143

4U04274-20L00 7
STRATHE CODY
DROBNY SUSAN P
PO BOX 69
CANTWELL AK 99729

4U04314000L02 8
WILLIAMS JEANETTE Y
% TIMOTHY WILLIAMS
7809 MAYAPPLE PL
RALEIGH, NC 27613

tara0609
8
11/12/2019 2:21:45 PM

Joseph Metzger

From: Joseph Metzger
Sent: Friday, November 8, 2019 3:49 PM
To: 'allen.kemplen@alaska.gov'; 'tucker.hurn@alaska.gov'; 'melanie.nichols@alaska.gov'; 'kyler.hylton@alaska.gov'; 'sarah.wilber@alaska.gov'; 'mearow@matanuska.com'; 'rglenn@mta-telco.com'; 'jthompson@mta-telco.com'; 'row@enstarnaturalgas.com'; 'ospdesign@gci.com'; Eric Phillips; Jude Bilafer; Cindy Corey; Terry Dolan; Jim Jenson; Jamie Taylor; Nicole Wilkins; Karol Riese; Taunnie Boothby; Theresa Taranto; John Aschenbrenner; John Aschenbrenner; Sloan VonGunten; Jill Irsik; Michelle Wagner; Cheryl Scott; 'jimskyedistrict1@gmail.com'
Subject: RFC Alpine Creek Lodge CUP for a Beverage Dispensary due Dec. 6

Date: November 8, 2019
To: Various Governmental Agencies
From: Joseph Metzger, Planner II
Subject: Request for Review and Comments Governmental Agencies
Project: Conditional Use Permit for Earth Material Extraction
Location: Mile 68 Denali Highway, (Tax ID# U05278000L00); within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian.
Applicant: Claude and Jennifer Bondy on behalf of Alpine Creek Lodge

An application for a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses, has been submitted for the operation of a beverage dispensary. The Planning Commission will conduct a public hearing on this request on January 6, 2020. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application materials may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be reviewed at the Borough Permit Center. A direct link to the application material is here:

<https://www.matsugov.us/publicnotice/alpine-creek-lodge-conditional-use-permit>

Comments are due on or before ***December 6, 2019*** and will be included in the Planning Commission packet for the Commissioner’s review and information. Please be advised that comments received after that date will not be included in the staff report to the Planning Commission. Thank you for your review.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862



Trip Generation Manual

10th Edition • Volume 2: Data • Part 3
(Land Uses 800–999)

SEPTEMBER 2017

INSTITUTE OF TRANSPORTATION ENGINEERS

Land Use: 925 Drinking Place

Description

A drinking place contains a bar, where alcoholic beverages and food are sold, and possibly some type of entertainment, such as music, television screens, video games, or pool tables. Establishments that specialize in serving food but also have bars are not included in this land use.

Additional Data

All data for this land use were collected on Mondays through Thursdays.

The sites were surveyed in the 1980s and the 1990s in Colorado, Oregon, and South Dakota.

Source Numbers

291, 358, 583

Drinking Place (925)

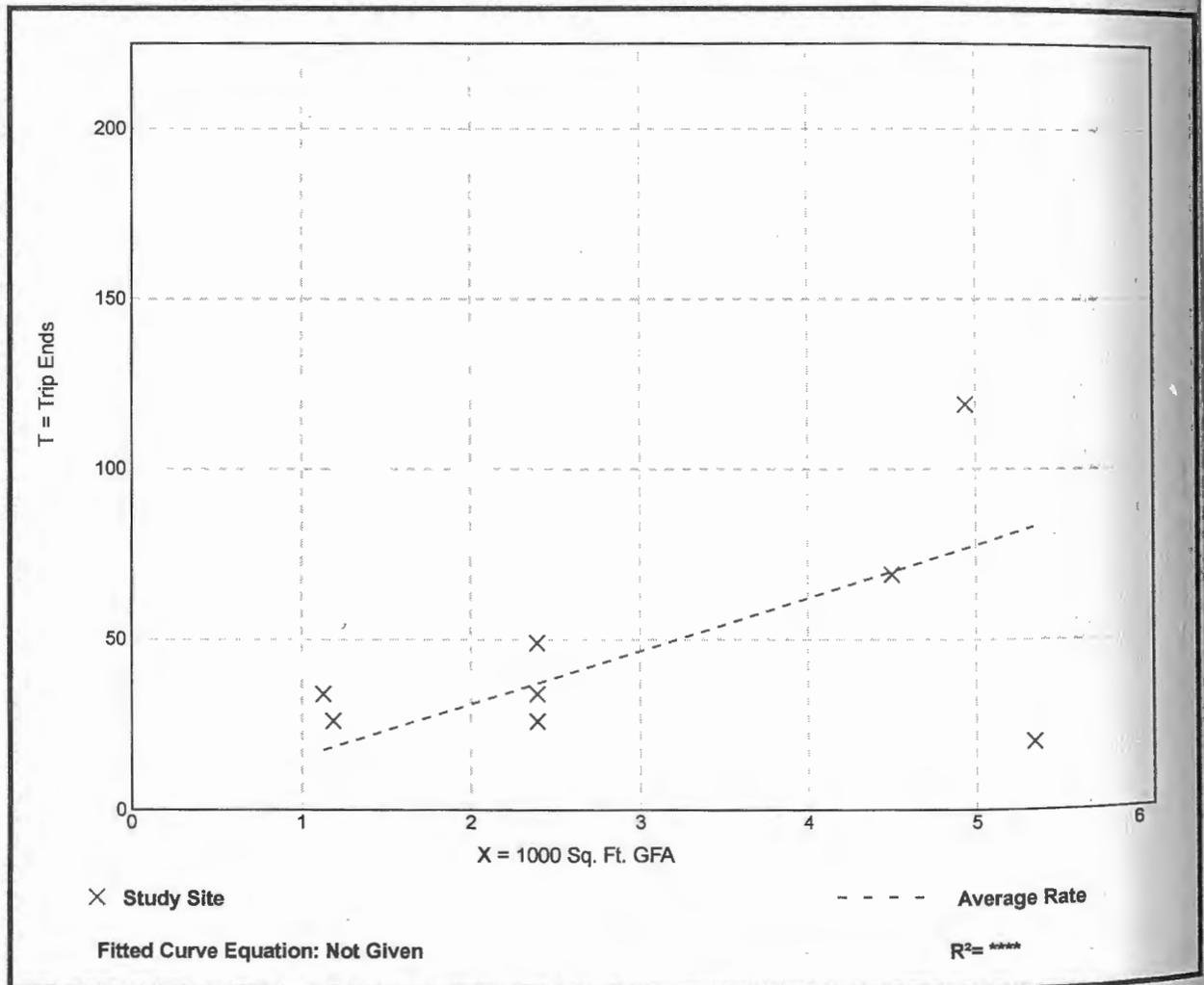
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban
Number of Studies: 8
1000 Sq. Ft. GFA: 3
Directional Distribution: 68% entering, 32% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
15.53	3.74 - 30.09	8.42

Data Plot and Equation



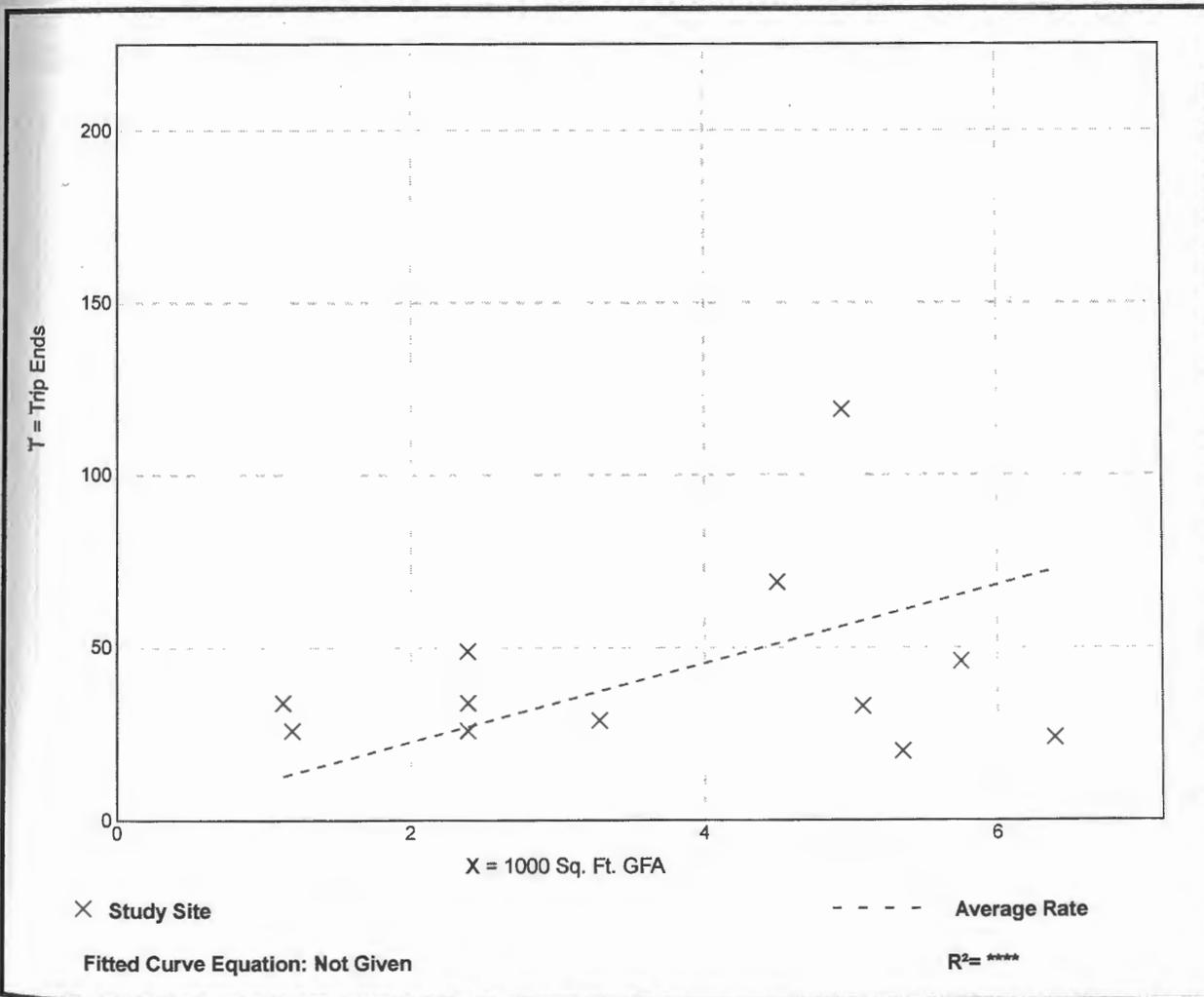
Drinking Place (925)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 12
 1000 Sq. Ft. GFA: 4
 Directional Distribution: 66% entering, 34% exiting

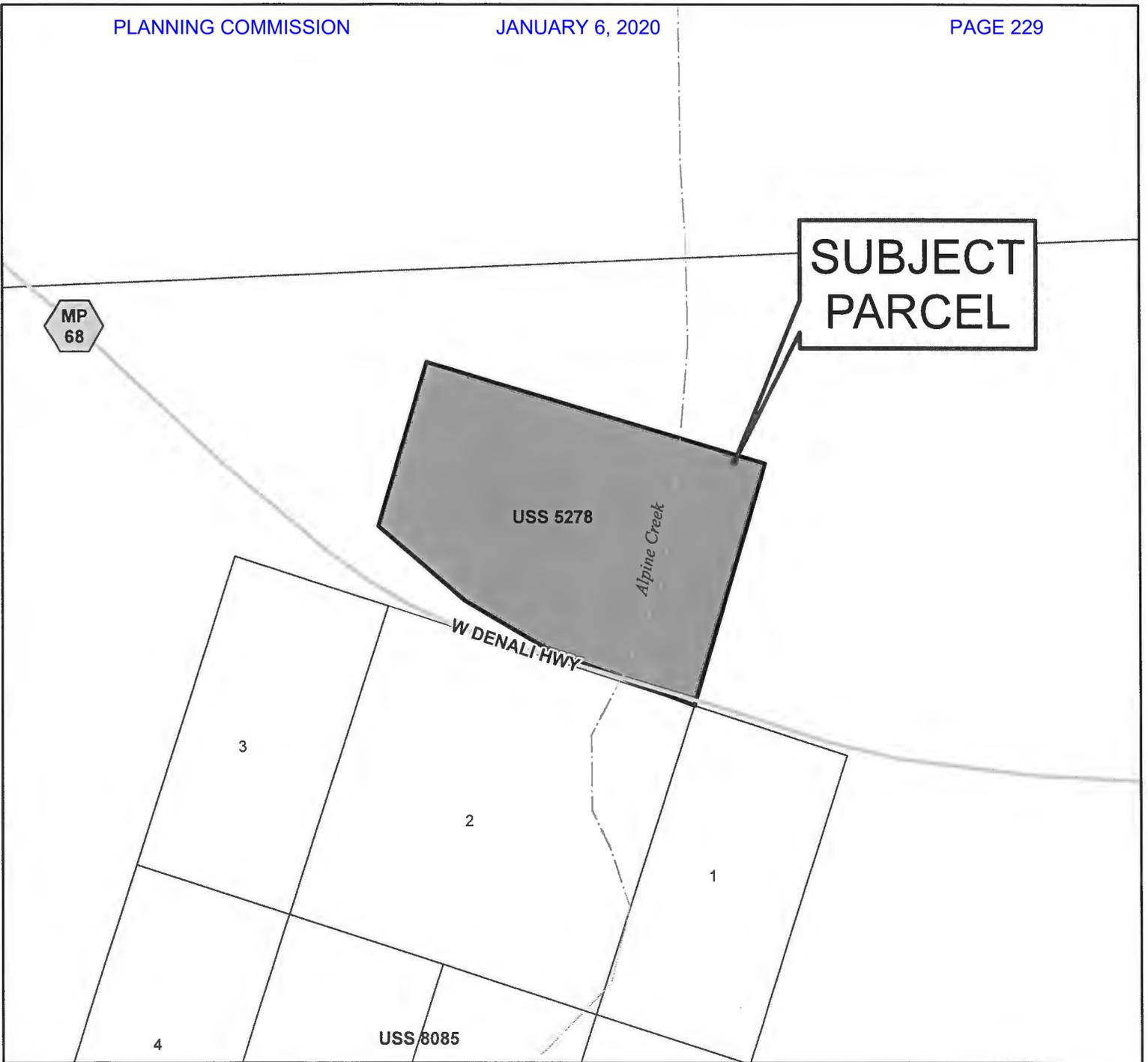
Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
11.36	3.74 - 30.09	7.81

