

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
Karol Riese, Acting Planning Clerk

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

**June 8, 2020
REGULAR MEETING
6:00 p.m.**

Ways to participate in Planning Commission meetings:

IN PERSON. Should you wish to testify in person, please adhere to the 6-foot distance between yourself and others. It is highly recommended that you bring your own mask to wear.

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

TELEPHONIC TESTIMONY: Call 1-833-949-2500. You will be able to hear the meeting while you wait for your turn to testify. You will know when it is your turn to testify when you hear a chime.

Those who wish to listen to the meeting may Livestream Audio at Radiofreepalmer.org.

- 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. May 18, 2020, regular meeting minutes

- B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS
- 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 20-08**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian. (*Applicant: Michael Gallagher, on behalf of Bubba Greens, Staff: Joe Metzger*)
- B. **Resolution PC 20-09**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 5675 E. Blue Lupine Drive (Tax ID# 1807B01L011); within Township 17 North, Range 1 East, Section 17, Seward Meridian. (*Applicant: Chad Ragsdale, on behalf of MCC Flight, Staff: Joe Metzger*)
- C. **Resolution PC 20-13**, a Conditional Use Permit in accordance with MSB 17.70 – Regulation of Alcoholic Beverage Uses; allowing the operation of an alcoholic beverage dispensary (bar), located at 2141 S. Church Road (Tax ID# 17N01E16C012); within Township 17 North, Range 1 East, Section 16, Seward Meridian. (*Applicant: Michelle Church, dba Moonstone Farm, Staff: Mark Whisenhunt*)

- D. **Resolution PC 20-16**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020); within Township 17 North, Range 1 East, Section 11, Seward Meridian. (*Applicant: Sandra Millhouse, on behalf of Canna Get Happy, Staff: Joe Metzger*)
- X. PUBLIC HEARING: LEGISLATIVE MATTERS
- A. **Resolution PC 20-15**, recommending Assembly approval of an ordinance amending the Definition of Encroachment in MSB 11.10.010(A)(1) and amending MSB 17.23.150 Port Development Permit Required. (*Staff: Alex Strawn and Emerson Krueger*)
- XI. CORRESPONDENCE & INFORMATION
- XII. UNFINISHED BUSINESS
- XIII. NEW BUSINESS
- XIV. COMMISSION BUSINESS
- A. Adjudicatory (*if needed*)
- B. 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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**PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. PC 20-08

Bubba Greens
Marijuana Cultivation Facility CUP

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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: May 27, 2020

File Number: 176020190007

Applicant: Michael Gallagher on behalf of Bubba Greens

Property Owner: Beatrice Gallagher

Request: Planning Commission Resolution 20-08
Conditional Use Permit for the operation of a marijuana cultivation facility in accordance with MSB Chapter 17.60 – Conditional Uses

Location: 108 E. Schrock Road, (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian

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

Staff: Joseph Metzger, Planner II 

Staff Recommendation: Approval with conditions

EXECUTIVE SUMMARY

A conditional use permit application has been submitted for the operation of a marijuana cultivation facility. The proposed use is wholly contained in a new wood frame two story structure that is approximately 2,100 square feet in size with approximately 1,520 feet under cultivation.

MSB code 17.60.030 requires a conditional use permit for the operation of marijuana cultivation facilities. Unless this type of use is maintained under and in accordance with a lawfully issued permit, a marijuana cultivation 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 is approximately 6.7 acres. The proposed and not yet constructed 30' x 70' cultivation facility, will sit in the south central portion of the property. According to the applicant, they have removed over 10 tons of junk and trash from the property and have plans to remove more. Currently, there are two structures that are situated on the property. One is dilapidated and will be demolished and removed while the other structure is currently being repaired. Access to the property is made from E. Schrock onto a private, State of Alaska Authorized to Construct driveway. The majority of the property is undeveloped and is heavily treed with a mix of birch and spruce.

Surrounding Land Uses

The subject parcel abuts E. Schrock Road to the east and to the north. Parcels with residential homes border the property to the west and south. A commercial gravel pit is situated to the east of East Schrock Road and is approximately 270 feet from the proposed use. Parcels in the surrounding area range in size from 1 acre to 20 acres. The closest residential structure is located to the west and is approximately 375 feet from the use.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

On January 31, 2020 notices were mailed to all property owners within a 600-foot radius of the property. A total of 21 notices were mailed. A public notice pertaining to this request was published in the January 31, 2020 issue of the *Frontiersman*. A public notice with the application material was posted on the Borough website for public review on January 31, 2020. The proposed use is situated in the Tanaina Community Council boundary, and a notice was sent and emailed to the Council on January 31, 2020.

On March 16, 2020 the regularly scheduled Planning Commission Meeting was canceled due to the Covid-19 pandemic. The proposed use was scheduled to be introduced into the record during this meeting and subsequently because it was not, the public notice requests needed to be resent to reflect the new public hearing date.

On May 21, 2020 notices were mailed to all property owners within a 600-foot radius of the property. A total of 21 notices were mailed. A public notice pertaining to this request was published in the May 22, 2020 issue of the *Frontiersman*. The public notice with the application material was updated on the Borough website for public review on May 21, 2020. The proposed use is situated in the Tanaina Community Council boundary, and a notice was sent to the Council on May 21, 2020. Staff received 1 comments from the public, which is opposed to the use.

Section 17.60.100 General Standards

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

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

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

Findings of Fact:

1. The proposed use will be wholly contained within a newly constructed wood frame structure approximately 2,100 square feet in size with approximately 1,520 square feet under cultivation.
2. Access to the proposed use is from E. Schrock Road onto an existing State authorized to construct driveway.
3. The closest residential structure is located to the west, and is approximately 375 feet from the proposed use.
4. The closest business, a commercial gravel extraction pit, is located to the east and is approximately 270 feet from the proposed use.
5. According to the application material, the proposed use is set back 673 feet from the north lot line, 147 feet to the E. Schrock right of way on the east lot line, 190 feet from the south lot line, and 138 feet to the west lot line.
6. The subject parcel is approximately 6.7 acres in size and is mostly undeveloped and heavily treed with a mixture of birch and spruce.
7. The facility will not be open to the public.
8. There are no outdoor processes associated with the proposed use that generates noise or dust.

Conclusion of Law: Based on the above findings, and with conditions, the proposed use 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 (Larson Elementary) is approximately 15,200 feet away from the proposed use.
2. Access to the proposed use is from E. Schrock Road onto an existing State authorized to construct driveway.
3. Persons under the age of 21 are prohibited from entering the premises of the proposed use.
4. According to the application material, the proposed use has a security plan in place, which includes education of employees on all security measures.
5. According to the security plan, a combination of surveillance video, alarms, and security doors and locks will be used to secure the site and monitor all activities at the facility.
6. The State of Alaska Fire Marshal has issued Plan Review Certificate #2019Anch1785, approving the construction of the proposed use.
7. The structure is in full compliance with the applicable State of Alaska fire code.
8. After proper notification to the State of Alaska Alcohol & Marijuana Control Office all marijuana products deemed unusable will be mixed with compostable waste, stored in a secure area, and disposed of at the landfill.

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 proposed use is set back 673 feet from the north lot line, 147 feet to the E. Schrock right of way on the east lot line, 190 feet from the south lot line, and 138 feet to the west lot line.
2. The closest residential structure is located to the west, and is approximately 375 feet from the proposed use.
3. The closest school (Larson Elementary) is approximately 15,200 feet away from the proposed use.
4. Access to the proposed use is from E. Schrock Road onto an existing State authorized to construct driveway.
5. According to the application material, the proposed use will not be open to the public.
6. According to the application material, the proposed use has a security plan in place, which includes education of employees on all security measures.
7. According to the security plan, a combination of surveillance video, alarms, and security doors and locks will be used to secure the site and monitor all activities at the facility.

Conclusion of Law: Based on the above findings, sufficient setbacks, lot area, buffers or 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 meets 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 use will be wholly contained within a newly constructed wood frame structure approximately 2,100 square feet in size with approximately 1,520 square feet under cultivation.
2. There are no outdoor processes associated with the proposed use that generate noise or dust.
3. According to the application material, the proposed use is set back 673 feet from the north lot line, 147 feet to the E. Schrock right of way on the east lot line, 190 feet from the south lot line, and 138 feet to the west lot line.
4. The surrounding parcels range in size from 1 to 20 acres and are mostly used for residential purposes.
5. The closest residential structure is located to the west and is approximately 375 feet from the proposed use.
6. The closest business, a commercial gravel extraction pit, is located to the east and is approximately 270 feet from the proposed use.
7. The facility will be fitted with charcoal canister filters to remove marijuana odors and the filters will be maintained according to the manufacturer's specifications.
8. According to the application material, the proposed use will not be open to the public.

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. According to the application material, the proposed use is set back 673 feet from the north lot line, 147 feet to the E. Schrock right of way on the east lot line, 190 feet from the south lot line, and 138 feet to the west lot line.
2. The subject parcel is approximately 6.7 acres in size and is mostly undeveloped and heavily treed with a mixture of birch and spruce.
3. The State of Alaska Fire Marshal has issued Plan Review Certificate #2019Anch1785, approving the construction of the proposed use.
4. The structure is in full compliance with the applicable State of Alaska fire code.
5. The closest residential structure is located to the west and is approximately 375 feet from the proposed use.

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 use will be wholly contained within a newly constructed wood frame structure approximately 2,100 square feet in size with approximately 1,520 square feet under cultivation.
2. The proposed use is accessed from E. Schrock Road onto an existing State permitted private driveway
3. The closest residential structure is located to the west and is approximately 375 feet from the proposed use.
4. The subject parcel is approximately 6.7 acres in size and is mostly undeveloped and heavily treed with a mixture of birch and spruce.
5. The facility will not be open to the public.
6. There are no outdoor processes associated with the proposed use that generate noise or dust.
7. According to the application material, the proposed use has a security plan in place, which includes education of employees on all security measures.
8. According to the security plan, a combination of surveillance video, alarms, and security doors and locks will be used to secure the site and monitor all activities at the facility.

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 (Larson Elementary) is approximately 15,200 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. Bubba Greens has received delegated approval from the State Marijuana Control Board for marijuana cultivation license #22369, in accordance with 3 AAC 306.005.

2. Written documentation showing delegated approval from the State Marijuana Control Board for marijuana cultivation license #22369 has been provided.

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

(2) from the fire marshal having jurisdiction, that the proposed conditional use is in full compliance with applicable fire code, including but not limited to AS 18.70.010 through 18.70.160, Fire Protection, and 13 AAC 50.025 through 50.080, Fire Code.

Findings of Fact:

1. The State of Alaska Fire Marshal has issued Plan Review Certificate #2019Anch1785, approving the construction of the proposed use.
2. A copy of approved Plan Review Certificate #2019Anch1785 has been provided.

Conclusion of Law: Based on the above findings, the applicant has provided documentation showing the proposed use is in full compliance with all applicable fire code (MSB 17.60.150(D)(2)).

Section 17.60.160 Standards for Marijuana Cultivation Facilities

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

Findings of Fact:

1. After proper notification to the State of Alaska Alcohol & Marijuana Control Office all marijuana products deemed unusable will be mixed with compostable waste, stored in a secure area, and disposed of at the landfill.
2. According to the application material, the facility will use a hydroponic system in which water will circulate continuously. Waste water that cannot be reused will be used for surface irrigation on the property.

Conclusion of Law: Based on the above findings, the wastewater and waste material disposal plan demonstrates compliance with the Alaska State Department of Environmental Conservation (MSB 17.60.160(A)).

(B) Odor mitigation and ventilation plan. The applicant shall provide an odor mitigation plan detailing the effective mitigation of any odors of the proposed uses. Such plan shall demonstrate that the design for the purification of air prevents odors from materially impacting adjoining properties.

Findings of Fact:

1. The proposed use will be wholly contained within a newly constructed wood frame structure approximately 2,100 square feet in size with approximately 1,520 square feet under cultivation.
2. According to the application material, the proposed use is set back 673 feet from the north lot line, 147 feet to the E. Schrock right of way on the east lot line, 190 feet from the south lot line, and 138 feet to the west lot line.
3. The subject parcel is approximately 6.7 acres in size and is mostly undeveloped and heavily treed with a mixture of birch and spruce.
4. The facility will be fitted with charcoal canister filters to remove marijuana odors and the filters will be maintained according to the manufacturer's specifications.

Conclusion of Law: Based on the above findings, the odor mitigation plan demonstrates mitigation measures will prevent odors from materially impacting adjoining properties (MSB 17.60.160(B)).

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

Findings of Fact:

1. According to the application material, the facility will store and dispose of fertilizers, pesticides, herbicides, and any other hazardous chemicals in compliance with all local, state, and federal laws.
2. According to the application material, the facility will store and dispose of nutrients and chemicals in accordance with each manufacturer's recommendations.

Conclusion of Law: Based on the above findings, storage of nutrients and cleaners will comply with all local, state, and federal laws (MSB 17.60.160(C)).

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

Findings of Fact:

1. According to the application material, the proposed use has a security plan in place, which includes education of employees on all security measures.
2. According to the security plan, a combination of surveillance video, alarms, and security doors and locks will be used to secure the site and monitor all activities at the facility.

Conclusion of Law: Based on the above findings, a security plan which includes education for employees on security measures has been provided (MSB 17.60.160(D)).

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

Finding of Fact:

1. According to the application material, the proposed use is set back 673 feet from the north lot line, 147 feet to the E. Schrock right of way on the east lot line, 190 feet from the south lot line, and 138 feet to the west lot line.

Conclusion of Law: Based on the above finding, the proposed use meets the set back requirements for marijuana cultivation facilities (MSB 17.60.160(E)).

STAFF RECOMMENDATIONS

Staff recommends approval of the conditional use permit to operate a marijuana cultivation facility, at 108 E. Schrock Road (Tax ID# 18N01W15C009). The proposed use meets all of the standards in MSB 17.60.100, 17.60.150, and 17.60.160. 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.

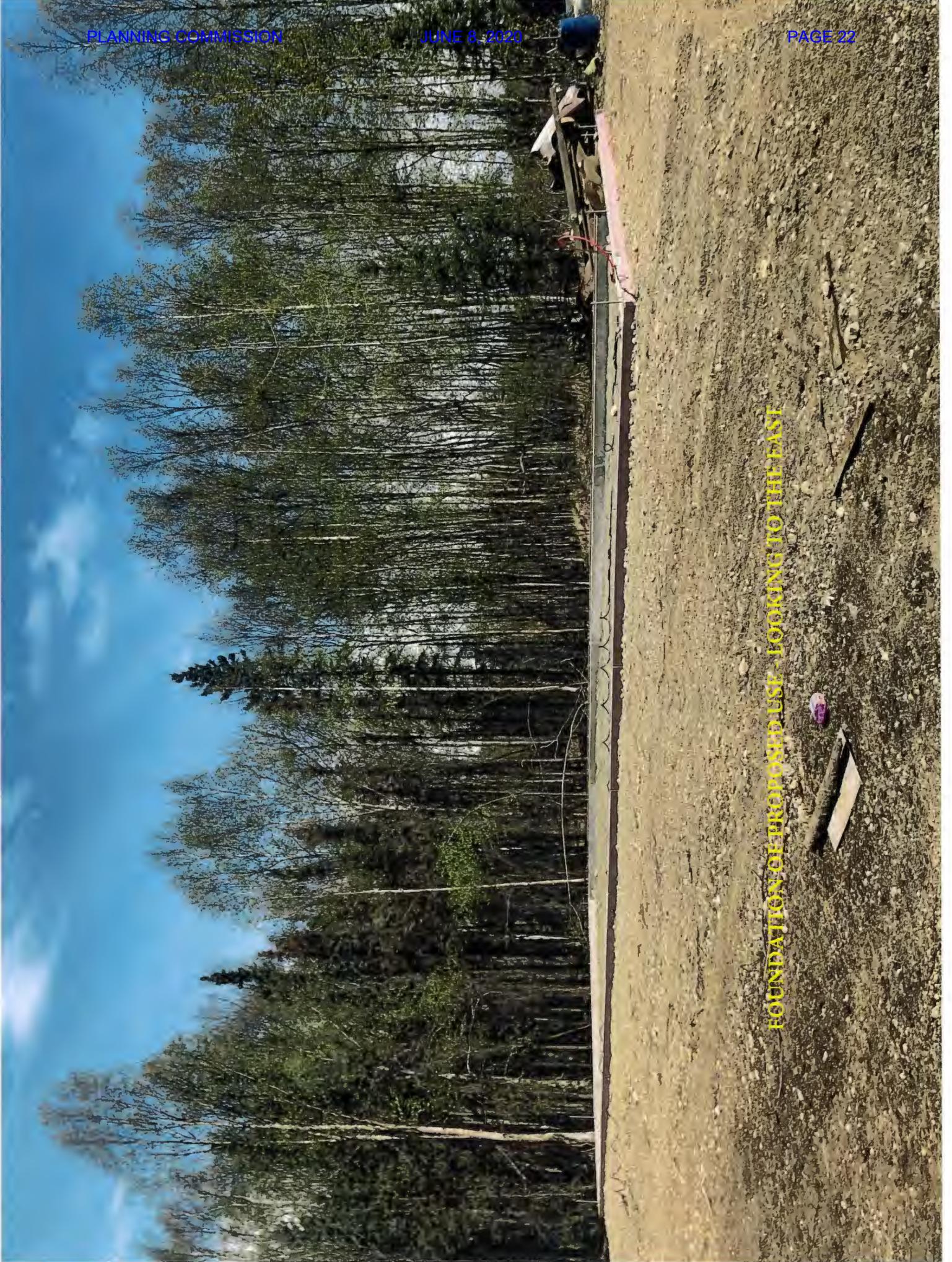
If the Planning Commission chooses to deny this permit, findings for denial must be prepared by the Commission.

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Photos taken by Joe Metzger,
MSB Planner, during a May 14,
2020 site visit



FOUNDATION OF PROPOSED USE - LOOKING TO THE NORTHEAST



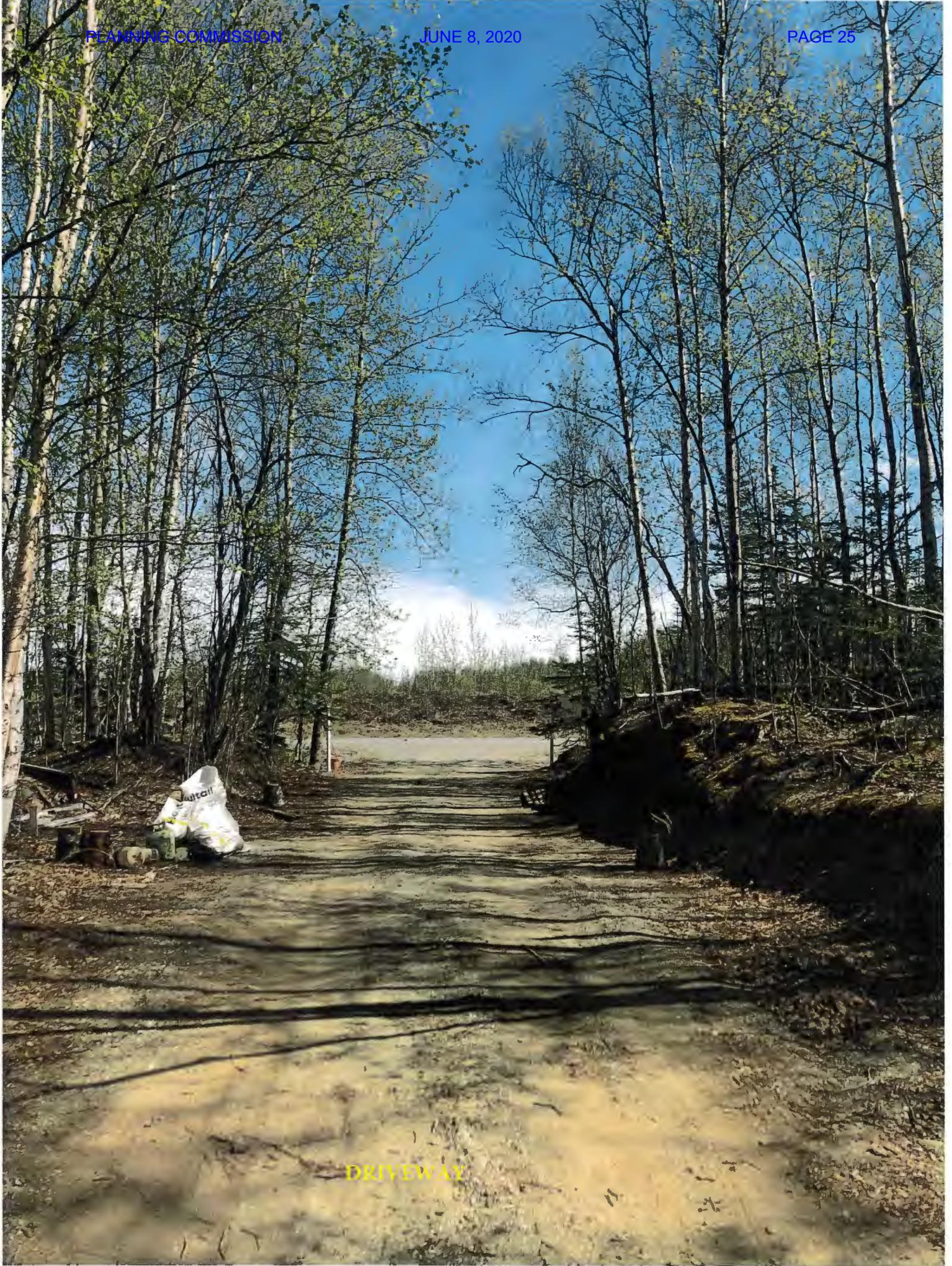
FOUNDATION OF TRIMPOH USE - LOOKING TO THE EAST



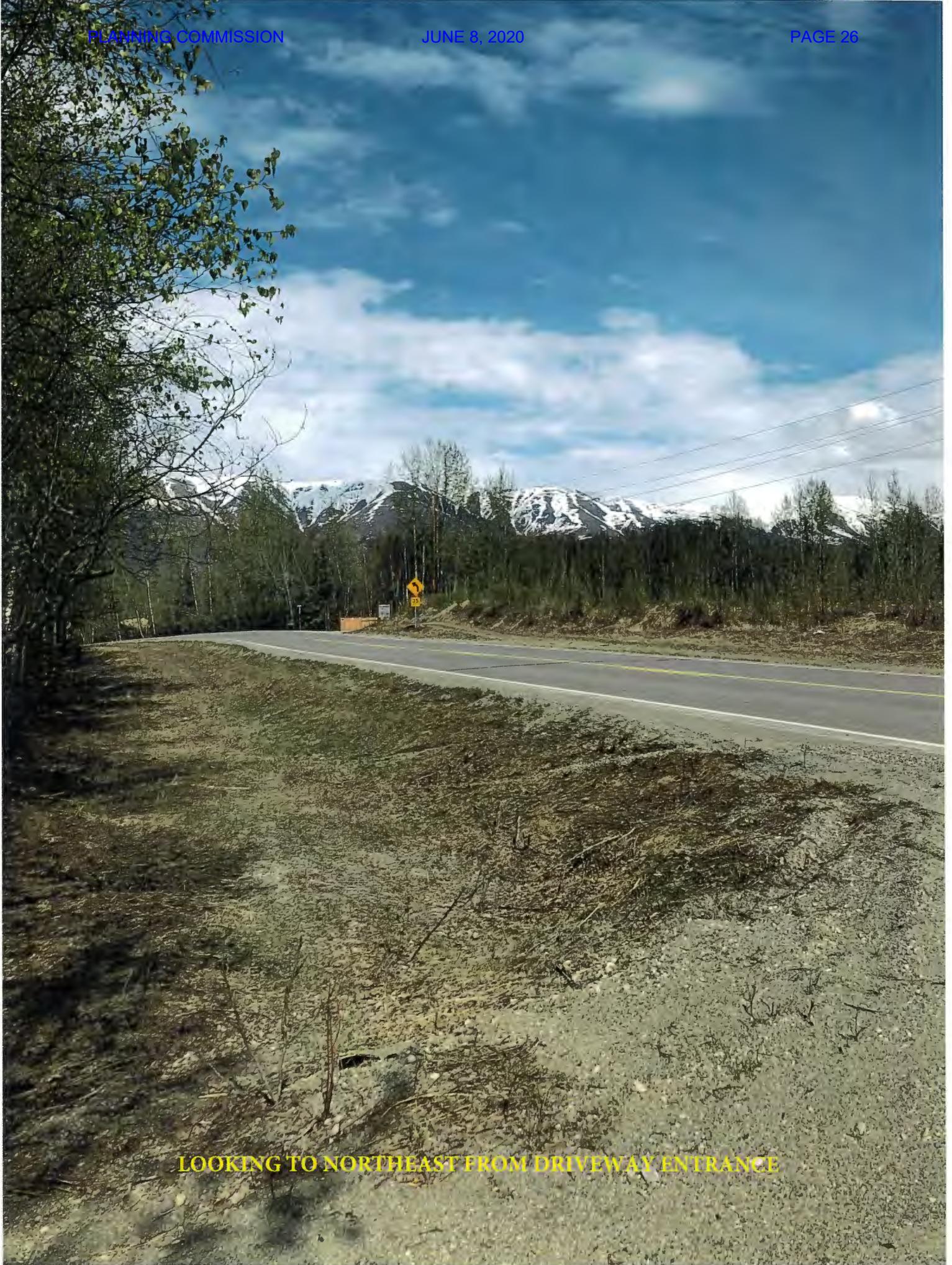
DRIVEWAY LOOKING TO THE EAST



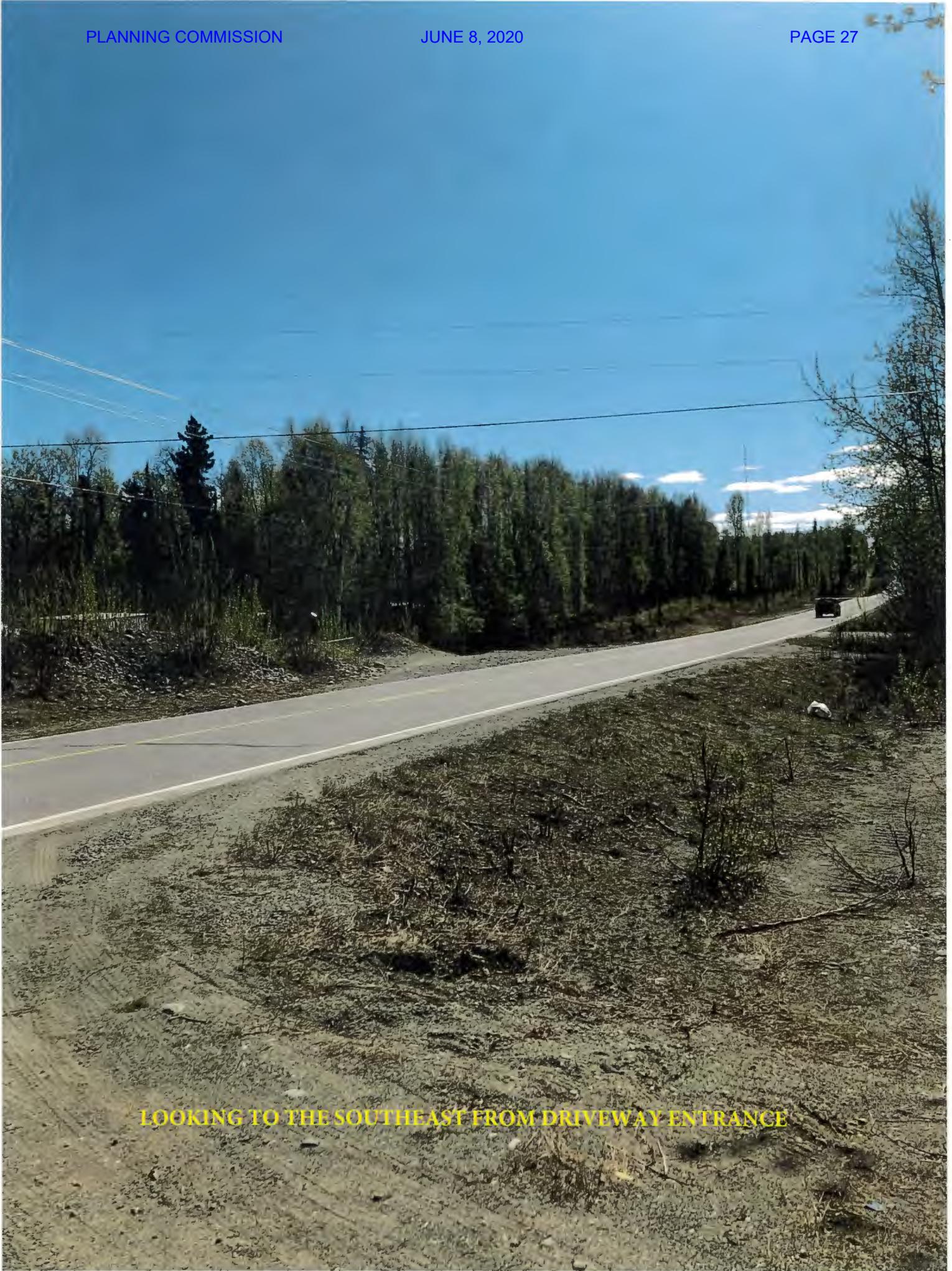
STRUCTURE TO BE REMOVED FROM PROPERTY



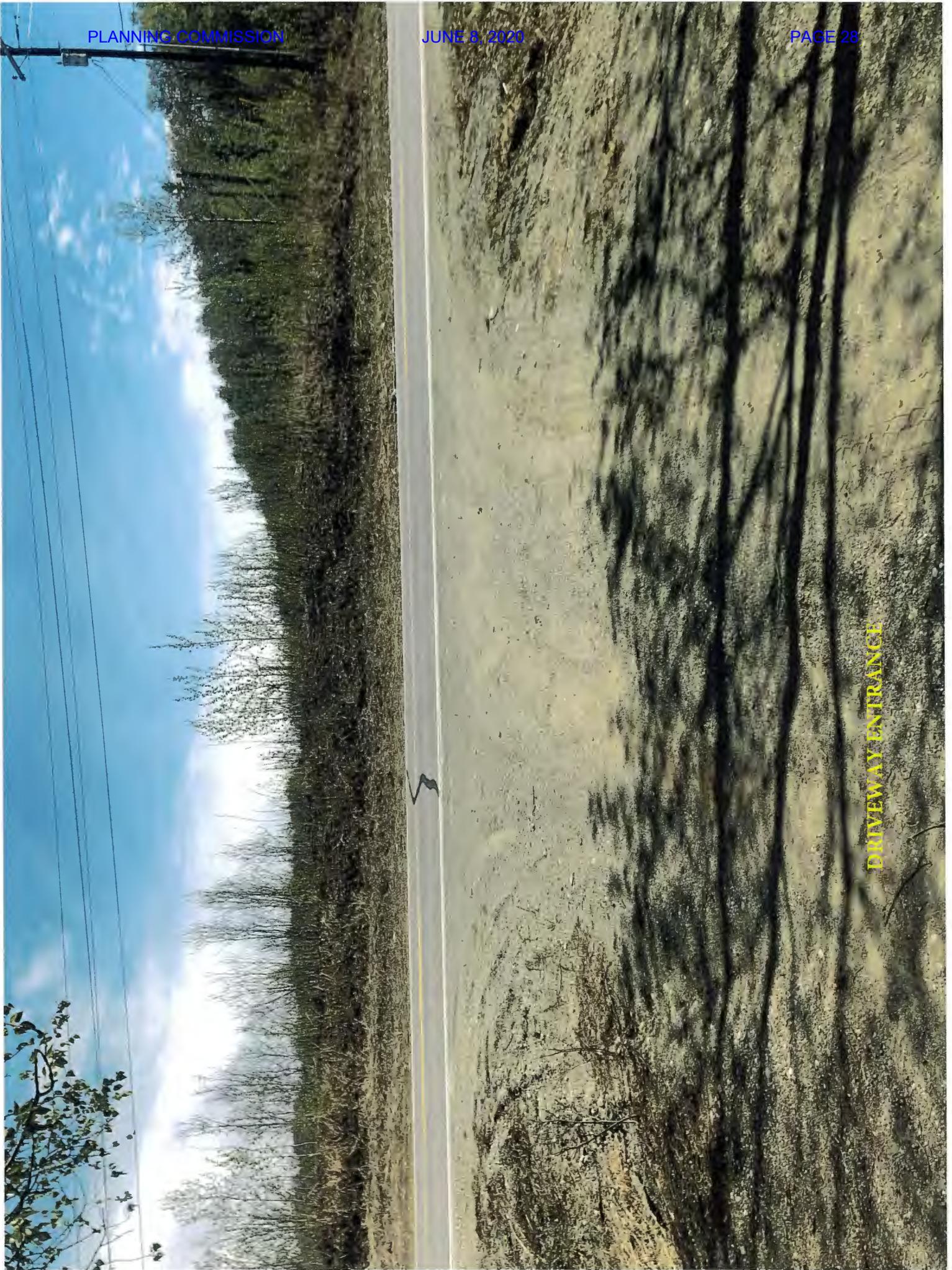
DRIVEWAY



LOOKING TO NORTHEAST FROM DRIVEWAY ENTRANCE



LOOKING TO THE SOUTHEAST FROM DRIVEWAY ENTRANCE



DRIVEWAY ENTRANCE

Accounts Payable

FEB 06 2020

Received

Frontiersman

Growing with the Valley since 1947.

5751 E. MAYFLOWER CT.
Wasilla, AK 99654

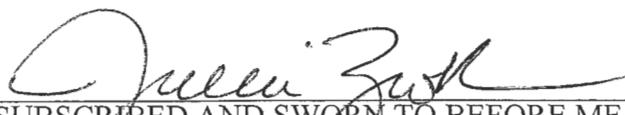
(907) 352-2250 ph
(907) 352-2277 fax

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:

01/31/2020

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


SUBSCRIBED AND SWORN TO BEFORE ME
THIS 31st DAY OF January, 2020.


NOTARY PUBLIC FOR STATE OF ALASKA

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

MAT-SU BOROUGH/PAGE
1.31
ACCOUNT NUMBER 405249

PUBLIC HEARINGS

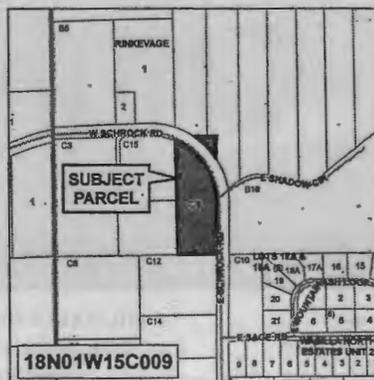
The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **April 6, 2020**, at 6:00 p.m. in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. This may be the only presentation of 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 by Michael Gallagher on behalf of Bubba Greens, for the operation of a marijuana cultivation facility at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, 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 material may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to: 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 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 **March 6, 2020** 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: January 31, 2020

01-34-20



Certificate of Bulk Mailing – Domestic

Fee for Certificate

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

For each additional 1,000 pieces, or fraction thereof

Duplicate Copy

Use
Current
Price List
(Notice 123)

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



U.S. POSTAGE >>> PITNEY BOWES



ZIP 99645 \$ 008.55⁰
02 4W
0000368428 JAN 31 2020

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

If payment of total fee due is being paid by Permit Imprint, include the *PostalOne!*® Transaction Number here: _____

Number of Identical Weight Pieces	Class of Mail	Postage for Each Mailpiece Paid	Number of Pieces to the Pound
21	1st	<input type="checkbox"/> Verified	96

Total Number of Pounds	Total Postage Paid for Mailpieces	Fee Paid
7.502	10.50	8.55

Mailed For	Mailed By
Joe M. Dev Ser	N. Keith

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.

[Signature]

(Postmaster or Designee)



55978B05L018A 1
 BELL DANIEL A
 581 E MOUNTAIN ASH LOOP
 WASILLA AK 99654-9019

218N01W15C016 2
 CARLSON ROBERT F & ERMA RENEE
 216 W SCHROCK RD
 WASILLA AK 99654-9013

52916B05L019 3
 COPELAND KERRIN
 567 E MOUNTAIN ASH LOOP
 WASILLA AK 99654

218N01W15C003 4
 CORBIN RICHARD D
 PO BOX 871184
 WASILLA, AK 99687-1184

52916B05L020 5
 DRUMM BRIAN W & ERIN C
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 PO BOX 871570
 WASILLA AK 99687-1570

218N01W15B010 10
 HARMAN JERRY
 PO BOX 874712
 WASILLA AK 99687

52916B05L021 11
 LAWSON RICHARD LEE JR
 PO BOX 871486
 WASILLA, AK 99687-1486

218N01W15C012 12
 NOEL TREVOR D
 STE B PMB 345
 2521 E MOUNTAIN VILLAGE DR
 WASILLA AK 99654-7377

54160000L002 13
 PLUTA RONALD J
 #104
 889 N ELKHORN DR
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218N01W15B005 14
 PONDEROSA PET SUITES LLC
 241 W SCHROCK RD
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218N01W15B012 15
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 529 E SHADOW CIR
 WASILLA AK 99654-1419

54160000L001 16
 RINKEVAGE GEORGE
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 WASILLA AK 99687

218N01W15C006 17
 SAMS TIFFANY R
 HICKEL WAYNE L & SUSANN
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218N01W15C014 18
 SEAMAN TERESA
 210 E SCHROCK RD
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 TOLES CALEB & SARAH
 595 E MOUNTAIN ASH LOOP
 WASILLA AK 99654

218N01W15B011 20
 TOMLINSON TIM
 415 E SHADOW CIR
 WASILLA AK 99654

tara0609
 20 21
 1/29/2020 11:20:43 AM

Tanaina Community Council #21
 PO Box 870236
 Wasilla AK 99687

Joseph Metzger

From: Joseph Metzger
Sent: Friday, January 31, 2020 10:54 AM
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; Jesse Sumner; 'rachellund04@gmail.com'; 'michla01234@gmail.com'; 'scarlet1939@hotmail.com'; 'corinehickey@gmail.com'; 'fay.colin@gmail.com'; 'princeaaronj@hotmail.com'
Subject: RFC Bubba Greens Marijuana Cultivation Due March 6

MEMORANDUM

Date: January 31, 2020
To: Various Governmental Agencies
From: Joe Metzger, Planner II
Subject: Request for Review and Comments Governmental Agencies
Project: Conditional Use Permit for a marijuana cultivation facility
Location: 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian
Applicant: Michael Gallagher, on behalf of Bubba Greens, LLC

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana cultivation facility. The Planning Commission will conduct a public hearing for this request on April 6, 2020.

Application material 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/bubba-greens-marijuana-cultivation-facility-conditional-use-permit>

Comments are due on or before ***March 6, 2020*** 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

Bubba Greens Marijuana Cultivation Facility – Conditional Use Permit

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana cultivation facility.

Location: The proposed use is located at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian.

Applicant: Michael Gallagher, on behalf of Bubba Greens

Public Hearing: The Planning Commission will conduct a public hearing concerning the application for a conditional use permit on Monday, **April 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 viewed at the Borough Permit Center. If you have questions or want to submit comments, please contact Joe Metzger 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 **March 6, 2020** 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.

PUBLIC HEARINGS

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, April 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 by Michael Gallagher on behalf of Bubba Greens, for the operation of a marijuana cultivation facility at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, 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 material may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to: 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 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.

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

tara0609
20
1/29/2020 11:20:43 AM

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

Applications: Conditional Use Permits for a marijuana cultivation facility
MSB Code Section: MSB 17.60 – Conditional Uses
Applicant: Michael Gallagher, on behalf of Bubba Greens
Location: 108 E. Schrock Road (Tax ID# 18N01W15C009);
within Township 18 North, Range 1 West, Section 15, Seward Meridian
Request: An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana cultivation facility.

The public hearing for the Conditional Use Permit request detailed above and originally scheduled to be held April 6, 2020, was canceled.

The new public hearing date for this request is June 8, 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.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough website. The public is encouraged to check the Borough website prior to attending the public hearing for any changes to the meeting schedule or method.**

The public may provide verbal testimony in person at the meeting or telephonically by calling 1-833-949-2500. Once you call in, you will be asked by the call-in studio moderator to provide your name, phone number, address, and what case you would like to speak on. When it is your turn to speak under public testimony, you will be unmuted by the studio moderator. You will be muted until the case you wish to speak on is presented. Once you are unmuted please state your name for the record, and provide your comments. You have 3 minutes to state your concerns & comments. This is not a question and answer session. This is only for stating your concerns and comments.

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Note: Vicinity Map Located on Reverse Side

55978B05L018A 1
 BELL DANIEL A
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218N01W15C016 2
 CARLSON ROBERT F & ERMA RENEE
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 TOMLINSON TIM
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 WASILLA AK 99654

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 1/29/2020 11:20:43 AM

Tanaina Community Council #21
 PO Box 870236
 Wasilla, AK 99687

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Bubba Greens Marijuana Cultivation Facility – Conditional Use Permit

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana cultivation facility.

Location: The proposed use is located at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian.

Applicant: Michael Gallagher, on behalf of Bubba Greens

The Public Hearing for the Conditional Use Permit request detailed above and originally scheduled for April 6, 2020, was canceled.

The **new public hearing date for this request is June 8, 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.

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PUBLIC HEARING

The Public Hearing for the Conditional Use Permit request submitted by Michael Gallagher on behalf of Bubba Greens, for the operation of a marijuana cultivation facility, located at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian, scheduled for April 6, 2020, was canceled.

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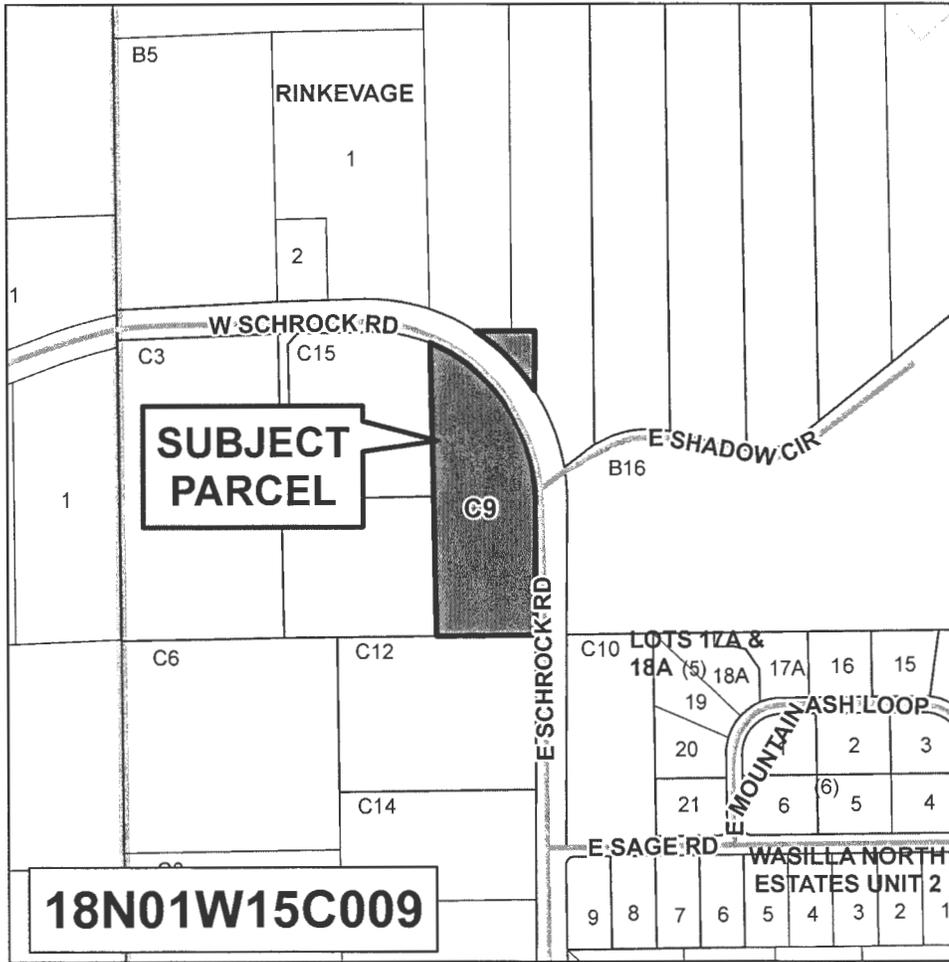
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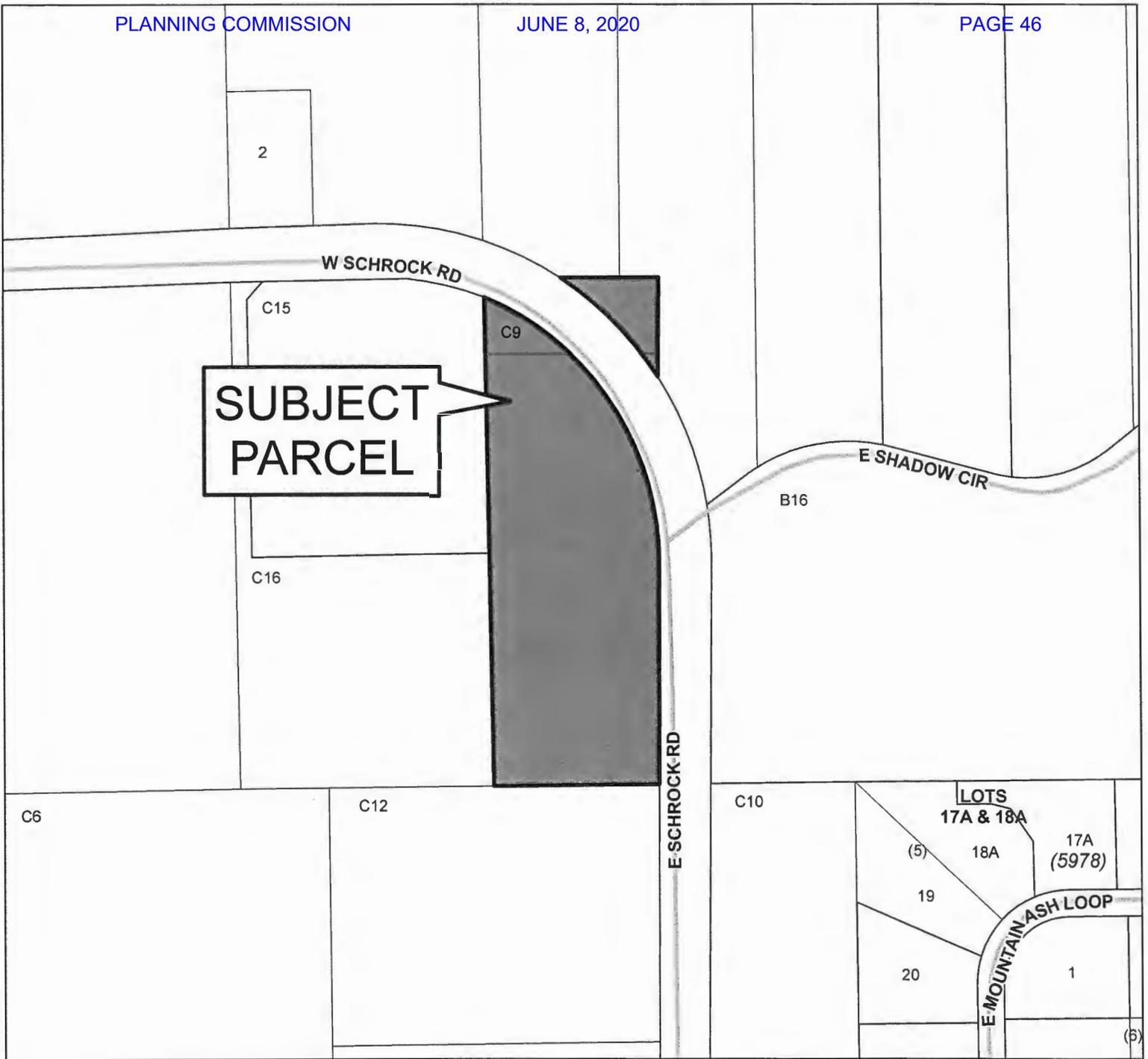
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VICINITY MAP

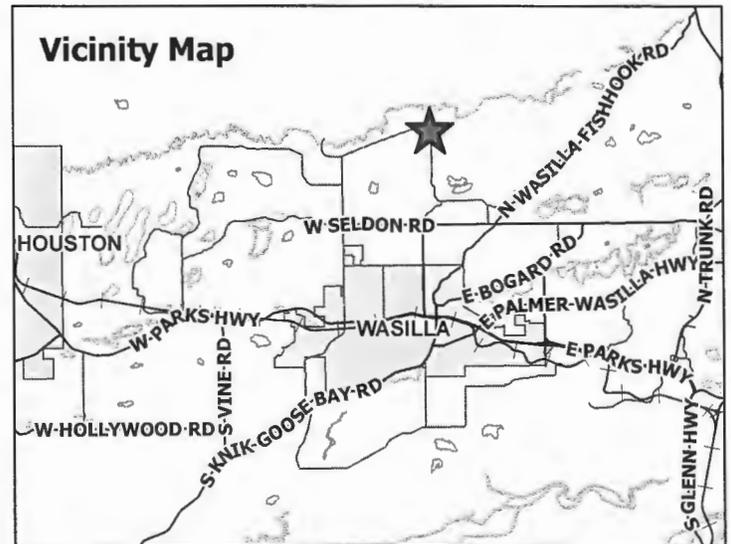




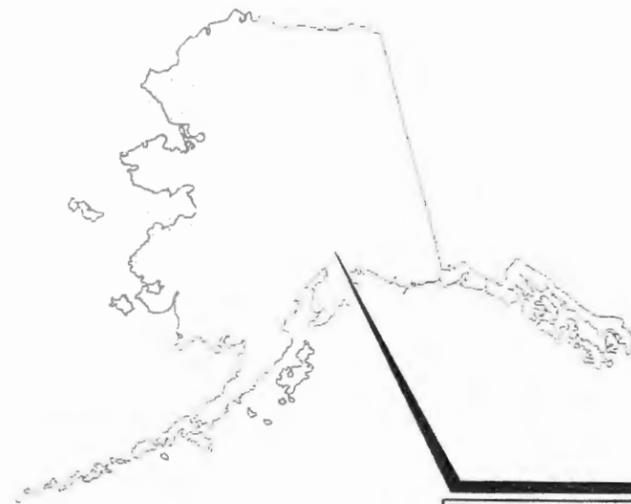
18N01W15C009



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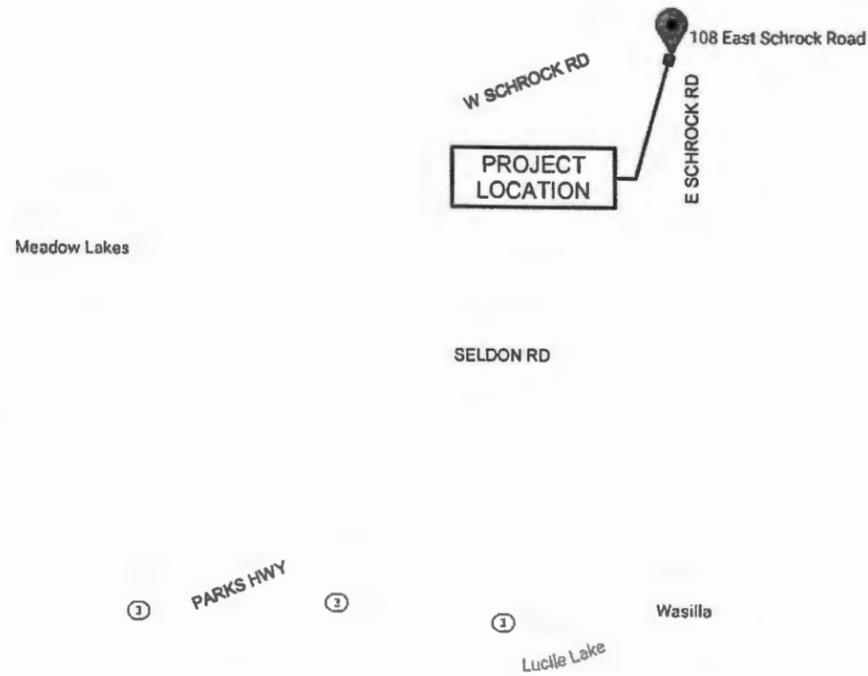


SITE PLAN



Site Data:
 LEGAL: TOWNSHIP 18N RANGE 1W
 SECTION 15 LOT C9
 ADDRESS: 108 E SCHROCK RD.
 CITY, STATE: WASILLA, AK
 ZONING: N/A
 LOT SIZE: 291,852 SF
 PARCEL: 22760

SITE VICINITY



I. CODE: 2012 INTERNATIONAL BUILDING CODE AS ADOPTED BY THE STATE OF ALASKA TITLE 13.

II. SCOPE: NEW CONSTRUCTION
 DESCRIPTION OF PROJECT: NEW WOOD FRAMED TWO LEVEL STRUCTURE ON CONCRETE SLAB, 1-HOUR FIRE RATED CONSTRUCTION

III. OCCUPANT CLASSIFICATION:

LEVEL	AREA	FUNCTION	OCC
GROUND	2,160 SF	F-1	7
SECOND	600 SF	F-1	2

IV. SPECIAL DETAILED OCCUPANCY REQUIREMENTS
 N/A

V. GENERAL HEIGHTS AND AREAS

ADDRESS IDENTIFICATION: 8" TALL x 4" WIDE NUMBERS SIGNS SHALL BE PERMITTED SEPARATELY

BASIC ALLOWABLE (MOST RESTRICTIVE IBC T503): F-1 14,000 SF / 2 STORY

ACTUAL AREA/STORY: 2,100 SF / 2 STORY

VI. TYPES OF CONSTRUCTION

TYPE OF CONSTRUCTION REQUIRED: VA
 OCCUPANT GROUP CLASSIFICATION (RESTRICTIVE): F-1

EXTERIOR WALL REQUIRED RATING (IBC T602)

DISTANCE	RATING(MOST RESTRICTIVE)
X<5'	- 2-HOUR
5'<X<10'	- 1-HOUR
10'<X<30'	- 1-HOUR

TYPE VA CONSTRUCTION SHALL HAVE THE FOLLOWING 1-HOUR RATED ASSEMBLY TYPES:
 • EXTERIOR & LOAD BEARING WALLS
 • ROOF & FLOOR/CEILING ASSEMBLIES

VII. FIRE RESISTANCE REQ'D
 N/A

VIII. INTERIOR FINISHES TABLE 803.9 & 804.4

SPRINKLER: NOT REQUIRED

CLASS C WALL/CEILING FINISHES REQUIRED
 CLASS II FLOORS COMPLYING WITH DOC FF-1 'PILL TEST'

IX: FIRE PROTECTION SYSTEMS

IFC 506.1: PROVIDE KNOX BOX: "KEY BOX SHALL BE OF AN APPROVED TYPE LISTED IN ACCORDANCE WITH UL 1037, AND SHALL CONTAIN KEYS TO GAIN ACCESS AS REQUIRED BY THE CODE OFFICIAL."
 MOUNT KNOX BOX AT 66" AFG

IFC 503: FIRE APPARATUS ROAD WITHIN 150' OF ALL EXTERIOR WALLS MEASURED BY WALKING DISTANCE.

IFC 903 NFPA 13 SPRINKLER: NOT REQUIRED

IFC 906.1: PORTABLE FIRE EXTINGUISHERS REQUIRED: EVERY 75'

IFC 907: MANUAL PULL FIRE ALARM: NOT REQUIRED

X. MEANS OF EGRESS

AREA:
 CORRIDOR WIDTH SHALL NOT BE LESS THAN: 36"
 DOORS SHALL NOT PROJECT MORE THAN 7" INTO WIDTH.

EXIT SIGNS REQUIRED WHERE MULTIPLE EXIT REQUIRED
 EXIT SHALL BE ILLUMINATED, 90 MIN BATTERY BACKUP

MAX DEAD END: 20 FT (IBC 1018.4)
 COMMON PATH: 75 FT (IBC T1014.3)
 DISTANCE TO EXIT WHERE MULTIPLE: 200 FT (IBC T1016.2)

EGRESS PATH SHALL BE ILLUMINATED BY WITH 1 FOOT-CANDLE AT ALL TIMES WITH 90 MINUTE BATTERY BACKUP

STAIRS:
 4-7" RISE & 11" TREAD MINIMUM. MINIMUM WIDTH 44", UNLESS SERVING 50 OR FEWER PERSONS, IN WHICH CASE THE REQUIRED WIDTH IS 36". ONE LANDING REQ'D FOR EVERY 12' OF OVERALL RISE AND BE MINIMUM DEPTH EQUAL TO WIDTH, CLEAR OF DOOR SWING.

RAMPS: N/A

XI: ACCESSIBILITY
 NEW CONSTRUCTION & ALTERATIONS REQUIRE COMPLIANCE WITH ACCESSIBILITY WITH REGARD TO TOILET FACILITIES, DRINKING FOUNTAINS, AND PRIMARY FUNCTION. -PER ICC/ANSI A117.1-2009

XII: INTERIOR ENVIRONMENT

LIGHTING & TEMPERATURE MEP

MINIMUM ROOM HEIGHT NOT LESS THAN 7'-6"
 EXCEPTION: STORAGE, RESTROOM, KITCHEN & MEZZANINE AREAS PERMITTED MINIMUM HEIGHT OF 7'-0"
 MINIMUM WIDTH IN ALL OCCUPIED AREAS NOT LESS THAN 3' EXCEPT TO ACCESS MEP, 2'

UNOCCUPIED SPACES CRAWLSPACE OR ATTIC (YES/NO):

ATTIC ACCESS: TBD - AN OPENING NOT LESS THAN 20"x30" SHALL BE PROVIDED TO ANY ATTIC AREA HAVING A CLEAR HEIGHT OF OVER 30". CLEAR HEADROOM OF NOT LESS THAN 30" SHALL BE PROVIDED IN THE ATTIC SPACE AT OR ABOVE THE ACCESS OPENING.

CRAWL SPACES: N/A, SLAB ON GRADE

XXIV: PLUMBING FACILITIES
 (IBC T2902.1)

TO BE PROVIDED:

- 1 WATER CLOSET
- 1 LAVATORY
- 1 SERVICE SINK

G-1	Vicinity, Index & Code Review
SD-1	Site Plan
A-0	Specifications
A-1.1	Level One Floor Plan
A-1.2	Level Two Floor Plan
A-1.3	Roof Plan
A-2.1	Level One Reflected Ceiling Plan
A-2.2	Level Two Reflected Ceiling Plan
A-3.1	Sections & Details
A-4.1	Elevations

S0.1	
M0.1	
E0.1	



Determine DESIGN LLC AECL1613
 903 W. NORTHERN LTS, BLVD # 206
 ANCHORAGE, AK 99503
 Office: (907)339-9100
 dan@determinedesign.com

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Sheet Issue Date:
 10/22/2019 9:09:18 AM
 Drawn by: CNH
 Checked by: DHC



Project Title: Bubba Greens
 Prepared for: Bubba Greens, LLC
 Sheet Title: Vicinity, Index & Code Review
 Address: 108 E Schrock Rd. Wasilla, AK 99654

RECEIVED
 DEC 22 2019

MATANUSKA-SUSITNA BOROUGH
 DEVELOPMENT SERVICES

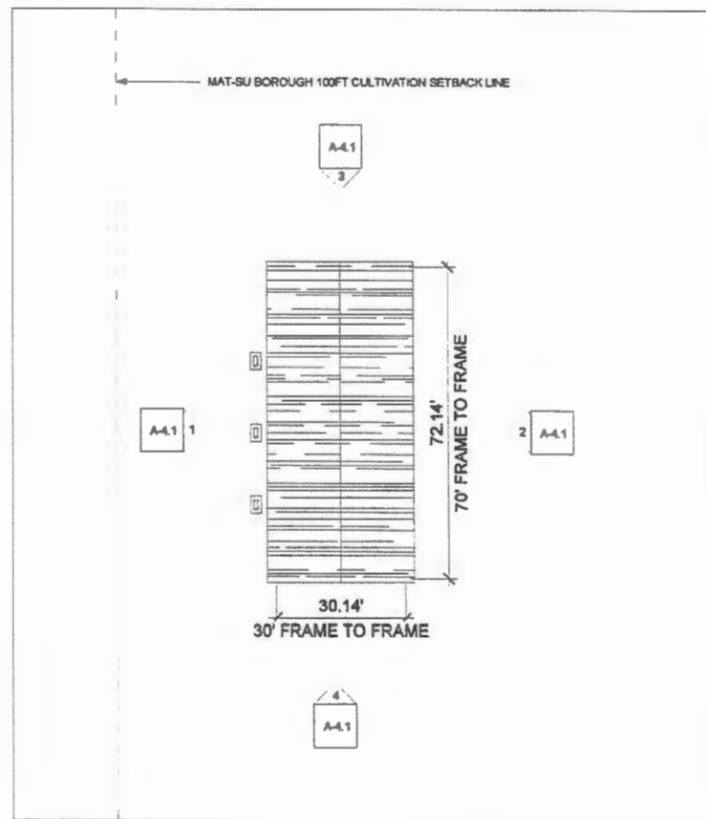
G-1

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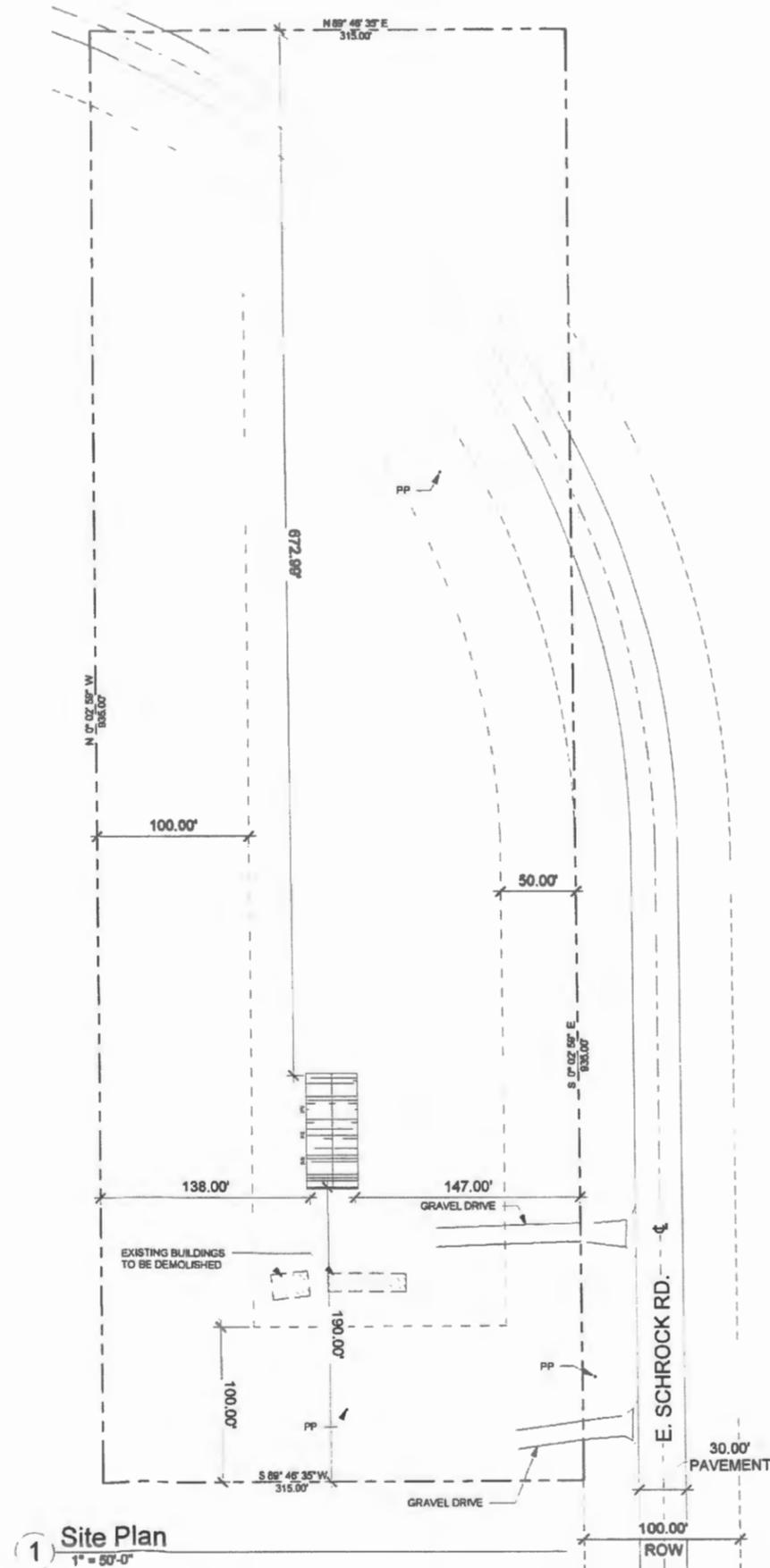


Determine DESIGN LLC AECL1613
 903 W. NORTHERN LTS, BLVD # 206
 ANCHORAGE, AK 99503
 Office: (907)339-9100
 dan@determinedesign.com

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 Drawn by: CNH
 Checked by: DHC



2 Enlarged Building
 1" = 20'-0"



1 Site Plan
 1" = 50'-0"

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS



Project Title: Bubba Greens
 Prepared for: Bubba Greens, LLC
 Sheet Title: Site Plan
 Address: 108 E Schrock RD. Wasilla, AK 99654

SD-1

Application



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
OCT 09 2019
PERMIT CENTER

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:

- A Wastewater and Waste Material Disposal Plan – 17.60.160 (A)
- B Odor Mitigation and Ventilation Plan – 17.60.160 (B)
- C Hazardous Chemicals Information – 17.60.160 (C)
- D 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: 18N, Range: 1W, Section: 15, Meridian: Seward
 MSB Tax ID# 218 N01W15C009
 SUBDIVISION: _____ BLOCK(S): _____, LOT(S): C9
 STREET ADDRESS: 108 E Schrock RD
 FACILITY / BUSINESS NAME: Bubba Greens

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
Beatrice Gallagher
 Mailing: 2511 Lyvona
Ave. At 99502
 Phone: Hm 727-1961 Fax _____
 Wk _____ Cell 727-1961
 E-mail _____

Name of Agent / Contact for application
Michael Gallagher
 Mailing: 2511 Lyvona
Ave. At. 99502
 Phone: Hm _____ Fax _____
 Wk _____ Cell 727-7754
 E-mail mgbuilders@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.	<i>See plans</i>
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.	<i>Attachment F</i>
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)	

October 6, 2019

Bea Gallagher
2511 Lyvona Ln.
Anchorage, AK 99502
907-727-1961 (cell)

To:
Mat-Su Borough
Planning and Land Use Department
350 East Dahlia Avenue
Palmer, AK 99645

Written Authorization to Appoint Agent for Conditional Use Permit

I, Bea Gallagher, as owner of 108 E Schrock, appoint Michael Gallagher as agent and contact person for any and all matters pertaining to the application and issuance of a conditional use permit for Bubba Greens, a planned marijuana cultivator.

Name of Property Owner Granting Authorization:

Bea Gallagher

Signature of Property Owner:

Bea Gallagher

Date:

10-6-2019



Attachment A

Wastewater and Waste Material Disposal Plan – 17.60.160 (A)

- A. Overall Policy Statement - Wastewater:** The Facility will be equipped with a septic system to process wastewater. The system will be engineered to meet all state and local requirements based on proposed site plan. Commercial wastewater from the growing operation will not be disposed of in the septic system; it will be used for surface irrigation of the property when it cannot be recycled.
- B. Use of Water at the Facility:** The Facility will use a hydroponic cultivation system in which water with added fertilizers will circulate continuously. Bubba Greens will reuse the water which will reduce the waste water from the Facility.
- C. Overall Policy Statement - Waste Material Disposal:** All marijuana waste will be rendered unusable at the Facility, within a restricted access area, and under video surveillance. Inventory records will be updated and appropriate notification to state authorities will be made within the required timeframe.

Attachment B

Odor Mitigation and Ventilation Plan – 17.60.160 (B)

- A. Overall Policy Statement:** Bubba Greens will comply with the above referenced borough code by using a ventilation system designed to adequately control odor from materially affecting neighboring properties. The Facility is located in an area with relatively low population density. One side of the property is adjacent to the Fitz Gravel Pit, a commercial use property.
- B. Odor Control:** The Facility will be compliant with all state and local regulations that apply to marijuana cultivation. Specifically, the Facility will have equipment to adequately ventilate air to the outside, while controlling odor. The ventilation system will be designed by a mechanical engineer and will employ activated charcoal filters to ensure adjacent properties are not materially affected. The activated charcoal filters will be maintained according to the manufacturer's specifications.

Attachment C

Hazardous Chemicals Information – 17.60.160 (C)

- A. Overall Policy Statement:** Bubba Greens will store and dispose of fertilizers, pesticides, herbicides, and any other hazardous chemicals used at the Facility in compliance with all local, state, and federal laws. Nutrients and cleaning materials will be stored and disposed of in accordance with each manufacturer's recommendations.
- B. Hazardous Chemical Assessment:** Bubba Greens will review the Material Data Safety Sheet for all hazardous chemicals used at the Facility and will comply with proper use and disposal, as specified.
- C. Federal Rules:** Bubba Greens will reference the Environmental Protection Agency's publication, "Managing Hazardous Waste: A Guide for Small Businesses" for regulatory guidance on all hazardous chemicals used at the Facility.
- D. State of Alaska Rules:** Bubba Greens will comply with all requirements of the Alaska Department of Environmental Conservation.

Attachment D

Security plan – 17.60.160 (D)

A. Overall Policy Statement: It is Bubba Greens' intent to comply with state and local laws regarding the security of the Facility. Employees will be required to review all security policies and sign an acknowledgement attesting to their understanding and commitment to compliance.

B. Video Surveillance: All restricted areas, entries to restricted areas, and exterior access points at the Facility will be monitored by video surveillance. Lighting will be sufficient to facilitate continuous video surveillance of exterior access points. Surveillance equipment and records will be stored in a locked space accessible only by licensee or agents authorized by license, law enforcement personnel, and agents of the Marijuana Control Board. Records will be kept for a minimum of 40 days or as directed by government authorities.

C. Alarm System: Alarm sensors are required on all exterior windows and doors to detect intrusions. Triggered alarms will be managed by a third-party service provider that offers continuous monitoring and alerting to law enforcement agencies.

D. Security Doors & Locks: All exterior entry points to the Facility will be secured by a metal door with commercial grade, non-residential, locks. All doors leading to a restricted area will have signage to indicate that the entrance leads to a restricted area, persons under the age of 21 are prohibited, and that only staff and authorized agents or visitors are permitted.

Attachment E

Detailed Descriptions - Compliance With Mat-Su Borough Code (MSB) 17.60

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

This application for a conditional use permit is for an indoor marijuana cultivation facility (the Facility). The Facility will be a 2100 square foot warehouse with wood frame construction, which is similar to the size and construction of other structures in the immediate area. Additionally, the Facility will be located in the middle of the property which is heavily treed with Birch and Spruce. The Facility is located well beyond the minimum required property line set-backs and is over 180 feet away from the nearest public road at its closest point. There will be no outdoor processes related to the proposed use.

As a cultivation Facility, Bubba Greens expects minimal traffic. The number of vehicles traveling to the property is expected to be consistent with residential use properties in the immediate area. At this time, Bubba Greens expects to have three full time employees working on site.

The Facility will be compliant with all state and local regulations that apply to marijuana cultivation. Specifically, the Facility will have equipment to adequately ventilate air outside while controlling odor. The ventilation system will be designed by a mechanical engineer.

For these reasons, the Facility will 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?

The Facility and Bubba Greens will be operated in full compliance with state and local regulations that apply to marijuana cultivation facilities. This includes regulations pertaining to the following significant areas:

- Wastewater and Waste Material Disposal (Plan included as Attachment A)
- Odor Mitigation and Ventilation (Plan included as Attachment B)
- Hazardous Chemicals (Plan included as Attachment C)

Mark Whisenhunt

From: Mark Whisenhunt
Sent: Friday, December 6, 2019 1:24 PM
To: 'mgbuilders@gmail.com'
Subject: Request for information: Bubba Greens CUP
Attachments: Bubba Greens RFAI 12-6-19.pdf; Bubba Greens - 1K.pdf; Bubba Greens 1K.pdf
Importance: High

Please see the attached letter requesting information pertaining to your application for Conditional Use Permit for the marijuana cultivation facility.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us



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

December 6, 2019

Michael Gallagher of
Bubba Greens LLC
2511 Lyvona Lane
Anchorage, AK 99502

Subject: Conditional Use Permit Application for Marijuana Cultivation Facility –
Incomplete
Location: 108 E. Schrock Road; Tax ID #18N01W15C009

Dear Mr. Gallagher,

Borough staff has reviewed the application material submitted on October 9, 2019 for a Conditional Use Permit for a marijuana cultivation 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. Please send the electronic version of the site plan(s). The small version submitted makes it difficult to do a thorough review.
2. Wastewater and waste material disposal plan:
 - a. The wastewater and waste material disposal plan is insufficient. Please provide *specific details* on how wastewater and waste material disposal will be in full compliance with ADEC regulations. Please note that ADEC usually does not allow commercial wastewater to be disposed of in septic systems. Please call me if you have questions on this topic.
3. Hazardous Chemical Information:
 - a. Will nutrients and cleaning materials be stored and disposed of in accordance with each manufacturer's recommendations? Please update your narrative.
4. MSB 17.60.160 requires your security plan to include education for employee on security measures. Please update the security plan portion of your narrative.
5. What is the estimated number of employees for the proposed operation? Please update your narrative.

6. Will the filters be maintained in accordance with the manufacturer's recommendations? Please update your narrative.
7. Please provide the approved plan review certificate from the Fire Marshal's office.
8. Attachment E of the narrative appears to be unfinished.
9. Please provide the State of Alaska Driveway issued for the access onto this property.
10. Will there be any outdoor processes related to the proposed use? Please update your narrative.
11. Please provide a map showing land uses within 1,000 feet of the subject property. I have attached a blank map for your convenience.
12. Will exterior lighting be downward directional and shielded to prevent spillage onto the adjacent properties? Please update your narrative.

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: 861-8527, or email: mark.whisenhunt@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,



Mark Whisenhunt, Planner II
Development Services Division
Matanuska-Susitna Borough

Joseph Metzger

Attachments: Map - Land Use Within 1,000ft.jpg; Bubba Greens - Signed Arch(10.22.19).pdf

From: Michael Gallagher <mgbuilders@gmail.com>
Sent: Sunday, December 22, 2019 11:50 AM
To: Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>
Cc: Permit Center <Permit.Center@matsugov.us>
Subject: Re: Request for information: Bubba Greens CUP

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

Hi Mark,

I have attached updates in response to your request. There are two items I still need to gather and I will send those as soon as possible: The Fire Marshall Approval should be any day. I plan to contact the State of Alaska to obtain copies of existing driveway permits Monday.

Mat-Su CUP Application Attachment E

Mat-Su CUP Application Attachment D

Mat-Su CUP Application Attachment C

Mat-Su CUP Application Attachment B

Mat-Su CUP Application Attachment A

On Fri, Dec 6, 2019 at 1:24 PM Mark Whisenhunt <Mark.Whisenhunt@matsugov.us> wrote:

Please see the attached letter requesting information pertaining to your application for Conditional Use Permit for the marijuana cultivation facility.

Respectfully,

Mark Whisenhunt

Planner II

Matanuska-Susitna Borough

Office: (907) 861-8527

mark.whisenhunt@matsugov.us

--

MG Construction
(907) 727-7754

From: [Joseph Metzger](#)
To: ["Michael Gallagher"](#)
Subject: RE: Bubba Greens public hearing delay
Date: Friday, April 3, 2020 11:27:00 AM

Hi Michael,

I just received word that Planning Commission Meetings have been canceled until May. As things continue to change so quickly, I hesitate to make a prediction on when the next Planning Commission Meeting will be held, so I won't. What I can tell you is that as soon as Planning Commission Meetings resume, you will be scheduled accordingly. I will keep you up-to-date as the situation changes.

Thank you for your understanding during this unforeseen time and don't hesitate to contact me if you have any questions or concerns.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

From: Joseph Metzger
Sent: Tuesday, March 24, 2020 9:28 AM
To: mgbuilders@gmail.com
Subject: Bubba Greens public hearing delayt

Good Morning Michael,

I hope this email finds you and family healthy and well.

The decision was made this morning to postpone the April 6, 2020 Planning Commission Hearing. This means your request will not be introduced, and will delay the date of your hearing until at least May 4.

If there is no further interruption of the hearing schedule, your request will be introduced on April 20, 2020 and the public hearing will be May 4, 2020.

As we move forward into uncharted territory, I will keep you informed on the situation as much as I can. Please let me know if you have questions, concerns, or need more clarification. Email is probably to best way to communicate currently as I am working from home.

Best to you,

Joe Metzger
MSB Planner II
907-861-7862

Joseph Metzger

From: Joseph Metzger
Sent: Tuesday, May 19, 2020 12:40 PM
To: 'Michael Gallagher'
Subject: Bubba Greens Clarification Questions

Hi Michael,

I'm just wrapping up my staff report for your proposed use and I just have a few points to clarify.

The application material indicates the proposed cultivation facility is approximately 2100 square feet in size. How many square feet will be used for cultivation purposes?

The application material indicates that all marijuana waste will be rendered unusable at the facility. Could you provide some more details on your waste material disposal methods and where you will dispose of the marijuana waste?

If you have any questions, don't hesitate to contact me.

Respectfully,

Joe Metzger
MSB Planner
907-861-7862

Joseph Metzger

From: Michael Gallagher <mgbuilders@gmail.com>
Sent: Tuesday, May 19, 2020 6:40 PM
To: Joseph Metzger
Subject: Re: Bubba Greens Clarification Questions

Follow Up Flag: Follow up
Flag Status: Flagged

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

The marijuana cultivation will be 1520 sq feet of cultivation .

Marijuana waste will be ground up with equal amount of one or more of the following materials : paper waste , cardboard waste , soil, or compost to render the marijuana unfit for consumption. A large commercial grinder will be used . Waste will then be bagged in trash bags

Waste will then be disposed of at local landfill .