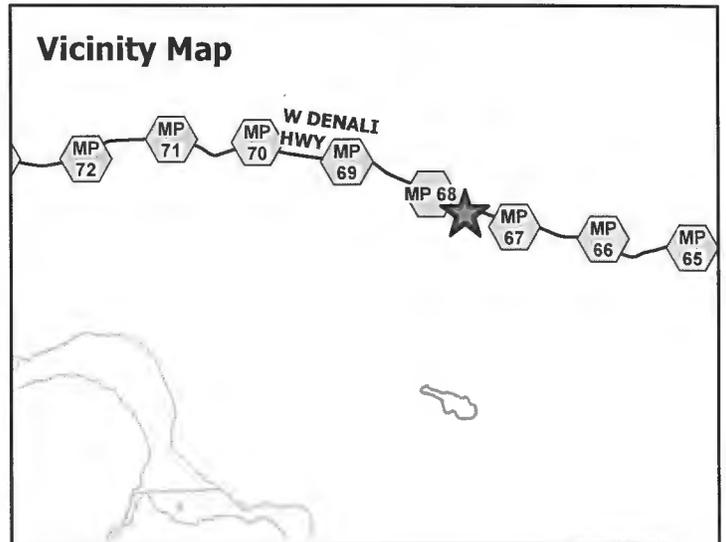
Data Plot and Equation



VICINITY MAP

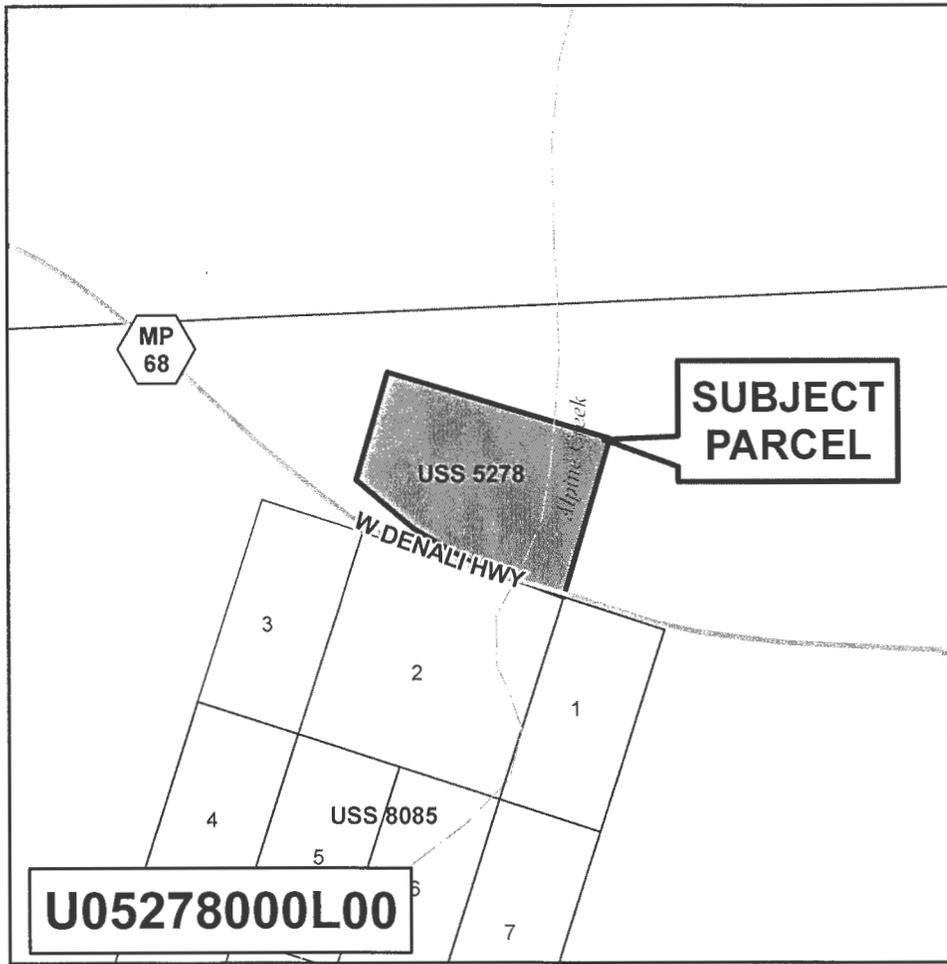


U05278000L00



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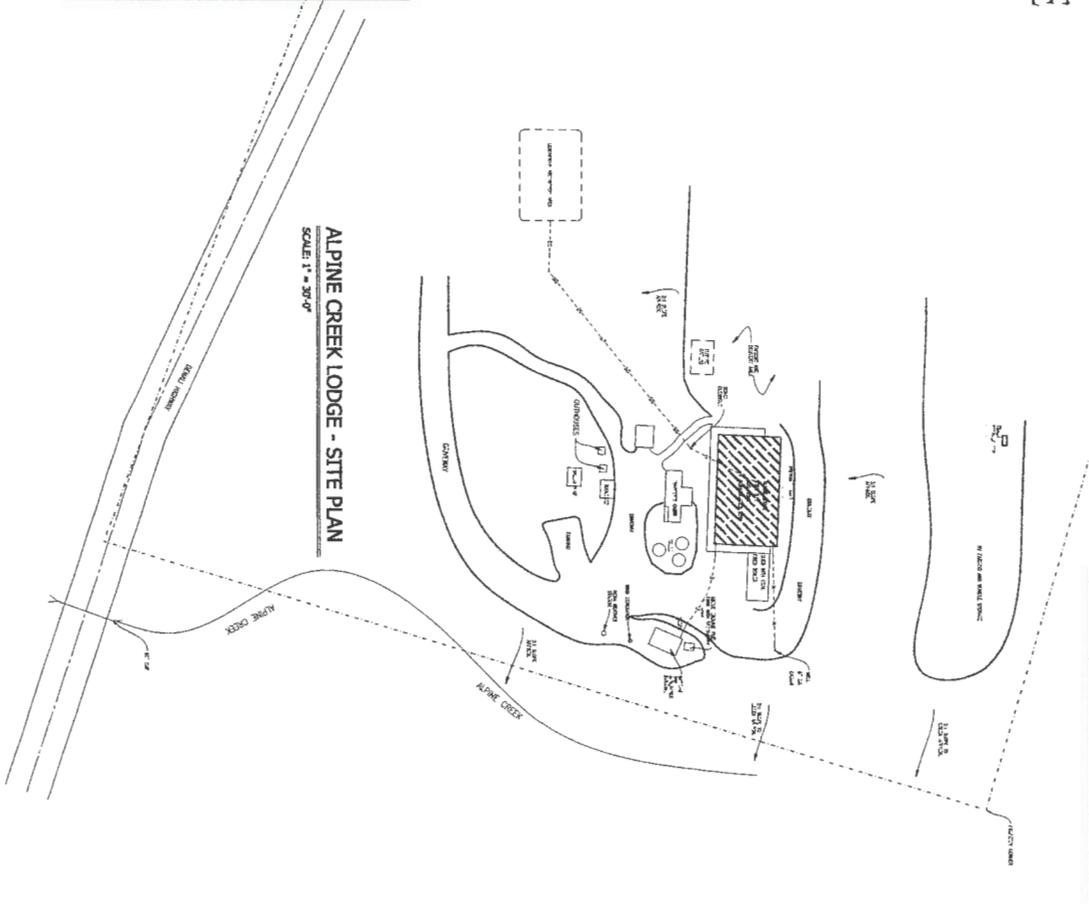


SITE PLAN

ALPINE CREEK LODGE



The Best Place in Alaska!



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 MATANUSKA-SUSITNA BOROUGH
 DEVELOPMENT SERVICES

Design Alaska
 Architects • Engineers • Surveyors
 807 452 7441
 designalaska.com

ALPINE CREEK LODGE

ALPINE CREEK LODGE ASSESSMENT PROJECT #001217

ISSUE DATE: 30 MAR 2012
 DRAWING NUMBER: 001217
 DESIGNED BY: ERM
 CHECKED BY: ERM
 SCALE: 0" = 30'-0"

SITE PLAN

A0.1

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ALPINE CREEK LODGE KITCHEN HOOD

PROJECT NUMBER: 001217

DRAWINGS INDEX:

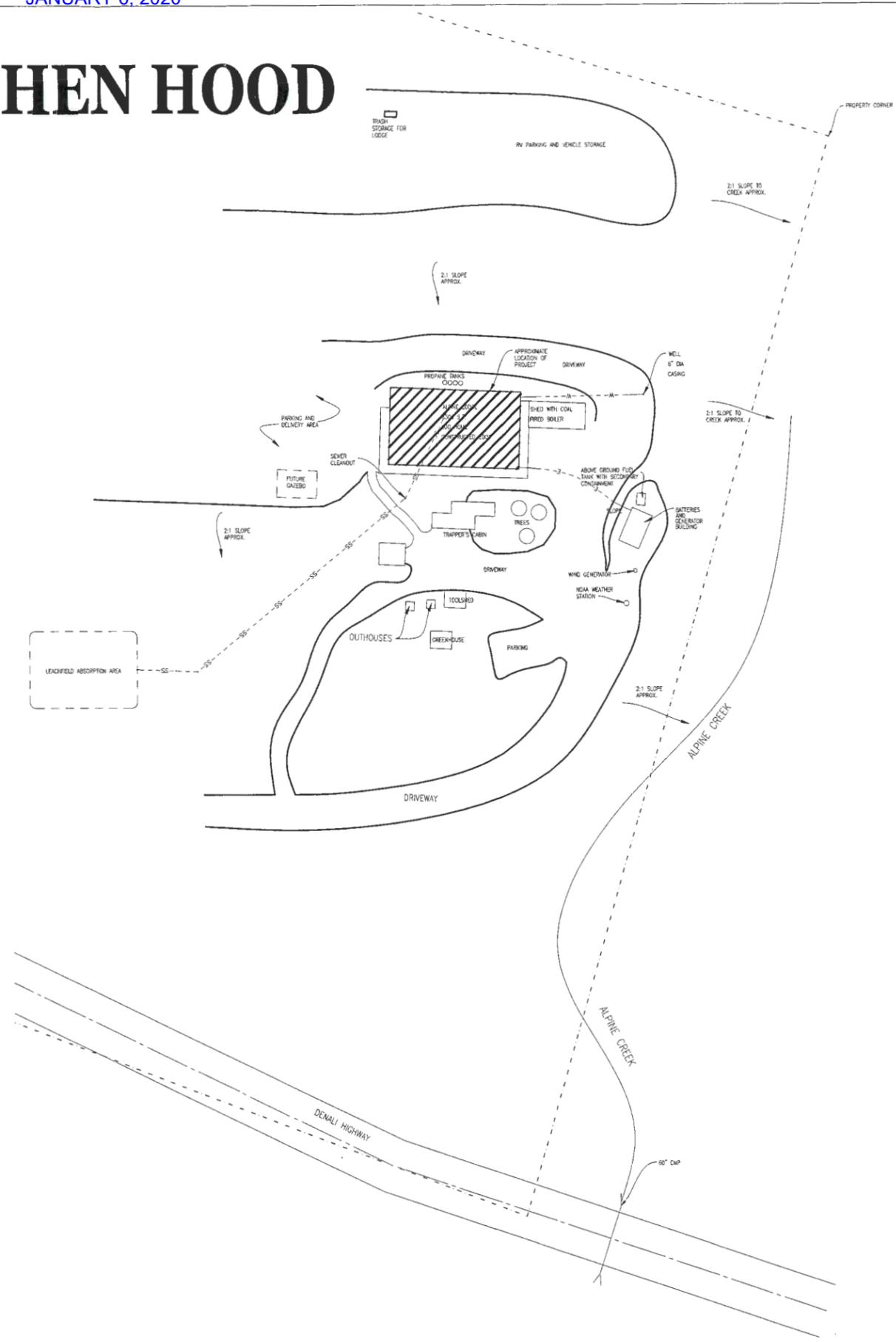
TITLE SHEET	T100 TITLE SHEET
MECHANICAL	M101 KITCHEN HOOD VENTILATION PLAN
STRUCTURAL	S100 STRUCTURAL EQUIPMENT OPENING DETAILS

ABBREVIATIONS

ADA	AMERICANS WITH DISABILITIES ACT	IBC	INTERNATIONAL BUILDING CODE
AF	ABOVE FINISH FLOOR	INSUL.	INSULATION
CMU	CONCRETE MASONRY UNIT	MANUF.	MANUFACTURER
COMM.	COMMUNICATION	MTL	METAL
CONC.	CONCRETE	(N)	NEW
CONT.	CONTINUOUS	N.T.S.	NOT TO SCALE
DBL	DOUBLE	O.C.	ON CENTER
D.F.	FOUNTAIN	O.H.	OVERHEAD
(E)	EXISTING	O.F.C.I.	OWNER FURNISHED CONTRACTOR INSTALLED
ELEC.	ELECTRICAL	PLYUD	PLYWOOD
E.O.	EVERY OTHER	SC	SOLID CORE
EQ	EQUAL	SIM.	SIMILAR
F.E.	FIRE EXTINGUISHER	STL	STEEL
FF	FACTORY FINISH	THK	THICKNESS
FIN. FLR.	FINISHED FLOOR	TYP.	TYPICAL
FIXT.	FIXTURE	UL	UNDERWRITERS LABORATORY
FIBS	FAIRBANKS NORTH STAR BOROUGH	W	WITH
GALV.	GALVANIZED	W/O	WITHOUT
GYP. BD.	GYP. BOARD		
HDUE	HARDWARE		
HM	HOLLOW METAL		

LEGEND

(E)	EXISTING	1	FIRST FLOOR PLAN	DETAIL NUMBER
OFFICE	ROOM NAME	A5	1/32"=1'-0"	TITLE
102A	ROOM NUMBER			SCALE
N	PLAN NORTH	A		SHEET LOCATION
		A4		
		A		SECTION NUMBER
		A4		SHEET LOCATION



ALPINE CREEK LODGE KITCHEN HOOD

PROJECT NUMBER: 001217

Design Alaska
 Architects - Engineers - Surveyors
 601 College Road Fairbanks AK 99701
 907.452.1741 designalaska.com

ALPINE CREEK LODGE



DRAWINGS INDEX:

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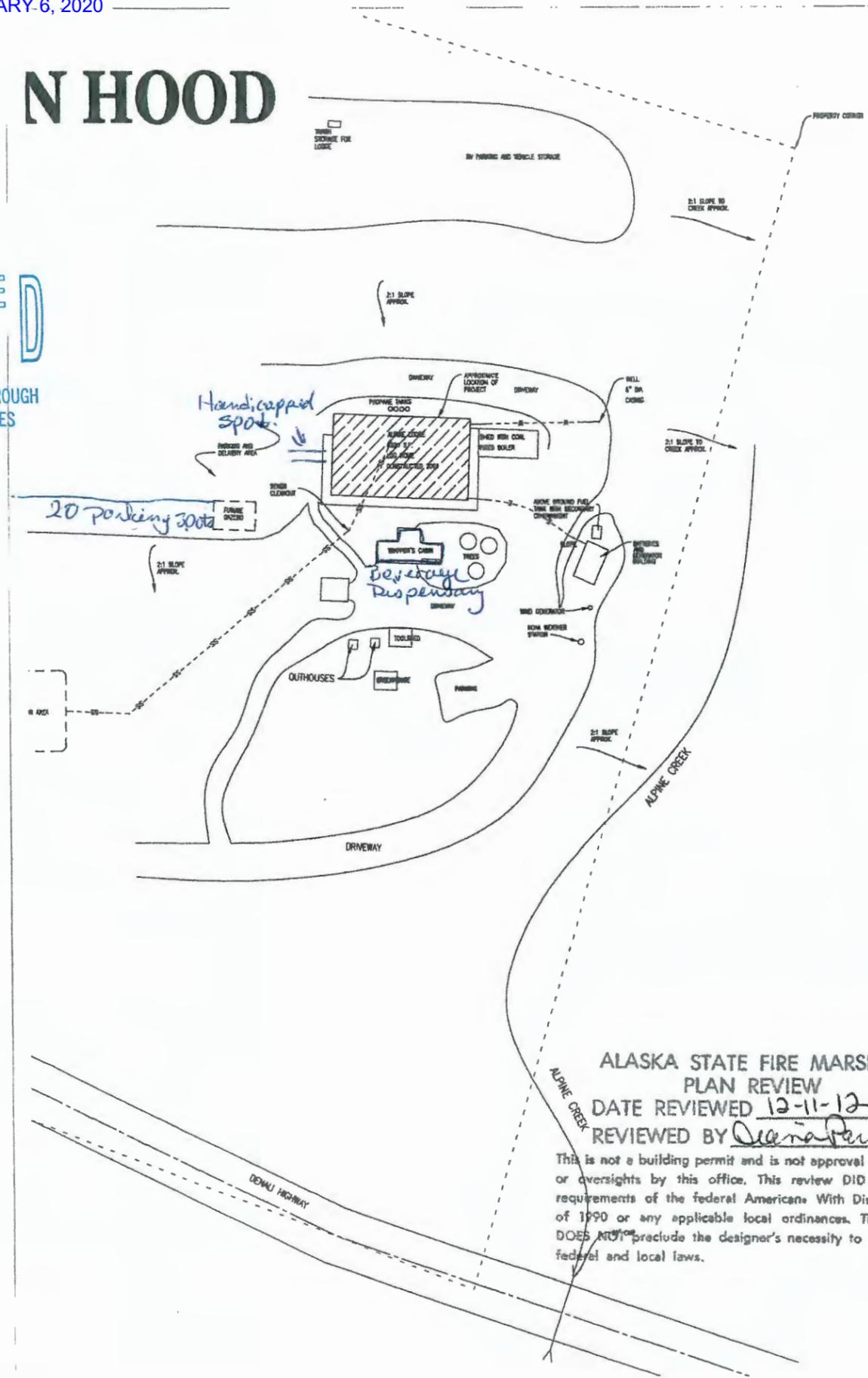
ABBREVIATIONS

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GALV.	GALVANIZED	W/O	WITHOUT
GYP. BD.	GYP. BOARD		
HDWE	HARDWARE		
HM	HOLLOW METAL		

LEGEND

(E)	EXISTING	1	FIRST FLOOR PLAN	DETAIL NUMBER
OFFICE	ROOM NAME	A5	1/32" = 1'-0"	TITLE
T100	ROOM NUMBER	A		SCALE
N	PLAN NORTH	AA		SHEET LOCATION
		A		DETAIL NUMBER
		AA		SHEET LOCATION
		A		SECTION NUMBER
		AA		SHEET LOCATION

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 OCT 16 2019
 MATANUSKA-SUSITNA BOROUGH
 DEVELOPMENT SERVICES



ALASKA STATE FIRE MARSHAL
 PLAN REVIEW
 DATE REVIEWED 12-11-12
 REVIEWED BY *Diana Parks*

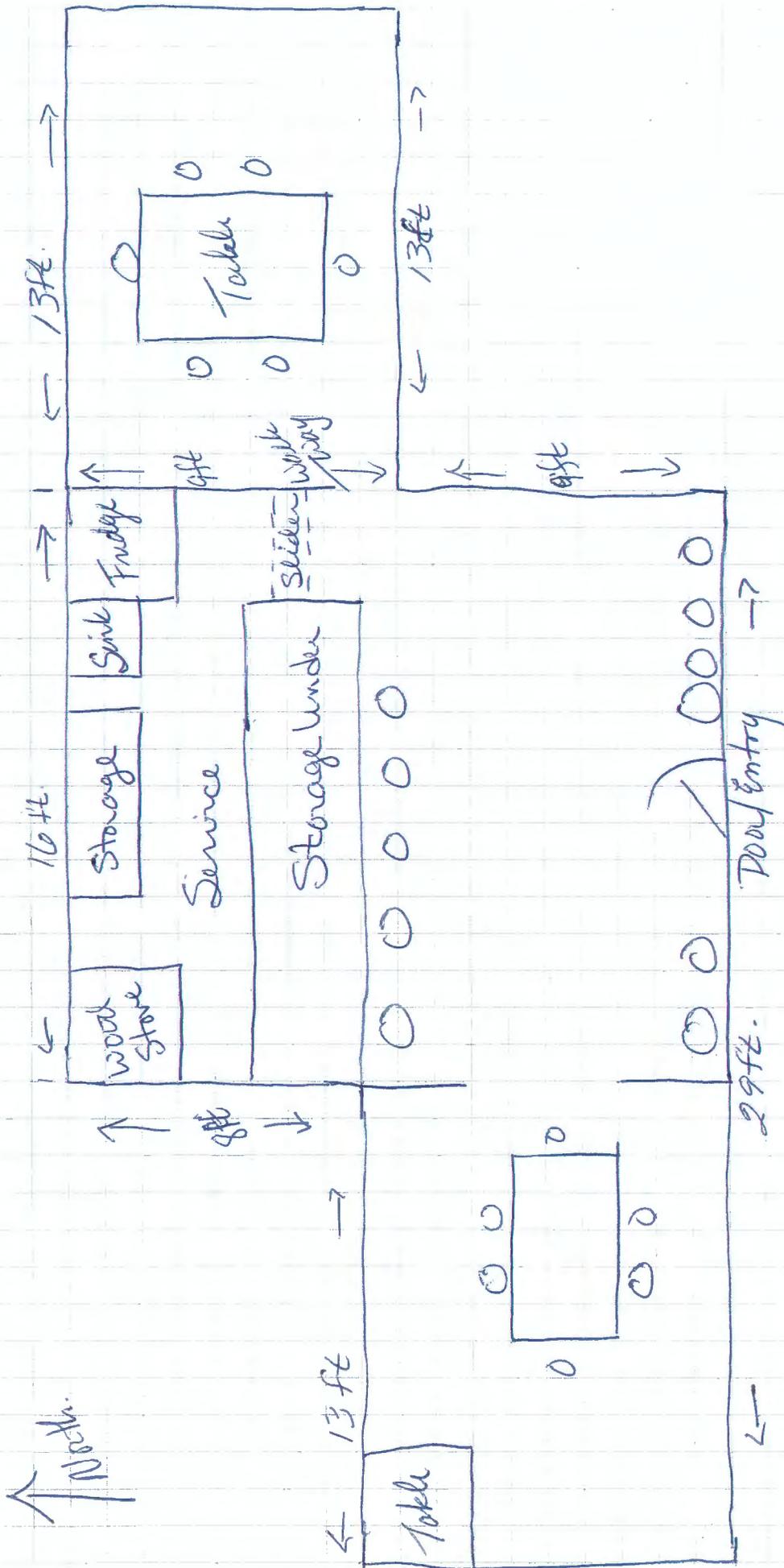
This is not a building permit and is not approval of omissions or oversights by this office. This review DID NOT cover requirements of the federal American With Disabilities Act of 1990 or any applicable local ordinances. This approval DOES NOT preclude the designer's necessity to comply with federal and local laws.

ALPINE CREEK
 LODGE
 KITCHEN HOOD
 PROJECT #001217

ISSUE DATE	31 OCT 2012
COMM. NUMBER	001217
DESIGNED BY	JC
DRAWN BY	JC
SCALE	0" = 1"

TITLE SHEET

Beverage Dispensary Site Plan



RECEIVED
 OCT 16 2019

MATANUSKA-SUSTINA BOROUGH
 DEVELOPMENT SERVICES

Each Square is a foot.
 Total Sq ft = 535

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APPLICATION MATERIAL



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Development Services Division

Matanuska - Susitna Borough
Development Services

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7822 • Fax (907) 861-7876

Email: permitcenter@matsugov.us

SEP 04 2019

Received

APPLICATION FOR A CONDITIONAL USE PERMIT
REGULATION OF ALCOHOLIC BEVERAGE USES - MSB 17.70

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

Application fee must be attached:

- Checked: \$1,000 for Liquor Beverage Dispensary
\$1,000 for Liquor Package Store

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

Subject Property Township: Range: Section: Meridian
MSB Tax Account # U05278000L00
SUBDIVISION: BLOCK(S): LOT(S):
STREET ADDRESS: Mile 68 Denali Highway
(US Survey, Aliquot Part, Lat. /Long. etc) U.S. Survey 5278

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

Name of Property Owner: Claude & Jennifer Bundy
Name of Agent/ Contact for application
Address: P.O. Box 121
Cantwell, Ak 99729
Phne: Hm 907-398- Fax
Wk 9673 Cell
E-mail: cd@alpinecreek1odge.com

Table with 2 columns: Requirement, Attached. Row 1: Is the conditional use compatible... Row 2: Will the granting of the conditional use permit be harmful...

3. Are sufficient setbacks, lot area, buffers and other safeguards being provided?	✓
4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?	✓
5. Is there any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?	✓
6. What measures are being proposed to reduce any negative effect upon adjacent and nearby properties by property line buffers and arterial buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors and where the surrounding area is predominantly residential in character, site and building design features that contribute to the residential character of the development?	✓
7. Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?	✓
8. Will access to the premises create an unreasonable traffic hazard?	✓
9. Will a reasonably expected increase in traffic overtax the existing road system?	✓
10. Is the use compatible with the character of the surrounding neighborhood?	✓
11. Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area?	✓
12. Does the applicant or a person with an interest in the application have an interest in a liquor license which was suspended or revoked in the 12 months preceding the application?	✓
13. Has the applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?	✓

Supplemental Information – Explain in Detail	Attached
1. Maximum occupancy capacity of facility as determined by Fire Marshall	✓
2. Number of employees proposed to work on largest work shift.	✓
3. Number of regular parking spaced provided.	✓
4. Number of handicapped parking spaces provided.	✓
5. Is the use a sole occupant in a building or a tenant in a building?	✓
6. Total square footage of space in building occupied by this use.	✓
7. Hours of operation.	✓
8. Noise mitigation measures	✓

SITE PLAN – Attach a detailed, to scale, site plan clearly showing the following information:	Attached
1. Proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the liquor use. Draw lot dimensions and indicate setback distance of structure(s) from the lot lines, rights-of-way, and waterbodies.	✓
2. Dimensions of all structures	✓
3. Interior floor plans (specific location of the use or uses to be made of the development)	✓
4. Signage – Existing and Proposed	✓
5. Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	✓
6. Proposed contouring	✓
7. Vegetation and any landscaping	✓
8. Buffering – Fences, trees, topography, or berms	✓
9. Drainage	✓
10. Vehicular and pedestrian circulation patterns	✓
11. Exterior site lighting	✓
12. Distance(s) to the nearest intersection in all directions from proposed permit site along roads adjacent to the site.	✓
13. Location and dimensions of parking areas to be provided	✓
14. Boundary protection	✓
15. Scale and north arrow.	✓

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

MSB Tax parcel ID #(s) 405278000400 and, I hereby apply for approval an alcoholic beverage use conditional use permit on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.70 and with all other applicable borough, state or federal laws.

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

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

I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to the buyer when I sell the land.

I understand that changes from the approved conditional use permit may require further authorization by the Borough Planning Commission. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

Real Property Detail for Account: U05278000L00

Site Information

U05278000L00
 68996 None
 F22S03E06
 U.S. SURVEY 5278

Ownership

BONDY CLAUDE & JENNIFER
 % ALPINE CREEK LODGE PO BOX 121
 CANTWELL AK 99729

Appraisal Information

Assessment

Year	Assessed Value	Market Value	Special Value	Year	Assessed Value	Market Value	Special Value
2019	\$23,100.00	\$326,000.00	\$349,100.00	2019	\$23,100.00	\$326,000.00	\$349,100.00
2018	\$23,100.00	\$325,300.00	\$348,400.00	2018	\$23,100.00	\$325,300.00	\$348,400.00
2017	\$23,100.00	\$319,000.00	\$342,100.00	2017	\$23,100.00	\$319,000.00	\$342,100.00

Building Information

None 1
 Residential Building Standard
 Cabin None
 Log 1983
 1215 - Cabin Wood Posts
 \$6700

None 1
 Residential Building Standard
 Two Story None
 Log 2002
 05.4 All Weather Wood
 \$317500 Well 1 - Drilled Well
 Septic - 1 - Septic Tank

None 1
 Residential Building Standard
 Cabin None
 Frame 1968
 1215 - Cabin Wood Posts
 \$1800

Building Item Details

Item	Description	Area	Percentage
1	First Story	2100 Sq. Ft.	65 %
1	Second Story	2444 Sq. Ft.	65 %
2	Wood Stove - 8Y	1 Sq. Ft.	100%
2	Wood Stove - 8Y	1 Sq. Ft.	100%
2	First Story	522 Sq. Ft.	100%
3	Barrel Stove - 8S	1 Sq. Ft.	100%
3	First Story	192 Sq. Ft.	100%

Tax/Billing Information

Recorded Documents

Year	Assessed	Market	Special	Description	Link
2019 Yes	0021	10.959	\$3825.78	6/23/2008 WARRANTY DEED (ALL TYPES)	Talkeetna 2008-000821-0
2018 Yes	0021	10.879	\$3790.24	6/19/1997 WARRANTY DEED (ALL TYPES)	Talkeetna Bk: 162 Pg: 639
2017 Yes	0021	10.88	\$3722.05	6/22/1992 Patent	Talkeetna Bk: 139 Pg: 776

Tax Account Status ²

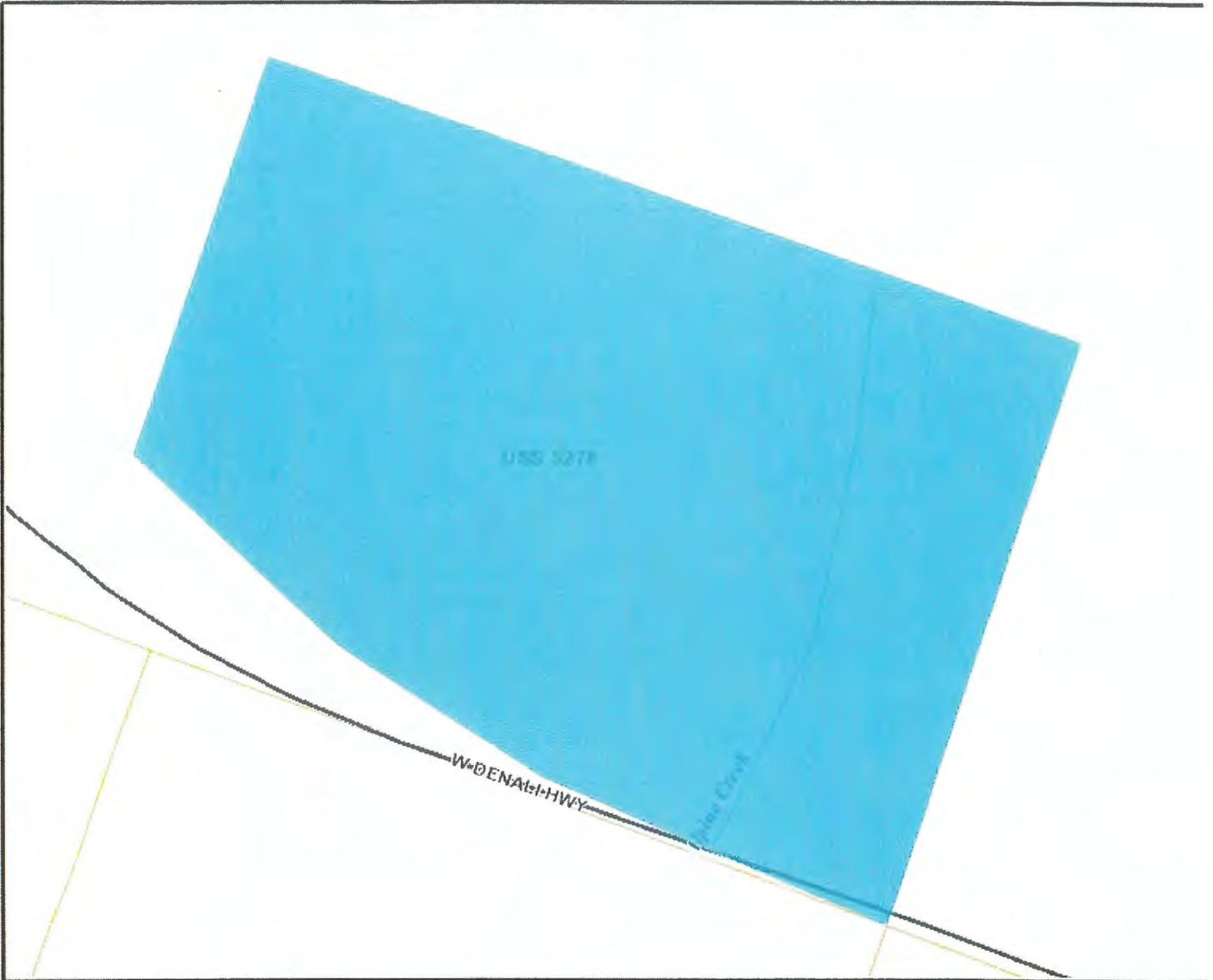
Current \$1,912.89 \$0.00 \$0.00 \$0.00 \$0.00 No

Land and Miscellaneous

7.70 7.70 Assembly District 001 [09-640](#)

¹ Total Assessed is net of exemptions and deferrals, 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.