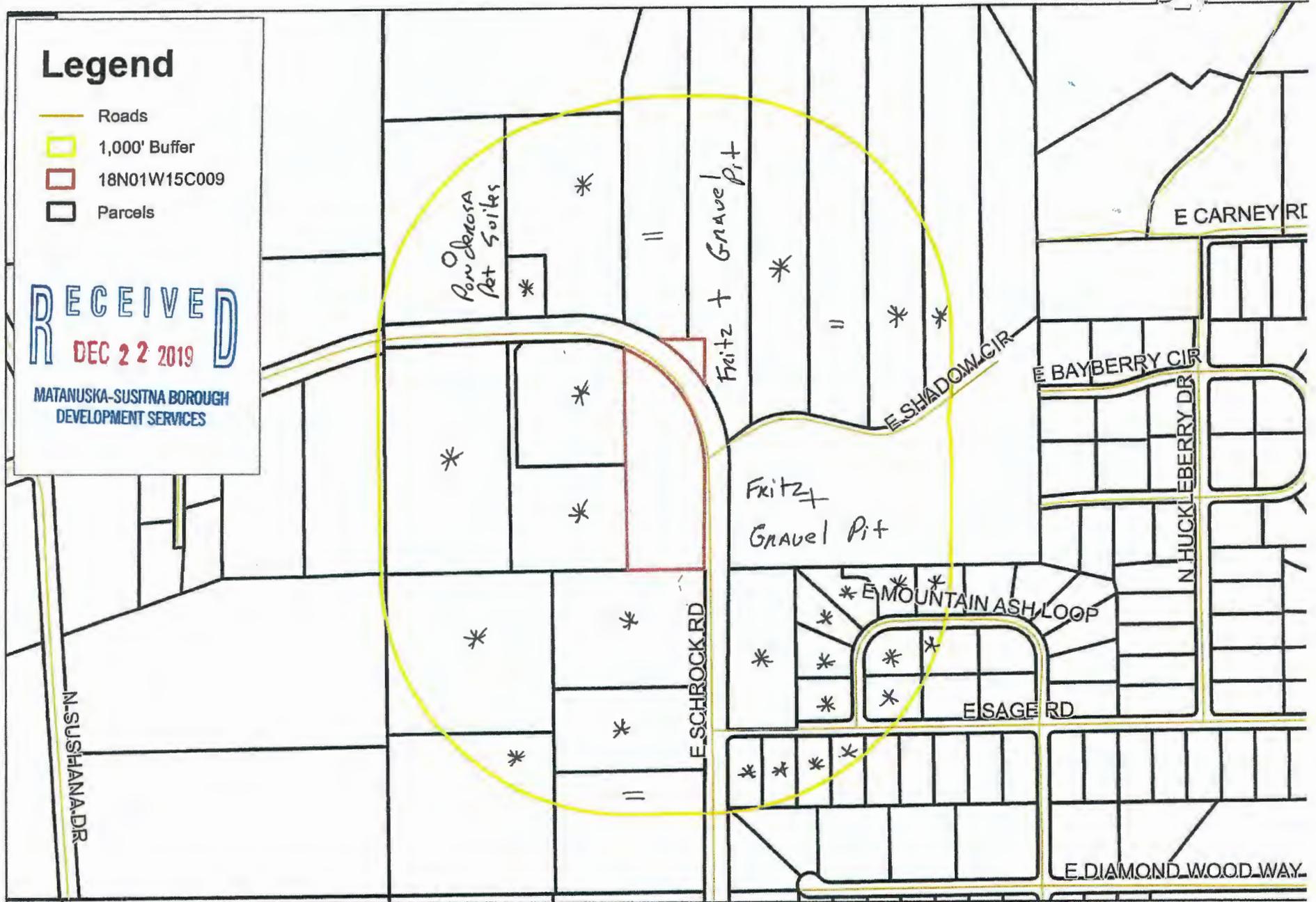
We will also give marijuana control board three days notice before making marijuana waste unusable and disposing of it as required under 3 AAC 306.740

Legend

-  Roads
-  1,000' Buffer
-  18N01W15C009
-  Parcels

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 DEC 22 2019

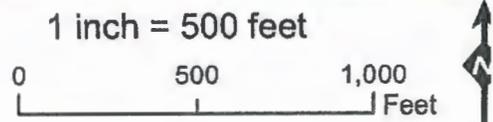
MATANUSKA-SUSITNA BOROUGH
 DEVELOPMENT SERVICES

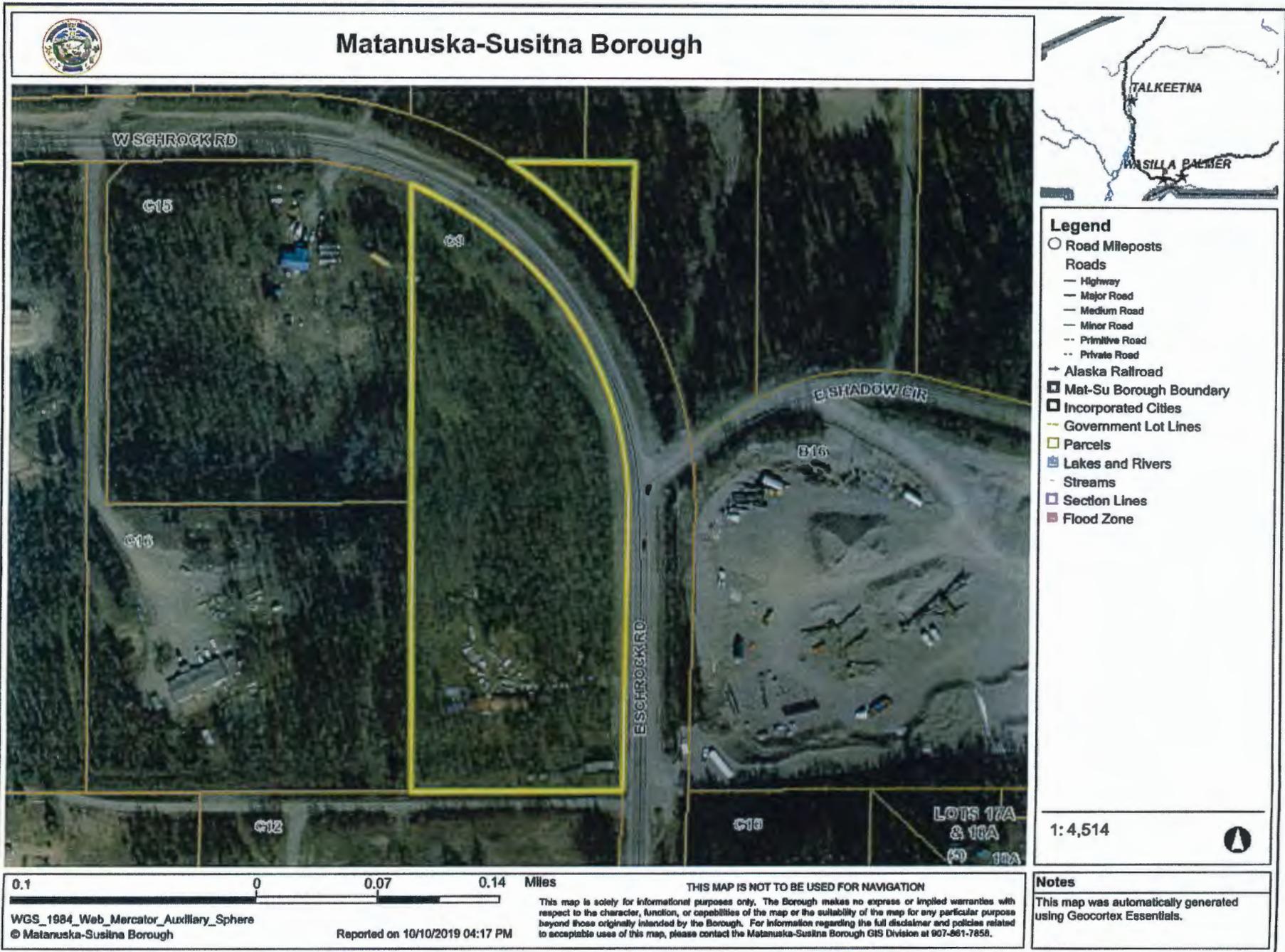


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Date: 12/6/2019

- * Residential
- = Vacant Lot
- + Gravel Pit
- o Ponderosa Pet Suites





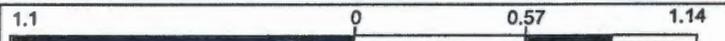


Matanuska-Susitna Borough



- Legend**
- Road Mileposts
 - Roads**
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - - Primitive Road
 - - Private Road
 - Alaska Railroad
 - ▭ Mat-Su Borough Boundary
 - ▭ Incorporated Cities
 - ▭ Lakes and Rivers
 - - Streams

1: 36,112



WGS_1984_Web_Mercator_Auxiliary_Sphere
 © Matanuska-Susitna Borough

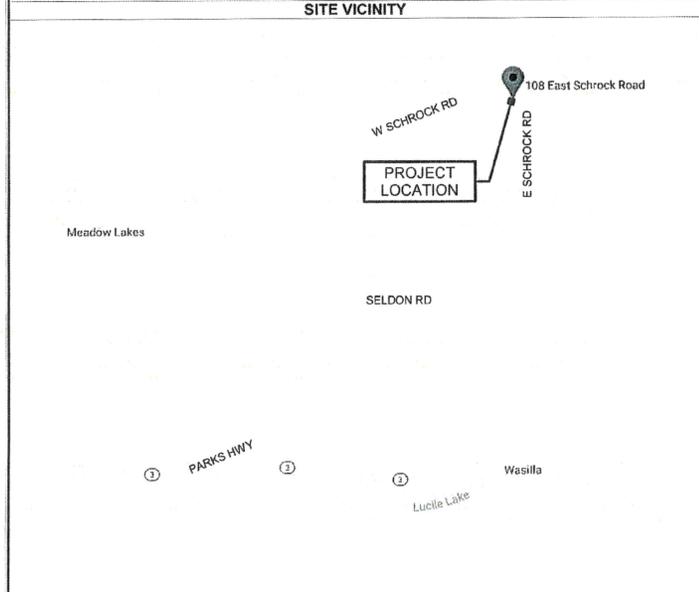
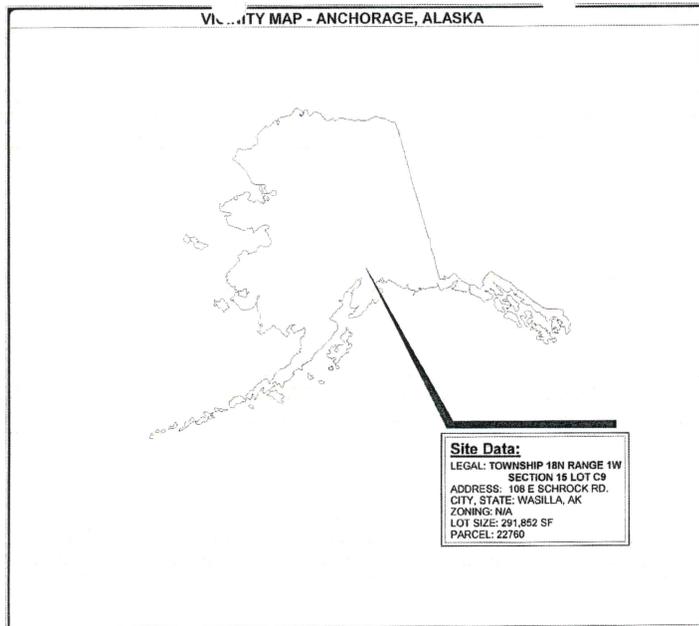
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Notes

This map was automatically generated using Geocortex Essentials.



NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

CODE REVIEW

I. CODE: 2012 INTERNATIONAL BUILDING CODE AS ADOPTED BY THE STATE OF ALASKA TITLE 13.

II. SCOPE: NEW CONSTRUCTION
DESCRIPTION OF PROJECT: NEW WOOD FRAMED TWO LEVEL STRUCTURE ON CONCRETE SLAB, 1-HOUR FIRE RATED CONSTRUCTION

III. OCCUPANT CLASSIFICATION:

LEVEL	AREA	FUNCTION	OCC
GROUND	2,160 SF	F-1	7
SECOND	800 SF	F-1	2

IV. SPECIAL DETAILED OCCUPANCY REQUIREMENTS
N/A

V. GENERAL HEIGHTS AND AREAS

ADDRESS IDENTIFICATION: 8" TALL x 4" WIDE NUMBERS SIGNS SHALL BE PERMITTED SEPARATELY

BASIC ALLOWABLE (MOST RESTRICTIVE IBC T503): F-1 14,000 SF / 2 STORY

ACTUAL AREA/STORY: 2,100 SF / 2 STORY

VI. TYPES OF CONSTRUCTION

TYPE OF CONSTRUCTION REQUIRED: VA
OCCUPANT GROUP CLASSIFICATION (RESTRICTIVE): F-1

EXTERIOR WALL REQUIRED RATING (IBC T602)

DISTANCE	RATING(MOST RESTRICTIVE)
X<5'	- 2-HOUR
5'<X<10'	- 1-HOUR
10'<X<30'	- 1-HOUR

TYPE VA CONSTRUCTION SHALL HAVE THE FOLLOWING 1-HOUR RATED ASSEMBLY TYPES:

- EXTERIOR & LOAD BEARING WALLS
- ROOF & FLOOR/CEILING ASSEMBLIES

VII. FIRE RESISTANCE REQ'D
N/A

VIII. INTERIOR FINISHES TABLE 803.9 & 804.4

SPRINKLER: NOT REQUIRED

CLASS C WALL/CEILING FINISHES REQUIRED
CLASS II FLOORS COMPLYING WITH DOC FF-1 'PILL TEST'

IX. FIRE PROTECTION SYSTEMS

IFC 506.1: PROVIDE KNOX BOX-"KEY BOX SHALL BE OF AN APPROVED TYPE LISTED IN ACCORDANCE WITH UL 1037, AND SHALL CONTAIN KEYS TO GAIN ACCESS AS REQUIRED BY THE CODE OFFICIAL."
MOUNT KNOX BOX AT 66" AFG

IFC 503: FIRE APPARATUS ROAD WITHIN 150' OF ALL EXTERIOR WALLS MEASURED BY WALKING DISTANCE.

IFC 903 NFPA 13 SPRINKLER: NOT REQUIRED

IFC 906.1: PORTABLE FIRE EXTINGUISHERS REQUIRED: EVERY 75'

IFC 907: MANUAL PULL FIRE ALARM: NOT REQUIRED

CODE REVIEW

X. MEANS OF EGRESS

AREA:
CORRIDOR WIDTH SHALL NOT BE LESS THAN: 36"
DOORS SHALL NOT PROJECT MORE THAN 7" INTO WIDTH.

EXIT SIGNS REQUIRED WHERE MULTIPLE EXIT REQUIRED
EXIT SHALL BE ILLUMINATED, 90 MIN BATTERY BACKUP

MAX DEAD END: 20 FT (IBC 1018.4)
COMMON PATH: 75 FT (IBC T1014.3)
DISTANCE TO EXIT WHERE MULTIPLE: 200 FT (IBC T1016.2)

EGRESS PATH SHALL BE ILLUMINATED BY WITH 1 FOOT-CANDLE AT ALL TIMES WITH 90 MINUTE BATTERY BACKUP

STAIRS:
4-7" RISE & 11" TREAD MINIMUM. MINIMUM WIDTH 44", UNLESS SERVING 50 OR FEWER PERSONS, IN WHICH CASE THE REQUIRED WIDTH IS 36". ONE LANDING REQ'D FOR EVERY 12' OF OVERALL RISE AND BE MINIMUM DEPTH EQUAL TO WIDTH, CLEAR OF DOOR SWING.

RAMP: N/A

XI. ACCESSIBILITY
NEW CONSTRUCTION & ALTERATIONS REQUIRE COMPLIANCE WITH ACCESSIBILITY WITH REGARD TO TOILET FACILITIES, DRINKING FOUNTAINS, AND PRIMARY FUNCTION -PER ICC/ANSI A117.1-2009

XII. INTERIOR ENVIRONMENT

LIGHTING & TEMPERATURE MEP

MINIMUM ROOM HEIGHT NOT LESS THAN 7'-6"
EXCEPTION: STORAGE, RESTROOM, KITCHEN & MEZZANINE AREAS PERMITTED MINIMUM HEIGHT OF 7'-0"
MINIMUM WIDTH IN ALL OCCUPIED AREAS NOT LESS THAN 3' EXCEPT TO ACCESS MEP, 2'

UNOCCUPIED SPACES CRAWLSPACE OR ATTIC (YES/NO):

ATTIC ACCESS: TBD - AN OPENING NOT LESS THAN 20"x30" SHALL BE PROVIDED TO ANY ATTIC AREA HAVING A CLEAR HEIGHT OF OVER 30". CLEAR HEADROOM OF NOT LESS THAN 30" SHALL BE PROVIDED IN THE ATTIC SPACE AT OR ABOVE THE ACCESS OPENING.

CRAWL SPACES: N/A, SLAB ON GRADE

XXIV. PLUMBING FACILITIES
(IBC T2902.1)

TO BE PROVIDED:

- 1 WATER CLOSET
- 1 LAVATORY
- 1 SERVICE SINK

INDEX

G-1	Vicinity, Index & Code Review
SD-1	Site Plan
A-0	Specifications
A-1.1	Level One Floor Plan
A-1.2	Level Two Floor Plan
A-1.3	Roof Plan
A-2.1	Level One Reflected Ceiling Plan
A-2.2	Level Two Reflected Ceiling Plan
A-3.1	Sections & Details
A-4.1	Elevations
S0.1	
M0.1	
E0.1	



190801

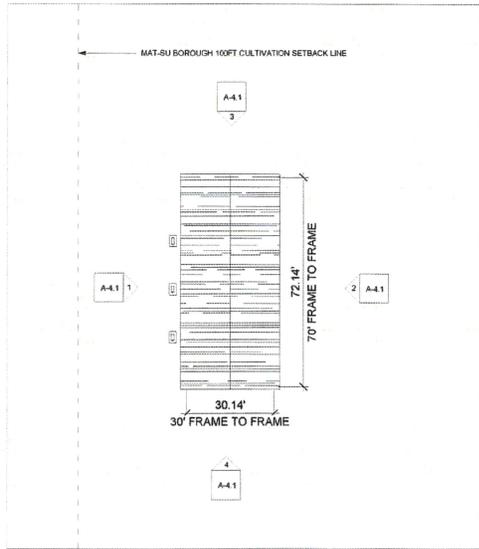
Determine DESIGN LLC AECI 1613
903 W. NORTHERN LITS, BLVD # 206
ANCHORAGE, AK 99503
Office: (907)339-9100
jam@determinedesign.com

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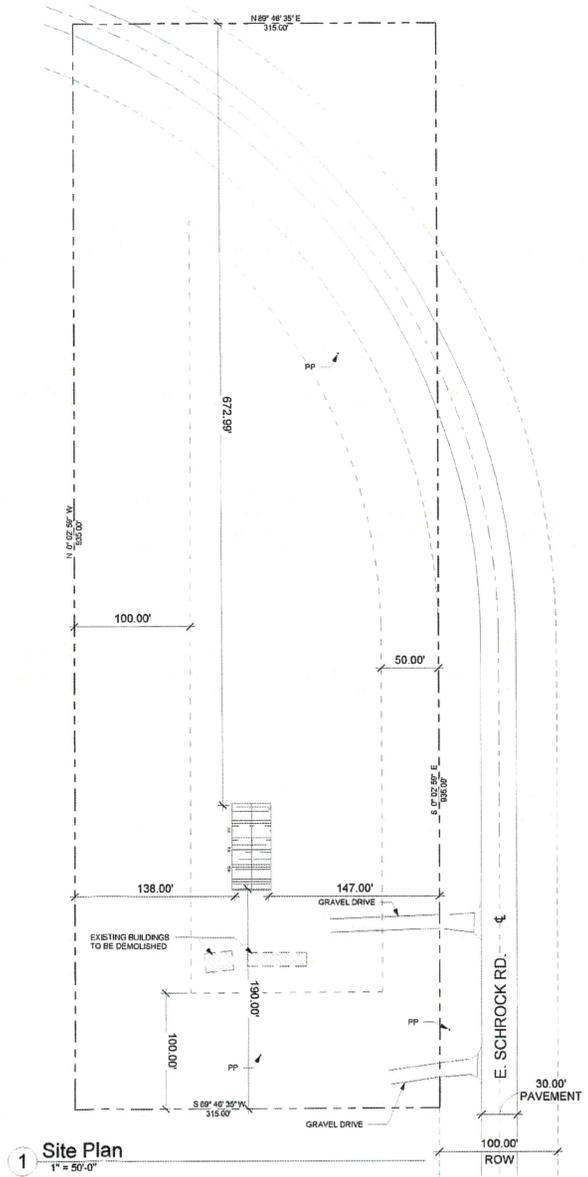
Sheet Issue Date: 10/22/2019 9:09:16 AM
Drawn by: CNH
Checked by: DHC

Project Title: Bubba Greens
Prepared for: Bubba Greens, LLC
Sheet Title: Vicinity, Index & Code Review
Address: 108 E Schrock Rd, Wasilla, AK 99654

G-1



2 Enlarged Building
1" = 20'-0"



1 Site Plan
1" = 50'-0"

Site Data:
 LEGAL: TOWNSHIP 18N RANGE 1W
 SECTION 16 LOT C9
 ADDRESS: 108 E SCHROCK RD.
 CITY, STATE: WASILLA, AK
 ZONING: N/A
 LOT SIZE: 291,852 SF
 PARCEL: 22760

190801



Determine DESIGN LLC AECL1613
 903 W. NORTHERN LITS. BLVD # 206
 ANCHORAGE, AK 99503
 Office: (907)339-9100
 dan@deteterminedesign.com

Sheet Issue Date:
 10/22/2019 9:05:19 AM
 Drawn by: CNH
 Checked by: DHC



Project Title: Bubba Greens
 Prepared for: Bubba Greens, LLC
 Sheet Title: Site Plan
 Address: 108 E Schrock Rd. Wasilla, AK 99654

SD-1

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

SPECIFICATIONS

01 GENERAL REQUIREMENTS

- A. PROJECT IDENTIFICATION: BUBBA GREENS, LLC
- B. PROJECT SUMMARY: NEW TWO STORY BUILDING, TYPE VA, FOR MARIJUANA CULTIVATION
- C. DESCRIPTION OF WORK: SLAB ON GRADE, WOOD FRAMED TWO STORY BUILDING, THREE GROW ROOMS WITH APPROPRIATE HVAC SYSTEMS, 1-HOUR RATED TYPE VA CONSTRUCTION.
- D. PERMITS AND FEES ARE THE RESPONSIBILITY OF OWNER TO PURCHASE AND CONTRACTOR TO OBTAIN.
- E. CODES: COMPLY WITH APPLICABLE CODES AND REGULATIONS OF AUTHORITIES HAVING JURISDICTION. SUBMIT COPIES OF INSPECTION REPORTS, NOTICES AND SIMILAR COMMUNICATIONS TO ARCHITECT.
- F. DIMENSIONS: VERIFY DIMENSIONS INDICATED ON DRAWINGS WITH FIELD DIMENSIONS BEFORE FABRICATION OR ORDERING OF MATERIALS.
- G. EXISTING CONDITIONS: NOTIFY ARCHITECT OF EXISTING CONDITIONS DIFFERING FROM THOSE INDICATED ON THE DRAWINGS. DO NOT REMOVE OR ALTER STRUCTURAL COMPONENTS OR FILL WITHOUT PRIOR WRITTEN APPROVAL FOR PERMIT.
- H. COORDINATION
 - 1. COORDINATE WORK OF ALL TRADES
 - 2. PREPARE COORDINATION DRAWINGS OF WORKING AREAS WITH CLOSE TOLERANCES
 - 3. VERIFY LOCATION OF UTILITIES AND EXISTING CONDITIONS.
- I. ADJUSTMENT TO SPRINKLER HEAD: N/A
- J. ADJUSTMENT TO EMERGENCY ALARM: N/A

02 EXISTING CONDITIONS (NOT USED)

03 CONCRETE

CONCRETE FOUNDATIONS TO BE DESIGNED AND INSTALLED AS PER STRUCTURAL DRAWINGS.

04 MASONRY (NOT USED)

05 METALS (NOT USED)

06 WOOD, PLASTIC, COMPOSITES (NOT USED)

07 THERMAL & MOISTURE PROTECTION

23.60.402.1.1 - INSULATION AND FENESTRATION CRITERIA - CLIMATE ZONE: 7

- * ROOFS - ATTIC AND OTHER-R-38
- * WALLS - ABOVE GRADE - WOOD FRAMED AND OTHER R-13+ R-7.5C1 OR R-21
- * FLOORS - SLAB-ON-GRADE, UNHEATED, EXTENDING 36" BELOW R-8
- * OPAQUE DOORS - SWINGING U-0.50 (R-2)
- * OPAQUE DOORS - ROLL-UP OR SLIDING U-0.50 (R-2)
- * VERTICAL FENESTRATION; FRAMING MATERIALS OTHER THAN METAL WITH OR WITHOUT METAL REINFORCEMENT OR CLADDING U-0.35 (R-2.9)

VAPOR RETARDER: INTERIOR INSULATION LINER TO FUNCTION AS CLASS 1 VAPOR RETARDER: ALLOWING NO GREATER THAN 1 PERM.

AIR BARRIER: SHALL BE IMPERMEABLE TO MOISTURE INFILTRATION BUT PERMEABLE TO VAPOR EXHAUST. SUBSTRATE (PLYWOOD, EXTERIOR GYPSUM, ETC.) MUST BE COMPLETELY DRY PRIOR TO INSTALLATION. ALL PENETRATIONS SHALL BE SEALED. SELF-CLOSING SEALANT FOR EXTERIOR FASTENERS & LIQUID SPRAY-APPLIED FOR WINDOWS AND DUCT PENETRATIONS. INSTALLATIONS OVER 40" SHALL ALSO COMPLY WITH ASTM E84 FOR SURFACE BURNING CHARACTERISTICS.

SEALANT: ALL EXTERIOR SEALANT USED FOR PENETRATIONS MUST BE OF ELASTOMERIC MATERIAL CAPABLE OF THERMAL MOVEMENT AND RECOVERY. SILICONE SEALANT(20 YEAR LIFE) TO BE USED FOR GLAZING, POLYURETHANE (5 YEAR LIFE) OR HYBRID STPE(10 YEAR LIFE) FOR OTHERS. PREPARE JOINT: CLEAN, DRY, FREE OF PAINT FOR FULL ADHESION. APPLY BACKER ROD TO JOINTS OR, WHERE DEPTH DOES NOT PERMIT, BOND-BREAKER TAPE. DEPTH OF JOINT FILL SHOULD BE APPROXIMATELY HALF OF WIDTH, WITH A MINIMUM OF 1/4" DEPTH AND A MAXIMUM OF 1/2" DEPTH. ALL JOINTS MUST BE TOOLED FLUSH. PULL-TEST ADHESION POST-INSTALL. NON-ELASTOMERIC, CAULK, MAY BE USED FOR INTERIOR APPLICATIONS ONLY.

METAL ROOF PANELS:

THE INSTALLATION OF METAL ROOF PANELS SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION. METAL ROOF PANEL ROOF COVERINGS SHALL BE APPLIED TO SPACED SUPPORTS AND SECURED TO THE SUPPORTS IN ACCORDANCE WITH THE APPROVED MANUFACTURER'S FASTENERS. THE MINIMUM SLOPE FOR LAPPED, NON-SOLDERED SEAM METAL ROOFS WITH APPLIED LAP SEALANT SHALL BE ONE-HALF UNIT VERTICAL IN 12 UNITS HORIZONTAL (4-PERCENT SLOPE). LAP SEALANTS SHALL BE APPLIED IN ACCORDANCE WITH THE APPROVED MANUFACTURER'S INSTALLATION. MATERIAL STANDARDS, METAL-SHEET ROOF COVERING SYSTEMS THAT INCORPORATE SUPPORTING STRUCTURAL MEMBERS SHALL BE DESIGNED FOR SEISMIC CATEGORY D

ROOF COVERING TYPE STANDARD APPLICATION: STEEL ASTM A 924. PAINT SYSTEMS IN ACCORDANCE WITH ASTM A 755 SHALL BE APPLIED OVER STEEL PRODUCTS WITH CORROSION-RESISTANT COATINGS COMPLYING WITH ASTM A 792, ASTM A 975, ASTM A 463 OR ASTM A 653.

GUTTERS/LEADERS FOR 1" RAINFALL PER HOUR ZONE. MAX SPACING OF LEADERS 50' & PERPENDICULAR ROOF LENGTH = 40'. AREA DRAINED IS 2,000 SF. MINIMUM DEPTH OF GUTTERS TO BE 6" FOR 1/4" SLOPE & MINIMUM WIDTH OF GUTTERS TO BE 4" FOR MAXIMUM 2,880 SF DRAINAGE. MINIMAL DIMENSIONS OF RAIN LEADERS = 1-3/4" X 2-1/2"

08 OPENINGS

DOOR HARDWARE: ALL FINISHES TO BE STAINLESS, CHROME, OR BRUSHED NICKEL. SEE DOOR SCHEDULE FOR SPECIFIC HARDWARE SCHEDULES. FURNISH HARDWARE AS NOTES IN DOOR HARDWARE SCHEDULE. BEST PRODUCTS OF HAGAR, SCHLAGE, LCN.

L: PASSAGE LOCK, DOES NOT LOCK ON EITHER SIDE, EITHER LEVER OPERATES LATCHBOLT AT ALL TIMES.

E: ENTRY LOCK/LATCH, LATCHBOLT ON ENTRY SIDE, EITHER LEVER OPERATES LATCHBOLT EXCEPT WHEN LOCKED FROM EGRESS SIDE, LOCKED POSITION MAY BE RETAINED OR MAY RESET EVERY ENTRY, LATCHBOLT IS ONLY OPERATED VIA KEY ON ENTRY SIDE WHILE LOCKED, EGRESS SIDE LEVER ALWAYS ACTIVE.

B: BATHROOM PRIVACY LOCK, EITHER LEVER OPERATES LATCHBOLT UNLESS LOCKED FROM EGRESS SIDE, LOCK AUTOMATICALLY RELEASES WITH OPERATION OF EGRESS SIDE LEVER, EMERGENCY KEY UNLOCKS LATCH FROM ENTRY SIDE, EGRESS LEVER ALWAYS ACTIVE.

I: WHERE INDICATED PROVIDE PANIC HARDWARE, PUSH BAR FOR EMERGENCY ESCAPE.

DOOR FRAMES: KD 20 GA. EXTERIOR, 18 GA INSULATED HOLLOW METAL INTERIOR. HOLLOW METAL: PROVIDE HOLLOW METAL FROM COLD FORMED SHEET STEEL. GAGE AS INDICATED FOR DOOR AND RELITE FRAMES. PREFABRICATE FOR HARDWARE AND GLAZING, THROAT TO MATCH WALL THICKNESS. KD DOOR FRAMES ARE ACCEPTABLE. MANUFACTURE PER CODE FOR THE APPLICATION. BY TIMELY DOORS, REPUBLIC, OR APPROVED EQUAL. FURNISH PRE-FINISHED OR FIELD PAINT UPON APPROVAL OF BUILDING OWNER'S REPRESENTATIVE.

WINDOWS & GLASS: INSTALL PER MANUFACTURER RECOMMENDATIONS, WHERE WITHIN 3' OF DOOR, STAIR LANDING, OR 18" FROM WALKING SURFACE USE SAFETY GLASS.

09 FINISHES

SEE ROOM FINISH SCHEDULE FOR SPECIFIC ROOM FINISH

10 SPECIALTIES

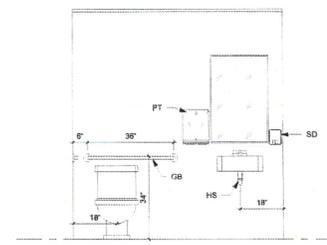
SIGNAGE: PER ANSI A117.1 ADA RESTROOM SIGN
(1) CHARACTERS AND THEIR SYMBOLS THAT CONTRAST WITH THEIR BACKGROUND. (2) IDENTIFICATION SYMBOLS ARE TO BE CENTERED ON THE DOOR 60" ABOVE FLOOR AND ARE TO BE DIFFERENT FROM THE DOOR IN COLOR AND CONTRAST. (3) ADA SIGN REQUIRED. PROVIDE IDENTIFICATION SIGN ON STRIKE SIDE OF DOOR LETTERS AND NUMBERS ON SIGNS SHALL BE RAISED 1/32" MIN. SHALL BE A MINIMUM OF 5/8" HIGH & SHALL BE SAN-SERIF UPPERCASE CHARACTERS ACCOMPANIED BY GRADE 2 BRAILLE

TOILET COMPARTMENTS: BEST PRODUCTS OF BOBRICK OR SIMILAR.

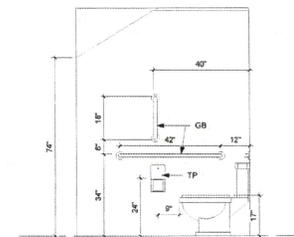
TOILET ACCESSORIES, WITH ABBREVIATIONS
GB: ANSI GRAB BARS, SEE DRAWINGS FOR DIMENSIONS AND MOUNTING LOCATIONS.
SD: SOAP DISPENSER, WALL MOUNT
TP: TOILET PAPER ROLL, WALL MOUNT
HS: HANDY-SHIELD MOUNTED TO UNDERSIDE OF DRAIN
PT: PAPER TOWEL DISPENSER, WALL MOUNT

11 EQUIPMENT (NOT USED)

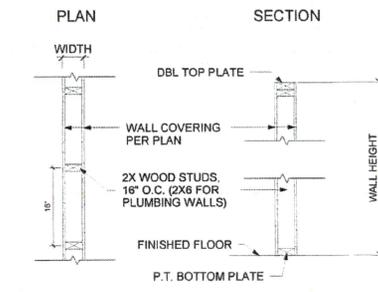
12 FURNISHINGS (NOT USED)



1 Elevation 1 - a
1/2" = 1'-0"



2 Elevation 1 - d
1/2" = 1'-0"



- WALL NOTES:
1. SEE STRUCTURAL FOR SHEAR WALL REQUIREMENTS
 2. LOAD BEARING WALLS TO BE 1-HOUR RATED W/ TWO(2) LAYERS OF 5/8" GYPSUM, TYPE X

3 New Partition, TYP. (Wood Stud)
1" = 1'-0"

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

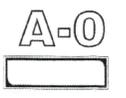


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Project Title: Bubba Greens
Prepared for: Bubba Greens, LLC
Sheet Title: Specifications
Address: 108 E Schrock RD, Wasilla, AK 99654



Room Schedule						
#	Name	Area	Wall Finish	Ceiling Finish	Base Finish	Floor Finish
101	ENTRY	192 SF	GYP/P1	GYP/P1	RB1	C
102	RESTROOM	44 SF	MR/P1	MR/P1	RB1	C
103	OFFICE	112 SF	GYP/P1	GYP/P1	RB1	C
104	CORRIDOR	299 SF	GYP/P1	GYP/P1	RB1	C
105	VEG	397 SF	PLY/P1	GYP/P1	RB1	C
106	BLOOM	397 SF	PLY/P1	GYP/P1	RB1	C
107	BLOOM	397 SF	PLY/P1	GYP/P1	RB1	C
108	DRYING	130 SF	PLY/P1	GYP/P1	RB1	C
109	UPPER LEVEL	368 SF	GYP/P1	GYP/P1	RB1	C

ROOM SCHEDULE LEGEND

GYP: GYPSUM WALL BOARD
 MR: MOISTURE RESISTANT GYPSUM
 P1: LATEX ACRYLIC, MOLD/MOISTURE RESISTANT PAINT
 RB1: 4" (MIN) RUBBER COVE BASE
 C: SLAB ON GRADE, SEALED
 PLY: 1/2" PLYWOOD

Door Schedule						
Door #	Width x Height	Type	Room	Door Material	Frame Material	Hardware Group
100A	72"x80"	DBL FLUSH	ENTRY	IHM	IHM	E 1,2,3
100B	36"x80"	FLUSH	EMERGENCY EXIT	IHM	IHM	E 1,2,3
101	36"x80"	FLUSH	OFFICE	WD	WD	C 3
102	36"x80"	FLUSH	RESTROOM	WD	WD	B 3
103	36"x80"	FLUSH	VEG	WD	WD	L 2,3
104	36"x80"	FLUSH	VEG	WD	WD	L 2,3
105	36"x80"	FLUSH	BLOOM	WD	WD	L 2,3
106	36"x80"	FLUSH	BLOOM	WD	WD	L 2,3
107	36"x80"	FLUSH	BLOOM	WD	WD	L 2,3
108	36"x80"	FLUSH	BLOOM	WD	WD	L 2,3
109	36"x80"	FLUSH	DRYING	WD	WD	L 2,3

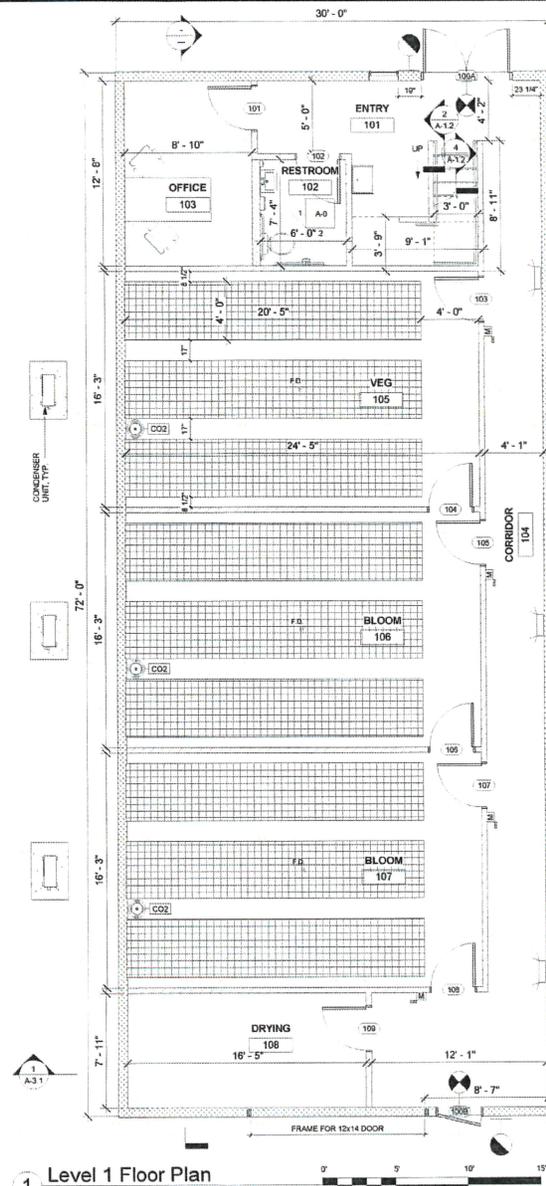
DOOR SCHEDULE LEGEND

IHM: INSULATED HOLLOW METAL
 WD: SOLID CORE WOOD
 1. DOOR CLOSER
 2. WEATHERSTRIPPING
 3. KICKPLATE

DOOR HARDWARE SCHEDULE LEGEND

L: PASSAGE LATCH, NO LOCK OPTION
 E: ENTRY LATCH, COMMERCIAL LOCK
 B: PRIVACY LATCH
 C: KEYED LATCH, KEY ONLY OPERATION

KEY - SYMBOL - LEGEND	
	NEW EXTERIOR WALL
	NEW INTERIOR WALL
	NEW 2x6(PLUMBING) WALL
	FIRE EXTINGUISHER, 2A:10BC, MOUNT 48" AFF (MEASURED TO GRIP)
	EXIT SIGN
	CO2 MONITOR & ALARM
	EMERGENCY LIGHT, 90 MINUTE BATTERY
	EXTERIOR EGRESS LIGHT
	OSHA ACCESS LADDER



1 Level 1 Floor Plan
 1/4" = 1'-0"



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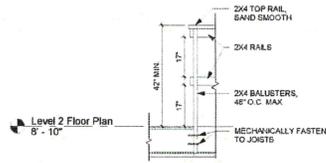
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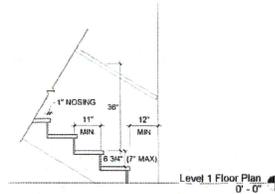
Project Title: Bubba Greens
 Prepared for: Bubba Greens, LLC
 Sheet Title: Level One Floor Plan
 Address: 108 E Schrock RD. Wasilla, AK 99654

A-1.1

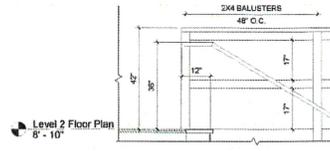
NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS



4 Guardrail Section
1/2" = 1'-0"

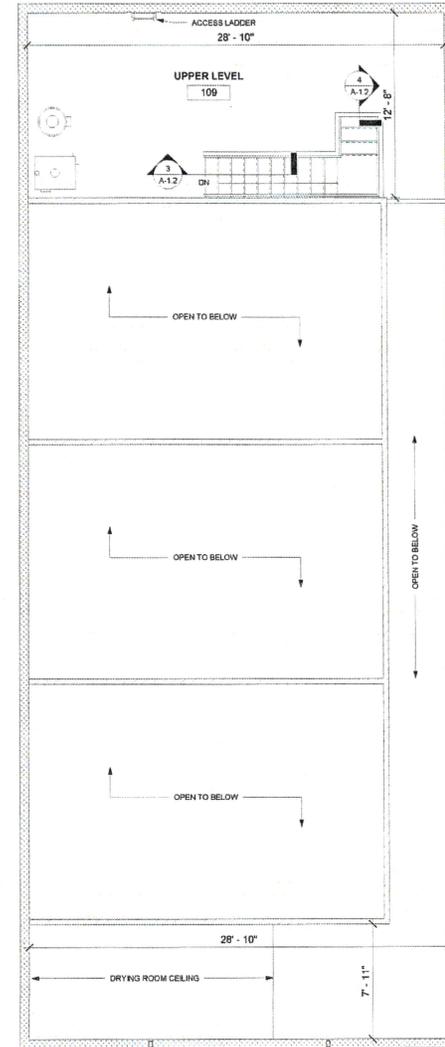


2 Stair Detail, Bottom
1/2" = 1'-0"



3 Stair Detail, Top
1/2" = 1'-0"

KEY - SYMBOL - LEGEND	
	NEW EXTERIOR WALL
	NEW INTERIOR WALL
	NEW 2x6(PLUMBING) WALL
	FIRE EXTINGUISHER, 2A:10BC, MOUNT 48" AFF (MEASURED TO GRIP)
	EXIT SIGN
	CO2 MONITOR & ALARM
	EMERGENCY LIGHT, 90 MINUTE BATTERY
	EXTERIOR EGRESS LIGHT
	OSHA ACCESS LADDER



1 Level 2 Floor Plan
1/4" = 1'-0"

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Project Title: Bubba Greens
Prepared for: Bubba Greens, LLC
Sheet Title: Level Two Floor Plan
Address: 108 E Schrock RD, Wasilla, AK 99654



A-1.2

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

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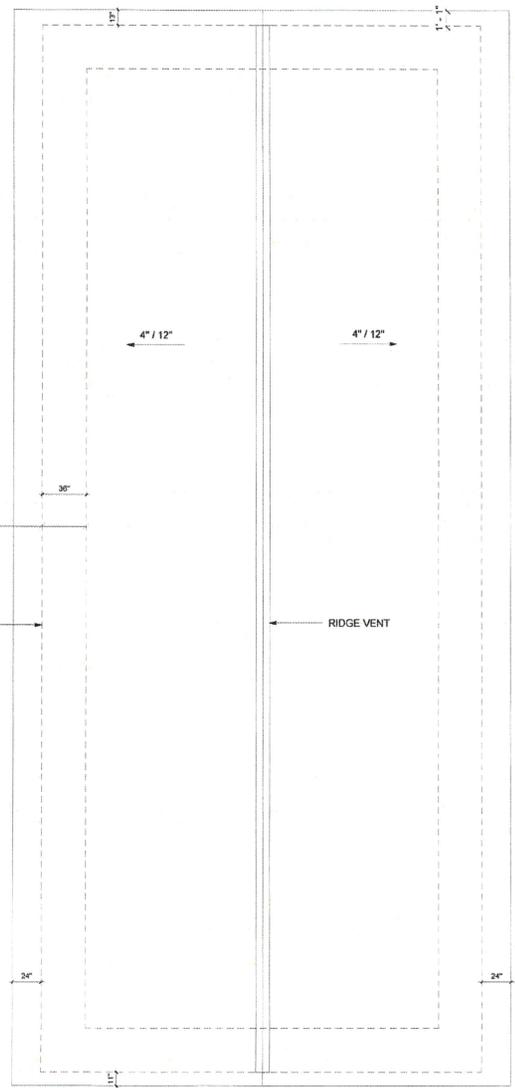
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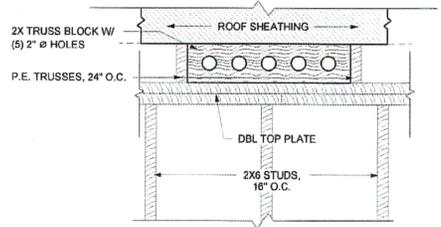


Project Title: Bubba Greens
 Prepared for: Bubba Greens, LLC
 Sheet Title: Roof Plan
 Address: 108 E Schrock RD, Wasilla, AK 99654

A-1.3



1 Roof Plan
 1/4" = 1'-0"



2 Truss Block Detail
 1 1/2" = 1'-0"

ROOFING NOTES:

- SLOPE = 4" IN 12" MINIMUM
- MATERIAL: ASPHALT ROOFING SHINGLES
- FURNISH COMPLETE SYSTEM
- ICE SHIELD WITHIN 3' OF EXTERIOR WALL
- INSTALL PER MANUFACTURER'S RECOMMENDATIONS FOR 10 YEAR WARRANTY
- FLASH ALL PENETRATIONS AND WALL INTERSECTIONS
- REQUIRED VENTING = 1/150
- ROOF = 2,100 SF
- REQUIRED VENTING = 14.4 SF OR 2,074 SI
- 7' LENGTH (EACH SIDE)
- REQUIRED EAVE VENTING = 1,037 SI OR 7.2 SI PER LF, EACH SIDE
- REQUIRED RIDGE VENTING = 1,037 SI OR 14.4 SI PER LF
- PROVIDE FIVE(5) 2"Ø PER 2' TRUSS BLOCK FOR 7.85 SI PER LF
- PROVIDE 1 1/2" RIDGE VENT FOR 15 SI PER LF

SUBMITTAL PACKAGE REQUIRED

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

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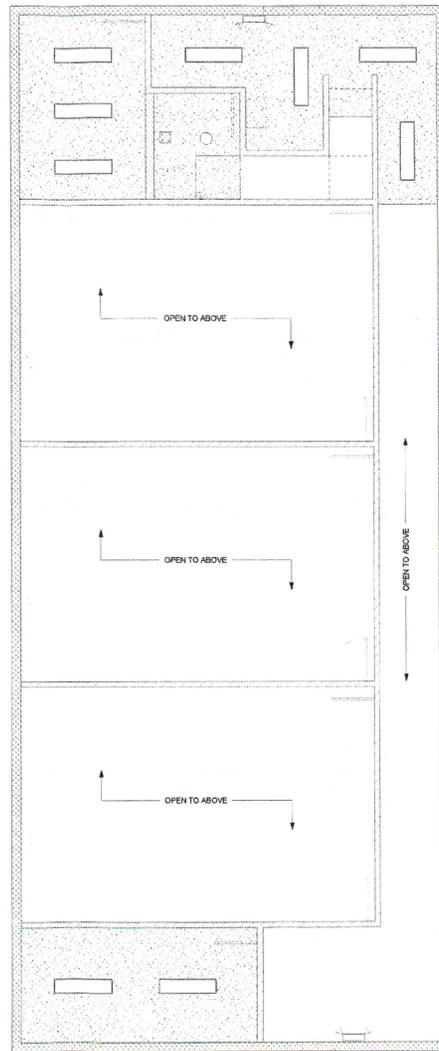


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KEY - SYMBOL - LEGEND	
	GYPSUM HARD LID
	EXTERIOR EGRESS LIGHT
	EXIT SIGN
	1' x 4' LINEAR FIXTURE, SURFACE MOUNT (USE HIGH BAY FOR >10'-0" AFF)
	ROUND CEILING LIGHT, SURFACE MOUNT
	1,000 WATT GROW LIGHT
	90-MINUTE EMERGENCY LIGHT



1 Level 1 Reflected Ceiling Plan
1/4" = 1'-0"



Project Title: Bubba Greens
Prepared for: Bubba Greens, LLC
Sheet Title: Level One Reflected Ceiling Plan
Address: 108 E Schrock RD. Wasilla, AK 99654

A-2.1

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

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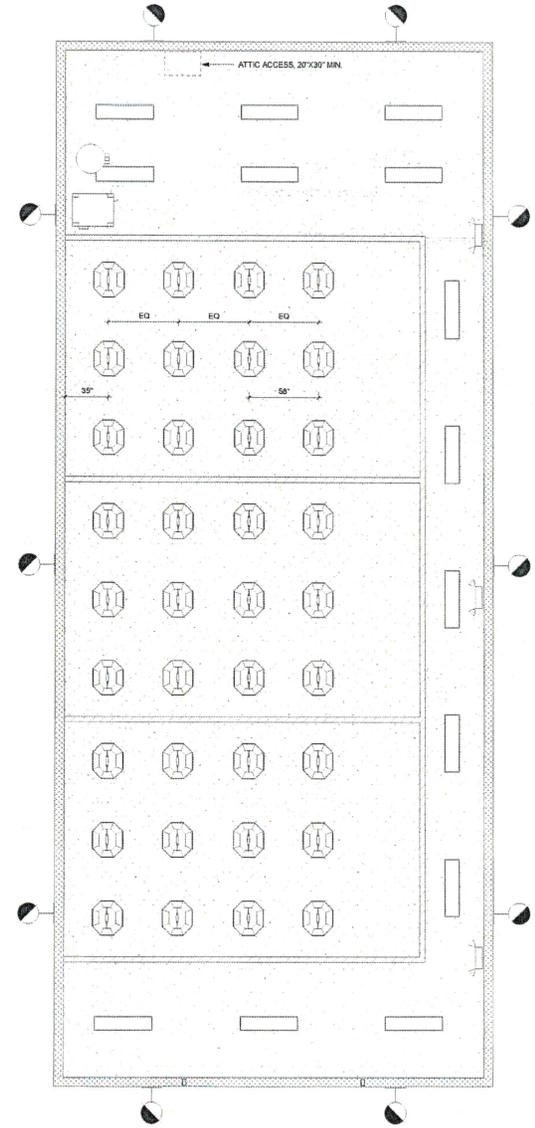
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Project Title: Bubba Greens
Prepared for: Bubba Greens, LLC
Sheet Title: Level Two Reflected Ceiling Plan
Address: 108 E Schrock RD. Wasilla, AK 99654

A-2.2



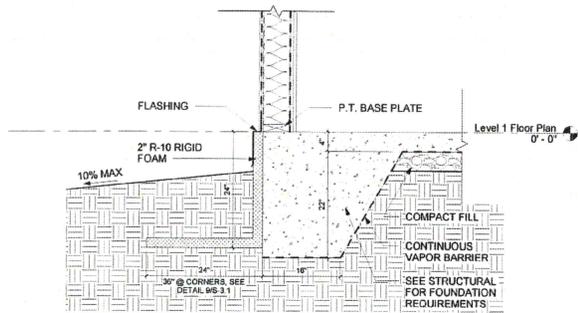
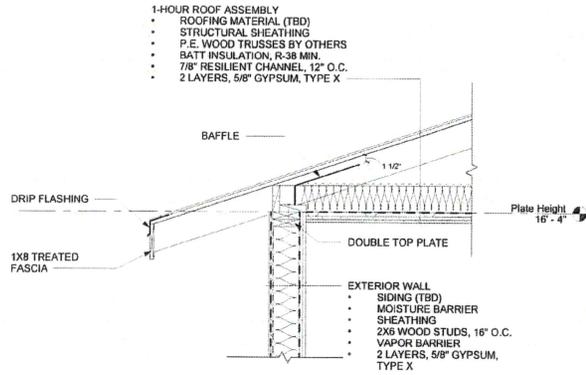
KEY - SYMBOL - LEGEND

	GYPSUM HARD LID
	EXTERIOR EGRESS LIGHT
	EXIT SIGN
	1' x 4' LINEAR FIXTURE, SURFACE MOUNT (USE HIGH BAY FOR >10'-0" AFF)
	ROUND CEILING LIGHT, SURFACE MOUNT
	1,000 WATT GROW LIGHT
	90-MINUTE EMERGENCY LIGHT

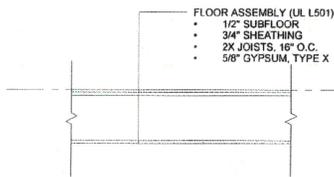
1 Level 2 Reflected Ceiling Plan
1/4" = 1'-0"

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

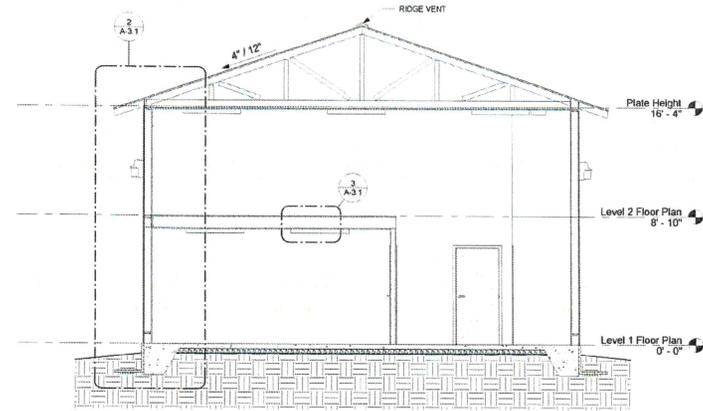
NOTE:
FIRE RATED ROOF & WALL ASSEMBLIES ARE RATED PER IBC TABLE
722.2.1.4(2), PROVIDED ON THIS SHEET



2 Exterior Assemblies
1" = 1'-0"



3 Floor/Ceiling
1" = 1'-0"



1 Building Section
1/4" = 1'-0"

TABLE 722.2.1.4(2)
TIME ASSIGNED TO FINISH MATERIALS ON FIRE-EXPOSED SIDE OF WALL

FINISH DESCRIPTION	TIME (minutes)
GYPSUM WALLBOARD	
3/8"	10
1/2"	15
5/8"	20
2 LAYERS OF 3/8"	25
1 LAYER 3/8", 1 LAYER 1/2"	35
2 LAYERS 1/2"	40
TYPE X GYPSUM WALLBOARD	
1/2"	25
5/8"	40
PORTLAND CEMENT-SAND PLASTER ON MASONRY	See Note a
PORTLAND CEMENT-SAND PLASTER ON METAL LATH	
3/4"	20
7/8"	25
1"	30
GYPSUM SAND PLASTER ON 3/8" GYPSUM LATH	
1/2"	35
5/8"	40
3/4"	50
GYPSUM SAND PLASTER ON METAL LATH	
3/4"	50
7/8"	60
1"	80

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

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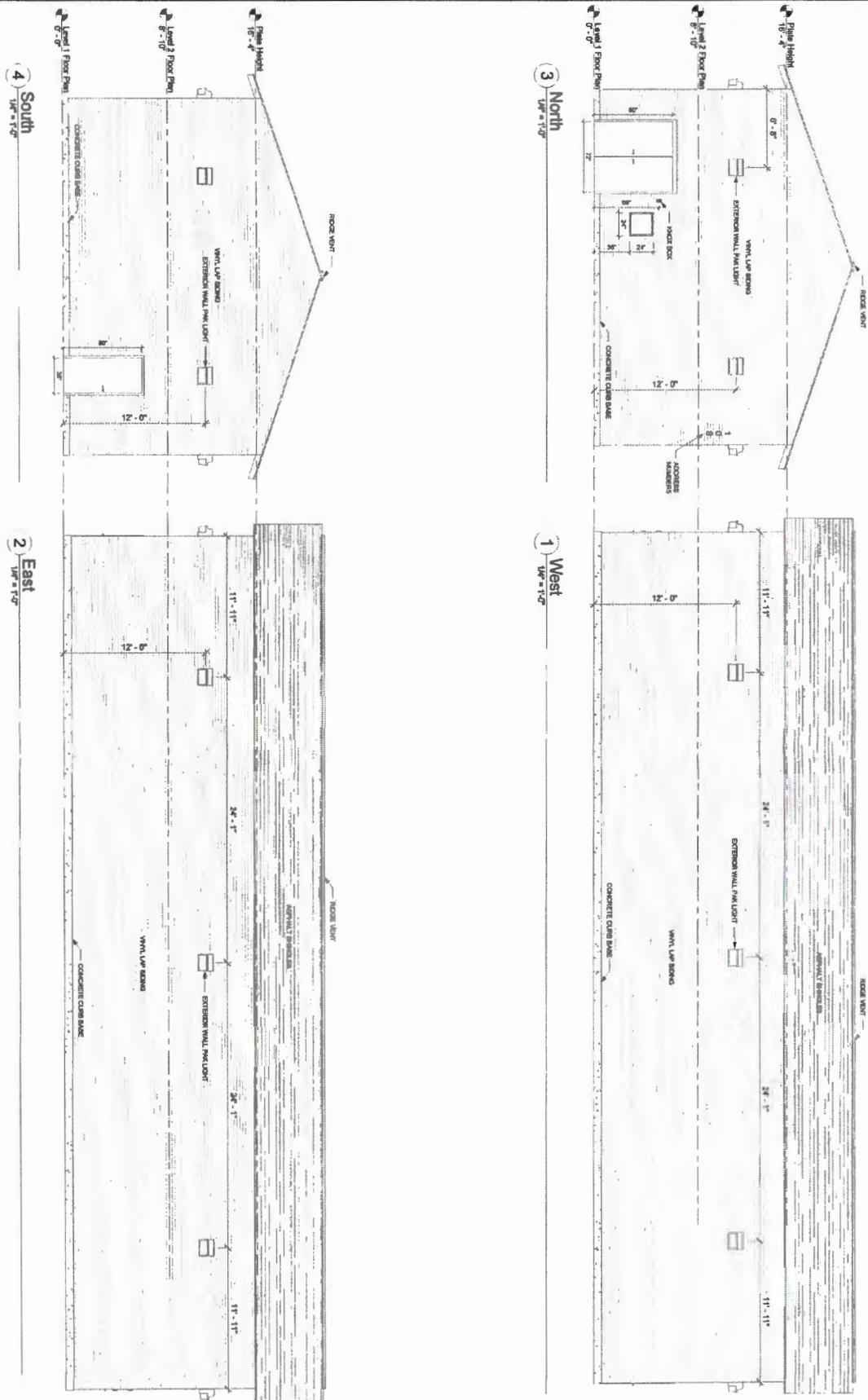
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10/22/2019 9:08:18 AM
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Project Title: Bubba Greens
Prepared for: Bubba Greens, LLC
Sheet Title: Sections & Details
Address: 108 E Schrock RD, Wasilla, AK 99654

A-3.1

NOTE: USE HALF INDICATED SCALE FOR 1/4" X 1/4" DRAWINGS



A-4.1

Project Title: Bubba Greens
 Prepared for: Bubba Greens, LLC
 Sheet Title: Elevations
 Address: 108 E Schrock RD. Wasilla, AK 99654



Sheet Issue Date: 04/22/2019 8:06:19 AM
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156201



MATANUSKA-SUSITNA BOROUGH

Real Property Detail for Account: 18N01W15C009

Site Information

Account Number 18N01W15C009 Subdivision
 Parcel ID 22760 City None
 TRS S18N01W15 Map WA03 Tax Map
 Abbreviated Description TOWNSHIP 18N RANGE 1W SECTION 15
 (Not for Conveyance) LOT C9

Site Address 108 E SCHROCK RD
 Ownership
 Owners GALLAGHER BEATRICE Buyers
 Primary Owner's Address 2511 LYRONA LN ANCHORAGE AK 99502 Primary Buyer's Address

Appraisal Information

Appraisal				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed ¹
2019	\$70,400.00	\$5,600.00	\$76,000.00	2019	\$70,400.00	\$5,600.00	\$76,000.00
2018	\$70,400.00	\$11,500.00	\$81,900.00	2018	\$0.00	\$0.00	\$0.00
2017	\$70,400.00	\$11,600.00	\$82,000.00	2017	\$0.00	\$0.00	\$0.00

Building Information

Structure 0 of 1
 Business None Residential Units 0
 Use Residential Garage Condition Standard
 Design Other Basement None
 Construction Type Frame Year Built 1970
 Grade None Foundation None
 Building Appraisal \$3600 Well

Building Item Details

Building Number	Description	Area	Percent Complete
0	Garage (10.1) - 11D		576 Sq. Ft. 100%

Tax/Billing Information

Year	Certified	Zone	Mill	Tax Billed
2019	Yes	0041	15.149	\$1151.33
2018	Yes	0041	15.069	\$0.00
2017	Yes	0041	15.07	\$0.00

Recorded Documents

Date	Type
1/28/2019	PERSONAL REPRESENTATIVE
9/8/1992	WARRANTY DEED (ALL TYPES)

Recording Info (offsite link to DNR)

[Palmer 2019-001602-0](#)
[Palmer Bk: 692 Pg: 298](#)

Tax Account Status ²

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total	LID Exists
Current	\$575.68		\$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
6.70	6.70	Assembly District 006	10-010	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: 10/10/2019 12:00:50 AM



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Public Safety

DIVISION OF FIRE AND LIFE SAFETY
Plan Review Bureau Anchorage

5700 East Tudor Road
Anchorage, Alaska 99507-1225
Mail: 907 269 2004
Fax: 907 269 5095

September 26, 2019

Daniel Clift
Determine Design
903 W Northern Lights Ste. 206
Anchorage, AK 99503

SUBJECT: Bubba Greens (108 E Schrock Rd.) - Full Plan Review
CITY: Wasilla
PLAN REVIEW: 2019Anch1785
TYPE OF CONSTRUCTION: VA
OCCUPANCY: F-1
2012 INTERNATIONAL BUILDING AND FIRE CODE

Dear Daniel Clift:

This letter is to acknowledge receipt of your plans and application for plan review for the subject facility. A plan review number has been assigned as indicated. The plan review fee is required to be paid prior to the review. To help keep our files current and expedite the review, your submittal of the fee within fifteen (15) days will be appreciated.

The plan review fee is \$1,265.29. Please make your check, money order or cashier's check payable to the State of Alaska. To ensure that the check or money order reaches us in a timely manner, please include "Fire and Life Safety - Plan Review Bureau" in the mailing address.

13 AAC 50.027 prohibits the beginning of any construction, alteration, or repair to building regulated by the State Fire Marshal until plans and specifications have been reviewed and approved.

If you have any questions regarding this matter, please contact us at the address above.

Sincerely,

Pam Bowden

Pam Bowden
Office Assistant II

RECEIVED
FEB 17 2020

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

State of Alaska
Office of the State Fire Marshal
Plan Review

This is to certify that the plans for this building were reviewed by the *State Fire Marshal* on February 05, 2020 for conformance with AS 18.70.010 -- 100; 13 AAC 50.027.

This certificate shall be posted in a conspicuous place on the premises named Bubba Greens (108 E Schrock Rd.) and shall remain posted until construction is completed.

NOTICE: Any changes or modifications to the approved plans **must** be resubmitted for review by the *State Fire Marshal*.

Plan Review #: 2019Anch1785

By: Richard Boothby

Richard Boothby
Fire Marshal

Authority: AS 18.70.080

Form: 12-741 **Full Plan Review**
(6/01)



ATC No. 29919

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

State of Alaska

Department of Transportation and Public Facilities

Driveway Approval to Construct (ATC) #29919

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

Contact Name: Mike Gallagher

Phone Number: (907) 727-7754

Owner: Beatrice Gallagher

Mailing Address: 2511 Lyrona Ln. Anchorage, AK 99502

Driveway Location: Wasilla D/W 108 E Schrock Rd

Approval to Construct Expires: (8/31/2021)

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 contractor's 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	150	Feet
C.	Right edge clearance	750	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	N/A	
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	24	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:

Incorporated as part of this ATC:

- Site Plan

Choose One



 Owner Signature

2-10-2020

 Date

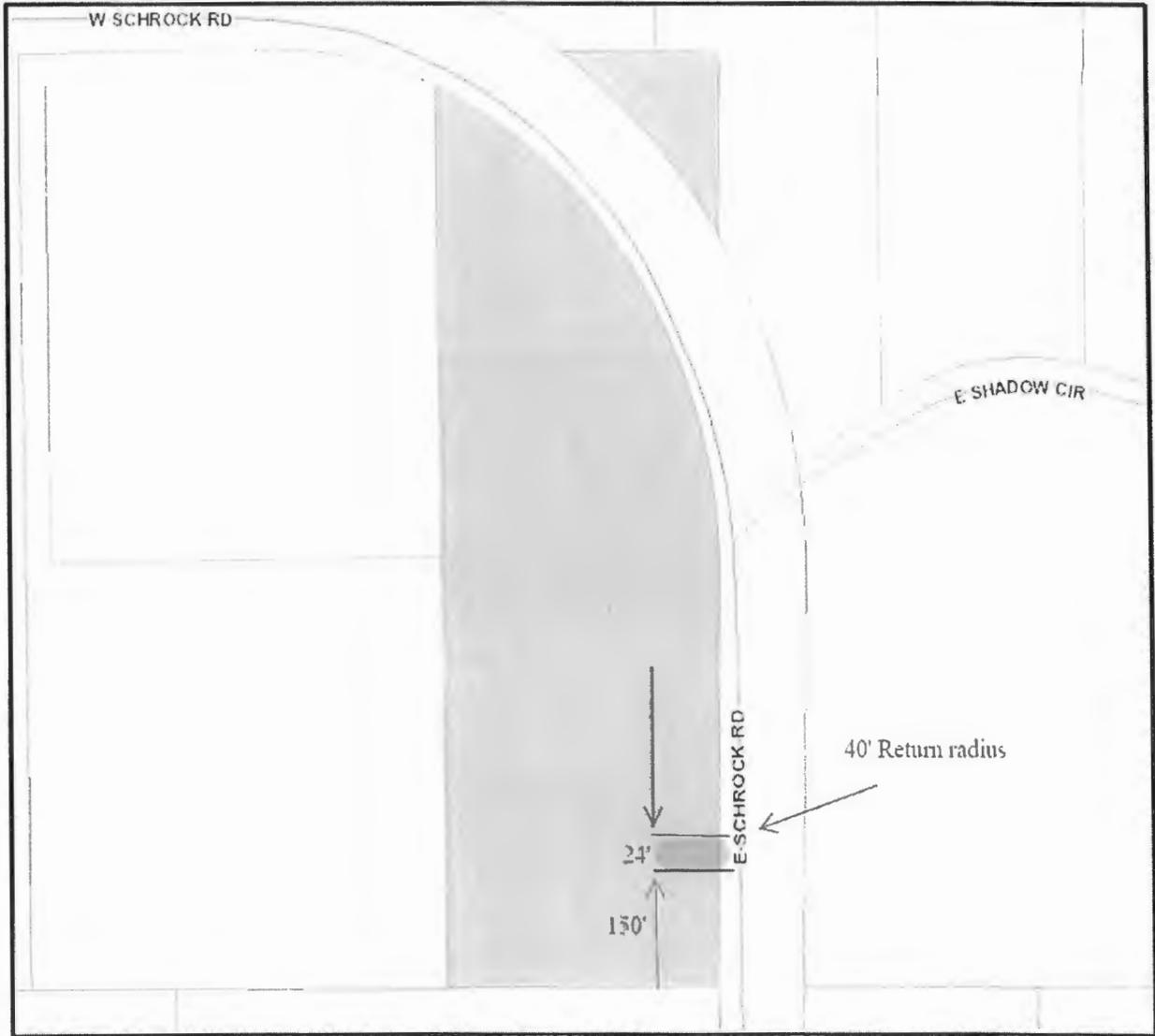


 DOT&PF Signature

2/11/2020

 Date

SITE PLAN



PERMIT CENTER – FEE RECEIPT FORM

Bubba Greens

Property Location: 108 E. Schroet RD

Applicant: Michael Gallagher

	USE PERMITS {100.000.000.341.300}	Fee
<input type="checkbox"/>	8.35 Public Display of Fireworks	\$25.00
<input type="checkbox"/>	8.40.010 Liquor License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
<input type="checkbox"/>	8.41.010 Marijuana License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
<input type="checkbox"/>	8.52 Temporary Noise Permit	\$500.00
<input type="checkbox"/>	8.55 Special Events Permit 500 – 1000 Attendees	\$500.00
<input type="checkbox"/>	1000+ Attendees	\$1,000.00
<input type="checkbox"/>	8.55 Special Events Permit Site Monitor Fee / Per Day	\$300.00
<input type="checkbox"/>	17.02 Mandatory Land Use Permits- Residential Non-habitable	\$25.00
<input type="checkbox"/>	Commercial/Industrial	\$150.00
<input type="checkbox"/>		\$1,000.00
<input type="checkbox"/>		\$500.00
<input type="checkbox"/>		\$1000.00
<input type="checkbox"/>		\$2000.00
<input type="checkbox"/>	17.29 Flood Damage Prevention Development Permit	\$100.00
<input type="checkbox"/>	17.29 Flood Damage Prevention Development Permit –Variance	\$500.00
<input type="checkbox"/>	17.30.040 Earth Materials Extraction Admin. Permit	\$500.00
<input type="checkbox"/>	17.30.050 Earth Materials Extraction CUP	\$1000.00
<input type="checkbox"/>	17.36 Residential Planned Unit Development Application – Concept Plan – up to 50 Lots Additional Lots or tracts being created – Per Lot	\$500.00 \$100.00
<input type="checkbox"/>	17.48 Mobile Home Park Permit Application	\$500.00
<input type="checkbox"/>	17.52 Residential Land Use District App (Rezone)	\$1,000.00
<input type="checkbox"/>	17.52 Conditional Use Permit Application	\$1,000.00
<input type="checkbox"/>	17.55 Shoreline Setback Exception Application	\$300.00
<input checked="" type="checkbox"/>	17.60 Conditional Use Permit Application	\$1000.00

RECEIVED
OCT 09 2019

PERMIT CENTER

Matanuska Susitna Borough
 Payment Date Thursday, October 10, 2019
 Deposit Number 39131
 Operator hoff0401
 Real 2019 (Total) \$0.00
 MCR (Planning/Platting) \$1,000.00
 Misc Rec
 Tax Map # 1MISC
 Total Paid \$1,000.00
 Check \$1,000.00
 Change \$0.00
 Receipt Number MSB91359910
 10/10/2019 9:24:16 AM
 Paid By GALLAGHER MICHAEL
 Cashier Id. hoff0401

<input type="checkbox"/>	17.61 Commercial/Industrial Core Area Conditional Use Permit	\$1000.00
<input type="checkbox"/>	17.62 Coal Bed Methane	\$1000.00
<input type="checkbox"/>	17.63 Conditional Use Permit for Racetracks	\$1000.00
<input type="checkbox"/>	17.65 Variance	\$1000.00
<input type="checkbox"/>	17.67 Tall Structures - Network Improvement Permit Nonconforming Use Administrative Permit Conditional Use Permit	\$100.00 \$200.00 \$500.00 \$1000.00
<input type="checkbox"/>	17.70 Regulation of Alcoholic Beverage Use Permit Application	\$1000.00
<input type="checkbox"/>	17.73 Multi-Family Land Use Permit – add \$25.00 for each additional unit beyond 5 units.	\$500.00
<input type="checkbox"/>	17.75 Single-Family Residential Land Use District CUP	\$1000.00
<input type="checkbox"/>	17.76 Large Lot Single-Family Residential Land Use District Conditional Use Permit Application	\$1000.00
<input type="checkbox"/>	17.80 Nonconforming Structures (Amnesty) Pre-Existing Legal Nonconforming (Grandfather)	\$300.00
<input type="checkbox"/>	17.90 Regulation of Adult Businesses – Conditional Use Permit	\$1000.00

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

PLATTING PRE-APPLICATION CONFERENCE:		
<input type="checkbox"/>	Pre-Application Fee	\$50.00

FEES:		
<input type="checkbox"/>	Flood Plain Development Survey CD	\$10.00
<input type="checkbox"/>	CD/DVD/DVD-R	\$7.50
<input type="checkbox"/>	Construction Manual/Title 43	\$5.00
<input type="checkbox"/>	Plat Map/Tax Map Copies/Mylar	\$5.00
<input type="checkbox"/>	Color Maps	\$12.00
<input type="checkbox"/>	Xerox Copies (B/W = \$0.25 ~ Color \$1.00/page 11X17 Color \$1.75/page)	
<input type="checkbox"/>	Advertising Fees	
<input type="checkbox"/>	Cultural Resources Books or Maps	
<input type="checkbox"/>	Citation Payment (If sent to collections – use total due from Courtview)	
<input type="checkbox"/>	Thumb Drive 2GB = \$5, 4GB = \$8, 8GB = \$10; 16GB = \$15; 32GB = \$20	

\$ 1000 Amount Paid Date: 10-10-19 Receipt # 91359704 By: [Signature]

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Public Comments

Joseph Metzger

From: Joseph Metzger
Sent: Monday, March 9, 2020 7:47 AM
To: 'Brittney Punt'
Subject: RE: Marijuana Conditional Use Permit

Received, thank you for your comments. Your comments will be included in the packet of information that goes to the Planning Commissioners.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

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

From: Brittney Punt <brittneypunt@gmail.com>
Sent: Friday, March 6, 2020 4:26 PM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: Re: Marijuana Conditional Use Permit

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

Dear Planning Commission,

Comments regarding Michael Gallagher on behalf of Bubba Greens conditional use marijuana cultivation facility:

I'm opposed to this for many reasons including the following:

First, My family including 3 young children live off of Shadow Circle right across the road from this potential facility. That should say enough as to why I don't want this in my neighborhood.

Second, as I understand there are many regulations regarding air quality for the facility to remain in compliance, it's hard not to be skeptical when so many facilities in the area have had issues with odor. I am a part of a couple online communities for this particular neighborhood (schrock, heather way, sage). Previously they have complained of a facility south of here that had some serious odor issues. I could literally smell it driving by in my vehicle. I will not be able to tolerate the smell. I have a close friend who is like our family who visits frequently and actually has such a strong allergy to marijuana that she went to the ER for it last month. She wouldn't be able to come anymore. My biggest concern is the air quality for my children as they are raised here over the years.

Third, the gravel pit has been argued as a good reason for the placement of this facility. However, I would argue that it's a bad reason. Those of us in the neighborhood believed the gravel pit had been mined out. It had hit water level. A few years ago the owner sold the pit and that owner has made sure to mine every last portion up to every inch of peoples lot lines and backyards. I suppose he has the right to do so, but it wasn't tasteful or expected. He then went on to buy more land across the street that he has started to mine. It is so close to our home. My point here is, as I'm sure many personal home owners could relate, is that we have been encroached upon by loud noises and continual tree removal and less and less privacy and more heavy equipment traffic that we never intended when moving here. He even dropped an asphalt plant in it a year ago. Thank God it is gone now.

Fourth, I suppose I could say more about the commercial nature of the property, more workers and traffic, lowered property value (that has already been lowered by pit), etc.

Thanks for your consideration of my comments.

Sincerely,
Brittney Punt,
Shadow Cir, Wasilla

Agency Comments



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

www.matsugov.us • planning@matsugov.us

Owner/Agent: Michael Gallagher, Bubba Greens, LLC

Nature of Request: An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana cultivation facility. The Planning Commission will conduct a public hearing for this request on April 6, 2020. <https://www.matsugov.us/publicnotice/bubba-greens-marijuana-cultivation-facility-conditional-use-permit>

Location: The proposed use is located at 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian.

Date/Due Date: 6 March 2020

MSB Staff Contact: Joe Metzger, Planner II, 907.861-7862

Planner completing this Review: Ted Eischeid, Ph. 861-8606, ted.eischeid@matsugov.us

Staff-Recommendation:

ApproveXX

Deny _____ (need's supervisor approval)

Conditionally Approve _____

List Conditions (if applicable):

Supporting Recommendations, Comments, and Information:

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

www.matsugov.us • planning@matsugov.us

1. Note Community Council area – Meadow Lakes

- a. Does the CC have a Comp Plan
 - i. If Yes, review comp plan sections on land use.

Concentrate and Screen Commercial Development; Avoid Sprawl Along the Parks Highway

In past public workshops and surveys, people expressed a clear concern that the Parks Highway should not be lined with strip commercial development like what is found in other parts of the southern Mat-Su Borough. The community recognizes that without land use controls, development will likely scatter along the length of the Parks Highway. Strategies to reach this goal include:

- Location of Commercial Development - Encourage new commercial develop to locate in relatively concentrated nodes, rather than spread along the length of the Parks Highway. Establish a town center as the focus point for commercial development (see below).
- Green Space - Maintain several undeveloped “green spaces” along the Parks Highway to separate developed areas.
- Appearance of Roadside Commercial Development - Require retention and/or planting of evergreen buffers, trees and other landscape features so roadside development is attractive. Encourage modest sized, attractive signage and roadside development.

2. Environmental

- a. Plans to consider:
 - i. Stormwater Management Plan

Planning Division, <https://www.matsugov.us/department/planning-department#Planning>
Matanuska-Susitna Borough, 350 E. Dahlia Ave, Palmer, AK 99645



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

www.matsugov.us • planning@matsugov.us

3. Cultural Resources

- No objection to proposed action in terms of known cultural resources.** However, if any cultural resources are discovered in any development work please stop said work and call the Mat-Su Planning Division for referral to an appropriate cultural resources professional. Thank you for helping us document our borough's past.



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

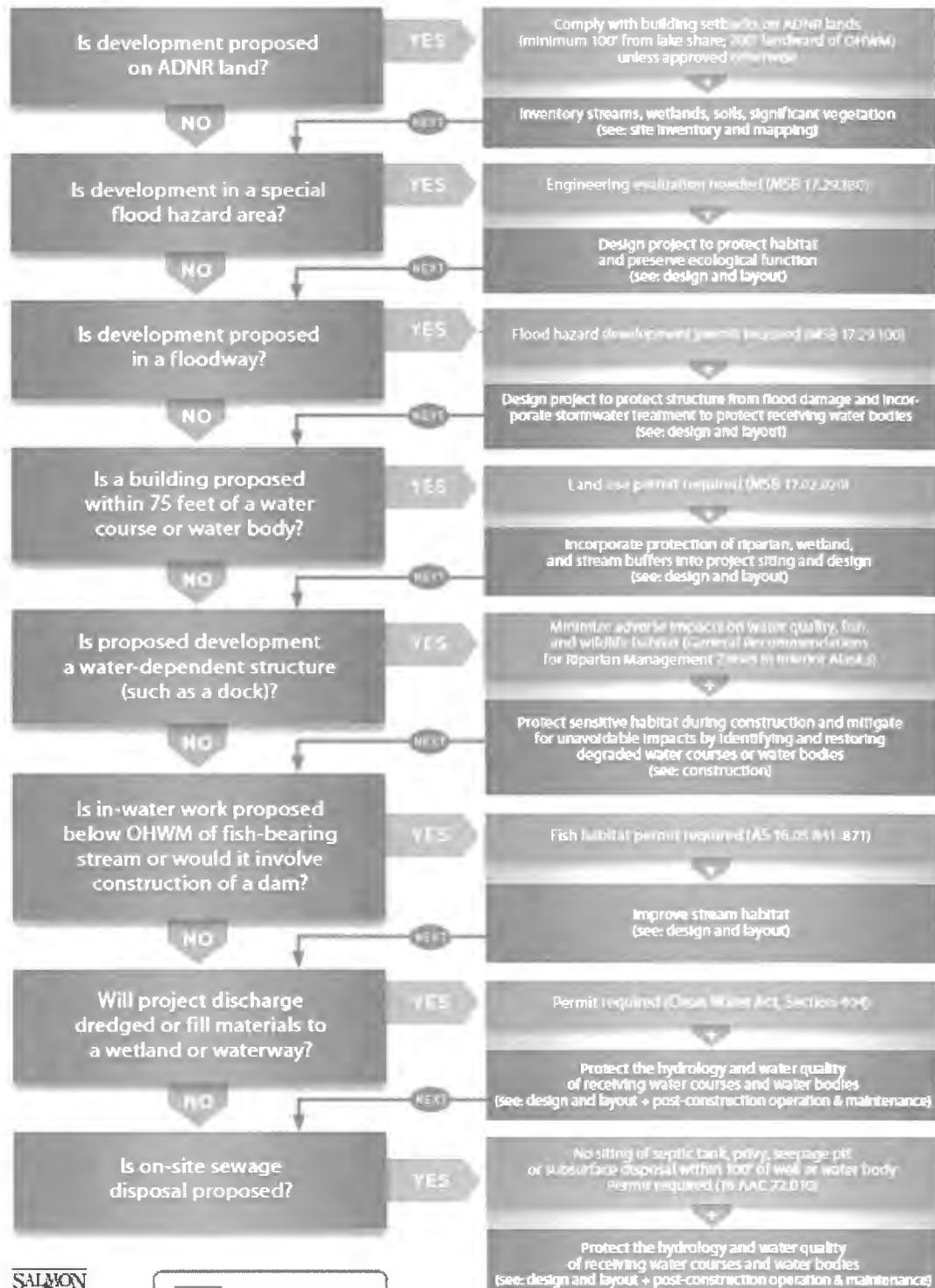
Planning Division: Plat Review/Comments

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7833 • Fax (907) 861-7876

www.matsugov.us • planning@matsugov.us

Navigating Regulatory Compliance for Development in the Mat-Su Basin



PI



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

February 7, 2020

Joe 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 108 E Schrock Rd within Township 17 North, Range 1 West, Section 15, 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 cursive script that reads "Cassie Acres".

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

Joseph Metzger

From: Fire Code
Sent: Friday, February 7, 2020 11:55 AM
To: Joseph Metzger
Subject: RE: RFC Bubba Greens Marijuana Cultivation Due March 6

Fire Code has no issue with this.



Donald Cuthbert
Fire Marshal
 Fire & Life Safety Division
 Central Mat-Su Fire Department
 (907) 861-8030
FireCode@matsugov.us

From: Joseph Metzger <Joseph.Metzger@matsugov.us>
Sent: Friday, January 31, 2020 10:54 AM
To: 'allen.kempen@alaska.gov' <allen.kempen@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>; Jesse Sumner <jessesumnerdistrict6@gmail.com>; rachellund04@gmail.com; michla01234@gmail.com; scarlet1939@hotmail.com; corinehickey@gmail.com; fay.colin@gmail.com; princeaaronj@hotmail.com
Subject: RFC Bubba Greens Marijuana Cultivation Due March 6

MEMORANDUM

Date: January 31, 2020
To: Various Governmental Agencies
From: Joe Metzger, Planner II
Subject: Request for Review and Comments Governmental Agencies
Project: Conditional Use Permit for a marijuana cultivation facility
Location: 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian
Applicant: Michael Gallagher, on behalf of Bubba Greens, LLC

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana cultivation facility. The Planning Commission will conduct a public hearing for this request on April 6, 2020.

Application material 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/bubba-greens-marijuana-cultivation-facility-conditional-use-permit>

Comments are due on or before **March 6, 2020** 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

Joseph Metzger

From: Theresa Taranto
Sent: Tuesday, February 4, 2020 2:11 PM
To: Joseph Metzger
Subject: RE: RFC Bubba Greens Marijuana Cultivation Due March 6

FIRM 7214, X Zone
Core 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, January 31, 2020 10:54 AM
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 VonGuten <Sloan.VonGuten@matsugov.us>; Jill Irsik <Jill.Irsik@matsugov.us>; Michelle Wagner <Michelle.Wagner@matsugov.us>; Cheryl Scott <Cheryl.Scott@matsugov.us>; Jesse Sumner <jessesumnerdistrict6@gmail.com>; rachellund04@gmail.com; michla01234@gmail.com; scarlet1939@hotmail.com; corinehickey@gmail.com; fay.colin@gmail.com; princeaaronj@hotmail.com
Subject: RFC Bubba Greens Marijuana Cultivation Due March 6

MEMORANDUM

Date: January 31, 2020
To: Various Governmental Agencies
From: Joe Metzger, Planner II
Subject: Request for Review and Comments Governmental Agencies

Project: Conditional Use Permit for a marijuana cultivation facility
Location: 108 E. Schrock Road (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian
Applicant: Michael Gallagher, on behalf of Bubba Greens, LLC

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana cultivation facility. The Planning Commission will conduct a public hearing for this request on April 6, 2020.

Application material 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/bubba-greens-marijuana-cultivation-facility-conditional-use-permit>

Comments are due on or before **March 6, 2020** 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

Planning Commission Resolution

By: Joe Metzger
Introduced: May 18, 2020
Public Hearing: June 08, 2020
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 20-08

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA CULTIVATION FACILITY AT 108 E. SCHROCK ROAD (TAX ID# 18N01W15C009); WITHIN TOWNSHIP 18 NORTH, RANGE 1 WEST, SECTION 15, SEWARD MERIDIAN.

WHEREAS, an application has been received from Michael Gallagher on behalf of Bubba Greens, LLC for a conditional use permit for the operation of a marijuana cultivation facility at 108 E. Schrock Road, (Tax ID# 18N01W15C009); within Township 18 North, Range 1 West, Section 15, Seward Meridian; and

WHEREAS, MSB 17.60.030(A)(5) requires a conditional use permit for the operation of a marijuana cultivation facility; and

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

WHEREAS, the proposed use will be wholly contained within a newly constructed wood frame structure approximately 2,100 square feet in size with approximately 1,520 square feet under cultivation; and

WHEREAS, access to the proposed use is from E. Schrock Road onto an existing State authorized to construct driveway; and

WHEREAS, the closest residential structure is located to the west, and is approximately 375 feet from the proposed use; and

WHEREAS, according to the application material, the proposed use is set back 673 feet from the north lot line, 147 feet to the E. Schrock right of way on the east lot line, 190 feet from the south lot line, and 138 feet to the west lot line; and

WHEREAS, the subject parcel is approximately 6.7 acres in size and is mostly undeveloped and heavily treed with a mixture of birch and spruce; and

WHEREAS, the facility will not be open to the public; and

WHEREAS, there are no outdoor processes associated with the proposed use that generates noise or dust; and

WHEREAS, the closest school (Larson Elementary) is approximately 15,200 feet away from the proposed use; and

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

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

WHEREAS, according to the security plan, a combination of surveillance video, alarms, and security doors and locks will be used to secure the site and monitor all activities at the facility; and

WHEREAS, the State of Alaska Fire Marshal has issued Plan Review Certificate #2019Anch1785, approving the construction of the proposed use; and

WHEREAS, the 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 will be mixed with compostable waste, stored in a secure area, and disposed of at the landfill; and

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

WHEREAS, the surrounding parcels range in size from 1 to 20 acres and are mostly used for residential purposes; and

WHEREAS, the closest business, a commercial gravel extraction pit, is located to the east and is approximately 270 feet from the proposed use; and

WHEREAS, the facility will be fitted with charcoal canister filters to remove marijuana odors and the filters will be maintained according to the manufacturer's specifications; and

WHEREAS, Bubba Greens has received delegated approval from the State Marijuana Control Board for marijuana cultivation license #22369, in accordance with 3 AAC 306.005; and

WHEREAS, written documentation showing delegated approval from the State Marijuana Control Board for marijuana cultivation license #22369 has been provided; and

WHEREAS, according to the application material, the facility will use a hydroponic system in which water will circulate continuously. Waste water that cannot be reused will be used for surface irrigation on the property; and

WHEREAS, according to the application material, the facility will store and dispose of fertilizers, pesticides, herbicides, and any other hazardous chemicals in compliance with all local, state, and federal laws; and

WHEREAS, according to the application material, the facility will store and dispose of nutrients and chemicals in accordance with each manufacturer's recommendations; 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 June 8, 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 20-08:

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 wastewater and waste material disposal plan demonstrates compliance with the Alaska State Department of Environmental Conservation (MSB 17.60.160(A)).
12. The odor mitigation plan demonstrates mitigation measures will prevent odors from materially impacting adjoining properties (MSB 17.60.160(B)).
13. Storage of nutrients, natural pesticides, and cleaners will comply with all local, state, and federal laws (MSB 17.60.160(C)).
14. A security plan which includes education for employees on security measures has been provided (MSB 17.60.160(D)).
15. The proposed use meets the minimum setback requirements for marijuana cultivation facilities (MSB 17.60.160(E)).