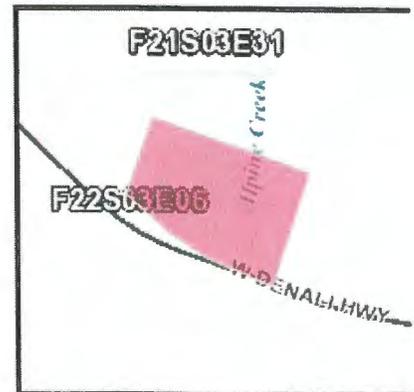
Selected parcel highlighted

Account ID: U05278000L00

Owner(s): BONDY CLAUDE & JENNIFER

General Owner: PRIVATE

Legal Description: U.S. SURVEY 5278



Parcel location within Matanuska-Susitna Borough

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ALPINE CREEK LODGE KITCHEN HOOD

PROJECT NUMBER: 001217

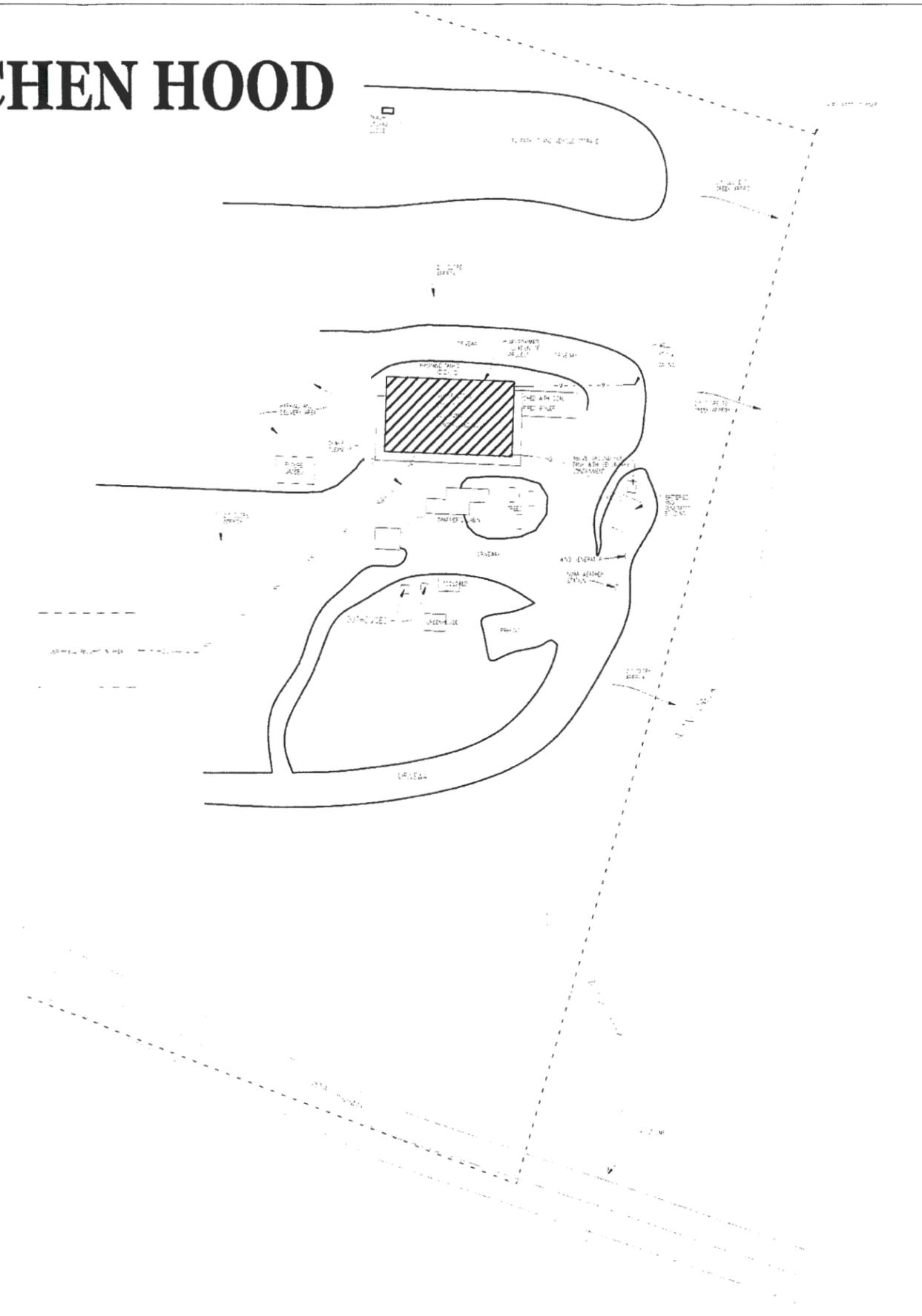
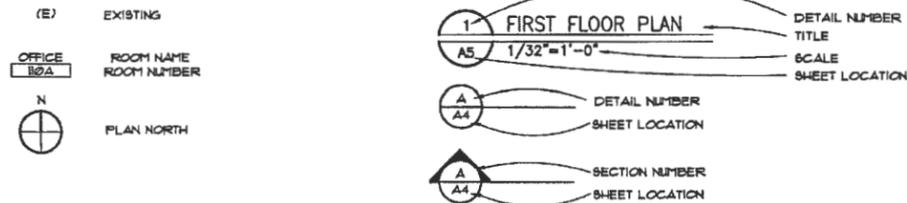
DRAWINGS INDEX:

TITLE SHEET	T100 TITLE SHEET
MECHANICAL	M101 KITCHEN HOOD VENTILATION PLAN
STRUCTURAL	S100 STRUCTURAL EQUIPMENT OPENING DETAILS

ABBREVIATIONS

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LEGEND



Design Alaska

Architects - Engineers - Surveyors
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ALPINE CREEK LODGE



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DEVELOPMENT SERVICES

ALPINE CREEK
LODGE
KITCHEN HOOD
PROJECT #001217

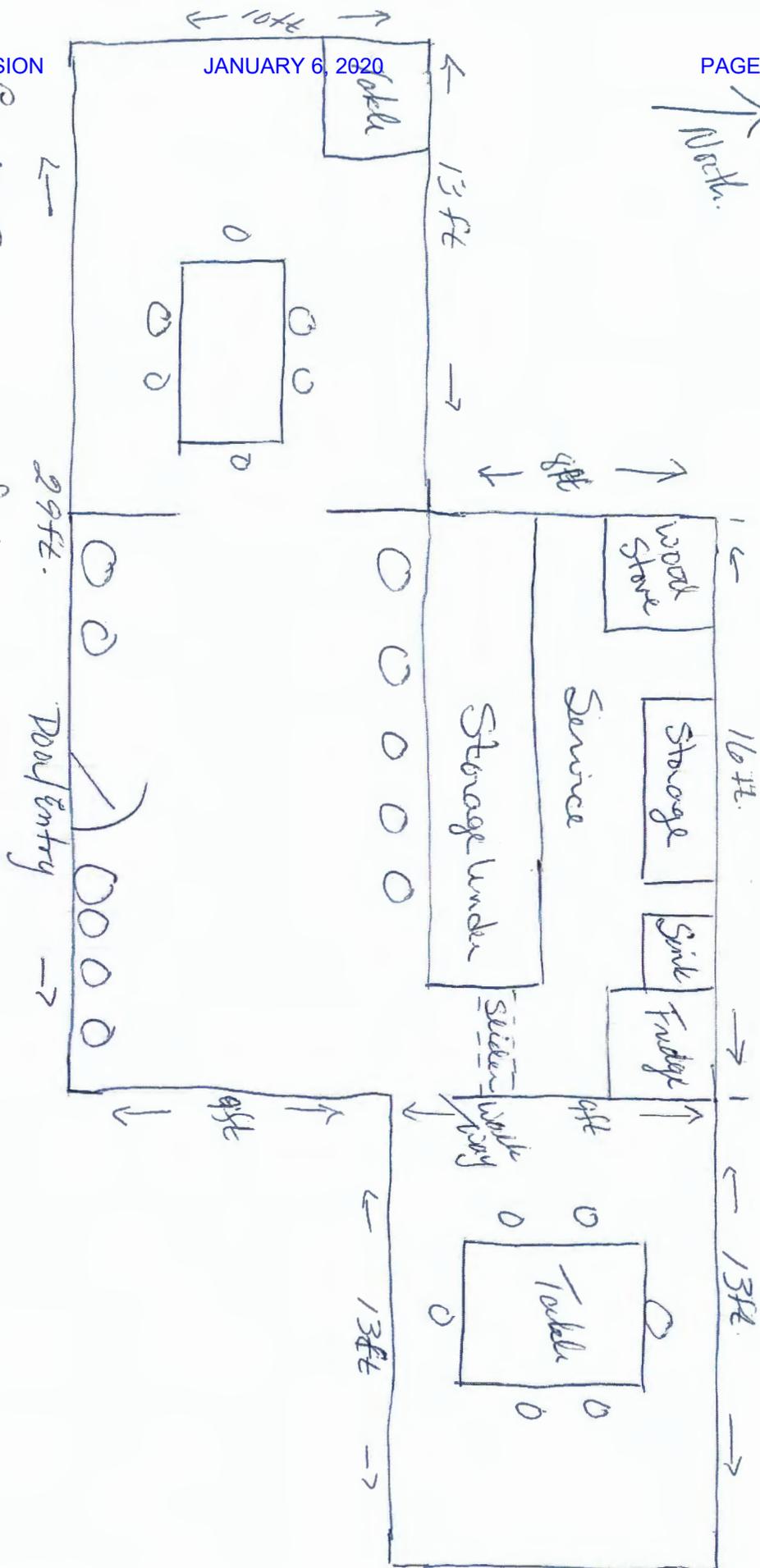
ISSUE DATE 31 OCT 2012
COMM. NUMBER 001217
DESIGNED BY JC
DRAWN BY JC
SCALE 0"=1"

TITLE SHEET

T100

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Beverage Dispensary Site Plan



Each Square in a foot.
 Total Sq ft = 535

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 OCT 10 2011

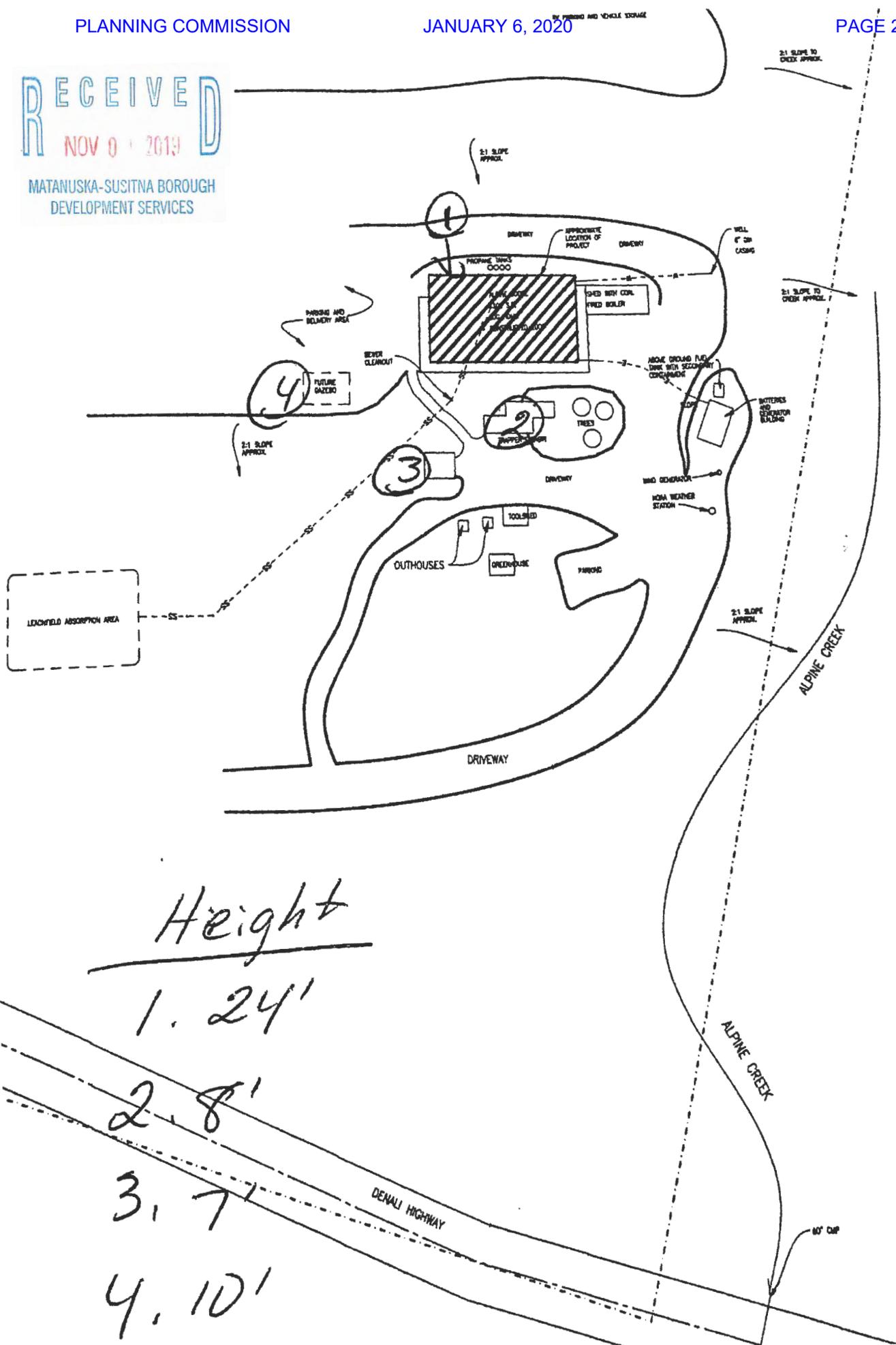
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 DEVELOPMENT SERVICES

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Height of Buildings on Subject Property

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NOV 01 2019

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES



Height

1. 24'

2. 8'

3. 7'

4. 10'

DENALI HIGHWAY

ALPINE CREEK

60" DIP

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ALPINE CREEK LODGE KITCHEN HOOD