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 cultivation 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.

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

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Acting Planning
Clerk

(SEAL)

YES:

NO:

**PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. PC 20-09

MCC Flight
Marijuana Retail Facility CUP

(Page 121 - 246)

PUBLIC HEARING

STAFF REPORT

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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

DEVELOPMENT SERVICES DIVISION STAFF REPORT

Date: May 27, 2020

File Number: 176020190010

Applicant: Chad Ragsdale, on behalf of MCC Flight

Property Owner: Chad Ragsdale

Request: Planning Commission Resolution 20-09
Conditional Use Permit for the operation of a marijuana retail facility in accordance with MSB Chapter 17.60 – Conditional Uses

Location: 5675 E. Blue Lupine Drive (Tax ID# 1807B01L011); within Township 17 North, Range 1 East, Section 17, Seward Meridian

Size of Facility: 952 Square Feet

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

Staff: Joseph 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 a commercial structure approximately 952 square feet in size. MSB 17.60.30 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 is approximately 1.92 acres. After purchasing the parcel, the applicant performed a good deal of earthwork and increased the usable area of the lot. Prior to the proposed marijuana retail facility structure being moved to the subject parcel, the lot was vacant land and undeveloped. The proposed use accesses E. Blue Lupine Drive via an existing State of Alaska permitted driveway.

Surrounding Land Uses:

The proposed use is located on E. Blue Lupine Drive, which is a frontage road for the Glenn Highway and is classified as a collector road. As a collector road, Blue Lupine is capable of handling traffic from residential and commercial uses. The majority of the uses situated on E. Blue Lupine Drive are commercial in nature. Some business located within 1000 feet of the use include: a Harley Davidson Dealer, a custom built trailer business, a fire suppression and safety business, and an animal daycare business.

The use abuts E. Blue Lupine Drive to the south and west. The property located to the south of E. Blue Lupine Drive is used for both commercial and residential purposes. The parcels located directly to the north and east are used for residential purposes. The closest residential home is located approximately 140 feet to the east of the use. To residential homes located to the north and northeast of the use are separated from the facility by a steep bank and are elevated approximately 75 feet above the use.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

On February 12, 2020 notices were mailed to all property owners within a 600-foot radius of the use. A total of 19 notices were mailed. The permit application notification was published in the February 12, 2020 issue of the *Frontiersman*. The application material was posted on the Borough web site for public review on February 12, 2020. The proposed use is within the Gateway Community Council boundary and a notice was sent to the Council on February 12, 2020. Staff received one comment from the public in opposition to the proposed use.

On March 16, 2020 the request was scheduled to be introduced into the record during the regularly scheduled Planning Commission meeting and on April 6, 2020 the request was scheduled to go for public hearing. Due to the Coronavirus pandemic, both of these Planning Commission meeting were canceled.

On May 21, 2020 notices were mailed to all property owners within a 600-foot radius of the use. A total of 19 notices were mailed. The permit application notification was published in the May 22, 2020 issue of the *Frontiersman*. The application material was updated on the Borough web site for public review on May 21, 2020. The proposed use is within the Gateway Community Council boundary and a notice was to the Council on May 21, 2020.

CORE AREA PERMIT IS NOT REQUIRED

Section 17.61.020 Intent

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

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

Findings of Fact:

1. The proposed retail facility will be wholly contained within the commercial structure approximately 952 square feet in size.
2. There is no industrial equipment or processes that generate noise associated with the proposed use.

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

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

Findings of Fact:

1. ITE Trip Generation 10th Edition indicates a “Marijuana Dispensary” 1000-square feet in size is expected to produce 29.93 trips per peak PM hour. The structure that will contain the proposed marijuana retail facility is approximately 952 square feet and based on these calculations is expected to produce approximately 28.5 trips per peak PM hour.
2. ITE Trip Generation 10th Edition indicates a “Marijuana Dispensary” 1000-square feet in size is expected to produce 259.31 trips per day. The structure that will contain the proposed marijuana retail facility is approximately 952 square feet and based on these calculations is expected to produce approximately 247 trips per day.

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

(3) *Any commercial or industrial use involving processing, manufacturing, or storage of hazardous substances over thresholds established by federal or state community right-to-know laws and regulations (40 CFR 370, AS 29.35.500), any use which generates combustible dust produced in sufficient quantity to produce an explosion or combustion hazard, any use involving the storage and handling of combustible fiber in quantities greater than 100 cubic feet (2.8 m³), and any use which involves generation or management of more than 2,200 pounds of hazardous waste per month as defined by federal regulations (40 CFR 261, 262). Note that these facilities would also be subject to significant federal/state regulatory requirements. Among other obligations, facilities that*

exceed community right-to-know thresholds are required to submit annual reports to the state and to the local emergency planning committee (LEPC), and facilities that exceed hazardous waste limits are required to notify the environmental protection agency and comply with requirements for waste storage and disposal.

Findings of Fact:

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

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

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

Findings of Fact:

1. The proposed use is commercial retail in nature and will not generate contaminated water runoff.

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

Section 17.60.100 General Standards

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

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

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

Findings of Fact:

1. The proposed retail facility will be wholly contained within a commercial structure approximately 952 square feet in size.
2. The property is located in the Core Area; however, there are no other specific zoning designations for this parcel.
3. The proposed use accesses E. Blue Lupine Drive from an existing, State of Alaska permitted driveway.
4. East Blue Lupine Road is considered a collector and has many different uses on its frontage, including residential, commercial, and industrial.
5. The closest residential structure is located to the southeast and is approximately 115 feet away from the proposed use.

6. The application material indicates an illuminated sign will be installed on the roof of the proposed facility and will not interfere with any of the residential homes in the area.
7. The proposed hours of operation are 8:00 a.m. until 12:00 a.m., daily.
8. According to the application material, the proposed use is located approximately 60 feet from the E. Blue Lupine Drive right-of-way to the west and south, approximately 27 feet to the property line to the east, and approximately 115 feet to the property line to the north.
9. There are multiple commercial businesses in the surrounding area such as, but not limited to, a Harley Davidson Dealership, a fire suppression and prevention business, and an animal daycare.
10. Consumption of marijuana is prohibited at the site.
11. Persons under the age of 21 are prohibited from entering the facility.
12. According to the application material, loitering will not be allowed.

Discussion: Staff recommends a condition that hours of operation shall not exceed 8:00 a.m. until 12:00 a.m., daily.

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 (Machetanz Elementary School) is approximately 6,800 feet away from the 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 E. Blue Lupine Drive from an existing, State of Alaska permitted driveway.
5. East Blue Lupine is considered a collector 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 lighting are used to monitor all activities at the facility.
8. The application material indicates an illuminated sign will be installed on the roof of the proposed facility and will not interfere with any of the residential homes in the area.
9. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-044, for the commercial structure.
10. The commercial structure is in full compliance with the applicable State of Alaska fire code.

11. After proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products deemed unusable are blended together before being mixed with compostable material, and sealed in a container. The waste will then be taken to a MSB 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 proposed use is located approximately 60 feet from the E. Blue Lupine Drive right-of-way to the west and south, approximately 27 feet to the property line to the east, and approximately 115 feet to the property line to the north.
2. The commercial structure meets all applicable setback requirements required by MSB 17.55 – Setbacks and Screening Easements.
3. The closest school (Machetanz Elementary School) is approximately 6,800 feet away from the use.
4. The proposed use accesses E. Blue Lupine Drive from an existing, State of Alaska permitted driveway.
5. East Blue Lupine is considered a collector 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 lighting are used to monitor all activities at the facility.
8. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-044, 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 952 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. 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 952 square feet in size.
2. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-044, for the commercial structure.
3. The commercial structure is in full compliance with the applicable State of Alaska fire code.
4. According to the application material, the proposed use is located approximately 60 feet from the E. Blue Lupine Drive right-of-way to the west and south, approximately 27 feet to the property line to the east, and approximately 115 feet to the property line to the north.
5. 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 952 square feet in size.

2. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-044, for the commercial structure.
3. The commercial structure is in full compliance with the applicable State of Alaska fire code.
4. The proposed use accesses E. Blue Lupine Drive from an existing, State of Alaska permitted driveway.
5. East Blue Lupine is considered a collector and has many different uses on its frontage, including residential, commercial, and industrial.
6. There are multiple commercial businesses in the surrounding area such as, but not limited to, a Harley Davidson Dealership, a fire suppression and prevention business, and an animal daycare.
7. The closest residential structure is located to the southeast and is approximately 115 feet away from the proposed use.
8. According to the application material, the proposed use is located approximately 60 feet from the E. Blue Lupine Drive right-of-way to the west and south, approximately 27 feet to the property line to the east, and approximately 115 feet to the property line to the north.
9. The structure meets all applicable setback requirements required by MSB 17.55 – Setbacks and Screening Easements.
10. The proposed hours of operation are 8:00 a.m. until 12:00 a.m., daily
11. Consumption of marijuana is prohibited at the site.
12. 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 (Machetanz Elementary School) is approximately 6,800 feet away from the use.

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

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

- (1) all applicable licenses have been obtained as required by 3 AAC 306.005.*

Findings of Fact:

1. On January 24, 2020 at the State of Alaska Marijuana Control Board meeting, the Board voted to approve MCC Flight Retail Marijuana Store License #23122 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 #2020-044, 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 #2020-044.

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 E. Blue Lupine Drive from an existing, State of Alaska permitted driveway.
2. East Blue Lupine is considered a collector and has many different uses on its frontage, including residential, commercial, and industrial.
3. There are multiple commercial businesses in the surrounding area such as, but not limited to, a Harley Davidson Dealership, a fire suppression and prevention business, and an animal daycare.
4. The majority of the uses situated on E. Blue Lupine Drive are commercial in nature.
5. The proposed operating hours are 8:00 a.m. until 12:00 a.m., daily.

6. According to the application material, the proposed use is located approximately 60 feet from the E. Blue Lupine Drive right-of-way to the west and south, approximately 27 feet to the property line to the east, and approximately 115 feet to the property line to the north.
7. The closest residential structure is located to the southeast and is approximately 115 feet away 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 952 square feet in size.
2. A marijuana retail facility 952 square feet in size is required to provide three parking spaces with one ADA compliant space.
3. Four (4) 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 952 square feet in size is required to provide three 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. Four (4) customer parking spaces will be provided.
4. According to the site plan, one van accessible parking space, 11 feet wide with a five-foot wide parking isle is being provided.

Discussion: The site plan indicates an ADA compliant parking space and three (3) additional parking spaces with painted parking stalls will provide the required parking for the use. The parking area has yet to be paint. Staff recommends a condition requiring that the parking stalls be painted as indicated in the site plan, and compliant with current ADA guidelines, within one year of the date of decision.

Conclusion of Law: Based on the above findings, the proposed use with conditions, 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, 952 square feet in size, at 5675 E. Blue Lupine Drive (Tax ID# 1807B01L011). 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 parking area and parking stalls shall be painted, and shall be compliant with the current ADA guidelines, within one year of the date of decision.
5. The hours of operation shall not exceed 8:00 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 modification, findings for denial must be prepared by the Commission.

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Photos taken by Joe Metzger,
MSB Planner, during a May 13,
2020 Site Visit



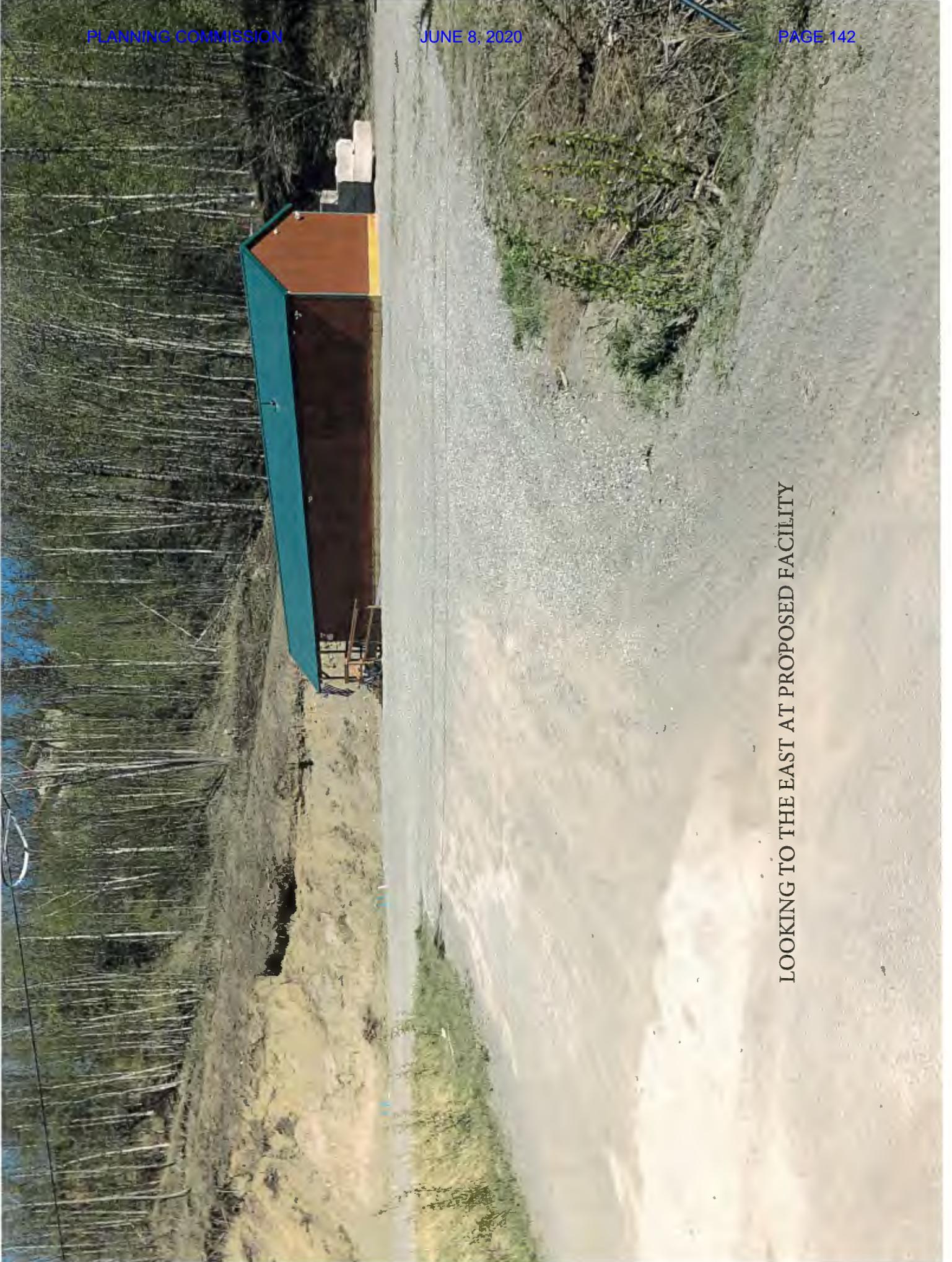
DRIVEWAY ENTRANCE LOOKING TO THE WEST



LOOKING TO THE SOUTH FROM DRIVEWAY ENTRANCE



LOOKING TO THE NORTHWEST FROM DRIVEWAY ENTRANCE



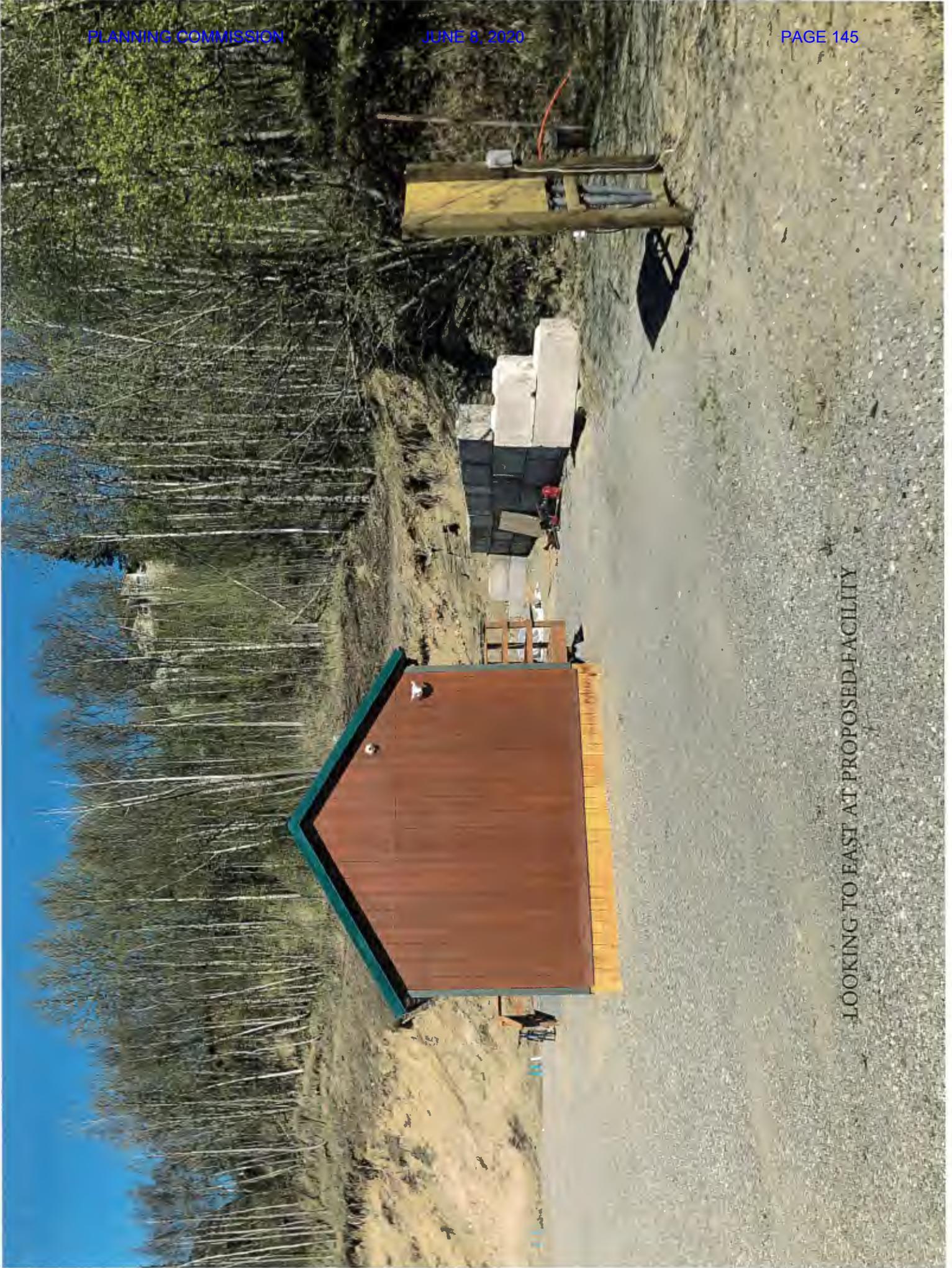
LOOKING TO THE EAST AT PROPOSED FACILITY



LOOKING TO THE EAST AT PROPOSED FACILITY



CLOSEST RESIDENTIAL STRUCTURE LOCATED TO SOUTHEAST FROM USE



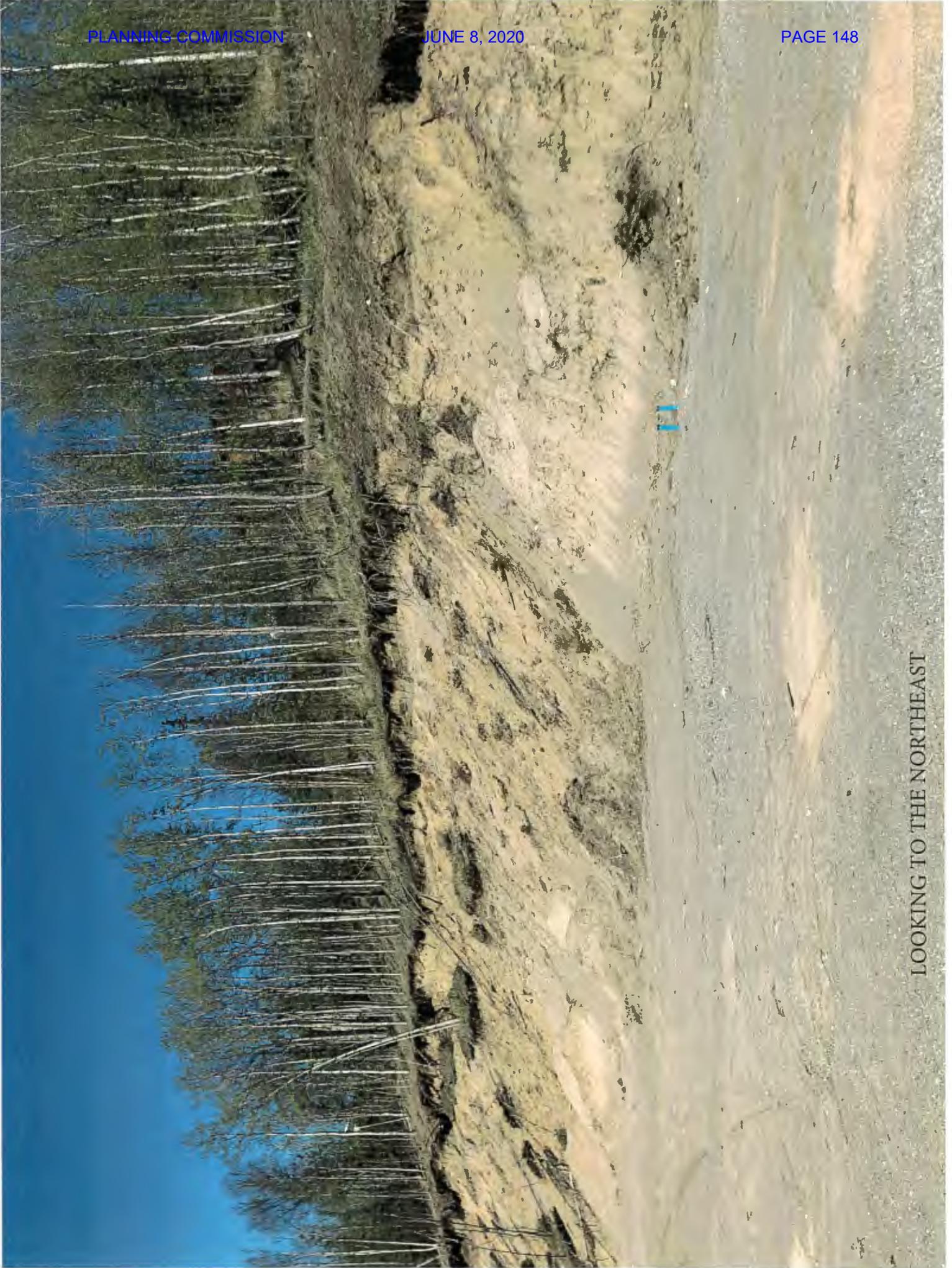
LOOKING TO EAST AT PROPOSED FACILITY



LOOKING TO THE NORTH FROM PARKING LOT



ENTRANCE TO PROPOSED FACILITY



LOOKING TO THE NORTHEAST



PROPOSED SHOWROOM



PROPOSED SHOWROOM



Trip Generation Manual

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

SEPTEMBER 2017

INSTITUTE OF TRANSPORTATION ENGINEERS

Land Use: 882 Marijuana Dispensary

Description

A marijuana dispensary is a standalone facility where cannabis is sold to patients or consumers in a legal manner.

Additional Data

Time-of-day distribution data for this land use for a weekday and Saturday are presented in Appendix A. For the four general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 11:45 a.m. and 12:45 p.m. and 5:45 and 6:45 p.m., respectively.

The sites were surveyed in the 2010s in Colorado and Oregon.

Source Numbers

867, 893, 919

Marijuana Dispensary (882)

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

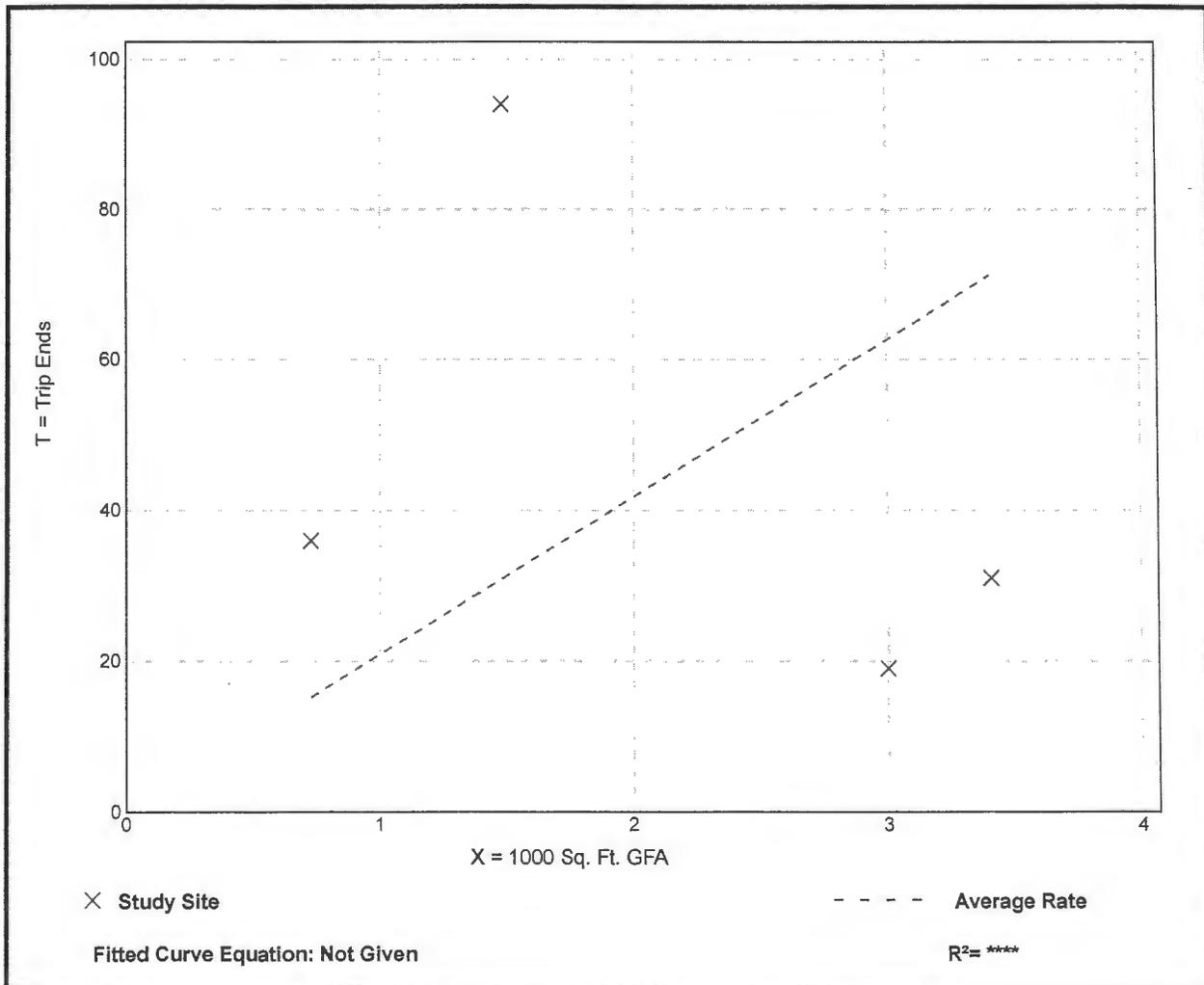
Setting/Location: General Urban/Suburban
 Number of Studies: 4
 1000 Sq. Ft. GFA: 2
 Directional Distribution: 52% entering, 48% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
20.88	6.33 - 63.51	26.07

Data Plot and Equation

Caution – Small Sample Size



Marijuana Dispensary (882)

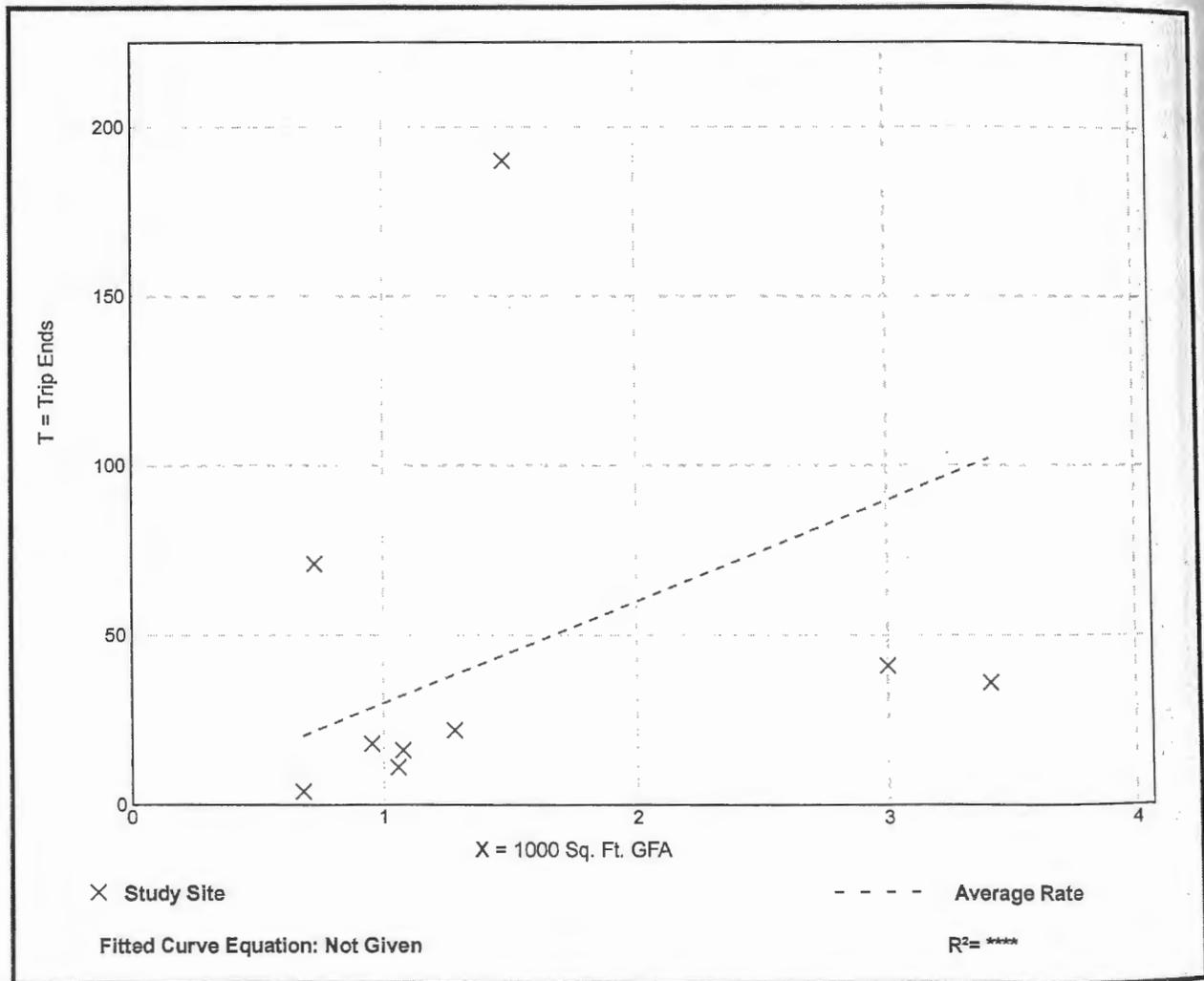
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban
Number of Studies: 9
1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
29.93	5.88 - 128.38	41.69

Data Plot and Equation



Marijuana Dispensary (882)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Saturday

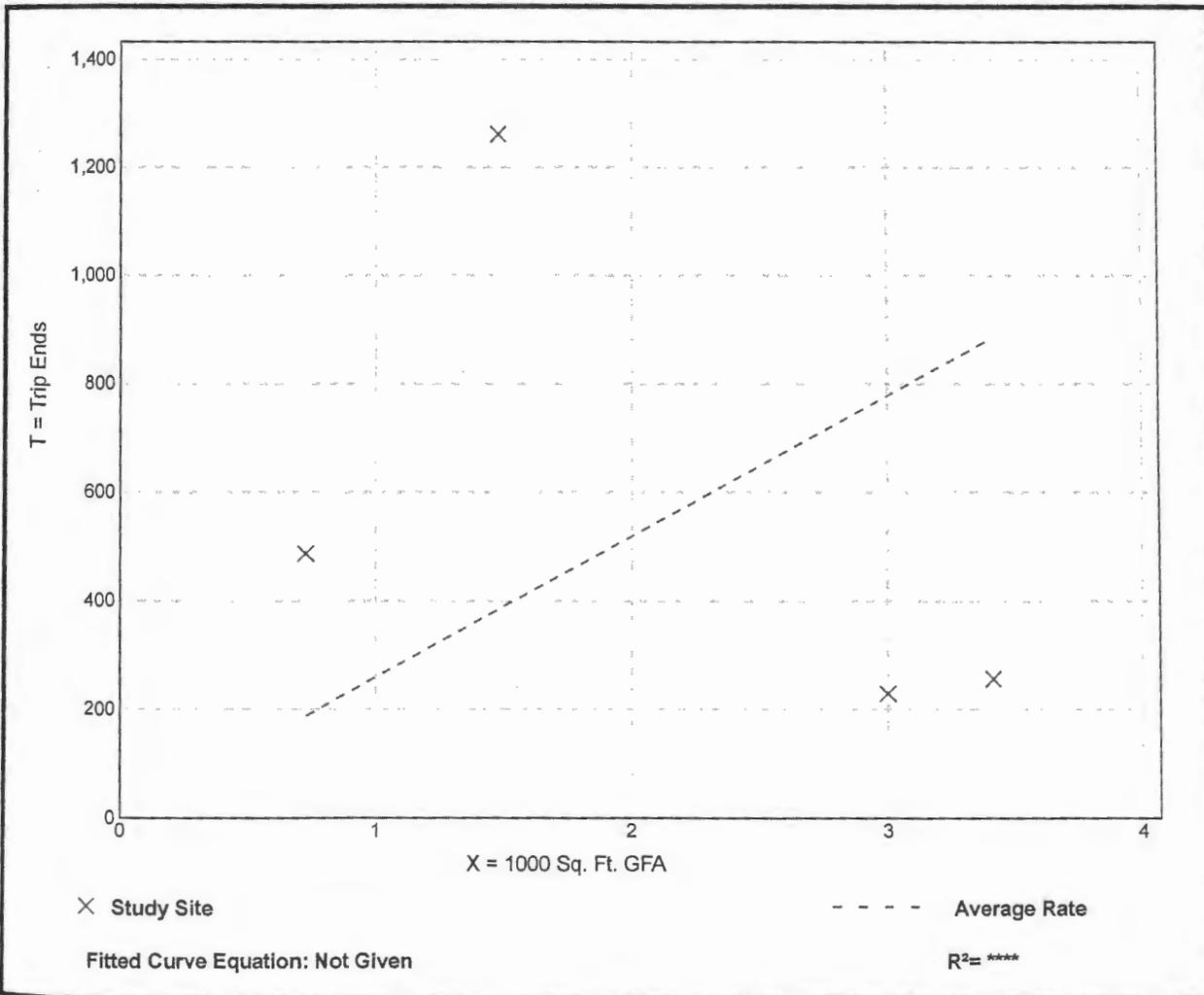
Setting/Location: General Urban/Suburban
Number of Studies: 4
1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
259.31	75.34 - 852.03	364.24

Data Plot and Equation

Caution – Small Sample Size



Marijuana Dispensary (882)

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

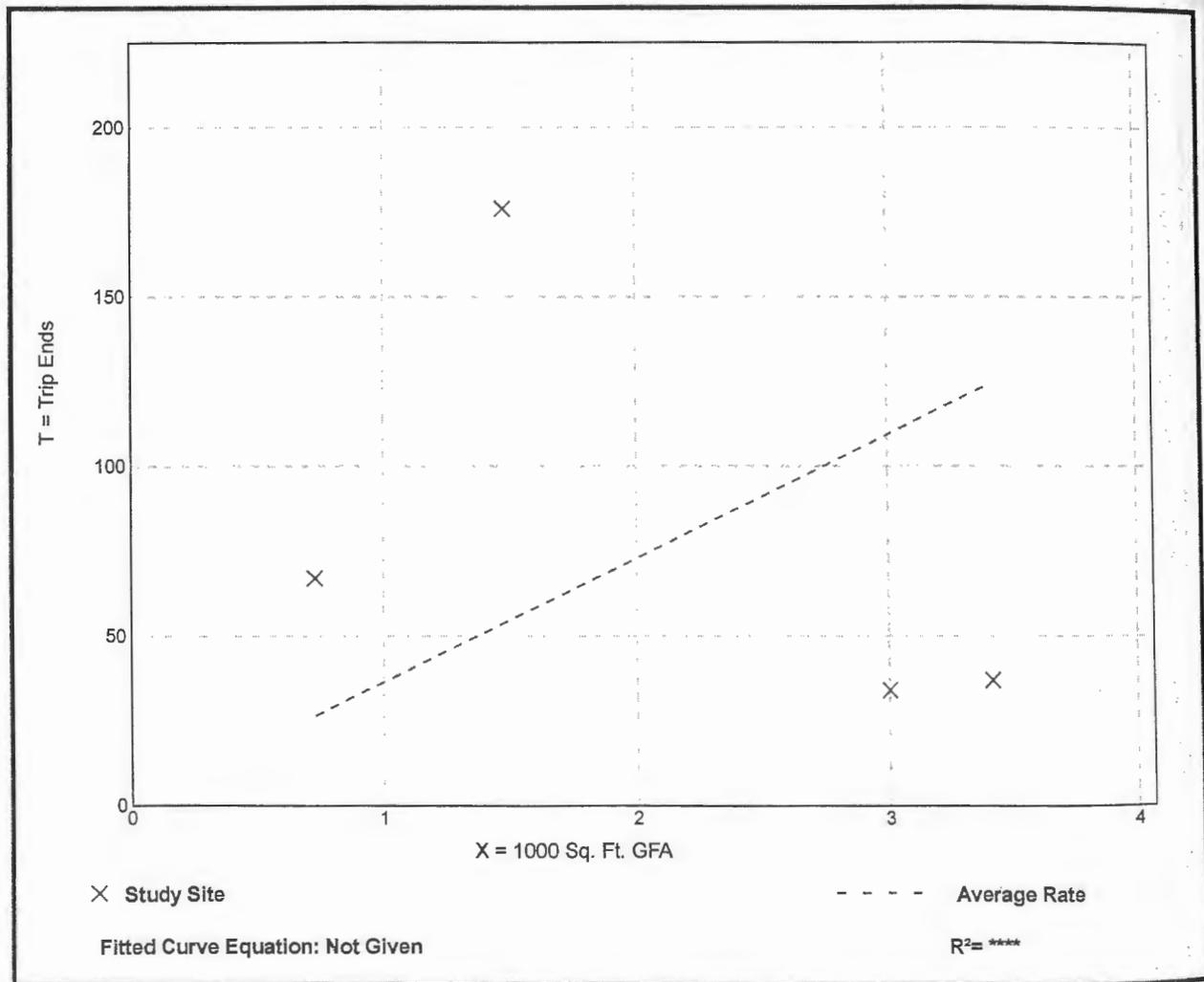
Setting/Location: General Urban/Suburban
Number of Studies: 4
1000 Sq. Ft. GFA: 2
Directional Distribution: Not Available

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
36.43	10.85 - 118.92	50.44

Data Plot and Equation

Caution – Small Sample Size



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MATANUSKA-SUSITNA BOROUGH

Real Property Detail for Account: 1807B01L011

Site Information

Account Number	1807B01L011	Subdivision	TWINOOK
Parcel ID	19746	City	None
TRS	S17N01E17	Map WA10	Tax Map
Abbreviated Description (Not for Conveyance)	TWINOOK BLOCK 1 LOT 11		

Site Address	5675 E BLUE LUPINE DR		
Ownership	RAGSDALE CHAD		
Primary Owner's Address	2490 S PADDOCK DR WASILLA AK 99654	Buyers	Primary Buyer's Address

Appraisal Information

Appraisal				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed ¹
2019	\$117,300.00	\$3,500.00	\$120,800.00	2019	\$117,300.00	\$3,500.00	\$120,800.00
2018	\$117,300.00	\$3,500.00	\$120,800.00	2018	\$117,300.00	\$3,500.00	\$120,800.00
2017	\$117,300.00	\$3,500.00	\$120,800.00	2017	\$117,300.00	\$3,500.00	\$120,800.00

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	0006	15.889	\$1919.39	8/9/2019	QUITCLAIM DEED (ALL TYPE)	Palmer 2019-017024-0
2018	Yes	0006	15.809	\$1909.72	5/31/2019	WARRANTY DEED (ALL TYPES)	Palmer 2019-010873-0
2017	Yes	0006	15.81	\$1909.85	5/1/2015	PERSONAL REPRESENTATIVE	Palmer 2015-008445-0

Tax Account Status ²

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total	LID Exists
Current	\$959.69		\$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
1.92	1.92	Assembly District 002	11-085	130 Central Mat-Su	009 Midway 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: 11/27/2019 12:00:18 AM

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Matanuska-Susitna Borough



- Legend**
- Road Mileposts
 - Roads**
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - - Primitive Road
 - - Private Road
 - + Alaska Railroad
 - ▭ Mat-Su Borough Boundary
 - ▭ Incorporated Cities
 - - - Government Lot Lines
 - ▭ Parcels
 - ▭ Lakes and Rivers
 - Streams
 - ▭ Section Lines
 - ▭ Flood Zone

1: 2,257



WGS_1984_Web_Mercator_Auxiliary_Sphere
© Matanuska-Susitna Borough

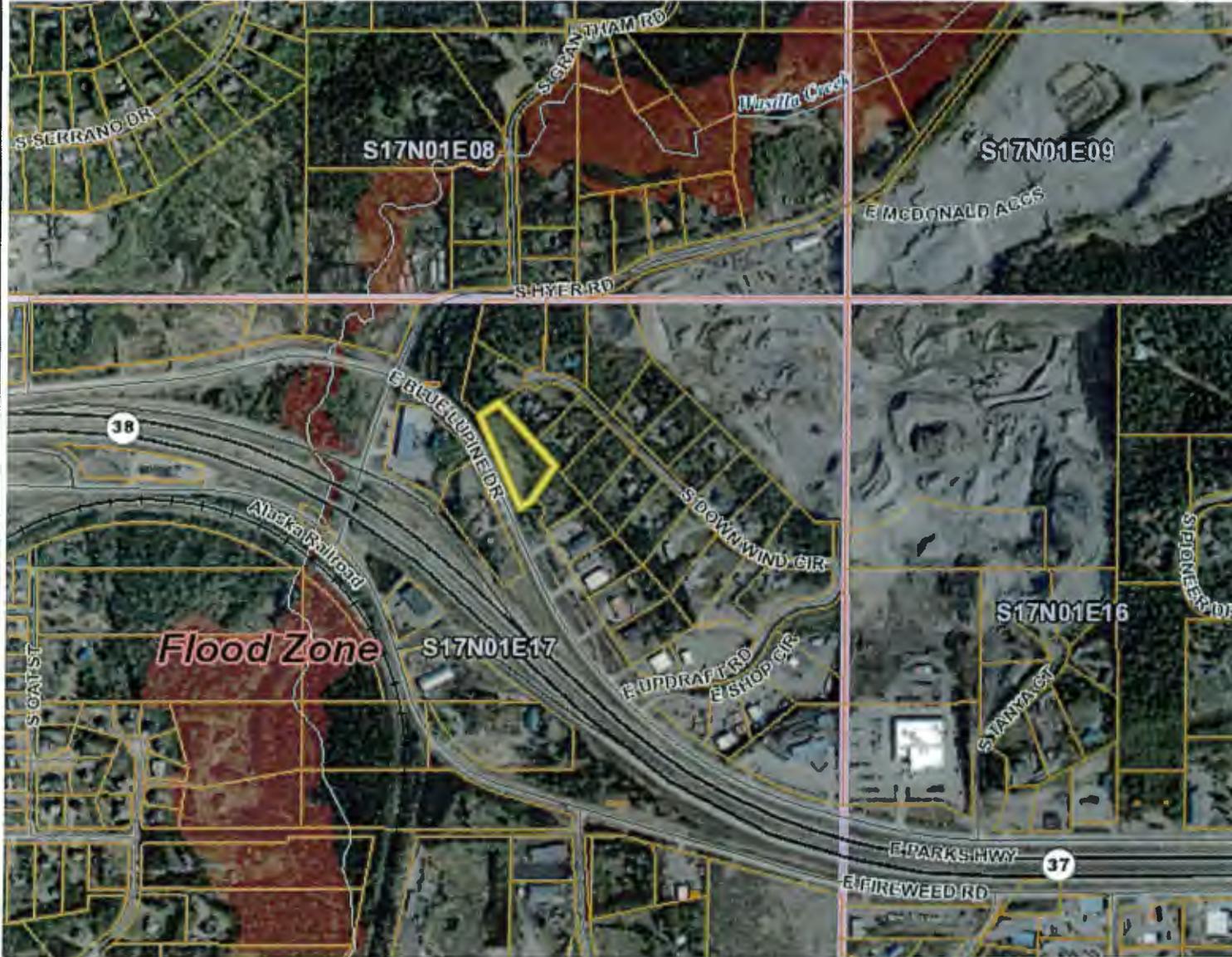
Reported on 11/27/2019 04:54 PM

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Notes
This map was automatically generated using Geocortex Essentials.



Matanuska-Susitna Borough



- Legend**
- Road Mileposts
 - Roads**
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - - Primitive Road
 - - Private Road
 - + Alaska Railroad
 - ▭ Mat-Su Borough Boundary
 - ▭ Incorporated Cities
 - - Government Lot Lines
 - ▭ Parcels
 - ▭ Lakes and Rivers
 - Streams
 - ▭ Section Lines
 - ▭ Flood Zone

1: 18,056



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Reported on 11/27/2019 04:55 PM

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Notes
This map was automatically generated using Geocortex Essentials.

Accounts Payable

MAR 09 2020

Received

Frontiersman
Growing with the Valley since 1947.

5751 E. MAYFLOWER CT.
Wasilla, AK 99654

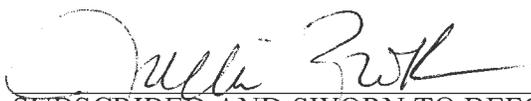
(907) 352-2250 ph
(907) 352-2277 fax

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:

02/12/2020

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


SUBSCRIBED AND SWORN TO BEFORE ME
THIS 4th DAY OF February, 2020.


NOTARY PUBLIC FOR STATE OF ALASKA

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

MAT-SU BOROUGH/PAGE
2.12
ACCOUNT NUMBER 405249



Certificate of Bulk Mailing – Domestic

Fee for Certificate

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

For each additional 1,000 pieces, or fraction thereof

Duplicate Copy

Use
Current
Price List
(Notice 123)

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



Acceptance employee must be affixed (by round-date) at the:

If payment of total fee due is being paid by Permit Imprint, include the *PostalOne!*[®] Transaction Number here: _____

Number of Identical Weight Pieces 19	Class of Mail 1st	Postage for Each Mailpiece Paid <input type="checkbox"/> Verified	Number of Pieces to the Pound 96
--	-----------------------------	--	--

Total Number of Pounds 6.902	Total Postage Paid for Mailpieces 9.50	Fee Paid 8.55
--	--	-------------------------

Mailed For Dev. Services	Mailed By N. V. H.
------------------------------------	------------------------------

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.

Dev. Services
(Postmaster or Designee)



51807B01L004 1
 ADAMS L GARY & BARBARA J
 1361 S DOWN WIND CIR
 PALMER AK 99645-8455

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 ALASKA SALES & SVC INC
 PO BOX 202001
 ANCHORAGE, AK 99520-2001

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 ARCTIC DOGS LLC
 PO BOX 876848
 WASILLA AK 99687-6848

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 CHURCH ARTHUR A& YVONNE C
 1430 S DOWN WIND CIR
 PALMER, AK 99645

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 FOSTER VERN S & ALICE MAE TRES
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 CHUGIAK AK 99567-1861

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 H & H INVESTMENTS LLC
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 SAN TAN VALLEY AZ 85140

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 PALMER AK 99645-8455

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 MORRIS ROGER L & DIANE L TRES
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 PAGE DANIELLE PATRICIA
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 PERRY DAVID P & JUNE A
 % KUSTOM KITCHEN & DESIGN
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 PALMER, AK 99645

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 KALMBACH INC PRUHS J DANA
 % PRUHS CORP
 2193 VIKING DR
 ANCHORAGE, AK 99501

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 WASILLA, AK 99687-6597

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 9531 W SKYVIEW DR
 WASILLA AK 99623

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 ANCHORAGE AK 99516-4919

51807B01L003 17
 REEVES S & B LVG TR
 REEVES SHAWN V & BECKY A TRES
 5601 RICKY RD
 ANCHORAGE AK 99516-4919

57076B01L021B-1 18
 SD HOLDINGS LLC
 PO BOX 3724
 PALMER AK 99645

19
 GATEWAY COMMUNITY COUNCIL
 PO BOX 578
 PALMER, AK 99645

tara0609
 19
 2/10/2020 9:48:09 AM

Joseph Metzger

From: Joseph Metzger
Sent: Thursday, February 13, 2020 7:16 AM
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; 'stephanieNowersDistrict2@gmail.com'; 'gatewaycommunitycouncil@gmail.com'
Subject: RFC MCC Flight Marijuana Retail Due March 9

MEMORANDUM

Date: February 13, 2020
To: Various Governmental Agencies
From: Joe Metzger, Planner II
Subject: Request for Review and Comments Governmental Agencies
Project: Conditional Use Permit for a marijuana retail facility
Location: 5675 E. Blue Lupine Drive (Tax ID# 1807B01L011);
within Township 17 North, Range 1 East, Section 17, Seward Meridian
Applicant: Chad Ragsdale, on behalf of MCC Flight

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility. The Planning Commission will conduct a public hearing for this request on April 6, 2020.

Application material 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/mcc-flight-marijuana-retail-facility-conditional-use-permit>

Comments are due on or before **March 9, 2020** 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

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

tara0609
19
2/10/2020 9:48:09 AM

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

- Applications:** Conditional Use Permits for a marijuana retail facility
- MSB Code Section:** MSB 17.60 – Conditional Uses
- Applicant:** Chad Ragsdale, on behalf of MCC Flight
- Location:** 5675 E. Blue Lupine Drive (Tax ID#1807B01L011);
within Township 17 North, Range 1 East, Section 17, Seward Meridian
- Request:** An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility.

The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **April 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 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. 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 material may be viewed online at: www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to: 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 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 **March 9, 2020** 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

51807B01L004 1
 ADAMS L GARY & BARBARA J
 1361 S DOWN WIND CIR
 PALMER AK 99645-8455

57964000L002 2
 ALASKA SALES & SVC INC
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 PO BOX 876848
 WASILLA AK 99687-6848

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 SD HOLDINGS LLC
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Applications: Conditional Use Permits for a marijuana retail facility
MSB Code Section: MSB 17.60 – Conditional Uses
Applicant: Chad Ragsdale, on behalf of MCC Flight
Location: 5675 E. Blue Lupine Drive (Tax ID#1807B01L011);
within Township 17 North, Range 1 East, Section 17, Seward Meridian
Request: An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility.

The public hearing for the Conditional Use Permit request detailed above and originally scheduled to be held April 6, 2020, was canceled.

The new public hearing date for this request is June 8, 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.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough website. The public is encouraged to check the Borough website prior to attending the public hearing for any changes to the meeting schedule or method.**

The public may provide verbal testimony in person at the meeting or telephonically by calling 1-833-949-2500. Once you call in, you will be asked by the call-in studio moderator to provide your name, phone number, address, and what case you would like to speak on. When it is your turn to speak under public testimony, you will be unmuted by the studio moderator. You will be muted until the case you wish to speak on is presented. Once you are unmuted please state your name for the record, and provide your comments. You have 3 minutes to state your concerns & comments. This is not a question and answer session. This is only for stating your concerns and comments.

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. 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 material may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to: 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 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.

Note: Vicinity Map Located on Reverse Side

51807B01L004 1
ADAMS L GARY & BARBARA J
1361 S DOWN WIND CIR
PALMER AK 99645-8455

51807B01L010 4
BIESSEL WAYNE & SANDRA C
STE 2-144
3060 N LAZY EIGHT CT
WASILLA AK 99654

51807B01L008 7
DESJARLAIS MARK T
DESJARLAIS LEAH J
1231 S DOWN WIND CIR
PALMER AK 99645-8487

51422B01L001 10
GROW MONTE D & JANET V
1155 S GRANTHAM RD
WASILLA AK 99654-7877

51807B01L012 13
JOHNSON KYLER H & KARA A
1230 S DOWN WIND CIR
PALMER AK 99645

51807B01L011 16
RAGSDALE CHAD
2490 S PADDOCK DR
WASILLA AK 99654

51807000T00D 19
ROCK IN MOTION LLC
PO BOX 876391
WASILLA AK 99687-6391

51807B01L006 22
TIDEMAN CHRISTOPHER P
3851 FURROW CREEK RD
ANCHORAGE AK 99516

51807000T00B 2
ALASKA STATE OF
DEPT OF TRANS & PUB FAC
PO BOX 196900
ANCHORAGE, AK 99519-9600

51807B01L025 5
COOK INLET PROPERTIES LLC
6514 GREENWOOD ST
ANCHORAGE, AK 99518

51422B02L004 8
EDGREN HEATHER R CRAVEY
1150 S GRANTHAM RD
WASILLA, AK 99654

51807B01L024 11
H & H INVESTMENTS LLC
40995 N KENWORTHY RD
SAN TAN VALLEY AZ 85140

51807B01L016 14
LONGACRE CHRISTOPHER W & RACHEL L
1360 S DOWN WIND CIR
PALMER AK 99645-8455

51807B01L014 17
ROBERTS AMY
ROBERTS COREY
PO BOX 876154
WASILLA AK 99687-6154

51807B01L015 20
SMITH CHADWELL B & CARRIE
CUNNINGHAM JASON A
1340 E DOWN WIND CIR
PALMER, AK 99645

23
GATEWAY COMMUNITY COUNCIL
PO BOX 578
PALMER, AK 99645

51807B01L023 3
ARCTIC DOGS LLC
PO BOX 876848
WASILLA AK 99687-6848

51807B01L026 6
CORNELIUS TAMIA
PO BOX 876128
WASILLA AK 99687-6128

51807B01L005 9
GREENUP PATRICK J & GWEN M
1331 S DOWN WIND CIR
PALMER AK 99645-8455

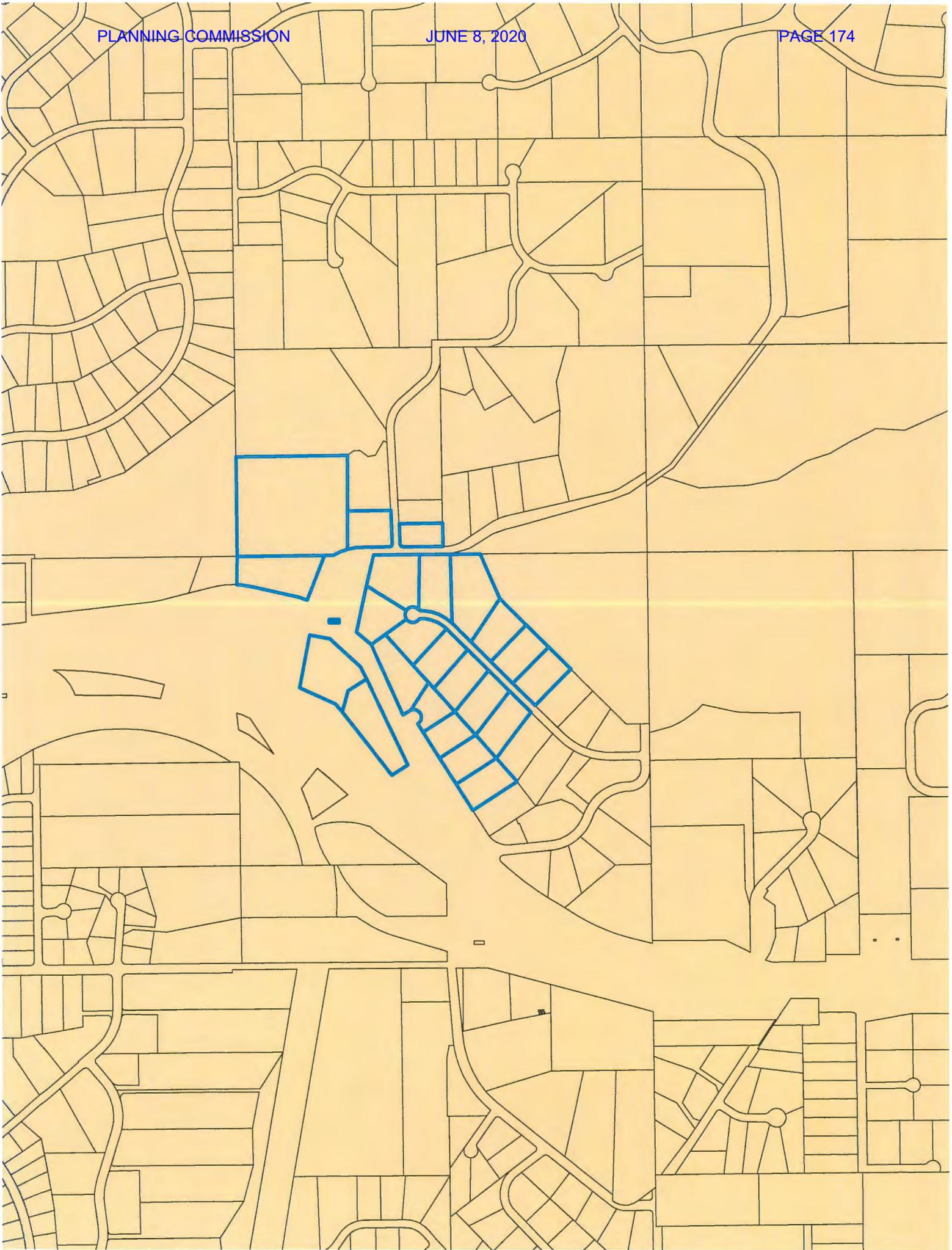
51807000T00C 12
IDIA LLC
13145 HILLSIDE DR
ANCHORAGE AK 99516

51422B02L005 15
OATHOUT MARK A & SHARMIN
PO BOX 872636
WASILLA, AK 99687-2636

51807B01L013 18
ROBERTS COREY G & AMY L
PO BOX 876154
WASILLA AK 99687-6154

51807B01L009 21
STRUNK MICHAEL W & MARY P
PO BOX 671650
CHUGIAK, AK 99567-1650

tara0609
23
5/20/2020 8:44:17 AM



Owner Listing

Page 1

Owner Name & Address	As Of Date	Tax Map Number
OATHOUT MARK & SHARMIN PO BOX 872636 WASILLA AK 99687-2636	12/10/2018 <i>Location</i>	117N01E17A008 1418 S HYER RD
GROW MONTE D & JANET V 1155 S GRANTHAM RD WASILLA AK 99654-7877	1/1/2000 <i>Location</i>	51422B01L001 1155 S GRANTHAM RD
EDGREN HEATHER R CRAVEY 1150 S GRANTHAM RD WASILLA, AK 99654	1/1/2000 <i>Location</i>	51422B02L004 1150 S GRANTHAM RD
OATHOUT MARK A & SHARMIN PO BOX 872636 WASILLA, AK 99687-2636	8/2/2017 <i>Location</i>	51422B02L005 1346 S HYER RD
ALASKA STATE OF DEPT OF TRANS & PUB FAC PO BOX 196900 ANCHORAGE, AK 99519-9600	1/1/2001 <i>Location</i>	51807000T00B No Address
IDIA LLC 13145 HILLSIDE DR ANCHORAGE AK 99516	5/16/2018 <i>Location</i>	51807000T00C 1497 S HYER RD
ROCK IN MOTION LLC PO BOX 876391 WASILLA AK 99687-6391	7/14/2017 <i>Location</i>	51807000T00D 5740 E BLUE LUPINE DR
ADAMS L GARY & BARBARA J 1361 S DOWN WIND CIR PALMER AK 99645-8455	1/1/2007 <i>Location</i>	51807B01L004 1361 S DOWN WIND CIR
GREENUP PATRICK J & GWEN M 1331 S DOWN WIND CIR PALMER AK 99645-8455	5/6/2013 <i>Location</i>	51807B01L005 1331 S DOWN WIND CIR
TIDEMAN CHRISTOPHER P 3851 FURROW CREEK RD ANCHORAGE AK 99516	11/2/2018 <i>Location</i>	51807B01L006 1301 S DOWN WIND CIR
DESJARLAIS MARK T DESJARLAIS LEAH J 1231 S DOWN WIND CIR PALMER AK 99645-8487	7/6/2012 <i>Location</i>	51807B01L007 1261 S DOWN WIND CIR
DESJARLAIS MARK T DESJARLAIS LEAH J 1231 S DOWN WIND CIR PALMER AK 99645-8487	9/27/2012 <i>Location</i>	51807B01L008 1231 S DOWN WIND CIR

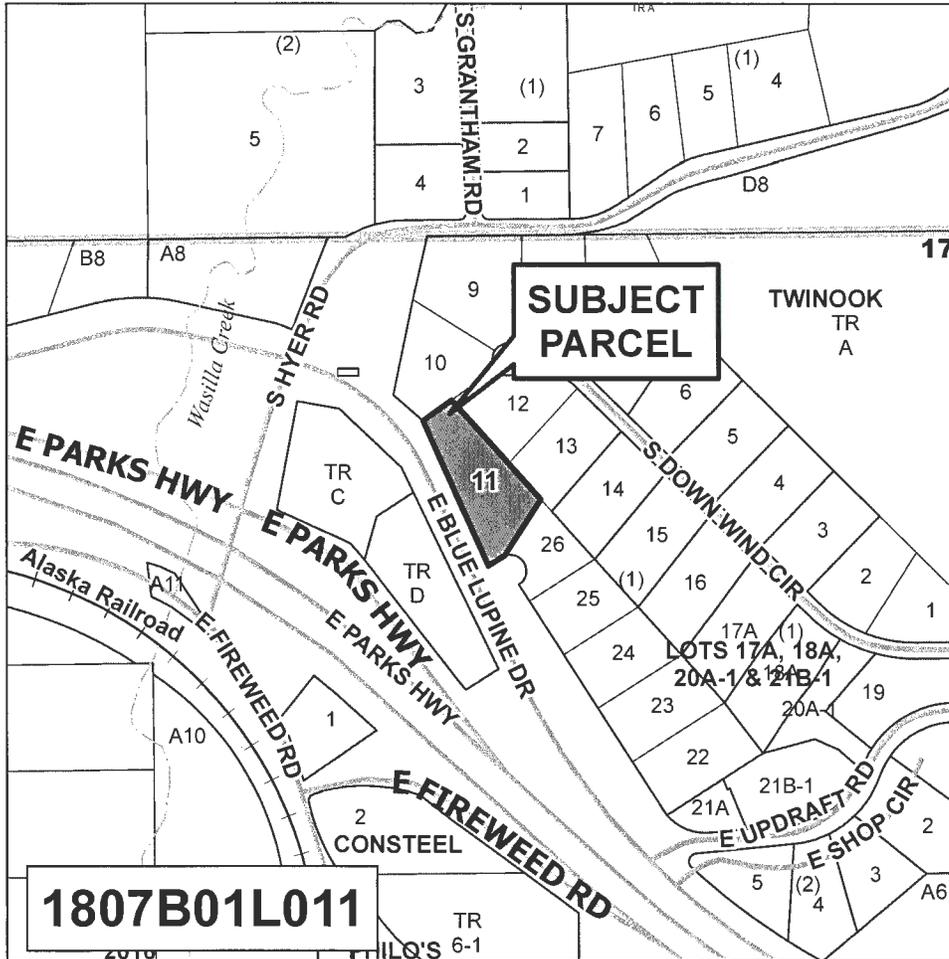
Owner Listing

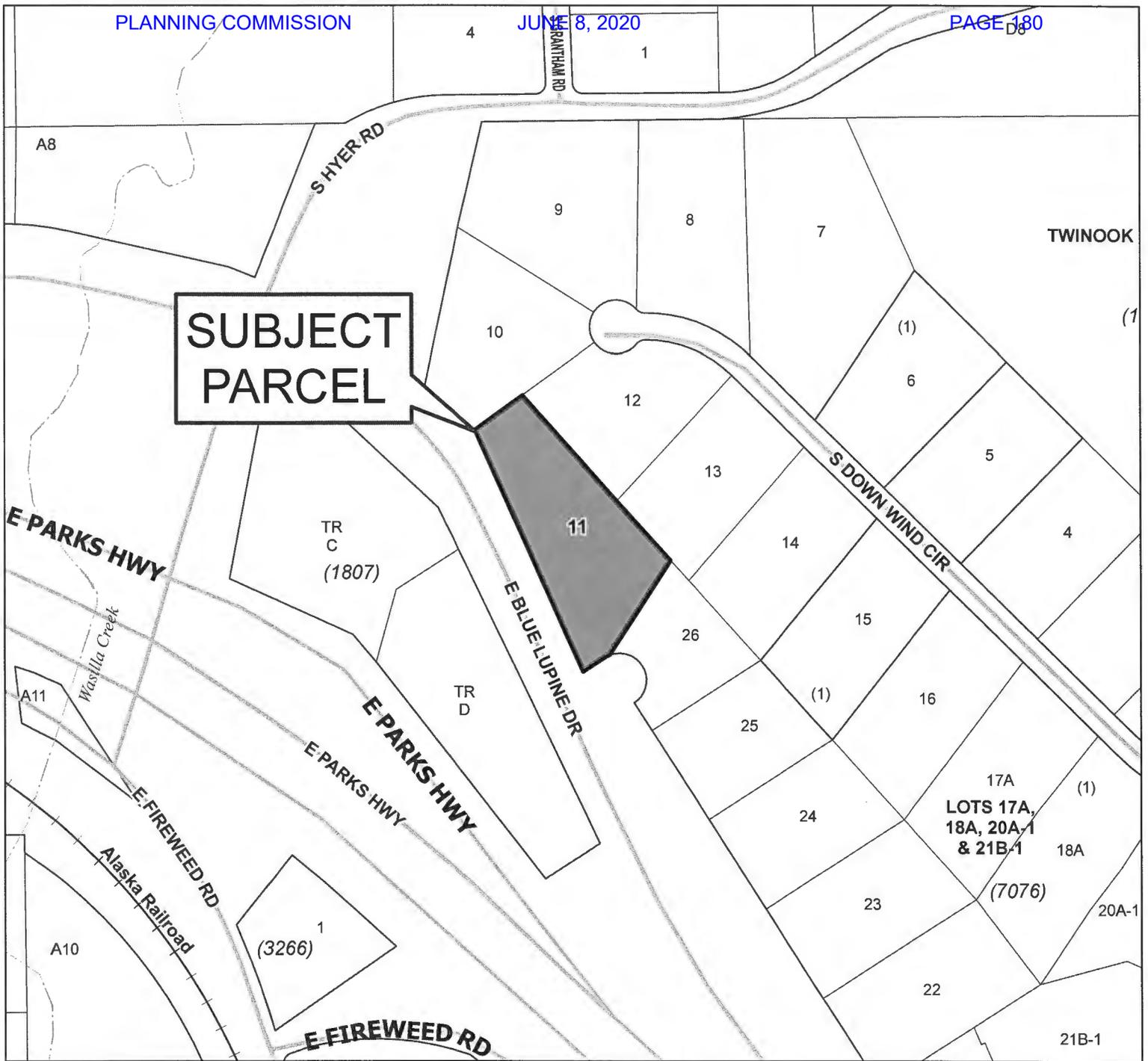
Owner Name & Address	As Of Date	Tax Map Number
STRUNK MICHAEL W & MARY P PO BOX 671650 CHUGIAK, AK 99567-1650	1/1/2003 <i>Location</i>	51807B01L009 1205 S DOWN WIND CIR
BIESSEL WAYNE & SANDRA C STE 2-144 3060 N LAZY EIGHT CT WASILLA AK 99654	5/15/2019 <i>Location</i>	51807B01L010 1200 S DOWN WIND CIR
RAGSDALE CHAD 2490 S PADDOCK DR WASILLA AK 99654	8/9/2019 <i>Location</i>	51807B01L011 5675 E BLUE LUPINE DR
JOHNSON KYLER H & KARA A 1230 S DOWN WIND CIR PALMER AK 99645	5/31/2017 <i>Location</i>	51807B01L012 1230 S DOWN WIND CIR
ROBERTS COREY G & AMY L PO BOX 876154 WASILLA AK 99687-6154	1/1/2007 <i>Location</i>	51807B01L013 1260 S DOWN WIND CIR
ROBERTS AMY ROBERTS COREY PO BOX 876154 WASILLA AK 99687-6154	7/10/2012 <i>Location</i>	51807B01L014 1300 S DOWN WIND CIR
SMITH CHADWELL B & CARRIE CUNNINGHAM JASON A 1340 E DOWN WIND CIR PALMER, AK 99645	1/1/2007 <i>Location</i>	51807B01L015 1340 S DOWN WIND CIR
LONGACRE CHRISTOPHER W & RACHEL L 1360 S DOWN WIND CIR PALMER AK 99645-8455	4/26/2016 <i>Location</i>	51807B01L016 1360 S DOWN WIND CIR
ARCTIC DOGS LLC PO BOX 876848 WASILLA AK 99687-6848	4/15/2013 <i>Location</i>	51807B01L023 5847 E BLUE LUPINE DR
H & H INVESTMENTS LLC 40995 N KENWORTHY RD SAN TAN VALLEY AZ 85140	1/1/2005 <i>Location</i>	51807B01L024 5801 E BLUE LUPINE DR
COOK INLET PROPERTIES LLC 6514 GREENWOOD ST ANCHORAGE, AK 99518	1/1/2005 <i>Location</i>	51807B01L025 5753 E BLUE LUPINE DR
CORNELIUS TAMIA PO BOX 876128 WASILLA AK 99687-6128	3/31/2017 <i>Location</i>	51807B01L026 5711 E BLUE LUPINE DR

Report Total 24

Page Total 12
V85.000

VICINITY MAP

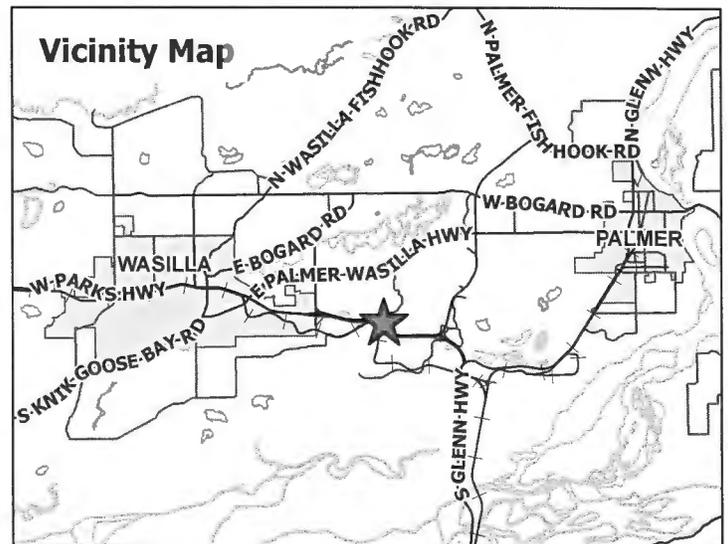




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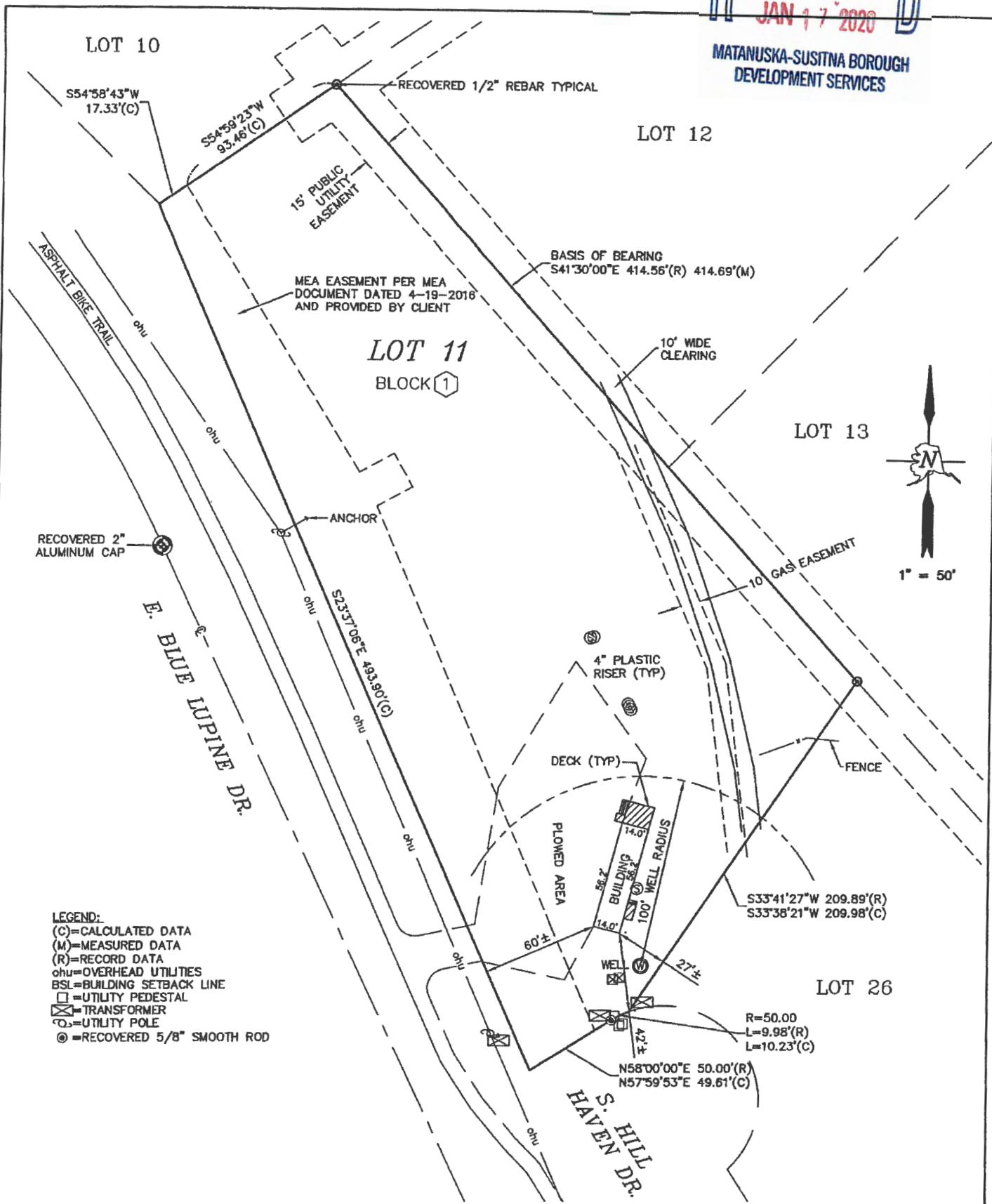
This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding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



SITE PLAN

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MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES



LEGEND:
 (C)=CALCULATED DATA
 (M)=MEASURED DATA
 (R)=RECORD DATA
 ohu=OVERHEAD UTILITIES
 BSL=BUILDING SETBACK LINE
 □=UTILITY PEDESTAL
 ⊠=TRANSFORMER
 ○=UTILITY POLE
 ⊙=RECOVERED 5/8" SMOOTH ROD

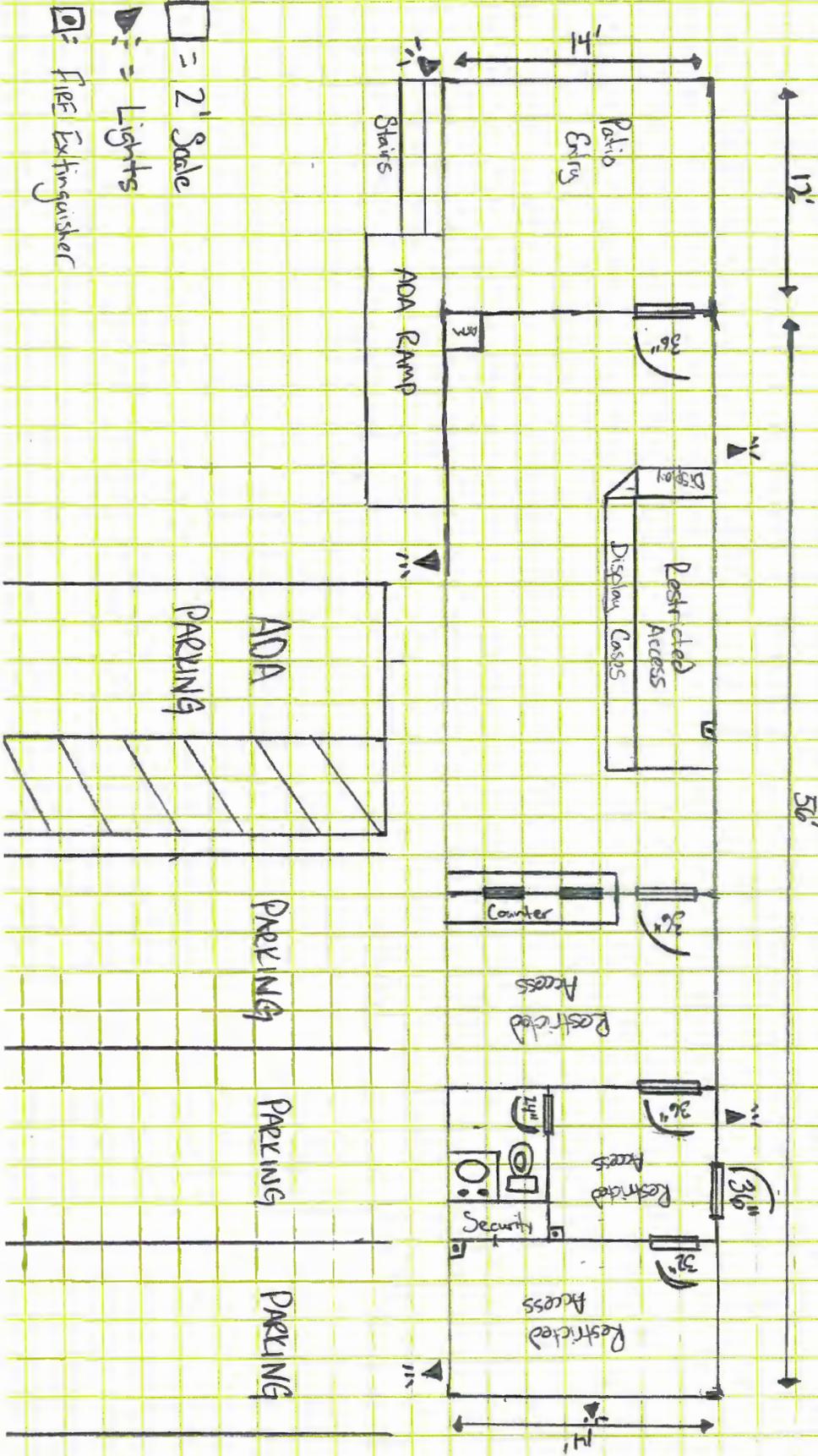
NOTES:
 1. EXCEPTING FOR GROSS NEGLIGENCE, THE LIABILITY FOR THIS SURVEY SHALL NOT EXCEED THE COST OF PREPARING THIS SURVEY.
 2. THIS SURVEY REPRESENTS VISIBLE IMPROVEMENTS & CONDITIONS ON THE DATE OF SURVEY.
 3. THIS DOCUMENT DOES NOT CONSTITUTE A BOUNDARY SURVEY & IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE.
 4. THIS SURVEY PERFORMED FOR CHAD RAGSDALE, IT SHOULD ONLY BE USED FOR A SINGLE PROPERTY TRANSACTION.

EXCLUSION NOTE: IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDMISION PLAT. UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR FOR ESTABLISHING BOUNDARY OR FENCE LINES.