PROJECT NUMBER: 001217

Design Alaska

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ALPINE CREEK LODGE



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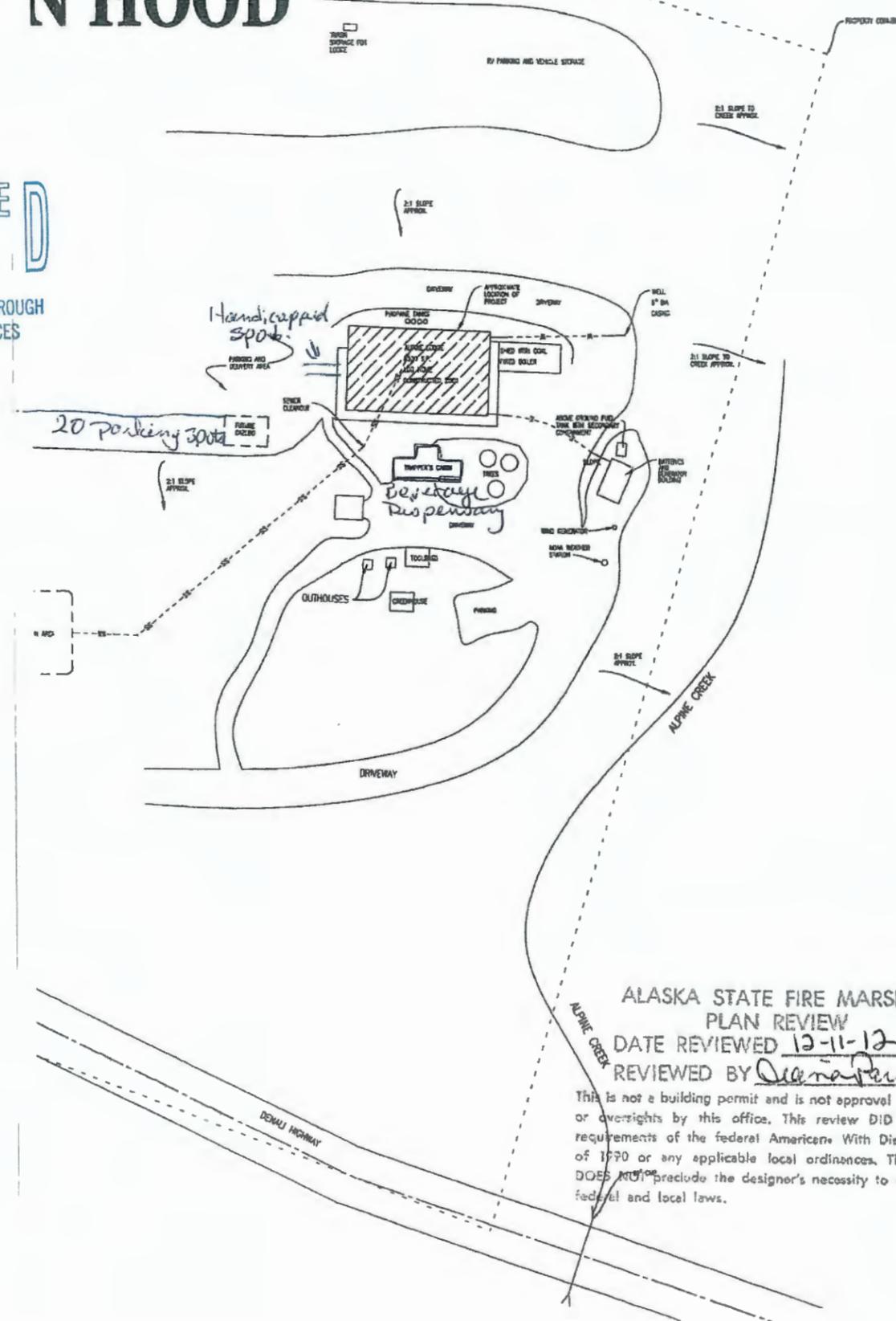
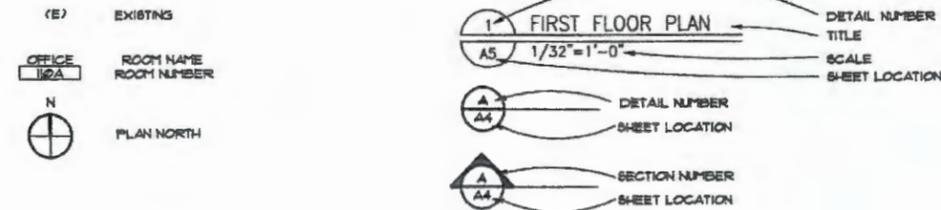
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GALV.	GALVANIZED	W/O	WITHOUT
GYP. BD.	GYP. BOARD		
HW	HARDWARE		
HM	HOLLOW METAL		

LEGEND



ALASKA STATE FIRE MARSHAL
PLAN REVIEW
DATE REVIEWED 12-11-12
REVIEWED BY *Diana Parks*

This is not a building permit and is not approval of alterations or overights by this office. This review DID NOT cover requirements of the federal Americans With Disabilities Act of 1990 or any applicable local ordinances. This approval DOES NOT preclude the designer's necessity to comply with federal and local laws.

ALPINE CREEK LODGE
KITCHEN HOOD
PROJECT #001217

ISSUE DATE 31 OCT 2012
COMM. NUMBER 001217
DESIGNED BY JC
DRAWN BY JC
SCALE 0" = 1"

TITLE SHEET

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Alpine Creek Lodge

Permit requirement questions:



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

No change will be from the original in 1961. We will be using what has been used in existing year so the conditional use is compatible with the rest of the lodge property.

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

No, All bartenders are trained to State of Alaska standards.

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

Yes, Lodge is 400 feet from property line. No other neighbors are adjustment to us.

4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

No, no other property and we will not be changing any from the way we have been running over the last 11 years.

5. Is there any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?

No-We aren't changing anything. Driveway is permitted by DOT of Alaska. No increase traffic is foreseen by permitting.

6. What measures are being proposed to reduced any negative effect upon adjacent and nearby properties by property line buffers and arterial buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors and where the surrounding area is predominantly residential in character, site and building design features that contribute to the residential character of the development?

No changes to the property will be made from the way it has been for 11 year.

7. Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?

There will not be an increase demand, if so there is several acres of space already that can be used.

8. Will access to the premises create an unreasonable traffic hazard?

No increase traffic will be seen and it is DOT permitted

9. Will a reasonably expected increase of traffic overtax the existing road system?

No increase is expected

10. Is the use compatible with the character of the surrounding neighborhood?

Yes, will be the same as previous years. No changes will be made.

11. Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area?

We have never had an issue or any accidents. There would not be an increase

12. Does the applicant or a person with an interest in the application have an interest in a liquor license which was suspended or revoked in the 12 months preceding the application?

No

13. Has the applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?

No

Supplemental Information:

1. Maximum occupancy capacity of facility as determined by Fire Marshall.

26 occupants. An email from Kyle Carrington, Deputy Fire Marshal is included with this application.

2. Number of employees proposed to work on largest work shift.

1 employee

- 3 and 4. Number of regular parking spaced provided. Number of Handicapped parking spaces provided

We have 50 parking spaces and 2 handicapped parking spaces.

5. Is the use a sole occupant in a building or a tenant in a building?

No

6. Total square footage of space in building occupied by this use.

535 square feet

7. Hours of operations

11 am to 12 am

8. Noise Mitigation measures

No noise will reach other buildings.

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Joseph Metzger

From: Joseph Metzger
Sent: Thursday, September 26, 2019 3:39 PM
To: 'acl@alpinecreeklodge.com'
Subject: Request for Additional Information Alpine Creek Lodge
Attachments: Alpine Creek Lodge RFAI.pdf

Good Afternoon,

Attached, please find a letter requesting additional information on your application for a Conditional Use Permit for the Regulation of Alcoholic Beverages Uses. If you have any questions or need clarification on anything, don't hesitate to contact me.

We look forward to conducting a site visit tomorrow and should be arriving sometime around noon. While staff is onsite tomorrow we would be happy to discuss the request for additional information and answer any questions you may have. We will also detail the CUP process and what to expect going forward.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

**MATANUSKA-SUSITNA BOROUGH**

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

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

www.permitcenter@matsugov.us

September 26, 2019

Alpine Creek Lodge
C/O Claude and Jennifer Bondy
PO Box 121
Cantwell, AK 99729

Subject: Conditional Use Permit Application for Regulation of Alcoholic Beverage Uses –
Request for Additional Information
Location: Mile 68 Denali Highway; Parcel Account # U05278000L00

Dear Bondy's:

Borough staff has reviewed the application material and the site plan(s) submitted on September 4, 2019 for a Conditional Use Permit to operate a Beverage Dispensary under MSB 17:70 on the above referenced property. It has been determined that the following information needs to be provided and/or clarified in order to process this request.

1. The site plan that has been submitted is too small to decipher; submit a site plan that is legible and contains the required information. Please review page 3 of the application form and ensure all items listed are depicted on the site plan.
2. The narrative does not provide many details. For instance, many of the responses say, "we will not be changing any from the way we have been running over the last 11 years." This is not an acceptable answer and does not provide the detail necessary to conduct a proper review on if the standards of code are being met. Provide an updated narrative that details how the standards of code will be met, as opposed to just saying they will be met.
3. Please provide the ADOT driveway permit associated with access onto the Denali highway.

Once the items above have been addressed and we have determined the application to be complete, staff will begin the public notice process. Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-7862, or email: joseph.metzger@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,

Joseph Metzger, Planner II
Development Services Division
Matanuska-Susitna Borough



Alpine Creek Lodge

Permit requirement questions:

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

Answer: The beverage dispensary will be housed in a cabin built in 1961. This cabin is of log structure, and fits in very nicely with the surrounding area. No changes will be made to the cabin thus preserving the value, character and integrity of the surrounding area. Our mission is to always have anything we do add to the character and integrity of the Denali Highway area.

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

Answer: No, Granting the conditional use permit may actually prove to be less harmful by making our guest less inclined to travel the highway with alcoholic beverages. All of our bartenders will be trained to the State of Alaska Standards, TAMS cards, and more. We leave no room for discussion when following these standards. Anything deemed unsafe within the beverage dispensary will be addressed immediately and changes to our training and operation will be made immediately.

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

Answer: The cabin that will house the Beverage Dispensary is 400 feet from any property lines. All four sides are surrounded by State land, with the Denali Highway being in front and a DOT right-a-way. Across the street there is private property, which has a recreational cabin on it. Driveway has berms to prevent any accidents, along with signage directing people to parking.

4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

Answer: No, There will be no potential negative effects on any other properties. Existing lighting is localized, direct, and not high voltage. It is not general broadcast, not obtrusive or glaring. We will not be adding any additional signage or lights to the area. The DOT does dust control near the lodge. Noise will not be obtrusive. No outside speaker systems will be used and noise will not be problematic. We do not expect any increased traffic in the area because of this upgraded license. Our nearest year-round neighbor is 70 miles away in Cantwell.

5. Is there any potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?

Answer: No potential negative effects. We are not expecting any more traffic than we currently have, and the driveway is permitted by the DOT based on our estimated number of vehicles per day. Please see attached DOT engineered driveway permit.

6. What measures are being proposed to reduce any negative effect upon adjacent and nearby properties by property line buffers and arterial buffers, planted berms, landscaping, reduction or elimination of obtrusive or garish signing or other features, lowered building elevation, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors and where the surrounding area is predominantly residential in character, site and building design features that contribute to the residential character of the development?

Answer: We do not see any negative effects on adjacent properties. The building that will house the beverage dispensary is of log structure, matching the main lodge and other cabins on our property. We do not expect any increased traffic, due to the fact that most of our guests to the bar will be our overnight guests. Drop in/Drive by guests will be minimal. The beverage dispensary will be 70 miles from the nearest town on a gravel road. This does not lend itself to seeing a lot of locals from that area driving out to have a drink. Under our current beer and wine restaurant license, we do not see any locals making the drive for a burger and brew. There are no nearby residential or business areas.

7. Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?

Answer: Yes, We can accommodate up to 25 parking spaces for the beverage dispensary usage. Additional parking area is available, on our property. We do not see an increased demand for parking spaces based on the permit being issued.

8. Will access to the premises create an unreasonable traffic hazard?

Answer: No, There is no additional traffic expected, and our entrances are DOT permitted. The DOT put additional signs lowering the speed limit around the lodge property several years ago.

9. Will a reasonably expected increase of traffic overtax the existing road system?

Answer: No, No additional traffic is expected. Current Denali Highway usage is minimal as it is, and we don't see anything happening in the future that might change that.

10. Is the use compatible with the character of the surrounding neighborhood?

Answer: Yes, The use is compatible with the surrounding area. We are using an existing cabin, constructed of logs. The neighborhood is basically moose and caribou, with one recreational cabin across the street, one lodge 14 miles to the West that is not open year-round, and one lodge 26 miles to the East that is not open year round.

11. Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area?

Answer: No, There is no high crime rate or high incidence of alcohol-related accidents in our area. We expect no increase in crime related to alcohol or related accidents in our area. We are cautious on our serving, and our standards meet State of Alaska standards for not over serving.

12. Does the applicant or a person with an interest in the application have an interest in a liquor license which was suspended or revoked in the 12 months preceding the application?

Answer: No, both Jennifer Bondy, and Claude Bondy have never had a liquor license suspended or revoked, ever.

13. Has the applicant or person with an interest in the application demonstrated that the person is untrustworthy or unfit to conduct the operation of a licensed business, or is a potential source of harm to the public?

Answer: No, neither Jennifer Bondy, nor Claude Bondy have demonstrated they are unfit or untrustworthy. They are both trustworthy and fit for duty on running the beverage dispensary safely and efficiently, so as to not harm anyone or the environment in the area.

Supplemental Information:

1. Maximum occupancy capacity of facility as determined by Fire Marshall.

Answer: The State Fire Marshall has approved the building for 26 occupants. An email from Kyle Carrington, Deputy Fire Marshal is included with this application.

2. Number of employees proposed to work on largest work shift.

Answer: One employee.

3 and 4. Number of regular parking spaced provided. Number of Handicapped parking spaces provided

Answer: We have 25 parking spaces dedicated to the beverage dispensary license and 1 handicapped parking space.

5. Is the use a sole occupant in a building or a tenant in a building?

Answer: The only tenant/occupant of the building will be the beverage dispensary license. No other activities or living is done in the building.

6. Total square footage of space in building occupied by this use.

Answer: 535 square feet

7. Hours of operations

Answer: 11 am to 12 am

8. Noise Mitigation measures

Answer: No noise will reach other buildings. The cabin is well insulated, and sound does not reach out of there to the main lodge or cabins on our property. Outdoor speaker systems are not utilized. The recreational cabin across the street is over $\frac{1}{4}$ of a mile away.

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Joseph Metzger

From: Joseph Metzger
Sent: Thursday, October 24, 2019 10:11 AM
To: 'Jennifer Bondy'
Subject: RFAI October 24, 2019
Attachments: Alpine Creek Lodge RFAI 10-24-19.pdf

Hi Jennifer,

It was good to speak with you today about your CUP application. Attached, please find a letter requesting additional information on your conditional use permit request. If you have any questions or need clarification on any matters just let me know.

Respectfully,

Joe Metzger
MSB Planner
907-861-7862

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MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
Development Services Division
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October 24, 2019

Alpine Creek Lodge
C/O Claude and Jennifer Bondy
PO Box 121
Cantwell, AK 99729

Subject: Conditional Use Permit Application for Regulation of Alcoholic Beverage Uses –
Request for Additional Information
Location: Mile 68 Denali Highway; Parcel Account # U05278000L00

Dear Bondy's:

Borough staff has reviewed the additional information submitted for a Conditional Use Permit to operate a Beverage Dispensary under MSB 17.70 on the above referenced property. It has been determined that the following information needs to be provided and/or clarified in order to process this request.