	AS-BUILT 	FARMER SURVEYING 9131 E. FRONTAGE RD. PALMER, ALASKA 99645 PH: (907)745-0222 bob@farmersurveying.com www.farmersurveying.com	
		WO: 1900043 PAGE: 1 of 1 SCALE: 1" = 50'	FB: 20-1 FILE: 1900043AS
I HEREBY CERTIFY THAT A MORTGAGE INSPECTION WAS PERFORMED UNDER MY DIRECTION ON THE FOLLOWING DESCRIBED PROPERTY: TWINOOK SUBDMISION, BLOCK 1, LOT 11, PLAT No. 79-450, PALMER RECORDING DISTRICT, PALMER, ALASKA. SURVEYED ON THE 13th OF JANUARY, 2020. ©2020			

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- ☐ = 2' Scale
- ▽ = Lights
- ☐ = Fire Extinguisher



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 MATANUSKA-SITINA BOROUGH
 DEVELOPMENT SERVICES



5675 E BLUE LUPINE DR
 WASILLA AK 99654

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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: S17, Range: 201, Section: E17, Meridian: Seaward Meridian
 MSB Tax ID# 1807 B 01 L011
 SUBDIVISION: Twinhook BLOCK(S): 1, LOT(S): 11
 STREET ADDRESS: 5675 E Blue Lupine Dr
 FACILITY / BUSINESS NAME: MCC Flight

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

Chad Ragsdale
 Mailing: 2490 S Padlock Dr
Wasilla AK 99654

Mailing: _____

Phone: Hm 360-991-4631 Fax _____

Phone: Hm _____ Fax _____

Wk _____ Cell 360 991 4631

Wk _____ Cell _____

E-mail tokawear@outlook.com

E-mail _____

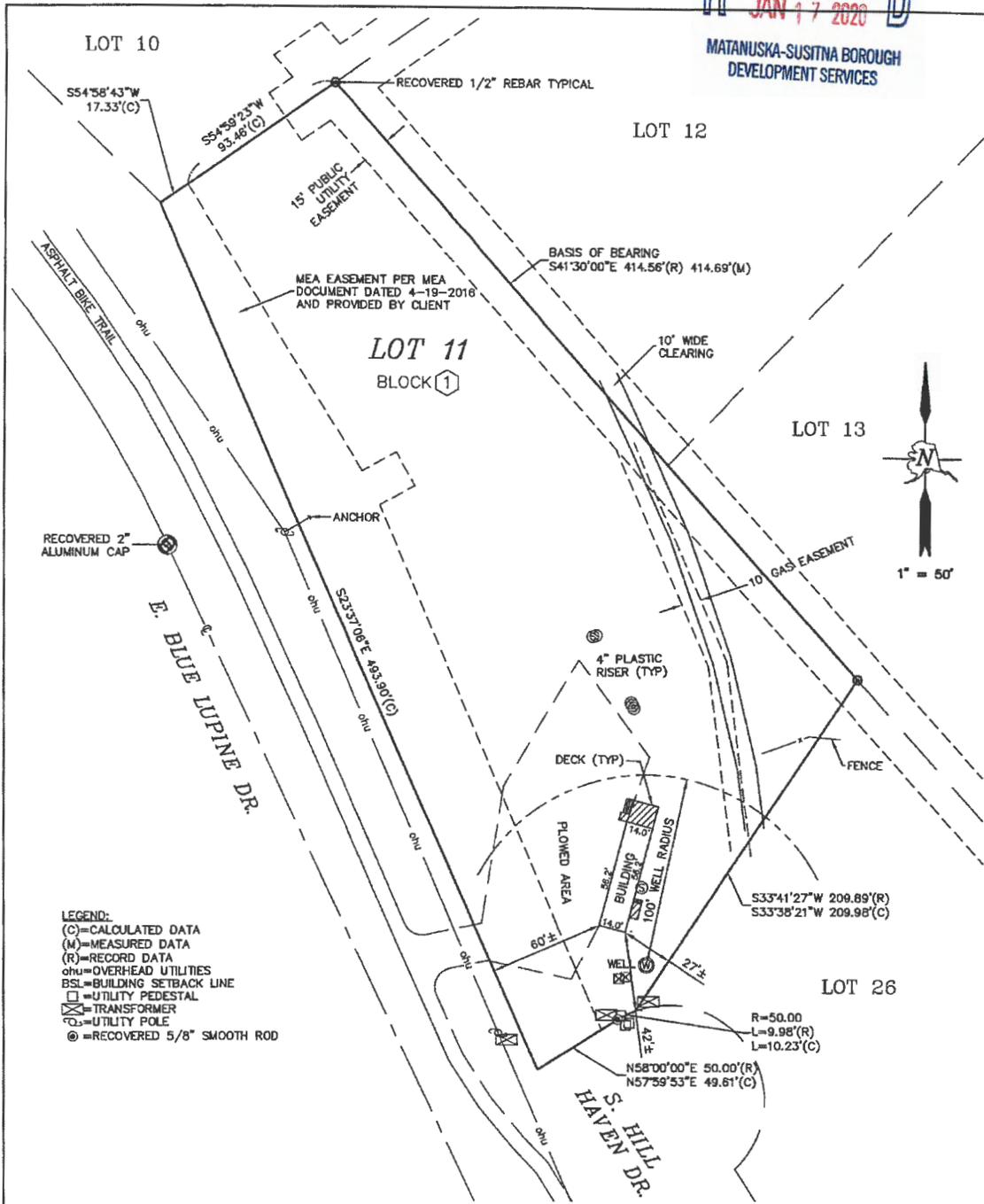
Site Plan – Attach a detailed, to scale, site plan clearly showing the following information:	Attached
Proposed and existing structure(s) on the site. Indicate which structure(s) will be used for the proposed use. Dimensions and locations of all existing and proposed structures on the site in relationship to all property lines.	
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)	

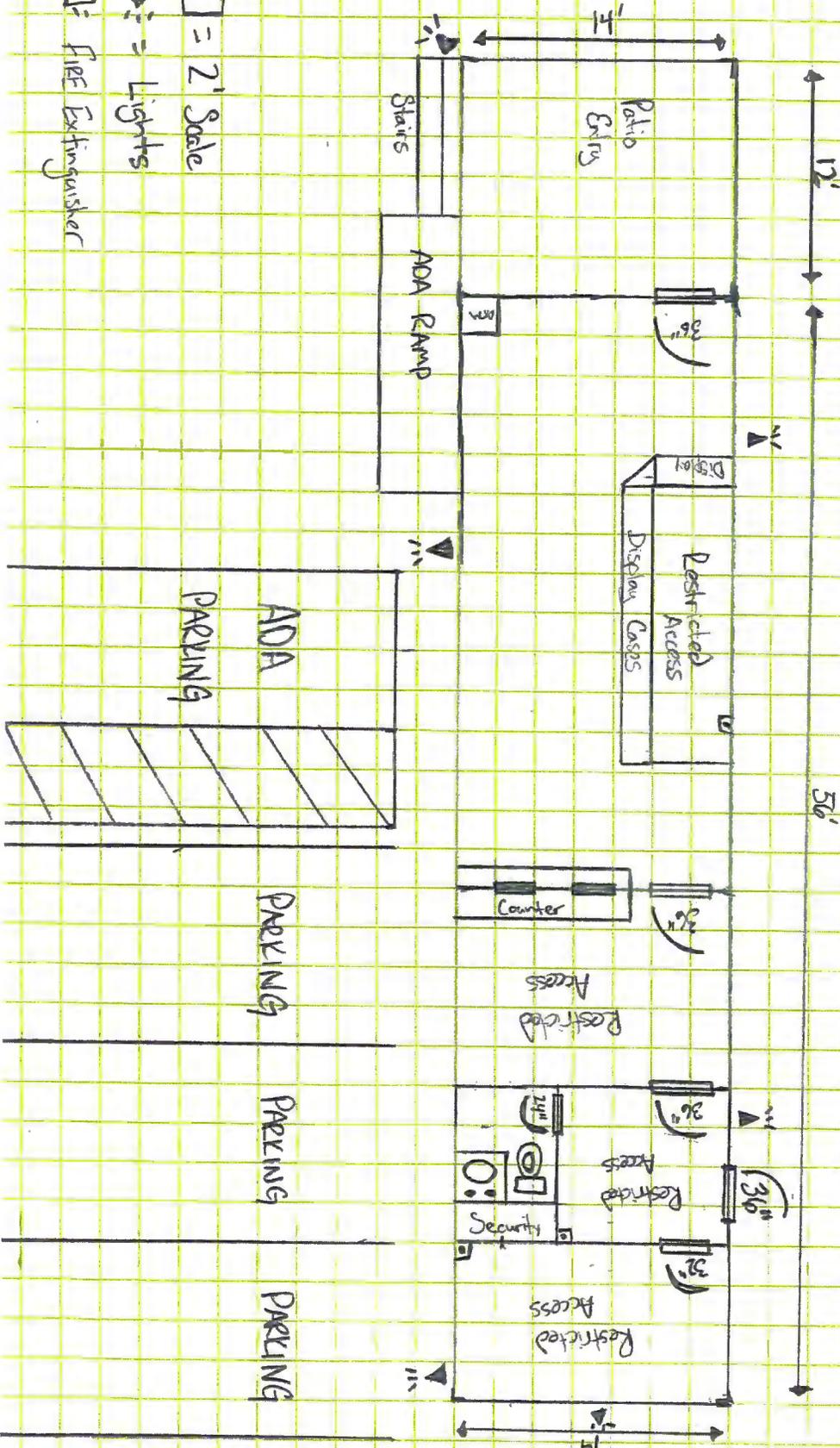
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MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES



		FARMER SURVEYING 9131 E. FRONTAGE RD. PALMER, ALASKA 99645 PH: (907)745-0222 bob@farmersurveying.com www.farmersurveying.com	
		WO: 1900043 PAGE: 1 of 1 SCALE: 1" = 50'	FB: 20-1 FILE: 1900043AS
I HEREBY CERTIFY THAT A MORTGAGE INSPECTION WAS PERFORMED UNDER MY DIRECTION ON THE FOLLOWING DESCRIBED PROPERTY: TWINOOK SUBDIVISION, BLOCK 1, LOT 11, PLAT No. 79-450, PALMER RECORDING DISTRICT, PALMER, ALASKA SURVEYED ON THE 13th of JANUARY, 2020.			

- ☐ = 2' Scale
- ▼ = Lights
- ☐ = Fire Extinguisher



ADA
PARKING

PARKING

PARKING

PARKING



5675 E BLUE LUPINE DR
MANSILLA AK 99654

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 DEVELOPMENT SERVICES

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Matsu Conditional Use Permit for Retail Marijuana Facility - MCC Flight

5675 E Blue Lupine Dr

Wasilla, AK 99654

Borough Tax ID #1807B01L011

AK DOT Driveway Permit #29614

Proposed and existing use structures on site: Attached surveyed map shows our building which will contain the Retail Marijuana Facility and Limited Cultivation Facility. Attached maps also show the inside of the facility. Current setback from E Blue Lupine ROW is +/- 58', SE rear lot line +/- 26'.

Signage Existing and Proposed All signage will meet state requirements as listed under,

3 AAC 306.360. Restriction on advertising of marijuana and marijuana products (a) A retail marijuana store may have not more than three signs, visible to the general public from the public right-of-way, that identify the retail marijuana store by its business name. A sign may be placed in the retail marijuana store's window or attached to the outside of the licensed premises. The size of each sign may not exceed 4,800 square inches. (b) An advertisement for marijuana or a marijuana product may not contain a statement or illustration that (1) is false or misleading; (2) promotes excessive consumption; (3) represents that the use of marijuana has curative or therapeutic effects; (4) depicts a person under 21 years of age consuming marijuana; or (5) includes an object or character, including a toy, a cartoon character, or any other depiction designed to appeal to a person under 21 years of age, that promotes consumption of marijuana. (c) A retail marijuana store may not place an advertisement for marijuana or a marijuana product, except as provided in (a) of this section, (1) within 1,000 feet of the perimeter of any child-centered facility, including a school, a child care facility or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under 21 years of age; on or in a public transit vehicle or public transit shelter; (2) on or in a publicly owned or operated property; (3) within 1,000 feet of a substance abuse or treatment facility; or (4) on a campus for postsecondary education. (d) A retail marijuana store may not use giveaway coupons as 36 promotional materials, or conduct promotional activities such as games or competitions to encourage sale of marijuana or marijuana products.

Location and Dimensions of all Public Access and ROW: Survey map shows the property has public access ROW from E. Blue Lupine Dr as permitted by AK DOT Driveway Permit #29614.

Buffering: There is a hillside on the 3 sides of the property offering buffer. Vehicular and Pedestrian Patterns: The lot will meet all Fire Codes for access as advised and required by the State Fire Marshall. There is plenty of room for vehicles to safely enter and exit this property.

Exterior Site Lighting: Lighting will meet Alaska requirements for Security and lighting as notated on our facility map.

3 AAC 306.715. Security alarm systems and lock standards (a) Each licensee, employee, or agent of a marijuana establishment shall display an identification badge issued by the marijuana establishment at all times when on the marijuana establishment's licensed premises. (b) The licensed premises of a marijuana establishment must have (1) exterior lighting to facilitate surveillance; (2) a security alarm system on all exterior doors and windows; and (3) continuous video monitoring as provided in 3 AAC 306.720. (c) A marijuana establishment shall have policies and procedures that (1) are designed to prevent diversion of marijuana or marijuana product; (2) prevent loitering; (3) describe the use of any additional security device, such as a motion detector, pressure switch, and duress, panic, or hold-up alarm to enhance security of licensed premises; and (4) describe the actions to be taken by a licensee, employee, or agent of the marijuana establishment when any automatic or electronic notification system alerts a local law enforcement agency of an unauthorized breach of security. (d) A marijuana establishment shall use commercial grade, nonresidential door locks on all exterior entry points to the licensed premises.

Location and dimensions of Parking areas: As notated on our accompanying map, we have parking on the north west side of the building, 20' x 39' with two parking spots and one ADA compliant parking spot.

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

Blue Lupine is a commercial frontage road with businesses from Seward Meridian to Trunk RD. Our business should not detract from the commercial use of this Parks Hwy frontage Rd.

Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare? No. All State security requirements will be in place and followed. All requirements under 3 AAC 306 will be followed at all times so no issues with the general public will arise.

Are sufficient setbacks, loft area, buffers and other safeguards being provided? As provided in our survey maps all setbacks are properly met. We are a commercial business on a Parks Hwy frontage rd, Blue Lupine. There are commercial businesses from Trunk Rd to Seward Meridian on Blue Lupine Dr.

Does the conditional use fulfill all the 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. We will comply with all parts of 3 AAC 306 and is outlined within our State of Alaska application.

Describe measures taken to reduce negative effects upon adjacent properties: The area of the Wasilla we will be operating is of commercial nature on Blue Lupine Dr. Many of our neighbors have stopped in as we have been remodeling and constructing the property to say hello and let us know they appreciate the cleaning up of the property we purchased and that we are adding value to the overall community. That is the goal of MCC Flight, to be a valuable member of our community and offer a product that Alaska and the Matsu Borough have asked for access to, in a clean, safe, and comfortable environment.

Describe how this use is compatible with the character of the surrounding area. We are in a highly commercial stretch of a Parks Hwy frontage Rd, Blue Lupine. There are commercial businesses from Trunk Rd to Seward Meridian on Blue Lupine.

Describe how the subject parcel is appropriate for the proposed conditional use. We are in a highly commercial stretch of the Parks Hwy frontage Rd, Blue Lupine. There are commercial businesses from Trunk Rd to Seward Meridian on Blue Lupine. There are residences located on a commercial frontage road that abut the property. Proposed hours of operation will be 8am-12am midnight, seven days a week, Monday through Sunday.

Floor Plan for Marijuana Retail Facilities.

Loitering Diversion Plan:

Signs will be posted stating no loitering. All employees will be trained and required to diverse loitering by stating to any loitering individual(s) to leave the premises or they will be required by company policy to call local law enforcement. If a non-conformance should arise they should refrain from conflict and wait for local law enforcement to arrive.

On site Consumption:

MCC Flight did not apply for an on-site consumption permit with the state. So per

3 AAC 306.310 Acts Prohibited at Retail Marijuana Store (b) (2)

(2) allow a person to consume marijuana or a marijuana product on the retail Marijuana store's licensed premises, except as provided in 3 AAC 306.305 (a) (4)

Once the state and borough has resolved the issue of regulating on-site consumption we it will be revisited as to whether it is a viable option for our business and community.

Diversion Prevention Plan:

MCC Flight will have strict rules regarding moving inventory to, from and throughout the licensed premises to effectively prevent diversion by an employee, visitor or customer. We currently have video surveillance cameras throughout the location of the licensed premises monitoring entryways, floor activity, restricted areas along with breach alarms notifications on doorways and the alarm security system has extensive room for further expansion of alarms if deemed necessary. Most if not all employees will be family or well trusted respectable friends and will required to keep their personal belongings in an employee only area and there will be no marijuana or product in that area. They will have knowledge of the prevention of diversion on how to spot diversion and how to report suspicious activity on or around the licensed premise. Employees will have knowledge that they are being monitored always while in the facility to facilitate in employee safety. As well as no photographs or videos may be taken by employees or visitors in restricted access zones to prevent any malicious activity. Visitors are never permitted to touch any cannabis or cannabis products or equipment for any reason, and will be escorted off the licensed premise if they do so. Only authorized employees will be moving cannabis and cannabis products through the license premise.

Activities Outside the facility:

Activities outside the facility would be nothing any other business in the borough would be allowed to do for their business. Current Alaska State regulations would be followed. I won't say no activities will happen outside the facility, but all activities will follow the State Statutes.

3 AAC 306.360 Restriction on advertising of marijuana and marijuana products (d)

(d) A retail marijuana store may not use giveaway coupons as promotional materials, or conduct promotional activities such as games or competitions to encourage sale of marijuana or marijuana products.

Security Plan:

MCC Flight will be using a high-quality security and surveillance systems equipped with motion detectors, panic and breach alarms, fire and smoke alarms. All alarms will alert a central monitoring company by Vivint. All surveillance and data will be stored on a NVR system with 20 TB hard drive with room for added hard drives with a 1080-pixel clarity which is well above industry standards. Data will be stored on the hard drive for 40 plus days 24 hours a day 7 days a week as well as storing data with a secure private server. The system is also equipped with a battery backup systems to keep all systems functioning during a power outage. All surveillance equipment is stored in a mounted and locked security case within a restricted area that is under surveillance and both the restricted area and the security case are equipped with audible notification and alarms as well as security alarms when the alarm system is set after business hours. This restricted area door is equipped with key pad lock that

auto locks after entry. MCC Flight will be using bullet cameras with high pixel clarity as well as infrared technology capable of capturing high quality images up to 120 ft. in complete darkness.

All entry doors will be steel frame security doors. All doors to Restricted access areas are with commercial grade locks that will be closed and locked during and after business hours. The facility has no outside windows All doors and entry points will remain locked during business hours except for the one public entrance door and when an employee is entering or exiting a restricted area.

Exterior Lighting:

The facility has lights every 20', they are movable LED 150w lights and does not spill on to adjacent properties the rear lighting is to facilitate video surveillance required in 3 ACC 306.720. All lights illuminate on a dusk to dawn sensor. All lights are pointed down to meet the required 20' recording of cameras. The lights illuminate our lot for security purposes but are not out of character with the other commercial properties located in the area, or the illumination of the Borough Fire Station up the road. All our exterior lights have assorted options such as being set to motion activation, dusk to dawn or continuous and will be set up to best facilitate safety and security as in 3 ACC 306. 720. These lights our and facing downward to avoid spillage to adjacent properties and to give best possible and all lighting on the exterior were pre-existing as this is a commercial property and to my knowledge have never been an issue to adjacent properties. All lighting is just under the eaves of the roof which varies from ~8'- ~20' depending on their location on the building.

Access to property:

AK DOT Driveway Permit #29614. Copy will be provided with packet.

Waste Disposal:

MCC Flight will store, dispose of and manage any solid or liquid waste generated by the licensed premises in compliance with federal, state and local laws and regulations following DEC regulation 18 AAC 60. (reference,3 AAC 306.735)

Matanuska Cannabis Company will give AMCO 3 days (72 hours) notice in the METRC inventory tracking system before making any marijuana or marijuana product unusable and disposing of it, we will also keep a record of the final disposal destination of the waste in company inventory tracking systems. Waste will be stored in the waste disposal area in 5 gallon buckets after 72 hours of the notification and approval by the AMCO the waste will be grinded or shredded and mixed with saw dust, soil, coffee grounds or other compostable matter and shredded paper in a 50/50 mix with the marijuana or marijuana product. A written log will be maintained in the disposal area of waste that has been made unusable stating notification date and time, type of product and employee name and the log will be also scanned at into a company computer at least once a month. Before transporting the waste the buckets will be sealed and then transported to a AMCO approved disposal site or a local dump since all waste is biodegradable. MCC Flight foresees minimal if any waste that will need to be disposed of. The disposal room is under video surveillance in an adequate fashion to provide a clear, unobstructed view of employees rendering marijuana or marijuana products unusable.

17.60.170 STANDARDS FOR MARIJUANA RETAIL FACILITIES

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

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

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

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

(Ord. 16-003(SUB), § 4 (part), 2016)

Per our Site plan performed by Farmers Surveying We will meet all the requirements for Parking, ADA Parking and setbacks.

Building sq footage will be 952 sq ft, and would need 2.72 parking spots. Per the Site plan we will have more than 3+ Parking spots, with one being ADA compliant for a van, 11' wide parking, with a 5' access aisle.

Mark Whisenhunt

From: Mark Whisenhunt
Sent: Friday, December 20, 2019 12:58 PM
To: 'tokawear@outlook.com'
Subject: MCC Flight: Request for information 12-20-19
Attachments: MCCF RFAI 12-20-19.pdf

Please see the attached letter requesting information pertaining to your application for Conditional Use Permit. Thank you.

Respectfully,

Mark Whisenhunt
Planner II
Matanuska-Susitna Borough
Office: (907) 861-8527
mark.whisenhunt@matsugov.us

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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

December 20, 2019

Chad Ragsdale
dba MCC Flight
2490 S. Paddock Drive
Wasilla, Alaska 99654

SUBJECT: Conditional Use Permit Application – Request for Required Information
LOCATION: 5675 E. Blue Lupine Drive (Tax ID: 1807B01L011)

Dear Mr. Ragsdale,

Borough staff has reviewed the application material and the site plan(s) submitted on November 27, 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) The narrative answers are very general and say will comply with Alaska Statute. Please provide Specific information in the answers. We can meet in person if you would like to discuss this in further detail. In order to evaluate the use, we need operation specific information. Providing information pertaining to:
 - a) Activities which may occur outside (if none, please note it). More specifically, will any outside activities involve amplified noise?
 - b) Waste disposal information speaks to disposing as “AMCO approved” sites. Please provide details on the type and location of these sites.
 - c) Please detail specific sign size, type (i.e. lighting) and location information.
 - d) What is the estimated number of employees for the operation?
- 2) As-built:
 - a) Per our conversation, I am still expecting an updated as-built/site plan to be submitted.
- 3) Site /Floor Plan:
 - a) The submitted site / floor plan is of poor quality. Some of the parking spaces and legend are cut off. Please submit a better copy or bring in the original and we can make a copy at your convenience.

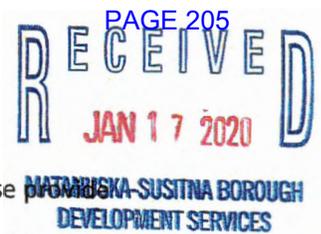
Please note that I will be out of the office until January 2, 2020. Once an application has been determined to be complete, staff will begin the public notice process. Should you have any

questions or require additional information, please feel free to contact me at the above mailing address, phone: 861-8527, or email: mwhisenhunt@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,



Mark Whisenhunt
Planner II
Matanuska-Susitna Borough



1) The narrative answers are very general and say will comply with Alaska Statute. Please provide specific information in the answers. We can meet in person if you would like to discuss this in further detail. In order to evaluate the use, we need operation specific information. Providing information pertaining to:

a) Activities which may occur outside (if none, please note it). More specifically, will any outside activities involve amplified noise? – We may want to have an outside event one day in the future but would get any required permitting from the borough for amplified noise.

b) Waste disposal information speaks to disposing as “AMCO approved” sites. Please provide details on the type and location of these sites. – AMCO approved sites just refers to the use of the any Matanuska Susitna Dump facility, but we will primarily use the dump located off Palmer- Wasilla Highway. We will follow the state prescribed regulations for all disposal of products as outlined below;

3 AAC 306.740. Waste disposal (a) A marijuana establishment shall store, manage, and dispose of any solid or liquid waste, including wastewater generated during marijuana cultivation production, processing, testing, or retail sales, in compliance with applicable federal, state, and local statutes, ordinances, regulations, and other law. (b) Marijuana waste must be rendered unusable for any purpose for which it was grown or produced before it leaves a marijuana establishment. Marijuana waste includes (1) marijuana plant waste, including stalks, leaves, and stems that have not been processed with solvent; (2) solid marijuana sample plant waste in the possession of a marijuana testing facility; (3) marijuana or a marijuana product that has been found by the licensee unfit for sale or consumption; (4) expired marijuana products; and (5) other waste as determined by the board. (c) A marijuana establishment shall (1) give the board notice, on a form prescribed by the board, not later than three days before making the waste unusable and disposing of it; however, the director may authorize immediate disposal on an emergency basis; (2) record the waste in the marijuana inventory tracking system required under 3 AAC 306.730; and (3) keep a record through the marijuana inventory tracking system of the final destination of marijuana waste made unusable. (d) Marijuana plant waste must be made unusable by grinding the marijuana plant waste and mixing it with at least an equal amount of other compostable or non-compostable materials. A marijuana establishment may use another method to make marijuana waste unusable if the board approves the method in advance. Material that may be mixed with the marijuana waste includes (1) compostable materials including food waste, yard waste, vegetable based grease or oils, or other wastes approved by the board when the mixed material can be used as compost feedstock or in another organic waste method such as an anaerobic digester with approval of any applicable local government entity; or (2) non-compostable materials including paper waste, cardboard waste, plastic waste, oil, or other wastes approved by the board when the mixed material may be delivered to a permitted solid waste facility, incinerator, or other facility with approval of any applicable local government entity. (e) If marijuana or a marijuana product is found by, or surrendered to, a law enforcement officer including a peace officer or an airport security officer, the officer may dispose of the marijuana or marijuana product as provided in this section or by any method that is allowed under any applicable local ordinance.

c) Please detail specific sign size, type (i.e. lighting) and location information. – Current plans are for a sign on the roof of the building, lighted by LED or Fluorescent lighting. Sign will meet the guidelines outlined by the state, 4800 sq inches or less, so the sign will be no larger than 4800 sq inches. We will most likely use Broadway Signs in Anchorage for the fabrication and install of the sign. We will ensure that the sign will not interfere with any of the residential homes in the area beyond the illumination factors of the Harley Davidson sign and the State High intensity freeway lights on the Parks highway located 500' from our facility.

d) What is the estimated number of employees for the operation? – We currently plan to have about 8-12 employees for this location.

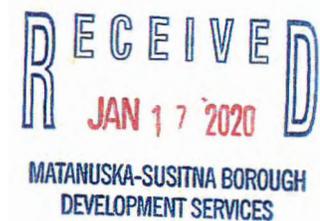
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d) What is the estimated number of employees for the operation? – We currently plan to have about 8-12 employees for this location.



Joseph Metzger

From: Joseph Metzger
Sent: Friday, January 31, 2020 11:14 AM
To: 'Chad Ragsdale'
Cc: 'Chad Ragsdale'
Subject: RFAI MCC Flight 1-31-20
Attachments: MCCF RFAI 1-31-2020.pdf

Hey Chad,

Please see the attached letter requesting additional information on your CUP request. As always, if you have any questions or need clarification on anything, don't hesitate to contact me.

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.matsugov.us

January 31, 2020

Chad Ragsdale
dba MCC Flight
2490 S. Paddock Drive
Wasilla, Alaska 99654

SUBJECT: Conditional Use Permit Application – Request for Required Information
LOCATION: 5675 E. Blue Lupine Drive (Tax ID: 1807B01L011)

Dear Mr. Ragsdale,

Borough staff has reviewed the application material and the site plan(s) submitted on November 27, 2019 and additional application information submitted on January 17, 2020 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. What are the proposed hours of operation for the marijuana retail facility?
2. The application material indicates you have a security plan in place. Will all employees be trained on all security measures?
3. Do you have any landscaping plans? If so, please elaborate.
4. What is your status with the State of Alaska Marijuana Control Board?

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@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

Joseph Metzger

From: Joseph Metzger
Sent: Monday, February 3, 2020 7:47 AM
To: 'Chad Ragsdale'
Subject: RE: RFAI MCC Flight 1-31-20

Received, thank you Chad.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

From: Chad Ragsdale <tokawear@outlook.com>
Sent: Saturday, February 1, 2020 9:02 AM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: RE: RFAI MCC Flight 1-31-20

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

Chad Ragsdale
dba MCC Flight
2490 S. Paddock Drive Wasilla, Alaska 99654

SUBJECT: Conditional Use Permit Application – Request for Required Information **LOCATION:** 5675 E. Blue Lupine Drive (Tax ID: 1807B01L011)

Dear Mr. Ragsdale,

Borough staff has reviewed the application material and the site plan(s) submitted on November 27, 2019 and additional application information submitted on January 17, 2020 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. What are the proposed hours of operation for the marijuana retail facility? - The planning commission seems comfortable with 8am-12pm, 7 days a week. MCC Flight's operating hours would work well within those parameters. We would likely not be open those hours per se, but the flexibility as a business to react to changing customer patterns would be agreeable.
2. The application material indicates you have a security plan in place. Will all employees be trained on all security measures? If so, please elaborate. – Yes during training the employees receive training about security measures and the correct responses in the event of a security threat.
4. What is your status with the State of Alaska Marijuana Control Board? – The license was approved with Delegation on 1/24/20 by the AMCO MCB.

Thanks,
Chad

Sent from Mail for Windows 10

From: Joseph Metzger
Sent: Friday, January 31, 2020 11:15 AM
To: Chad Ragsdale
Cc: Chad Ragsdale
Subject: RFAI MCC Flight 1-31-20

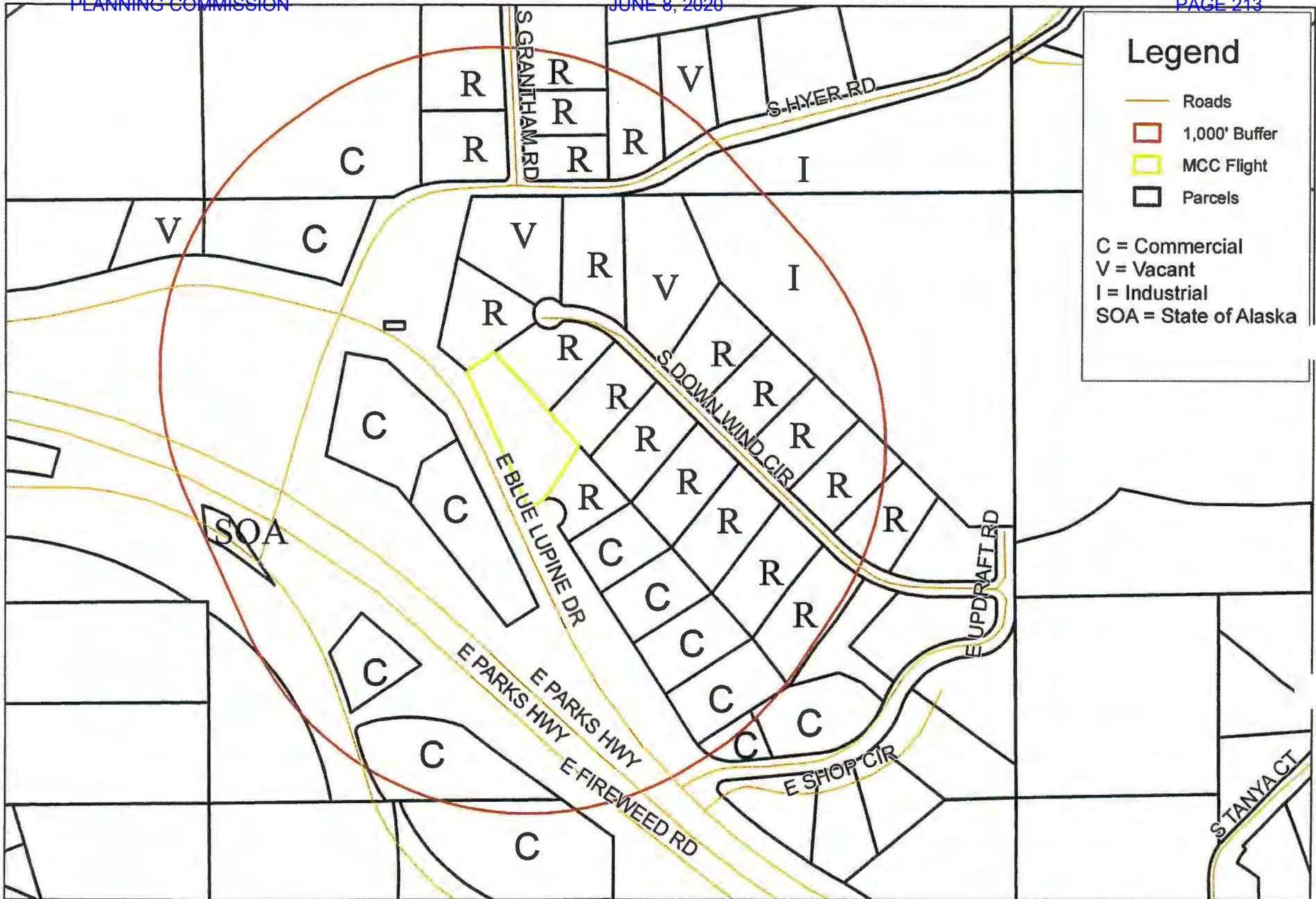
Hey Chad,

Please see the attached letter requesting additional information on your CUP request. As always, if you have any questions or need clarification on anything, don't hesitate to contact me.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

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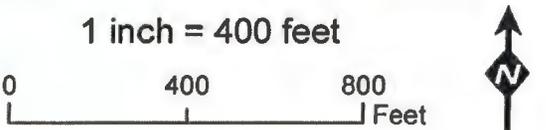
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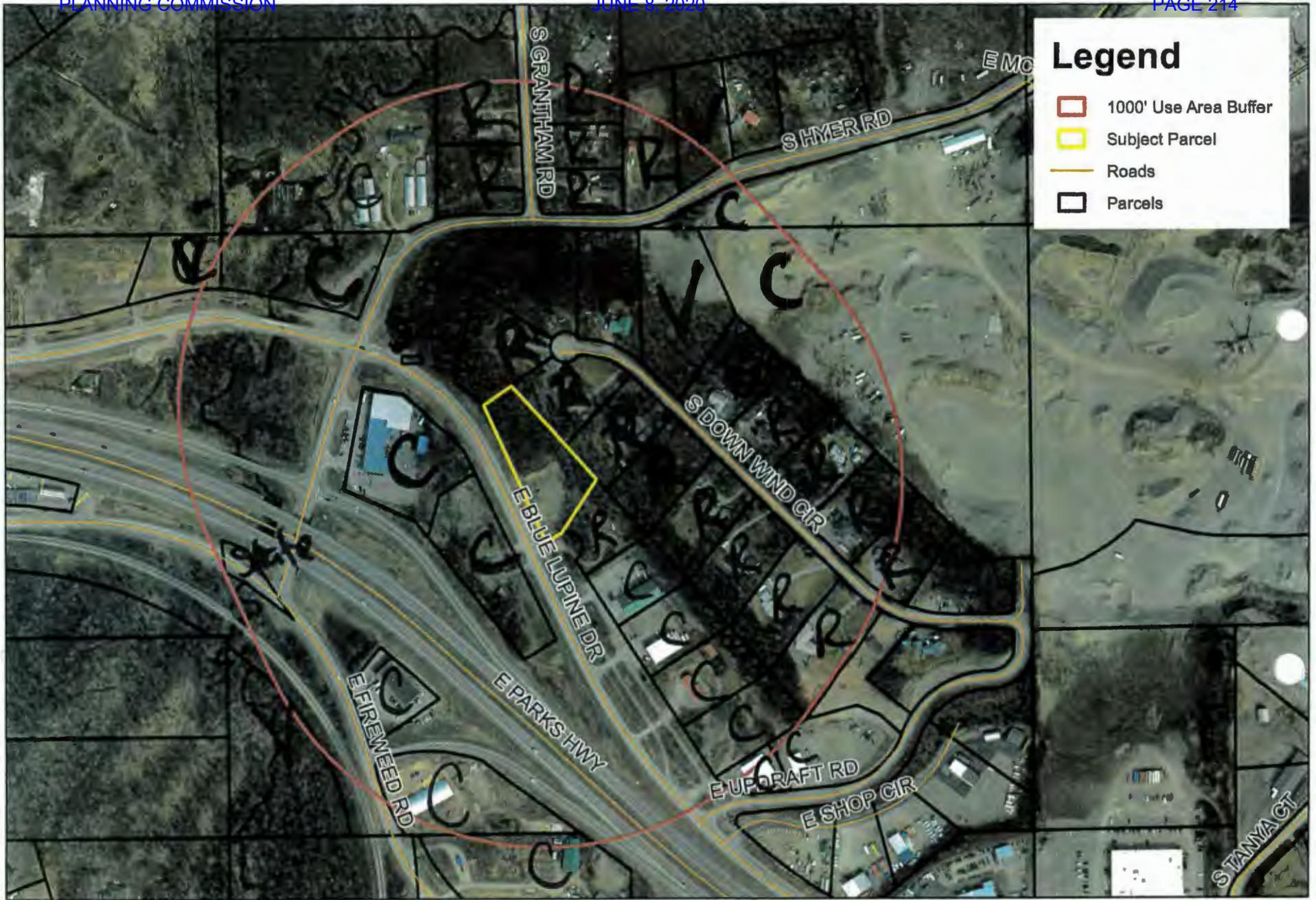
- Roads
- 1,000' Buffer
- MCC Flight
- Parcels

C = Commercial
 V = Vacant
 I = Industrial
 SOA = State of Alaska

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 Metanuska-Susitna Borough GIS Division at 907-851-7801.

Date: 12/20/2019



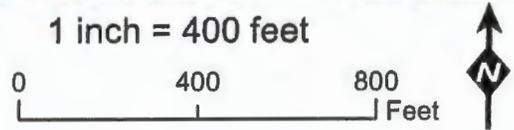


Legend

- 1000' Use Area Buffer
- Subject Parcel
- Roads
- Parcels

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Date: 10/23/2019



Legend

-  1000' Use Area Buffer
-  Subject Parcel
-  Roads
-  Parcels



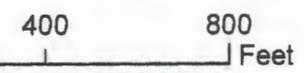
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C = Commercial
V = Vacant

R = Residential

Date: 10/23/2019

1 inch = 400 feet



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Permit No. 29614



State of Alaska
Department of Transportation and Public Facilities

Driveway Permit #29614

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

Contact Name: Chad Ragsdale

Phone Number: (360) 991-4631

Owner: Chad Ragsdale

Mailing Address: 2490 S Peacock Dr, L
 Wasilla, AK 99623

Driveway Location: Wasilla DW- 5675 E Blue Lupine Dr.-Twinook Subdivision, Block 1, Lot 11, Plat 79-450, Parcel ID: 19746

Design Criteria

Driveway width	25 Feet	Road surface type	Paved
Left edge clearance	500 Feet	Shoulder type	Paved
Right edge clearance	75 Feet	Landing surface type	Asphalt
Left return radius	40 Feet	Left driveway fore slope	3: 1
Right return radius	40 Feet	Right driveway fore slope	3: 1
Shoulder width	10 Feet	Ditch depth	3 Feet
Approach angle	90 Degrees	Culvert Type	Corrugated metal pipe
Landing grade	+/- 2 Percent	Culvert Size	18 Inches
Landing length	35 Feet	Culvert Length	42 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

Permit No. 29614

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.

Permit No. 29614

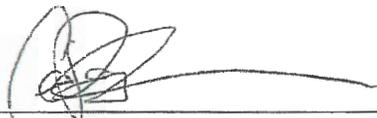
The Permittee will be responsible for all necessary Federal, State, and Municipal permits and licenses required by law, pay all taxes and special assessments lawfully imposed upon the permitted area, and pay other fees and charges assessed under applicable law.

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

I, Chad Ragsdale, ^{do} acknowledge and accept that we 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.



Chad Ragsdale Signature

8-29-19

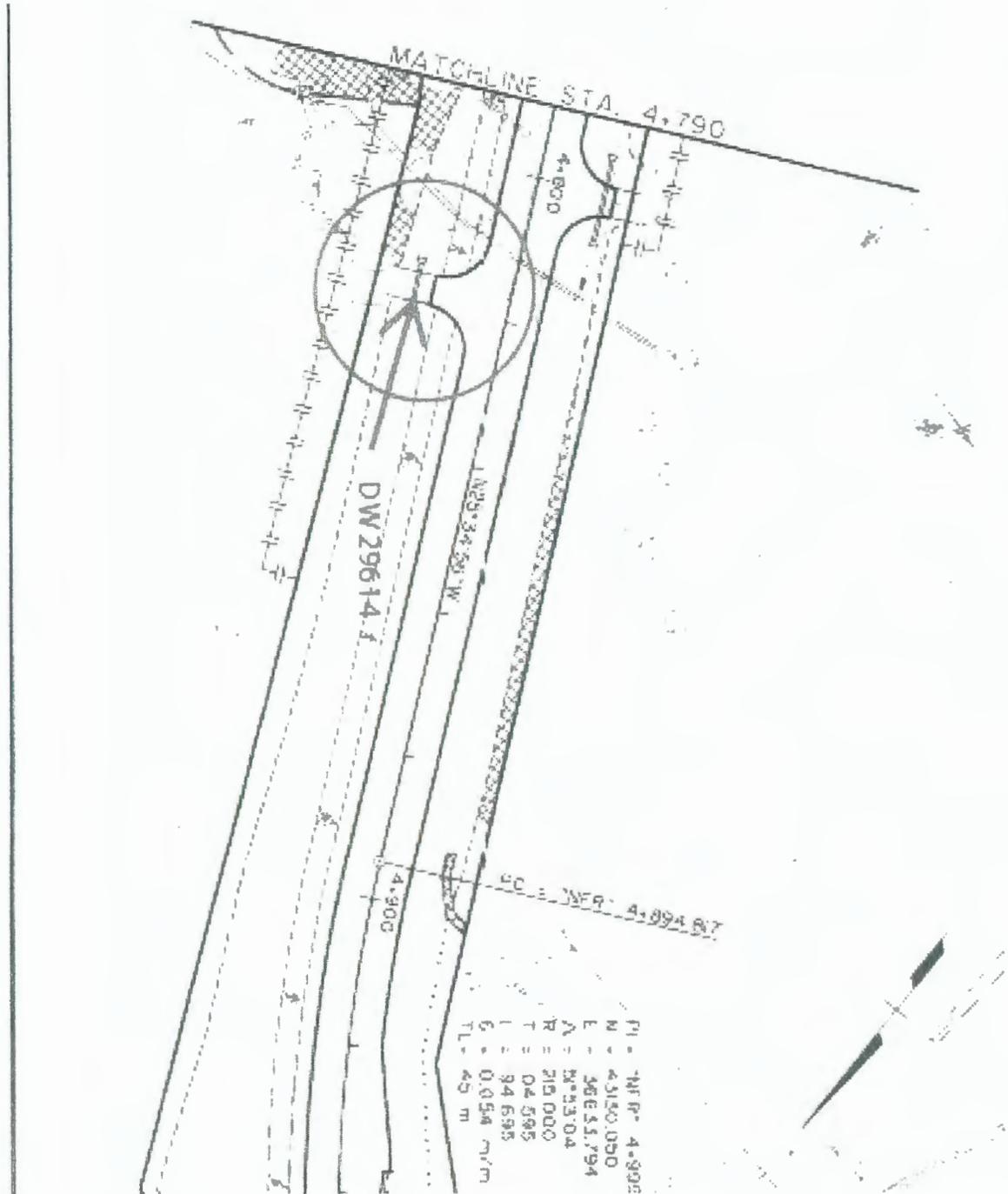
Date

DOT&PF Signature

Date

Permit No. 29614

Site Plan: project Asbuilt 53989



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

State of Alaska / Commerce / Marijuana / License Search / License #23122

[Return to Search Results](#)

LICENSE NUMBER 23122

License Number: 23122

License Status: Delegated

License Type: Retail Marijuana Store

Doing Business As: MCC Flight

Business License Number: 2092384

Issue Date:

Effective Date:

Expiration Date:

Email Address: tokawear@outlook.com

Physical Address: 5675 E Blue Lupine Dr
Wasilla, AK 99654
UNITED STATES

Licensees: Alaskan Pipe Dreams, LLC 10113559

Entity Officials: Chad Ragsdale
Dara Ragsdale

Onsite Consumption Endorsement

Status:

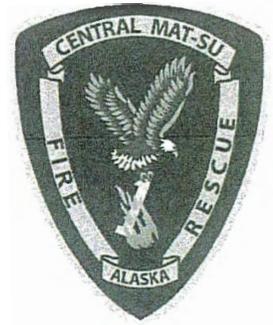
Approval Date:

Issue Date:

Effective Date:

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

Physical: Station 51 – 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 20, 2019

Chad Ragsdale
MCC Flight
2490 S. Paddock Dr.
Wasilla, AK 99654

SUBJECT: MCC Flight - New
FIRE SERVICE AREA: Central Mat-Su FSA
PLAN REVIEW: 2020-044
TYPE OF CONSTRUCTION: VB
OCCUPANCY TYPE: B
2012 INTERNATIONAL BUILDING AND FIRE CODE

Dear Mr. Ragsdale:

Plans for 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 above facility. 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.**

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,

A handwritten signature in black ink, appearing to read "Donald C. Cuthbert".