1. The site plans you have submitted contain most of the requirements found in the application and MSB code, however, there are a few elements of the site plan that have not been addressed. Here is the specific code reference:
MSB 17.70.030(B): "Site plan. A detailed site plan showing the proposed or existing location of all buildings and structures on the site, size, height and bulk of building, signage, access points, buffering, proposed contouring and landscaping, drainage, vehicular and pedestrian circulation patterns, parking areas and the specific location of the use or uses to be made of the development shall be submitted with the application."

Please submit a site plan that details all of the requirements of the above code.

2. The shape of the proposed beverage dispensary area (Trapper's Cabin), shown on the "Design Alaska" site plan, and the shape of beverage dispensary area shown on the hand drawn site plan, do not match. Please clarify.

Once the items above have been addressed and we have determined the application to be complete, staff will begin the public notice process. Should you have any questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-7862, or email: joseph.metzger@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'J Metzger', with a long horizontal flourish extending to the right.

Joseph Metzger, Planner II
Development Services Division
Matanuska-Susitna Borough

Joseph Metzger

From: Steele, Emily N. <emily@designalaska.com>
Sent: Thursday, October 31, 2019 6:53 AM
To: Joseph Metzger; Jennifer Bondy
Subject: RE: RFAI October 24, 2019
Attachments: 001217_Revised T100.pdf

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

Joe, Jennifer,

See attached Revised T100 sheet (11x17).

Let me know if this doesn't work and you need anything else.

Emily N. Steele | Architecture

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Sent: Wednesday, October 30, 2019 3:13 PM
To: Steele, Emily N. <emily@designalaska.com>; Jennifer Bondy <acl@alpinecreeklodge.com>
Subject: RE: RFAI October 24, 2019

Hey All,

I have attached a copy of the sketch Jennifer provided of the trapper cabin. An approximate size and location would be sufficient as MSB code does not require a "certified site plan" which would require official surveying. Here is the code reference for information purposes:

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

Thank you.

Respectfully,

Joe Metzger
MSB Planner
907-861-7862

From: Steele, Emily N. <emily@designalaska.com>
Sent: Tuesday, October 29, 2019 1:56 PM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>; Jennifer Bondy <acl@alpinecreeklodge.com>
Subject: RE: RFAI October 24, 2019

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

Hello,

Sorry for not replying sooner... Unfortunately, I was not involved with this project back in 2012 and the Project Manager who was is no longer at Design Alaska. I was only sending on the original requested 2012 archived files.

Perhaps, if the sketch that is referenced can be sent to me, I can see if I can update the digital drawing. Although it will be an approximate size and location and not located per any official surveying. Will that work? If so, send me what you have and I'll see how I can help.

Thanks,

Emily N. Steele | Architecture

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Sent: Tuesday, October 29, 2019 12:38 PM
To: Jennifer Bondy <acl@alpinecreeklodge.com>
Cc: Steele, Emily N. <emily@designalaska.com>
Subject: RE: RFAI October 24, 2019

Hi Jennifer,

I have received your emails and am just standing by, but I'm happy to answer any questions or provide clarification as needed.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

From: Jennifer Bondy <acl@alpinecreeklodge.com>
Sent: Tuesday, October 29, 2019 12:13 PM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Cc: Steele, Emily N. <emily@designalaska.com>
Subject: Re: RFAI October 24, 2019

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

Hello Joe and Emily,

Just checking up on this email to make sure everyone received it. We haven't heard anything since it was emailed out.

Thanks!

Jennifer Bondy
Alpine Creek Lodge
1-907-398-9673
acl@alpinecreeklodge.com
www.alpinecreeklodge.com
Facebook: Alpine Creek Lodge Alaska
Twitter: @AlpineCreekLdg
Instagram: lodgealpine

On Oct 24, 2019, at 1:11 PM, Jennifer Bondy <acl@alpinecreeklodge.com> wrote:

Hello Joe,

It was great talking to you today. We have read over the attachment you sent. I will get you over the height of each building.

The shape of the Trappers Cabin has never changed. The sheet we submitted to you on the graph paper is the correct shape. Design Alaska has the wrong shape on their site plan from 2013. Not sure how this got miss drawn by them when they took all the measurements and the photos. I am including Emily on this email to have them take a look into this.

Please let me know if you have any questions! Thanks All!

Jennifer Bondy
Alpine Creek Lodge
1-907-398-9673
acl@alpinecreeklodge.com
www.alpinecreeklodge.com
Facebook: Alpine Creek Lodge Alaska
Twitter: @AlpineCreekLdg
Instagram: lodgealpine

Begin forwarded message:

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: RFAI October 24, 2019
Date: October 24, 2019 at 10:11:03 AM AKDT
To: Jennifer Bondy <acl@alpinecreeklodge.com>

Hi Jennifer,

It was good to speak with you today about your CUP application. Attached, please find a letter requesting additional information on your conditional use permit request. If you have any questions or need clarification on any matters just let me know.

Respectfully,

Joe Metzger
MSB Planner
907-861-7862

<Alpine Creek Lodge RFAI 10-24-19.pdf>

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Joseph Metzger

From: Jennifer Bondy <acl@alpinecreeklodge.com>
Sent: Tuesday, November 5, 2019 7:57 AM
To: Joseph Metzger
Subject: Re: Site plan

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

The 6th of January will be great!

Jennifer Bondy

On Tue, Nov 5, 2019 at 7:10 AM Joseph Metzger <Joseph.Metzger@matsugov.us> wrote:

Hi Jennifer,

Received, thank you. I will incorporate this drawing as part of your site plans. It's now time to schedule a public hearing and start the public notice process. Here are the next upcoming Planning Commissions Meetings we could get you scheduled for. Do you have a preference?

January 6, 2020

January 20, 2020

Respectfully,

Joe Metzger

MSB Planner

907-861-7862

From: Jennifer Bondy <acl@alpinecreeklodge.com>
Sent: Friday, November 1, 2019 5:05 PM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: Re: Site plan

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

Hello Joe,

Hopefully this is better. Let me know. Thanks!

Jennifer Bondy
Alpine Creek Lodge
1-907-398-9673
acl@alpinecreeklodge.com
www.alpinecreeklodge.com
Facebook: Alpine Creek Lodge Alaska
Twitter: @AlpineCreekLdg
Instagram: lodgealpine

On Oct 31, 2019, at 2:22 PM, Joseph Metzger <Joseph.Metzger@matsugov.us> wrote:

Hi Jennifer,

I think this should be sufficient. To make things very clear for the public and planning commission, you may want to consider putting a legend or key on the site plan that indicates the drawn in numbers are the heights of the buildings.

Respectfully,

Joe Metzger

MSB Planner II

907-861-7862

From: Jennifer Bondy <acl@alpinecreeklodge.com>
Sent: Thursday, October 31, 2019 12:04 PM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: Site plan

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

Hello Joe

Here are the height numbers for the site plan.

Let us know if you need anything else.

Jennifer Bondy

<image001.jpg>

--

Jennifer Bondy

Alpine Creek Lodge

1-907-398-9673

acl@alpinecreeklodge.com

www.alpinecreeklodge.com

Facebook: Alpine Creek Lodge Alaska

Twitter: @AlpineCreekLdg

Instagram: lodgealpine

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Jennifer Bondy

Alpine Creek Lodge

1-907-398-9673

acl@alpinecreeklodge.com

www.alpinecreeklodge.com

Facebook: Alpine Creek Lodge Alaska

Twitter: @AlpineCreekLdg

Instagram: lodgealpine



Permit No. 21049

State of Alaska
Department of Transportation and Public Facilities
Construction Approval Only, for
Driveway and Approach Road
Permit

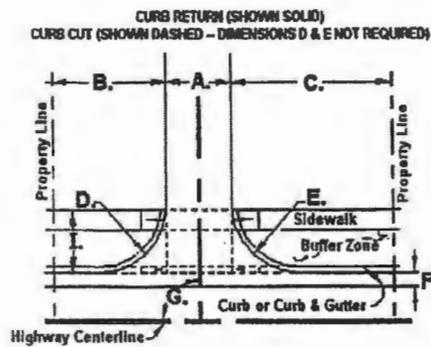
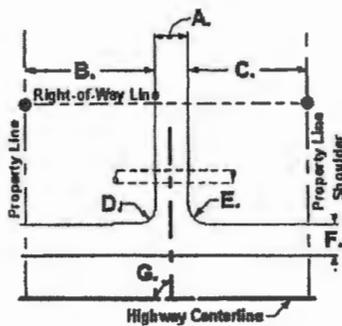
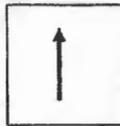
This Construction Approval allows the permittee to construct and maintain a driveway or approach road within a State owned highway Right of Way. This is not a Permit until it has been inspected and signed off by the Department.

<input type="checkbox"/> Residential/Private <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Government Agency	
Applicant:	Alpine Creek Lodge
Mailing Address:	P.O. Box 121 Cantwell, AK 99729
Contact Name:	Claude Bondy
E-mail Address:	alpinecreeklodge@alaska.net
Phone:	(907) 394-2552 Fax: _____
Driveway or Approach Road location (highway, subdivision, legal description milepost, etc.) Denali Hwy, 68 mile, north side, ~ 750' west of Alpine Creek – USS 5278 DW spreadsheet # FBX-10-0__	
Proposed or Existing:	Anticipated Completion Date:
PROPOSED	07/01/2010
Number of lots served:	Max. number of vehicles in any 1 hour:
1	5
Zoning Designation:	Proposed Land Use:
	Lodge

Permit No. 21049

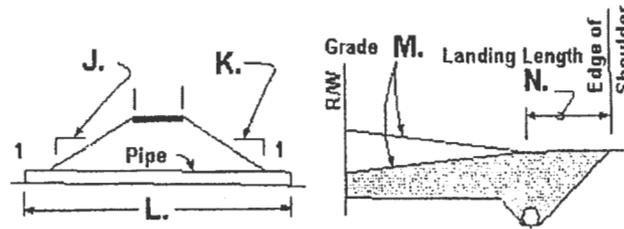
Driveway Specifications

Direction of North in relation to the drawing.



A.	Driveway width	30 feet
B.	Left edge clearance	700 feet
C.	Right edge clearance	30 feet
D.	Left return radius	40 feet
E.	Right return radius	40 feet
F.	Shoulder width	2 feet
G.	Approach angle	90 degrees
H.	Curb type	None
I.	Curb to sidewalk distance	feet

Permit No. 21049



J.	Left driveway foreslope	4	:1
K.	Right driveway foreslope	6	:1
L.	Culvert length	40	Feet
M.	Landing grade	-2	Percent
N.	Landing length	30	Feet
O.	Culvert size	18	inches
P.	Culvert type	Corrugated (CMP)	Metal Pipe
Q.	Ditch depth	1	feet
R.	Shoulder type	Gravel	
S.	Pavement type	Gravel	
T.	Driveway surface type	Gravel	

Permittee upon signing this permit acknowledges and agrees to the following provisions:

A copy of this Construction Approval must be on site during construction of the approach. If any of the conditions of this permit are violated, the State reserves the right to require the removal of all activities from the area.

The Permit grants permission for driveway construction only, allowing access to and from your property onto a State-maintained highway. It does not permit the following within the right of way or within that portion of a driveway that is within the right of way:

- 1) Parking of vehicles "for sale";
- 2) Obstructions of any kind (i.e. logs, cables, fencing, etc.);
- 3) Advertising signs or banners / flags;
- 4) Parking vehicles with signs / advertising on the side.

A driveway or approach road constructed under permit within a highway right-of-way is the property of the state, but all cost and liability arising from the construction, operation, or maintenance of a driveway or

Permit No. 21049

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

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

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

Any survey monument or monument accessory which will be disturbed or destroyed during construction of the driveway or approach road shall be referenced prior to the disturbance and restored or replaced by a Land Surveyor licensed in the State of Alaska. The Land Surveyor must file a Monument Record in accordance with AS 34.65.040. All monument records shall be reviewed by the department prior to filing with the District Recorder.

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

Before any filling activities take place within the right of way, or on the property adjacent to the right of way affected by this permit, please contact the U.S. Army Corps of Engineers (USACE) to see if any further authorization is necessary. Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization in most cases. You can reach the USACE at - Anchorage: (907) 753-2712, Fax: (907) 753-5567 Toll Free 1-800-478-2712; Fairbanks: (907) 474-2166, Fax: (907) 474-2164; Juneau: (907) 790-4490, Fax: (907) 790-4499; Kenai: (907) 283-3519, Fax: (907) 283-3981. The website is <http://www.poa.usace.army.mil/reg>

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

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

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

Do not park equipment or stockpile material on the shoulder during non-working hours.

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

Permit No. 21049

Driveway landings must be paved from pavement edge on all paved roads unless deemed otherwise by the State.

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

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

You may not push or otherwise deposit snow or ice onto a highway in a manner, or in quantities, which may constitute a hazard to snow removal equipment or other traffic.

Implement the traffic control plan and maintain traffic control devices in accordance with the Alaska Traffic Manual and any provisions and conditions noted.

All signs installed in State rights of way shall be fabricated, located and installed in conformance with the Alaska Traffic Manual (ATM), Alaska Sign Design Specifications (ASDS), and standard drawings and specifications. Our Traffic & Safety section shall approve all variable message signs (i.e. street name signs) prior to installation.

Traffic control devices are not required for construction more than 2 feet behind curb, or farther than 15 feet beyond the shoulder.

Remove all traffic control devices when no longer needed.

Clean up litter or debris generated as a result of this driveway construction.

An inspection is required prior to reimbursement of your performance deposit. Please contact the Department for an inspection appointment after final construction of your driveway.

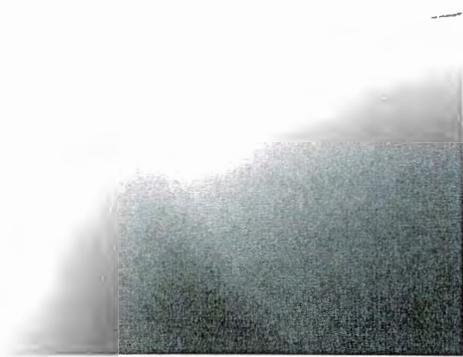
Attachments included as part of this permit are:

Attachment A, Special Conditions.

Attachment B, Return Radii Taper drawing.

REQUIRED for ALL DRIVEWAYS:

- Plat including notes of the placement of the driveway.
- Site plan.
- Proof of ownership.
- Traffic control plan.



Permit No. 21049

Claude Bondy, acknowledge that I am acting on behalf of the above named organization with the full authority to do so. I further acknowledge and accept that _____ shall comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

Claude Bondy
Permittee Signature

6-25-10
Date

PETE EAGAN
Pete Eagan
Property Management Supervisor

6-23-10
Date

DOT&PF Inspection Approval

Date

Permit No. 21049

**Attachment A
Special Conditions**

Approval is given subject to:

1. During driveway construction, use 48"x48" SHOULDER WORK signs with high level warning flags, 500' in advance of the driveway during installation work, on both sides of the Denali Highway.
2. Prior to driveway construction, obtain approval of your Traffic Control Plan. Contact Vern Carlson, Cantwell M&O foreman, (907) 768-2355, for information on and approval of traffic control plans and activities.
3. Work may not encroach on the traveled way (between the fog lines). If unavoidable, contact Cantwell M&O.
4. Do not park equipment or stockpile material, at any time, on the shoulder of the roadway or within 30' of the edge of traveled way.
5. Terminate return radii at 8' off of the edge of traveled way and taper from the end of the return radii to the existing edge of the traveled way at 10:1 (both approach and departure sides). See Attachment B, Return Radii Taper drawing.
6. Permittee must contact all area utility companies to ensure that the driveway will not impact any of their facilities, or that any impacts will be remedied. Any utilities impacted by this driveway shall be adjusted or relocated according to state regulations at Permittee's sole cost.
7. Embed the culvert in the ditch bottom to provide for future ditch clean-out. Culvert must have a minimum of one foot of cover on top of it.
8. Culvert length is determined as a function of ditch depth and the grade of the driveway foreslopes. Culvert shall be long enough to accommodate the proper driveway foreslopes; the foreslopes shall not be made steeper to accommodate a culvert that is too short.
9. Permittee, and not the Department, is responsible for maintaining intersection sight triangles.
10. The landing shall be constructed in such a manner that there will be no surface drainage onto the traveled way of the Denali Highway.
11. All old driveways and culverts must be removed and returned to original grade.

Permit No. 21049

Attachment B

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND
PUBLIC FACILITIES

Item No. _____

DATE 10/28/05

Project No. _____

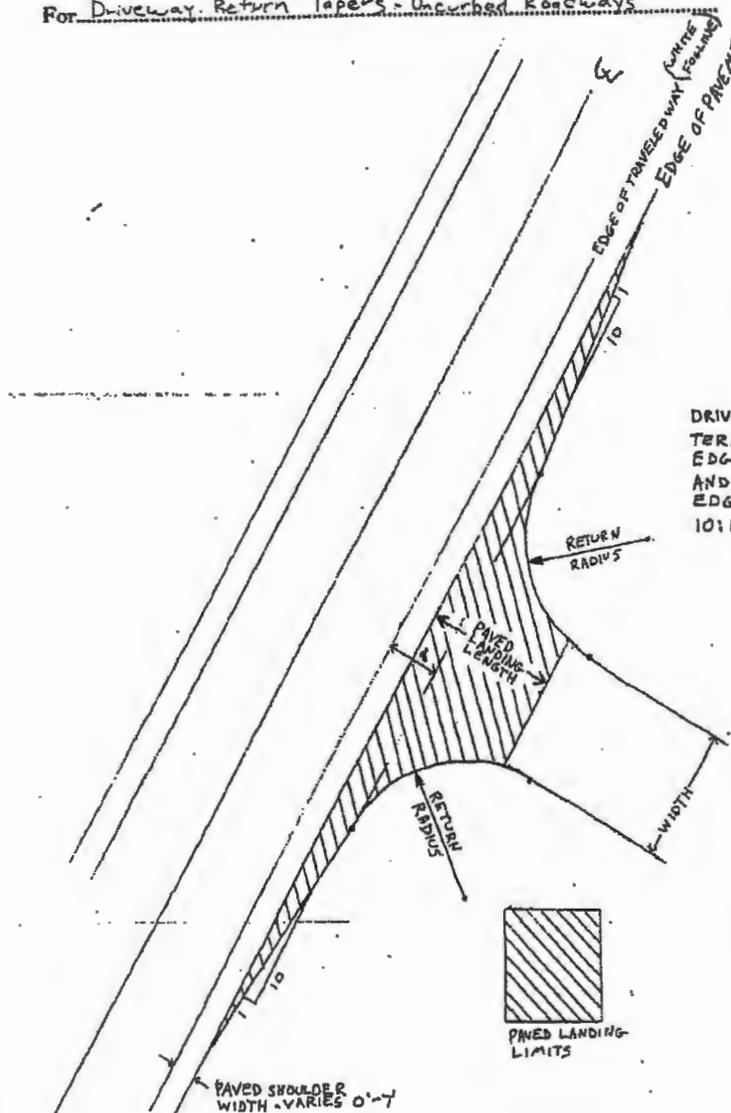
Project Name _____

Calc. by CURREY, NRT&E

Checked by _____

Computations

For Driveway Return Tapers - Uncurbed Roadways



DRIVEWAY RETURNS SHOULD
TERMINATE 2 FEET FROM THE
EDGE OF THE TRAVELED WAY
AND BE CONNECTED TO THE
EDGE OF PAVEMENT WITH
10:1 TAPERS.

NOTE:

RETURN RADII,
DRIVEWAY WIDTH
AND PAVED
LANDING LENGTH
VARY PER APPLICATION

From: Carrington, Kyle S (DPS) [mailto:kyle.s.carrington@dps.alaska.gov]
Subject: Alpine Creek Lodge - Occupancy Load
Date: August 27, 2019 at 2:55 PM
To: "Jennifer" <jennifer@alpinecreeklodge.com>

Jennifer,

Good afternoon, I understand you were asking about the occupancy load for your pending liquor license. Based on the diagram you provided in your application, the area titled "consumption" has an occupancy load of 26, assuming that the layout is tables and chairs commonly associated with an area of that nature. If the layout is considerably different please let me know and I can verify the calculations.

Also, can you verify which floor the bar/consumption area is located?

Hope this helps, let me know if you have any other questions.

Kyle

Kyle Carrington
Deputy Fire Marshal
Certified Fire Investigator (CFI)
1979 Peger Road
Fairbanks, AK 99709
P: 907-451-5200
F: 907-451-5218
www.akburny.com

Joseph Metzger

From: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Sent: Friday, December 13, 2019 8:57 AM
To: Joseph Metzger
Subject: RE: Alpine Creek Lodge

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

Okay. this is a new application, so there is no license, yet, that could have been suspended or revoked in the last 12 months. They have a restaurant/eating place license (5467), that license has not been suspended or revoked in the last 12 months.

Does this answer your question?

Jane

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Sent: Friday, December 13, 2019 8:46 AM
To: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Subject: RE: Alpine Creek Lodge

That's the one, sorry I should have included that.

Joe Metzger
MSB Planner II
907-861-7862

From: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Sent: Friday, December 13, 2019 8:43 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: RE: Alpine Creek Lodge

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

Good morning Joe,

Just to make sure we are talking about the same thing, you are talking about their new beverage dispensary license application, correct? License 2833.

Jane Sawyer
Regulations Specialist II
Alcohol and Marijuana Control Office
907-269-0490

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Sent: Friday, December 13, 2019 8:36 AM

To: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>

Subject: Alpine Creek Lodge

Good Morning Jane,

I am processing a conditional use permit request for a beverage dispensary license for Alpine Creek Lodge. I'm curious if Alpine Creek Lodge has had their license suspended or revoked in the last 12 months. Please see the below MSB code reference.

MSB 17.70.110(B)(2): The applicant or a person with an interest in the application has had an interest in a liquor license which was suspended or revoked in the 12 months preceding the application.

Thank you for your help in this matter.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862



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

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

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 20, 2019

Alpine Creek Lodge LLC
PO Box 121
Cantwell, AK 99729

Re: Alpine Creek Lodge, License #5833

Dear Alpine Creek Lodge LLC:

At the September 10, 2019, meeting of the Alcoholic Beverage Control Board in Nome, Alaska, the board upheld the protest of your new license application by the Matanuska-Susitna Borough and denied the application with a 180-day abeyance. This means that the Matanuska-Susitna Borough must withdraw its protest of your application by March 18, 2020; otherwise the application is denied. The borough protested the application pending issuance of a conditional use permit.

The abeyance period may not be extended or renewed. If the protest is lifted by the deadline, your license is approved.

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

Sincerely,

Handwritten signature of Erika McConnell in cursive.

Erika McConnell
Director

cc: License File
Matanuska-Susitna Borough

Agency Comments

Joseph Metzger

From: Theresa Taranto
Sent: Wednesday, November 13, 2019 11:17 AM
To: Joseph Metzger
Subject: RE: RFC Alpine Creek Lodge CUP for a Beverage Dispensary due Dec. 6

Follow Up Flag: Follow up
Flag Status: Flagged

Not a mapped area.
 No other comments.

Thank you,

Theresa Taranto

Mat-Su Borough
 Development Services
 Administrative Specialist

350 E Dahlia Ave.
 Palmer, Alaska 99645
 907-861-8574
 www.matsugov.us

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Sent: Friday, November 8, 2019 3:49 PM
To: 'allen.kemplen@alaska.gov' <allen.kemplen@alaska.gov>; 'tucker.hurn@alaska.gov' <tucker.hurn@alaska.gov>; 'melanie.nichols@alaska.gov' <melanie.nichols@alaska.gov>; 'kyler.hylton@alaska.gov' <kyler.hylton@alaska.gov>; 'sarah.wilber@alaska.gov' <sarah.wilber@alaska.gov>; 'mearow@matanuska.com' <mearow@matanuska.com>; 'rglenn@mta-telco.com' <rglenn@mta-telco.com>; 'jthompson@mta-telco.com' <jthompson@mta-telco.com>; 'row@enstarnaturalgas.com' <row@enstarnaturalgas.com>; 'ospdesign@gci.com' <ospdesign@gci.com>; Eric Phillips <Eric.Phillips@matsugov.us>; Jude Bilafer <Jude.Bilafer@matsugov.us>; Cindy Corey <Cindy.Corey@matsugov.us>; Terry Dolan <Terry.Dolan@matsugov.us>; Jim Jenson <James.Jenson@matsugov.us>; Jamie Taylor <Jamie.Taylor@matsugov.us>; Nicole Wilkins <Nicole.Wilkins@matsugov.us>; Karol Riese <Karol.Riese@matsugov.us>; Taunnie Boothby <Taunnie.Boothby@matsugov.us>; Theresa Taranto <Theresa.Taranto@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; John Aschenbrenner <John.Aschenbrenner@matsugov.us>; Sloan VonGunten <Sloan.VonGunten@matsugov.us>; Jill Irsik <Jill.Irsik@matsugov.us>; Michelle Wagner <Michelle.Wagner@matsugov.us>; Cheryl Scott <Cheryl.Scott@matsugov.us>; jimsykesdistrict1@gmail.com
Subject: RFC Alpine Creek Lodge CUP for a Beverage Dispensary due Dec. 6

Date: November 8, 2019
To: Various Governmental Agencies
From: Joseph Metzger, Planner II
Subject: Request for Review and Comments Governmental Agencies
Project: Conditional Use Permit for Earth Material Extraction
Location: Mile 68 Denali Highway, (Tax ID# U05278000L00); within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian.

Applicant: Claude and Jennifer Bondy on behalf of Alpine Creek Lodge

An application for a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses, has been submitted for the operation of a beverage dispensary. The Planning Commission will conduct a public hearing on this request on January 6, 2020. This may be the only presentation of this item before the Planning Commission and you are invited to attend.

Application materials may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be reviewed at the Borough Permit Center. A direct link to the application material is here:

<https://www.matsugov.us/publicnotice/alpine-creek-lodge-conditional-use-permit>

Comments are due on or before **December 6, 2019** and will be included in the Planning Commission packet for the Commissioner’s review and information. Please be advised that comments received after that date will not be included in the staff report to the Planning Commission. Thank you for your review.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862



ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department
Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

November 15, 2019

Joseph Metzger, MSB Planner II
Matanuska-Susitna Borough
Planning & Land Use Department
350 East Dahlia Avenue
Palmer, Alaska 99645-6488

Subject: Conditional Use Permit for Regulation of Alcohol Beverage Uses located Mile 68
Denali Highway within Township 22 South, Range 3 East, Section 6, Fairbanks
Meridian.

Dear Mr. Metzger:

ENSTAR Natural Gas Company has reviewed the application for the Conditional Use Permit
Regulation of Alcohol Beverage Uses.

We have no comments or concerns related to this activity.

If you have any questions, please feel free to contact me at 907-334-7944 or by email at
cassie.acres@enstarnaturalgas.com.

Sincerely,

A handwritten signature in cursive script that reads "Cassie Acres".

Cassie Acres
Right-of-Way and Compliance Technician
ENSTAR Natural Gas Company

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Public Comments

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

Matanuska - Susitna Borough
Development Services

DEC 02 2019

Received

4U04314000L01-1 4
GRATIAS RHOADES LVG TR
GRATIAS DAVE R & RHOADES C L TRES
850 ELAINE DR
ANCHORAGE AK 99504

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

- Application:** Conditional Use Permit for the Operation a Beverage Dispensary
- MSB Code Section:** MSB 17.70 – Regulation of Alcoholic Beverage Uses
- Applicant:** Jennifer and Claude Bondy on behalf of Alpine Creek Lodge
- Location:** Mile 68 Denali Highway, (Tax ID# U05278000L00); within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian.
- Request:** An application for a conditional use permit under MSB 17.70 – Regulation of Alcoholic Beverage Uses, has been submitted for the operation of a beverage dispensary.

The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **January 6, 2020 at 6:00 p.m.** in the Borough Assembly Chambers, 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. The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request more information from the applicant at the time of introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant and made available to all interested parties and the public upon request. Answers to questions and additional material requests will be addressed in the staff report for the public hearing. Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material is also available for review at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to the MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to Joseph.Metzger@matsugov.us. In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated as an "interested party." See MSB 15.39.010 for 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.matsugov.us, in the Borough Clerk's office, or at various libraries within the borough.

Comments are due on or before **December 6, 2019** and will be included in the Planning Commission packet for the Commissioner's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission.

Name: DAVE GRATIAS, CAROL RHOADES **Mailing Address:** PO BOX 206 CANTWELL AK 99729

Location/Legal Description of your property: MILE 68 DENALI HWY URSURVEY 4314

Comments: SEE ATTACHED

Note: Vicinity Map Located on Reverse Side

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Joseph Metzger

From: Joseph Metzger
Sent: Monday, December 2, 2019 10:56 AM
To: 'crhoa36683@aol.com'
Subject: RE: Alpine Lodge Beverage Dispensary Application

Received, thank you for your comment. Your comment will be included in the packet that goes to the Planning Commissioners.

Just to clarify, Alpine Creek Lodge has been operating under a different type of alcohol license that did not require them to acquire a conditional use permit from the Matsu Borough to operate. Under their current license, they are only allowed to sell beer and wine. If approved by the Planning Commission, this Beverage Dispensary License would now allow them to sell liquor products, in addition to beer and wine.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

From: crhoa36683@aol.com <crhoa36683@aol.com>
Sent: Friday, November 29, 2019 10:51 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: Alpine Lodge Beverage Dispensary Application

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

Dear Mr Metzger

11/29/2019

In the matter before you regarding an application by Alpine Creek Lodge in pursuant to MSB 17.70 Conditional use permit for a Beverage Dispensary at Mile 68 Denali Hwy, We as property owners in the area and as interested parties wish to make the following statement.

First off we are a bit confused. This establishment and owners as applicants have operated a Beverage dispensary in one form or another since going into business approx 11 years ago. It is reported to have operated as a coffee can donation type (Ck ABC Board reports) to it's current form of bar as advertised in many forms (Signage, ads, etc.) We thought it was already a licensed premises. As stated in the application " It will not change the way we have done business the last 11 years" This brings into question the answer to the supplemental information para 13, undated but received and stamped 10/7/19.

We feel the the Bar at Cantwell Approx mile 135, the Bar at Clearwater Mountain Lodge, mile 82, The Bar at Maclaren Lodge, Mile 40 and the Bar at Tangle Lakes Lodge Mile 21 Do adequately meet the public necessity and need of the area. All are long established and licensed Beverage Dispensaries.

For the stated reasons we do not support and are opposed to the application.

Sincerely, Dave R Gratias

Carol L Rhoades

PLANNING COMMISSION

JANUARY 6, 2020

Subject: **Fwd: Alpine Lodge Beverage Dispensary Application**

Date: 11/29/2019 11:56:03 AM Pacific Standard Time

From: crhoa36683@aol.com

To: crhoa36683@aol.com

From: crhoa36683@aol.com
 To: Joseph.Metzger@matsugov.us
 Sent: 11/29/2019 11:51:27 AM Pacific Standard Time
 Subject: Alpine Lodge Beverage Dispensary Application

Matanuska - Susitna Borough
 Development Services

DEC 02 2019

Received

Dear Mr Metzger

11/29/2019

In the matter before you regarding an application by Alpine Creek Lodge in pursuant to MSB 17.70 Conditional use permit for a Beverage Dispensary at Mile 68 Denali Hwy, We as property owners in the area and as interested parties wish to make the following statement.

First off we are a bit confused. This establishment and owners as applicants have operated a Beverage dispensary in one form or another since going into business approx 11 years ago. It is reported to have operated as a coffee can donation type (Ck ABC Board reports) to it's current form of bar as advertised in many forms (Signage, ads, etc.) We thought it was already a licensed premises. As stated in the application " It will not change the way we have done business the last 11 years" This brings into question the answer to the supplemental information para 13, undated but received and stamped 10/7/19.

We feel the the Bar at Cantwell Approx mile 135, the Bar at Clearwater Mountain Lodge, mile 82, The Bar at Maclaren Lodge, Mile 40 and the Bar at Tangle Lakes Lodge Mile 21 Do adequately meet the public necessity and need of the area. All are long established and licensed Beverage Dispensaries.

For the stated reasons we do not support and are opposed to the application.

Sincerely, Dave R Gratias



Carol L Rhoades



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**PLANNING COMMISSION
RESOLUTION**

By: Joe Metzger
Introduced: December 16, 2019
Public Hearing: January 3, 2020
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 20-02**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A BEVERAGE DISPENSARY, AT MILE 68 DENALI HIGHWAY, TAX ID# U05278000L00; LOCATED WITHIN TOWNSHIP 22 SOUTH, RANGE 3 EAST, SECTION 6, FAIRBANKS MERIDIAN.

WHEREAS, an application has been received from Claude and Jennifer Bondy, on behalf of Alpine Creek Lodge, for a conditional use permit for the operation of a beverage dispensary at Mile 68 Denali Highway (Tax ID# U05278000L00); within Township 22 South, Range 3 East, Section 6, Fairbanks Meridian; and

WHEREAS, MSB 17.70.020 requires a conditional use permit for the operation of an alcoholic beverage dispensary (bar); and

WHEREAS, according to the application material and Borough assessment records, the log cabin structure that will contain the proposed use was constructed in the 1960s; and

WHEREAS, historically the property has been used to operate a remote commercial lodge and the applicants and current owners, have operated Alpine Creek Lodge for the last 11 years; and

WHEREAS, the subject parcel is located in a remote and isolated area. Large, un-subdivided tracts of land border the proposed use to the north, east, and west. The Denali Highway, abuts the use to the south; and

WHEREAS, the closest business is located approximately 14 miles from the proposed use at mile 81 of the Denali Highway; and

WHEREAS, there are no residential homes within several miles of the proposed use; and

WHEREAS, according to the application material, Alpine Creek Lodge is the only business open year round on the 135-mile Denali Highway; and

WHEREAS, the Denali Highway provides the only road access in the area, and has many different uses on its frontage, including residential, commercial, and industrial; and

WHEREAS, according to the application material, the proposed hours of operation are 11:00 a.m. to 12:00 a.m., daily; and

WHEREAS, access to the proposed use is from the Denali Highway via a State permitted driveway; and

WHEREAS, the proposed use will occupy an existing log cabin structure approximately 535 square feet in size; and

WHEREAS, according to the application material, the proposed hours of operation are 8:00 a.m. to 12:00 a.m., daily; and

WHEREAS, the nearest school (Cantwell School) is approximately 67 road miles from the proposed use. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school; and

WHEREAS, persons under the age of 21 are prohibited from being served alcoholic beverages; and

WHEREAS, the operator of the proposed use is required to operate in accordance with Alaska laws and statutes, which include but are not limited to, mandatory alcohol server education; and

WHEREAS, Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons; and

WHEREAS, the subject parcel is approximately 7.7 acres in size; and

WHEREAS, the existing log cabin to be used for the proposed beverage dispensary is greater than 100 feet from any property line; and

WHEREAS, the Alcohol & Marijuana Control Office (AMCO) has no record of violations by Alpine Creek Lodge within the last 12 months; and

WHEREAS, according to the application material, lighting will not affect adjoining properties and the lighting used will be localized, direct, and low glare; and

WHEREAS, there are no outdoor processes associated with the proposed use; and

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

WHEREAS, the applicant is not proposing any outdoor amplified sound activities; and

WHEREAS, the operation must comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound and Vibration; and

WHEREAS, the applicant is not proposing any outdoor amplified sound activities; and

WHEREAS, the operation must comply with the maximum permissible sound level limits allowed, per the requirements of MSB 8.52 - Noise, Amplified Sound and Vibration; and

WHEREAS, during the winter months, access to the lodge is typically limited to planes, snow machines, dog teams, and tracked vehicles, as the Denali Highway is commonly closed from October to June; and

WHEREAS, the Denali Highway is classified as a highway, and as such, is capable of handling the potential increase in traffic.; and

WHEREAS, ITE Trip Generation 10th Edition shows a "Drinking Place" 1000-square feet in size is expected to produce 15.53 trips per peak PM hour. The structure that will house the proposed beverage dispensary is approximately 535 square feet and based on these calculations is expected to produce approximately eight (8) trips per peak PM hour; and

WHEREAS, the Alaska Department of Transportation (ADOT) was solicited for comments. ADOT did not submit any comments for the proposed use; and

WHEREAS, there are no illuminated signs associated with the use; and

WHEREAS, according to the application material, the parking area provides 25 parking spaces and there are additional parking areas onsite if necessary; and

WHEREAS, according to the site plan, 2 customer parking spaces designated for persons with disabilities will be provided; and

WHEREAS, there is room for one parking space for every 21 square feet of floor area for the entire beverage dispensary building; and

WHEREAS, the Planning Commission has reviewed this application with respect to applicable standards set forth in MSB 17.70; and

WHEREAS, the Planning Commission conducted a public hearing on January 6, 2020 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 20-02:

1. The proposed use is compatible with and will preserve or not materially detract from the value, character and integrity of the surrounding area (MSB 17.70.100(A)(1)(a)).

2. The proposed use will not be harmful to the public health, safety, convenience, and welfare (MSB 17.70.100(A)(1)(b)).
3. Sufficient setbacks, lot area, buffers or other safeguards are being provided (MSB 17.70.100(A)(1)(c)).
4. There will not be any negative effects upon the properties in the area due to such factors as dust, noise, obtrusive advertising and glare (MSB 17.70.100(A)(2)(a)).
5. The proposed use will not negatively affect the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained (MSB 17.70.100(A)(2)(b)).
6. Measures will be in place to reduce any negative effect upon adjacent and nearby properties (MSB 17.70.100(A)(2)(c)).
7. Adequate parking is provided (MSB 17.70.100(A)(2)(d)).
8. Access to the premises will not create an unreasonable traffic hazard (MSB 17.70.100(A)(2)(e)).
9. Traffic will not overtax existing road systems (MSB 17.70.100(A)(2)(f)).
10. The proposed use is compatible with the character of the surrounding area (MSB 17.70.100(A)(2)(g)).

11. The proposed use will not increase the crime rate in the area or increase alcohol-related accidents (MSB 17.70.110(B)(1)).
12. The applicant has not had a liquor license suspended or revoked in the 12 months preceding the application (MSB 17.70.110(B)(2)).
13. The applicant is trustworthy or fit to conduct business in the borough and the applicant is not a potential source of harm to the public (MSB 17.70.110(B)(3)).

BE IT FURTHER RESOLVED, the Planning Commission finds this application does meet the standards of MSB 17.70 and does hereby approve the conditional use permit for the operation of a beverage dispensary, with the following conditions:

1. The operation shall comply with all other applicable federal, 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. An amendment to the Conditional Use Permit shall be required prior to any expansion of the conditional use.
3. The operation shall comply with the maximum permissible sound level limits allowed, per the requirements of MSB 17.61.080 - Noise Standards and MSB 8.52 - Noise, Amplified Sound and Vibration.

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this ___ day of _____, 2020.

COLLEEN VAGUE, Chair

ATTEST

MARY BRODIGAN, Planning Clerk

(SEAL)

DRAFT

YES:

NO:

COMMISSION BUSINESS
Upcoming PC Agenda Items

(Page 325 - 330)

COMMISSION BUSINESS



MATANUSKA-SUSITNA BOROUGH
Planning and Land Use Department
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7833 • Fax (907) 861-7876
Email: planning@matsugov.us

MEMORANDUM

DATE: December 27, 2019

TO: Planning Commissioners

FROM: Eileen Probasco, Director of Planning and Land Use

SUBJECT: Items tentatively scheduled for future PC Meetings or Administrative Actions and Updates on PC items sent to the Assembly

January 20, 2020 (*MSB Assembly Chamber*)

Introduction for Public Hearing Quasi-Judicial

(None)

Introduction for Public Hearing Legislative

(None)

Agency/Staff Reports

(None)

Land Use Classifications

(None)

Public Hearing Quasi-Judicial

(None)

Public Hearing Legislative

(None)

Unfinished Business

(None)

New Business

(None)

Commission Business

- Adjudicatory (*if needed*)
- Upcoming Planning Commission Agenda Items (*Staff: TBD*)

February 3, 2020 (MSB Assembly Chamber)

Introduction for Public Hearing Quasi-Judicial

(None)

Introduction for Public Hearing Legislative

(None)

Agency/Staff Reports

(None)

Land Use Classifications

(None)

Public Hearing Quasi-Judicial

- **Resolution PC 20-03**, a conditional use permit in accordance with MSB 17.60 – Conditional Uses; for the operation of a marijuana retail facility, located at 173 N. Rosie Circle (Tax ID# 17N01W11A011); within Township 17 North, Range 1 West, Section 11, Seward Meridian. (*Applicant: Kyle Lutz, on behalf of Laughing Salmon; Staff: Mark Whisenhunt*)
- **Resolution PC 20-04**, a conditional use permit in accordance with MSB 17.30 – Conditional Use Permit for Earth Material Extraction, located at 3429 N. Pittman Road (Tax ID# 18N02WB002 and 18B02W23A002); within Township 18 North, Range 2 West, Section 23, Seward Meridian. A CUP would allow for the removal of approximately 400,000 cubic yards of earth materials through 2059. Public Hearing: (*Applicant: Dan Steiner, on behalf of Foremost Construction, Staff: Joe Metzger*)

Public Hearing Legislative

(None)

Unfinished Business

(None)

New Business

(None)

Commission Business

- Adjudicatory (*if needed*)
- Upcoming Planning Commission Agenda Items (*Staff: TBD*)

Upcoming PC ActionsQuasi-Judicial

- Alaska Car Crushing – Junkyard CUP Modification, 6919000L001 and L002. (Staff: Mark Whisenhunt)
- D&S Alaskan Trail Rides, Inc. – Denali SpUD, 29N05W33D012 and 29N05W33D0028. (Staff: Joe Metzger)
- Nu Aspen LLC – Talkeetna SpUD, 5352B12L014A. (Staff: Joe Metzger)
- Nu Aspen LLC – Regulation of Alcoholic Beverages, 5352B12L014A. (Staff: Joe Metzger)
- Bubba Greens – Marijuana Cultivation Facility, 18N01W15C009. (Staff: Mark Whisenhunt)
- Wilderness Acres – Variance MSB 17.65, 633B02L008. (Staff: Joe Metzger)

Legislative

- Title 17 Consolidation (Staff: Eileen Probasco)
- Subdivision Construction Manual Update (Staff: Fred Wagner)
- Onsite Consumption (Staff: Alex Strawn)
- Driveway Standards (Staff: Alex Strawn)
- Wetlands Mitigation (Staff: Eileen Probasco)
- Shooting Ranges (Staff: Alex Strawn and Adam Bradway)

Other Upcoming Administrative Actions (Not going to the PC)

- Aldeman – Multifamily Permit; 17N01W18B011. (Staff: Joe Metzger)
- Echo Lake Woods – Nonconforming Structures, 7621B01L006. (Staff: Joe Metzger)
- Birdsell #1 – Nonconforming Structures, 6040B03L016. (Staff: Joe Metzger)
- Donald Patterson – Multifamily Development Permit, 1009B02L011. (Staff: Adam Bradway)
- Hinderman - Nonconforming Structures, 6043B01L006. (Staff: Joe Metzger)
- Carefree Acres – Multifamily Development Permit, 1009B02L011. (Staff: Adam Bradway)
- Lake Mountain Estates – Nonconforming Structures, 6172B01L006. (Staff: Joe Metzger)
- Hurd – Nonconforming Structures, 1029000L9-11. (Staff: Joe Metzger)
- North Palmer Fire Hall Site – Tall Tower Permit, 23730000000. (Staff: Joe Metzger)
- Finger Lakes Heights – Nonconforming Structures, 6111000T003. (Staff: Joe Metzger)
- Trapper Creek Bluegrass Festival – Special Event, 25N05W15C003. (Staff: Joe Metzger)

PC Decisions Currently Under Appeal

- **Resolution 18-30**, a Conditional Use Permit (CUP) in accordance with MSB 17.60 – Conditional Uses; allowing the operation of a junkyard/refuse area, located at 743 West Sunrise Drive (Tax ID#: 640500L006); within Township 18 North, Range 2 West, Section 33, Seward Meridian. Appealed to Alaska Superior Court. (*Applicant: Dewayne Creech for Creech’s Junkyard, Staff: Mark Whisenhunt*)
- **Resolution PC 19-17**, a Conditional Use Permit in Accordance with MSB 17.60 – Conditional Uses; allowing for the operation of a marijuana retail facility, located at 1204 N. Hyer Spur (Tax ID# 7775000L002); within Township 17 North, Range 1 East, Section 4, Seward Meridian. Appealed to the BOAA. Planning Commission decision upheld by BOAA September 11, 2019. Appealed to Alaska Superior Court. (*Applicant: Teri Zell, on behalf of Higher By Bad Gramm3r, LLC; Staff: Joe Metzger*)
- **Resolution PC 19-18**, a conditional use permit in accordance with MSB 17.30, Conditional Use Permit for Earth Material Extraction, located at 56218 S. Parks Highway (Tax ID# 22N04W06B003); within Township 22 North, Range 4 West, Section 6, Seward Meridian. A CUP would allow for the removal of approximately 1,000,000 cubic yards of earth materials through 2029. BOAA decision reversing the denial by the Planning Commission. Appealed to Alaska Superior Court. (*Applicant: Emily McDonald on behalf of Don Jean Pit, Staff: Joe Metzger*)

Updates on PC items going to the Assembly (Pending)

Planning Commission		Assembly	
Reso		ORD/Reso #	IM
Resolution PC 19-24 , recommending Assembly approval of a dual land classification of borough-owned land for a five-year period as Reserved Use Lands and Public Recreation Lands (MSB007513). (<i>Staff: Nancy Cameron</i>)		ORD # 20-002	IM 20-002
Actions:	11/04/19 – PC Introduction 11/18/19 – PC Public Hearing – Amended/Approved 12/17/19 – Assembly Introduction 01/07/20 – Assembly Pubic Hearing		

Updates on PC items that went to the Assembly (Complete)

None