Donald C. Cuthbert
Fire Marshal

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

Plan Review #2020-044 MCC Flight



This is to certify that the plans for this building were reviewed by CMSFD's Fire & Life Safety Division on 9/20/2019, 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.

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


by Donald C. Cuthbert, Fire Marshal

PERMIT CENTER – FEE RECEIPT FORM

Property Location: 5675 E. Blue Lupine Dr. Applicant: Chad Raysdale

	USE PERMITS {100.000.000.341.300}	Fee
<input type="checkbox"/>	8.35 Public Display of Fireworks	\$25.00
<input type="checkbox"/>	8.40.010 Liquor License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
<input type="checkbox"/>	8.41.010 Marijuana License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuan	\$100.00
<input type="checkbox"/>	8.52 Temporary Noise Permit	\$500.00
<input type="checkbox"/>	8.55 Special Events Permit 500 – 1000 Attendees	\$500.00
<input type="checkbox"/>	8.55 Special Events Permit Site 1000+ Attendees	\$1,000.00
	Matanuska Susitna Borough	
<input type="checkbox"/>	8.55 Special Events Permit Site	\$300.00
<input type="checkbox"/>	17.02 Mandatory Land Use Permi	Payment Date Wednesday, December 4, 2 Deposit Number 39719 Operator Lach0415
		\$25.00
<input type="checkbox"/>	17.04 Nancy Lake Special Land U	Real 2019 (Total) \$0.00
		MCR (100.000.000.341.300) \$1,000.00
<input type="checkbox"/>	17.06 Electrical Generating & Del	Misc Rec
		Tax Map # 2MISC
<input type="checkbox"/>	17.06 Electrical Generating & Del	
<input type="checkbox"/>	17.08 Hay Flats Special Land Use	
		\$1000.00
<input type="checkbox"/>	17.17 Denali State Park Condition	
		\$1000.00
<input type="checkbox"/>	17.18 Chickaloon Special Land U	Total Paid \$1,000.00
		Cash \$1,000.00
<input type="checkbox"/>	17.18 Chickaloon Special Land U	Change \$0.00
		\$1000.00
<input type="checkbox"/>	17.19 Glacier View Special Land	
		\$1000.00
<input type="checkbox"/>	17.23 Port MacKenzie Developm	
		\$1000.00
<input type="checkbox"/>	17.25 Talkeetna Conditional Use	Receipt Number MSB91364140
		11/27/2019 12:16:22 PM
<input type="checkbox"/>	17.25 Talkeetna Conditional Use	Paid By RAYSDALE CHAD/CASH
		Cashier Id. LACH0415
<input type="checkbox"/>	17.25 Talkeetna Conditional Use	
		\$1000.00
<input type="checkbox"/>	17.27 Sutton Special Land Use	
		\$1000.00
<input type="checkbox"/>	17.28.030 Interim Materials Dist	
		\$2000.00
<input type="checkbox"/>	17.29 Flood Damage Prevention	
		\$100.00
<input type="checkbox"/>	17.29 Flood Damage Prevention	
		\$500.00
<input type="checkbox"/>	17.30.040 Earth Materials Extrac	
		\$500.00
<input type="checkbox"/>	17.30.050 Earth Materials Extra	
		\$1000.00
	17.36 Residential Planned Unit Development Application – Concept Plan – up to 50 Lots Additional Lots or tracts being created – Per Lot	\$500.00 \$100.00
<input type="checkbox"/>	17.48 Mobile Home Park Permit Application	\$500.00
<input type="checkbox"/>	17.52 Residential Land Use District App (Rezone)	\$1,000.00
<input type="checkbox"/>	17.52 Conditional Use Permit Application	\$1,000.00
<input type="checkbox"/>	17.55 Shoreline Setback Exception Application	\$300.00
<input checked="" type="checkbox"/>	17.60 Conditional Use Permit Application	\$1000.00

COMMENTS

Public Comments

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

Matanuska-Susitna Borough
Development Services

FEB 28 2020

Received

51807B01L024 7
H & H INVESTMENTS LLC
40995 N KENWORTHY RD
SAN TAN VALLEY AZ 85140

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

- Applications:** Conditional Use Permits for a marijuana retail facility
- MSB Code Section:** MSB 17.60 – Conditional Uses
- Applicant:** Chad Ragsdale, on behalf of MCC Flight
- Location:** 5675 E. Blue Lupine Drive (Tax ID#1807B01L011);
within Township 17 North, Range 1 East, Section 17, Seward Meridian
- Request:** An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility.

The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **April 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 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. 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 material may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to: 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 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 **March 9, 2020** 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.

WINTER MONTHS → 40995 N. KENWORTHY RD.
SAN TAN VALLEY, AZ 85140
Name: DAVID A. HARMAN **Mailing Address:** P.O. BOX 3203 PALMER, AK
H & H INVESTMENTS LLC 99645
Location/Legal Description of your property: 5801 E. BLUE LUPINE DR. PALMER, AK
email: davidharmanak@gmail.com

Comments:
(SEE ATTACHED LETTER)

Note: Vicinity Map Located on Reverse Side

This letter is in regards to a letter I received that the Planning Commission of the Mat-Su Borough will be conducting a public hearing on April 6, 2020, concerning the application for a Conditional Use Permit for a marijuana retail facility at 5675 E. Blue Lupine Drive, Palmer, Alaska.

I will be out of state on April 6th and will be unable to attend the hearing. But I would like to share my thoughts and concerns with the Planning Commission members.

My name is David A. Harman of H & H Investments, LLC. I am an co-owner of property just a few lots away from this proposed marijuana facility. Our address is 5801 E. Blue Lupine Dr., Palmer, Alaska 99645.

I don't think having a facility such as this is a good idea, nor do I think this is a good fit for our neighborhood. Just looking at the State of Alaska's signage requirements 3AAC306.360 for such a facility gives us an idea of how we as a state feel about such a facility. It states: That signage for such a facility is not to be near a child-centered facility, playground, recreation center, public park, a library, game arcade, not on public transit, or on a campus for postsecondary education, or within 1000 feet of a substance abuse or treatment facility.

Clearly the State of Alaska's view is that we don't want this type of influence around our children. I share those same views. As a father of four, and a grandfather of eight, I don't want this type of facility in our community. And especially down the street from our property. My children and grandchildren should not have to be subjected to the advertisement and availability of this type of influence.

I am also concerned for the negative effect this will have on my property and it's value.

In his application, Mr. Ragsdale states that "many neighbors have stopped by stating that they appreciate the cleaning up of the property". That may be true, but we do not appreciate what the cleaned up property would be used for if his permit is granted. We do not appreciate the influence that our families would be subjected to. This is not "adding to the community" as he states in his application.

I noticed also that Mr. Ragsdale mentioned in his application that there are commercial businesses all along Blue Lupine Dr., I am assuming with the hopes that his facility would be just another business. But what I would like to point out is that his proposed facility is bordered on THREE SIDES by residential properties.

Again, I refer back to all the places that this type of facility is not allowed to be around. Should it be allowed to be in such close proximity of a neighborhood ?

3 AAC 306.715 Security Alarm Systems and Lock Standards: States that such a facility must have a security alarm system on all exterior doors and windows. And continuous video monitoring. Also, 3 AAC 306.720 states that they must have loitering prevention and that all locks must be commercial grade.

These "requirements" speak loudly as to the clientele that is expected to frequent a facility such as this.

As a neighboring property owner, I am concerned about the potential loitering onto our property when customers are asked to leave this facility. Especially with the proposed hours of operation may be until midnight, seven days a week.

In closing, I would like to quote the City of Wasilla Comprehensive Plan and Title 16, Land Development Code. The City of Wasilla prohibits marijuana facilities, "To protect the health, welfare and safety of Wasilla city residents and businesses".

That is what I hope you as the Planning Commission would do for our neighborhood, protect us, by not allowing such a facility at this location.

Thank you for your time and allowing me to state my concerns,


David A. Harman

Joseph Metzger

From: Joseph Metzger
Sent: Monday, February 24, 2020 1:20 PM
To: 'David Harman'
Cc: Huston Steve
Subject: RE: Conditional Use Permit for a marijuana facility, Hearing is April 6, 2020

Received, thank you for your comments. Your comments will be included in the packet of information that goes to the Planning Commissioners.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

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

From: David Harman <davidharmanak@gmail.com>
Sent: Monday, February 24, 2020 1:03 PM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Cc: Huston Steve <hustonstevevic@gmail.com>
Subject: Conditional Use Permit for a marijuana facility, Hearing is April 6, 2020

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

This letter is in regards to a letter I received that the Planning Commission of the Mat-Su Borough will be conducting a public hearing on April 6, 2020, concerning the application for a Conditional Use Permit for a marijuana retail facility at 5675 E. Blue Lupine Drive, Palmer, Alaska.

I will be out of state on April 6th and will be unable to attend the hearing. But I would like to share my thoughts and concerns with the Planning Commission members.

My name is David A. Harman of H & H Investments, LLC. I am an co-owner of property just a few lots away from this proposed marijuana facility. Our address is: 5801 E. Blue Lupine Dr., Palmer, AK 99645.

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These "requirements" speak loudly as to the clientele that is expected to frequent a facility such as this.

As a neighboring property owner, I am concerned about the potential loitering onto our property when customers are asked to leave this facility. Especially with the proposed hours of operation possibly being until midnight, seven days a week.

In closing, I would like to quote the City of Wasilla Comprehensive Plan and Title 16, Land Development Code. The City of Wasilla prohibits marijuana facilities, "To protect the health, welfare and safety of Wasilla city residents and businesses".

That is what I hope you as the Planning Commission would do for our neighborhood, protect us, by not allowing such a facility at this location.

Thank you for your time and allowing me to state my concerns,

David A. Harman

PLANNING COMMISSION
RESOLUTION

By: Joe Metzger
Introduced: May 18, 2020
Public Hearing: June 8, 2020
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 20-09

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY AT 5675 E. BLUE LUPINE DRIVE (TAX ID# 1807B01L011); WITHIN TOWNSHIP 17 NORTH, RANGE 1 EAST, SECTION 17, SEWARD MERIDIAN.

WHEREAS, an application has been received from Chad Ragsdale on behalf of MCC Flight for a conditional use permit for the operation of a marijuana retail facility at 5675 E. Blue Lupine Drive, (1807B01L011); within Township 17 North, Range 1 East, Section 17, 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 the commercial structure approximately 952 square feet in size; and

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

WHEREAS, ITE Trip Generation 10th Edition indicates a "Marijuana Dispensary" 1000-square feet in size is expected to produce 29.93 trips per peak PM hour. The structure that will contain the proposed marijuana retail facility is approximately 952 square feet and based on these calculations is expected to produce approximately 28.5 trips per peak PM hour; and

WHEREAS, ITE Trip Generation 10th Edition indicates a "Marijuana Dispensary" 1000-square feet in size is expected to produce 259.31 trips per day. The structure that will contain the proposed marijuana retail facility is approximately 952 square feet and based on these calculations is expected to produce approximately 247 trips per day; and

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

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

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

WHEREAS, the proposed use accesses E. Blue Lupine Drive from an existing, State of Alaska permitted driveway; and

WHEREAS, East Blue Lupine Road is considered a collector and has many different uses on its frontage, including residential, commercial, and industrial; and

WHEREAS, the closest residential structure is located to the southeast and is approximately 115 feet away from the proposed use; and

WHEREAS, the application material indicates an illuminated sign will be installed on the roof of the proposed facility and will not interfere with any of the residential homes in the area; and

WHEREAS, the proposed hours of operation are 8:00 a.m. until 12:00 a.m., daily; and

WHEREAS, according to the application material, the proposed use is located approximately 60 feet from the E. Blue Lupine Drive right-of-way to the west and south, approximately 27 feet to the property line to the east, and approximately 115 feet to the property line to the north; and

WHEREAS, there are multiple commercial businesses in the surrounding area such as, but not limited to, a Harley Davidson Dealership, a fire suppression and prevention business, and an animal daycare; 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 (Machetanz Elementary School) is approximately 6,800 feet away from the 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 lighting are used to monitor all activities at the facility; and

WHEREAS, the Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-044, for the commercial structure; and

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

WHEREAS, after proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products deemed unusable are blended together before being mixed with compostable material, and sealed in a container. The waste will then be taken to a MSB landfill to be disposed of; 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, on January 24, 2020 at the State of Alaska Marijuana Control Board meeting, the Board voted to approve MCC Flight Retail Marijuana Store License #23122 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, the applicant has provided a copy of the approved Plan Review #2020-044; and

WHEREAS, the majority of the uses situated on E. Blue Lupine Drive are commercial in nature; and

WHEREAS, a marijuana retail facility 952 square feet in size is required to provide three parking spaces with one ADA compliant space; and

WHEREAS, four (4) 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, 11 feet wide with a five-foot wide parking isle is being 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 June 8, 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 20-09:

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 hours of operation shall not exceed 8:00 a.m. - 12:00 a.m., daily.

5. The parking area and parking stalls shall be painted as indicated on the site plan, and shall be compliant with the current ADA guidelines, within one year of the date of decision.
6. On-site consumption of marijuana and marijuana products is prohibited.

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

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Acting Planning
Clerk

(SEAL)

YES:

NO:

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**PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. PC 20-13

Moonstone Farm
Regulation of Alcoholic Beverage Uses
Facility CUP

(Page 247 - 338)

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: May 27, 2020

File Number: 177020190004

Applicant: Michelle Church (dba Moonstone Farm)

Property Owner: David and Michelle Church

Request: Planning Commission Resolution 20-13

Request for a conditional use permit for the operation of an alcoholic beverage dispensary (bar) associated with Moonstone Farm tourism in accordance with MSB Chapter 17.70 – Regulation of Alcoholic Beverage Uses

Location: 2141 S. Church Road (Tax ID# 17N01E16C012);
within Township 17 North, Range 1 East, Section 16, Seward Meridian

Size of Property: 30 acres

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

Staff: Mark Whisenhunt, Planner II 

Staff Recommendation: Approval with conditions

EXECUTIVE SUMMARY

A conditional use permit application has been submitted for the operation of an alcoholic beverage dispensary (bar) associated with Moonstone Farm tourism. The applicant is proposing to use an existing cabin and outdoor beer garden for the operation. The cabin is 12 feet by 12 feet and the outdoor beer garden is 27 feet by 28 feet in size. The proposed use will be approximately 900 square feet in size.

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.

HISTORY

The subject property was first developed as a homestead farm by colonists in 1935. That use continues today. In 2018 the property owner, who is the grandson of the original colonists began operating farm tours during the summer months. The tours offer education, information, and promotion of Alaska grown products.

LAND USE

Existing Land Use:

The subject property is 30 acres in size and is currently a homestead farm, which offers farm tours during summer months.

Surrounding Land Uses:

Land uses to the northwest, north, and northeast are mixed with residential, commercial, and a recreational vehicle (RV) park. An industrial gravel extraction operation, approximately 100 acres in size, abuts the property to the east and southeast. A residential subdivision abuts the property to the south and west, with lots ranging from approximately one to five acres in size.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

Notices were mailed to all property owners within 600 feet of the site and to the Gateway Community Council. A total of 42 notices were mailed on March 6, 2020. The public hearing notice was published in the March 6, 2020 *Frontiersman*. The application material was also posted on the Borough's website on March 6, 2020. The public notice, application material, and a request for comments were emailed to the Gateway Community Council on March 2, 2020. Staff did not receive any comments from the Community Council. Three comments from the public were received. Two supported approval and one did not object to the proposed use, but had a question concerning the amount of noise associated with the proposed use.

Due to the COVID-19 pandemic, Planning Commission meetings in April and May were cancelled. A new public hearing was scheduled for June 8, 2020. On May 19, 2020, 42 new notices with the updated meeting information were mailed to all property owners within 600 feet of the site and to the Gateway Community Council. An updated notice was also published in the May 22, 2020 *Frontiersman*.

CORE AREA PERMIT IS NOT REQUIRED

Section 17.61.020 Intent

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

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

Findings of Fact:

1. The proposed use will be approximately 250 feet from the west property line, 200 feet from the Leslie Circle right-of-way, and more than 1,000 feet from the east and south side lot lines.
2. There is no industrial equipment or processes that generate noise associated with the proposed use.
3. There are no outdoor speakers or public announcement systems associated with the proposed use.

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

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

Findings of Fact:

1. The proposed use is considered a “Drinking Place (Land Use Code 925)” in the Trip Generation, 10th Edition, published by the Institute of Transportation Engineers.
2. The Trip Generation, 10th Edition, published by the Institute of Transportation Engineers, notes the average PM (afternoon) peak hour rate to be 15.53 trips per 1,000 square feet of the gross floor area.
3. The proposed use will be approximately 900 square feet in size.
4. The average PM (afternoon) peak hour rate for the proposed use is calculated to be 14 trips.

Discussion: Currently the Trip Generation, 10th Edition does not contain data for daily trip averages for a “Drinking Place.” With consideration of the low volume (14 trips) of the peak hour trip rate, staff concludes that the proposed use will not produce more than 750 trips per day.

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

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

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

Finding of Fact:

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

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

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

Findings of Fact:

1. The proposed use is commercial/retail in nature and will not generate contaminated water runoff.
2. Applicant is obtaining Alaska Department of Environment Conservation approval to appropriately dispose of gray water produced from washing dishes.
3. The proposed use will have “porta-johns” available for customer use.

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

Section 17.70.100 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. The subject property is 30 acres in size and is currently a homestead farm, which offers farm tours during summer months.
2. In 2018 the property owner began operating farm tours during the summer months. The tours offer education, information, and promotion of Alaska grown products.
3. According to the application material, the proposed use is intended to support the farm tours conducted at the site.
4. The proposed use will be approximately 900 square feet in size.
5. Land uses to the northwest, north, and northeast are mixed with residential, commercial, and a recreational vehicle (RV) park. An industrial gravel extraction operation, approximately 100 acres in size, abuts the property to the east and southeast. A residential subdivision abuts the property to the south and west, with lots ranging from approximately one to five acres in size.
6. The closest residential structure, not owned by the applicant, is approximately 350 feet west of the proposed use.
7. The proposed use will be approximately 250 feet from the west property line, 200 feet from the Leslie Circle right-of-way, and more than 1,000 feet from the east and south side lot lines.
8. There is no industrial equipment or processes that generate noise associated with the proposed use.
9. There are no outdoor speakers or public announcement systems associated with the proposed use.
10. According to the application material, the proposed hours of operation are 12:00 p.m. to 8:00 p.m., daily from May 15 through October 15 in conjunction with farm tour activities.

Discussion: As with most of our applications, we receive updated narratives from the applicant when we ask for additional information. In some cases, the updated information is received in a separate document. In this case, the narrative received in November 2019, noted the hours of operation would be from noon to 5:00 p.m. The additional information received on February 3, 2020, updated the proposed hours to noon to 8:00 p.m. Our evaluation and recommendation is based on the updated proposed hours of operation of 12:00 p.m. to 8:00 p.m., daily from May 15 through October 15.

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. The proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle.

2. South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as to proposed use.
3. According to the Borough Fire Marshal, no plan review is required due to the small size of the building.
4. The subject property is 30 acres in size and is currently a homestead farm, which offers farm tours during summer months.
5. The proposed use will be approximately 900 square feet in size.
6. The nearest school (Machetanz Elementary School) is approximately 6,200 feet southwest of the site. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school.
7. 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.
8. Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons.
9. According to the application material, the proposed hours of operation are 12:00 p.m. to 8:00 p.m., daily from May 15 through October 15 in conjunction with farm tour activities.

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. The proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle.
2. South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as to proposed use.
3. According to the Borough Fire Marshal, no plan review is required due to the small size of the building.
4. The nearest school (Machetanz Elementary School) is approximately 6,200 feet southwest of the site. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school.
5. 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.
6. Alaska Statute 04.16.030 specifically prohibits the sale of alcoholic beverages to drunken persons.
7. The Alcoholic & Marijuana Control Office (AMCO) has no record of violations by the applicants within the last 12 months.

8. The subject property is 30 acres in size and is currently a homestead farm, which offers farm tours during summer months.
9. The proposed use will be approximately 250 feet from the west property line, 200 feet from the Leslie Circle right-of-way, and more than 1,000 feet from the east and south side lot lines.
10. The closest residential structure, not owned by the applicant, is approximately 350 feet west of the proposed use.

Discussion: During the application process it was discovered that a structure labeled as an “equipment shed” does not meet the minimum 25-foot setback requirement. The proposed beverage dispensary (bar) is not going to be located within this structure. The applicant is actively working on moving the structure to a location which meets the setback requirements. The application material states the structure will be moved by July 2020. Staff recommends adopting a condition requiring said structure to be moved or removed to comply with the minimum setback requirements detailed in MSB 17.55 on or before October 1, 2020.

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 property is 30 acres in size and is currently a homestead farm, which offers farm tours during summer months.
2. The proposed use will be approximately 250 feet from the west property line, 200 feet from the Leslie Circle right-of-way, and more than 1,000 feet from the east and south side lot lines.
3. The closest residential structure, not owned by the applicant, is approximately 350 feet west of the proposed use.
4. The proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle.
5. South Church Street is a paved and Borough maintained road.
6. According to the application material, there is only one porch/security light on the north and south sides of the structure.
7. The applicant is not proposing any lighted signage.
8. The applicant is not proposing any outdoor amplified sound activities.

9. According to the application material, the parking area will be watered as needed for dust control.
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. The proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle.
2. South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as the proposed use.
3. The proposed use is considered a “Drinking Place (Land Use Code 925)” in the Trip Generation, 10th Edition, published by the Institute of Transportation Engineers.
4. The Trip Generation, 10th Edition, published by the Institute of Transportation Engineers, notes the average PM (afternoon) peak hour rate to be 15.53 trips per 1,000 square feet of the gross floor area.
5. The proposed use will be approximately 900 square feet in size.
6. The average PM (afternoon) peak hour rate for the proposed use is calculated to be 14 trips.

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. Land uses to the northwest, north, and northeast are mixed with residential, commercial, and a recreational vehicle (RV) park. An industrial gravel extraction operation, approximately 100 acres in size, abuts the property to the east and southeast. A residential subdivision abuts the property to the south and west, with lots ranging from approximately one to five acres in size.

2. According to the application material, the proposed hours of operation are 12:00 p.m. to 8:00 p.m., daily from May 15 through October 15 in conjunction with farm tour activities.
3. The proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle.
4. South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as the proposed use.
5. The proposed use will be approximately 250 feet from the west property line, 200 feet from the Leslie Circle right-of-way, and more than 1,000 feet from the east and south side lot lines.
6. The closest residential structure, not owned by the applicant, is approximately 350 feet west of the proposed use.
7. According to the application material, there is only one porch/security light on the north and south sides of the structure.
8. The cabin is 12 feet by 12 feet in size and has a shiplap siding exterior.
9. The applicant is not proposing any lighted signage.
10. The applicant is not proposing any outdoor amplified sound activities.

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.

Finding of Fact:

1. There is a large parking area on site, which can accommodate more than 10 parking spaces, and multiple buses.
2. According to the site plan, 2 customer parking spaces designated for persons with disabilities will be provided.

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. The proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle.
2. South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as the proposed use.
3. The proposed use is considered a “Drinking Place (Land Use Code 925)” in the Trip Generation, 10th Edition, published by the Institute of Transportation Engineers.

4. The Trip Generation, 10th Edition, published by the Institute of Transportation Engineers, notes the average PM (afternoon) peak hour rate to be 15.53 trips per 1,000 square feet of the gross floor area.
5. The proposed use will be approximately 900 square feet in size.
6. The average PM (afternoon) peak hour rate for the proposed use is calculated to be 14 trips.

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. The proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle.
2. South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as to proposed use.
3. The proposed use is considered a “Drinking Place (Land Use Code 925)” in the Trip Generation, 10th Edition, published by the Institute of Transportation Engineers.
4. The Trip Generation, 10th Edition, published by the Institute of Transportation Engineers, notes the average PM (afternoon) peak hour rate to be 15.53 trips per 1,000 square feet of the gross floor area.
5. The proposed use will be approximately 900 square feet in size.
6. The average PM (afternoon) peak hour rate for the proposed use is calculated to be 14 trips.

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. The proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle.
2. South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as to proposed use.
3. Land uses to the northwest, north, and northeast are mixed with residential, commercial, and a recreational vehicle (RV) park. An industrial gravel extraction operation, approximately 100 acres in size, abuts the property to the east and southeast. A residential subdivision abuts the property to the south and west, with lots ranging from approximately one to five acres in size.

4. The nearest school (Machetanz Elementary School) is approximately 6,200 feet southwest of the site. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school.
5. The proposed use will be approximately 250 feet from the west property line, 200 feet from the Leslie Circle right-of-way, and more than 1,000 feet from the east and south side lot lines.
6. The closest residential structure, not owned by the applicant, is approximately 350 feet west of the proposed use.
7. The subject property was first developed as a homestead farm by colonists in 1935. That use continues today.
8. In 2018 the property owner, who is the grandson of the original colonists began operating farm tours during the summer months. The tours offer education, information, and promotion of Alaska grown products.
9. According to the application material, the proposed use is intended to support the farm tours conducted at the site.
10. According to the application material, the proposed hours of operation are 12:00 p.m. to 8:00 p.m., daily from May 15 through October 15 in conjunction with farm tour activities.

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. According to the application material, the proposed use is intended to support the farm tours conducted at the site.
2. The Alcoholic & Marijuana Control Office (AMCO) has no record of violations by the applicants within the last 12 months.
3. 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.
4. Persons under the age of 21 are prohibited from being served alcoholic beverages.

5. 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 Alcoholic & Marijuana Control Office (AMCO) has no record of violations by the applicants 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 applicants, David and Michelle Church of Moonstone Farm, LLC are untrustworthy or unfit to conduct business in the borough or that the applicants are a potential source of harm to the public.
2. The Alcoholic & Marijuana Control Office (AMCO) has no record of violations by the applicants 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 an alcoholic beverage dispensary (bar) at 2141 S. Church Road (Tax ID# 17N01E16C012). 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.

4. The hours of operation shall be limited to 12:00 p.m. – 8:00 p.m., daily.
5. The structure labeled as the “equipment shed” in the application material shall be moved or removed to comply with the minimum setback requirements detailed in MSB 17.55 on or before October 1, 2020.

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

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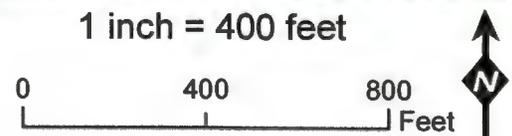
1949 Imagery

-  Roads
-  Moonstone Farms



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Date: 5/27/2020
By: MSB Development Services Division



Land Use Map 2019 Imagery

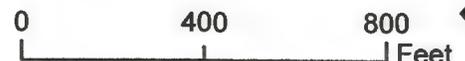
-  Roads
-  Government
-  Religious
-  Residential
-  Commercial
-  Industrial
-  Agricultural
-  Recreational
-  600' Notice Area
-  Moonstone Farms
-  Parcels



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Date: 5/27/2020
 By: MSB Development
 Services Division

1 inch = 400 feet











Drinking Place (925)

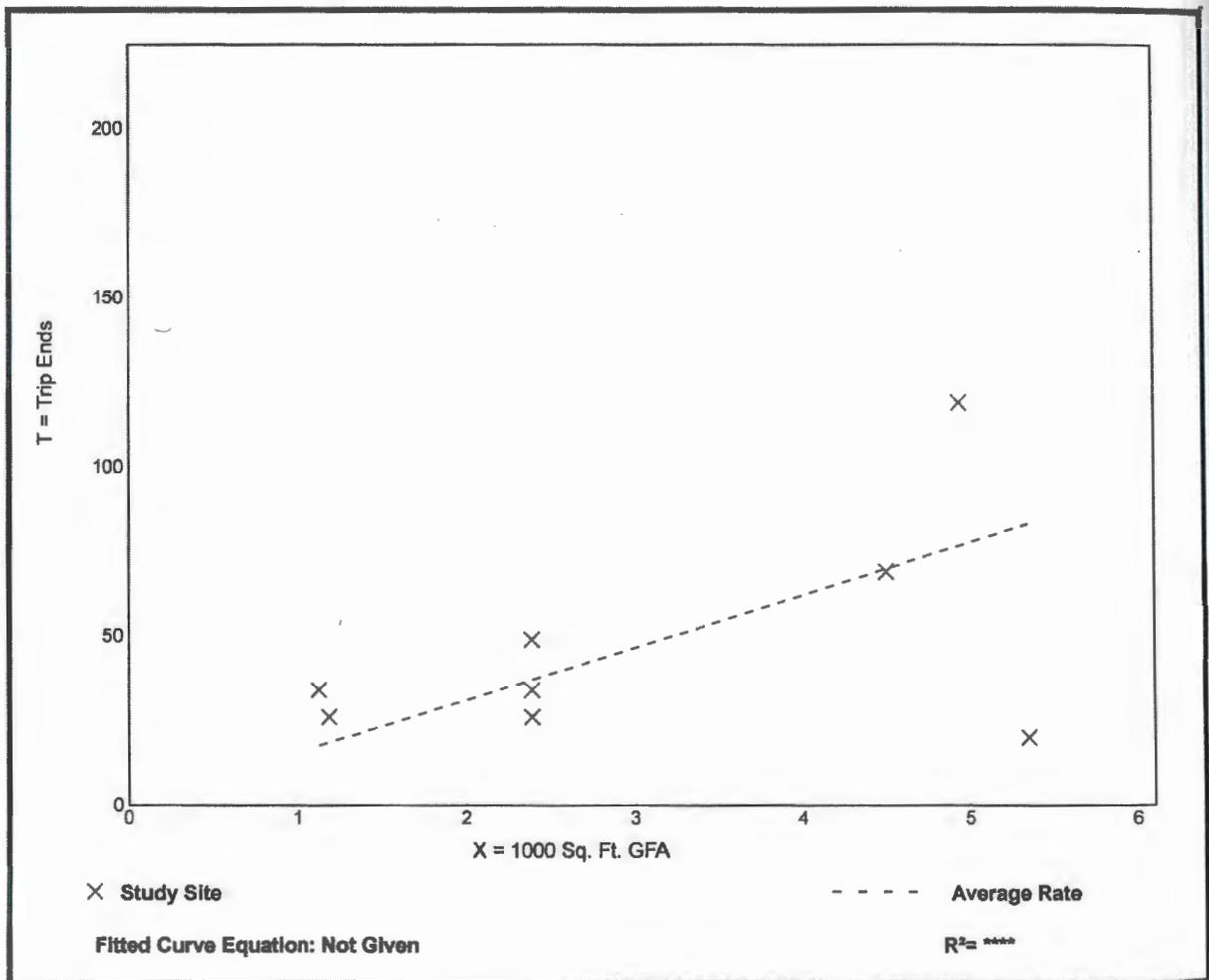
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
PM Peak Hour of Generator

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



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Account 405249

APR 06 2020

Received

Frontiersman

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5751 E. MAYFLOWER CT.
Wasilla, AK 99654

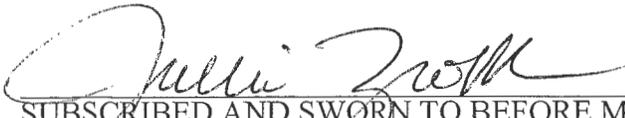
(907) 352-2250 ph
(907) 352-2277 fax

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:

03/06/2020

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


SUBSCRIBED AND SWORN TO BEFORE ME
THIS 9th DAY OF March, 2020.


NOTARY PUBLIC FOR STATE OF ALASKA

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

MAT-SU BOROUGH/PAGE
3.6
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, **May 18, 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 17.70 - Regulation of Alcoholic Beverage Uses, has been submitted by Michelle Church (dba Moonstone Farm) for the operation of an alcoholic beverage dispensary (bar) associated with Moonstone Farm tourism, located at 2141 S. Church Road (Tax ID# 17N01E16C012); within Township 17 North, Range 1 East, Section 16, Seward Meridian.

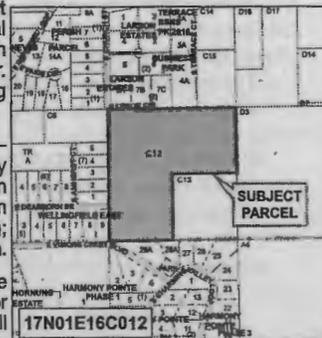
The Planning Commission members may submit questions to the Planning Commission Clerk concerning the matter or request for more information from the applicant at the time of introduction. All questions and requests submitted by the Commission shall be in writing and copies will be provided to the applicant 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 viewed at the Borough Permit Center. For additional information, you may contact Mark Whisenhunt, Planner II, at 861-8527. Written comments can be mailed to: MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to mark.whisenhunt@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 **April 17, 2020** and will be included in the Planning Commission packet for the Planning Commission's review. 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 Date: March 6, 2020

3-08-20





Certificate of Bulk Mailing – Domestic

Fee for Certificate

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For each additional 1,000 pieces, or fraction thereof

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Price List
(Notice 123)

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

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

if payment of total fee due is being paid by Permit Imprint, include the PostalOne![®] Transaction Number here: _____



Number of Identical Weight Pieces <i>42</i>	Class of Mail <i>1st</i>	Postage for Each Mailpiece Paid <input type="checkbox"/> Verified	Number of Pieces to the Pound <i>96</i>
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Total Number of Pounds <i>14.802</i>	Total Postage Paid for Mailpieces <i>21-</i>	Fee Paid <i>8.55</i>
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Mailed For <i>Dev Service</i>	Mailed By <i>Nikki</i>
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Postmaster's Certification

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[Signature]

(Postmaster or Designee)



Mark W. Dew Services

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AFFINITO RUDY T		ANTHONY DAVID B & J M		ARCTIC DEVCO INC	
6190 E DEARBORN DR		2268 S AMHERST CT		PO BOX 3489	
PALMER AK 99645		PALMER, AK 99645		PALMER, AK 99645-3489	
54140B01L014A	4	54952000L003A	5	56613000L007A	6
ASCHENBRENNER LAWRENCE A & C S		BAILEY FAMILY PARTNERSHIP		BLAKE KYLE A	
TR/TRES		STE 100		2027 S CHURCH ST	
601 VINE AVE		350 W INTERNATIONAL AIRPORT RD		PALMER AK 99645-8450	
ANCHORAGE AK 99501-1231		ANCHORAGE AK 99518-1101			
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BOOKER ROGER E & MARIAN W		BREEDEN TIMOTHY RAY		BROCKMAN CHRISTOPHER J	
2406 COACHMAN DR		BREEDEN KIMBERLY MARIE		PO BOX 1866	
CONROE TX 77384-3349		3378 S CHARMING VALLEY LOOP		PALMER, AK 99645	
		PALMER AK 99645			
117N01E16C012	10	55399B01L003	11	52464B07L004	12
CHURCH DAVID D&MICHELLE R		CLENDENIN BRIANNA		EDWARDS FAMILY TR	
2141 S CHURCH ST		ZWEIFEL BRADLEY		#528	
PALMER, AK 99645		6246 E VISIONS CREST BLVD		7362 W PARKS HWY	
		PALMER AK 99645		WASILLA AK 99623	
55399B01L025	13	52514B01L016	14	52464B07L005	15
FENGER THOMAS		GRIZZLY ENTERPRISES LLC		HAMMAN DANIEL T	
3318 S CHARMING VALLEY LOOP		2900 BORLAND DR		2191 S AMHERST CT	
PALMER AK 99645-7730		ANCHORAGE AK 99517-2468		PALMER AK 99645-7729	
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HARDY SCOTT C & PAMELA		HILTON TERRY L & E C		HORNUNG LINDA CHRISTENE	
6212 E VISIONS CREST BLVD		6220 E DEARBORN DR		6156 E VISIONS CREST BLVD	
PALMER AK 99645		PALMER, AK 99645		PALMER AK 99645-7706	
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KG ENTERPRISES LLC		LOOP INDUSTRIES LLC		LUCE KELSEY	
4891 E STONEY HOLLOW DR		950 N SHORELINE DR		LUCE SHANDA	
WASILLA AK 99654-4506		WASILLA AK 99564		6280 E DEARBORN DR	
				PALMER AK 99645-5904	
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MALONE KEITH L & DONNA G		MARSINEK GEO M		MERRICK AUGUSTINE J&KELLY	
PO BOX 671092		29955 ROBERT ST		19205 MOUNT MAGNIFICENT CIR	
CHUGIAK, AK 99567-1092		WICKLIFFE, OH 44092-1713		EAGLE RIVER, AK 99577-8399	
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MORIARTY ENTERPRISES LLC		NESS PAMELA L		OKESON MARK	
4034 NORTH POINT DR		2261 S HORNUNG RD		PO BOX 4135	
ANCHORAGE AK 99502		PALMER, AK 99645		PALMER AK 99645-4135	
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PERKINS WM O & M JEANETTE		PHELPS AUSTIN IKE & ELISABETH H		PIONEERING ALASKA LLC	
6171 E DEARBORN DR		8440 E MARCELL CIR		PO BOX 2734	
PALMER, AK 99645		PALMER AK 99645-7429		PALMER AK 99645-2734	

55399B01L004 31
 PREGON MICHAEL W & SONJA P
 2706 S CHARMING VALLEY LOOP
 PALMER AK 99645-7723

55557B02L013 32
 PROBST KENNETH D
 HALL JUDIE M
 PO BOX 871925
 WASILLA AK 99687-1925

52464B07L001 33
 REUER EUGENE W JR
 PO BOX 873233
 WASILLA AK 99687-3233

55399B01L027 34
 SHARP KATHRYN J
 3362 S CHARMING VALLEY LOOP
 PALMER AK 99645

55656B01L024 35
 SPINELL HOMES INC
 STE 200
 1900 W NORTHERN LGTS BLVD
 ANCHORAGE, AK 99517

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 STAHL ALAN L & TEAL T
 2715 S CHARMING VALLEY LP
 PALMER, AK 99645

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 STEELE ANDREW & SUSAN
 2140 S CHURCH ST
 PALMER AK 99645

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 STEWARD ENTERPRISES INC
 12150 INDUSTRY WAY
 ANCHORAGE AK 99515

52464B05L005 39
 SWANSON PAUL J
 6160 E DEARBORN DR
 PALMER AK 99645

55399B01L026 40
 WAGNER CHAS M & HEATHER S
 3338 S CHARMING VLY LOOP
 PALMER, AK 99645

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 WILLIAMS TRAVIS A
 10117 EAGLE RIVER LN
 EAGLE RIVER AK 99577

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 GATEWAY COMMUNITY COUNCIL
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 PALMER, AK 99645

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Certificate of Bulk Mailing – Domestic

Fee for Certificate

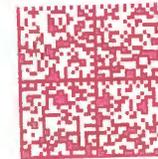
Up to 1,000 pieces (1 certificate for total number)

For each additional 1,000 pieces, or fraction thereof

Duplicate Copy

Use
Current
Price List
(Notice 123)

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



U.S. POSTAGE >>> PITNEY BOWES

 ZIP 99645 \$ 008.55⁰
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 0000368428 MAR 06 2020

Acceptance employee must cancel p affixed (by round-date) at the time of i

If payment of total fee due is being paid by Permit Imprint, include the PostalOne!® Transaction Number here: _____

Number of Identical Weight Pieces <i>42</i>	Class of Mail <i>1st</i>	Postage for Each Mailpiece Paid <input type="checkbox"/> Verified	Number of Pieces to the Pound <i>96</i>
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Total Number of Pounds <i>14.702</i>	Total Postage Paid for Mailpieces <i>21^{1/100}</i>	Fee Paid <i>8.55</i>
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Mailed For <i>Dev. Services</i>	Mailed By <i>N. K. K. K.</i>
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Postmaster's Certification

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

[Signature]
 (Postmaster or Designee)



Mark W - Dev Sources

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ASCHENBRENNER LAWRENCE A & C S		BAILEY FAMILY PARTNERSHIP		BLAKE KYLE A	
TR/TRES		STE 100		2027 S CHURCH ST	
601 VINE AVE		350 W INTERNATIONAL AIRPORT RD		PALMER AK 99645-8450	
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BOOKER ROGER E & MARIAN W		BREEDEN TIMOTHY RAY		BROCKMAN CHRISTOPHER J	
2406 COACHMAN DR		BREEDEN KIMBERLY MARIE		PO BOX 1866	
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		PALMER AK 99645		WASILLA AK 99623	
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KG ENTERPRISES LLC		LOOP INDUSTRIES LLC		LUCE KELSEY	
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MALONE KEITH L & DONNA G		MARSINEK GEO M		MERRICK AUGUSTINE J&KELLY	
PO BOX 671092		29955 ROBERT ST		19205 MOUNT MAGNIFICENT CIR	
CHUGIAK, AK 99567-1092		WICKLIFFE, OH 44092-1713		EAGLE RIVER, AK 99577-8399	
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ANCHORAGE AK 99502		PALMER, AK 99645		PALMER AK 99645-4135	
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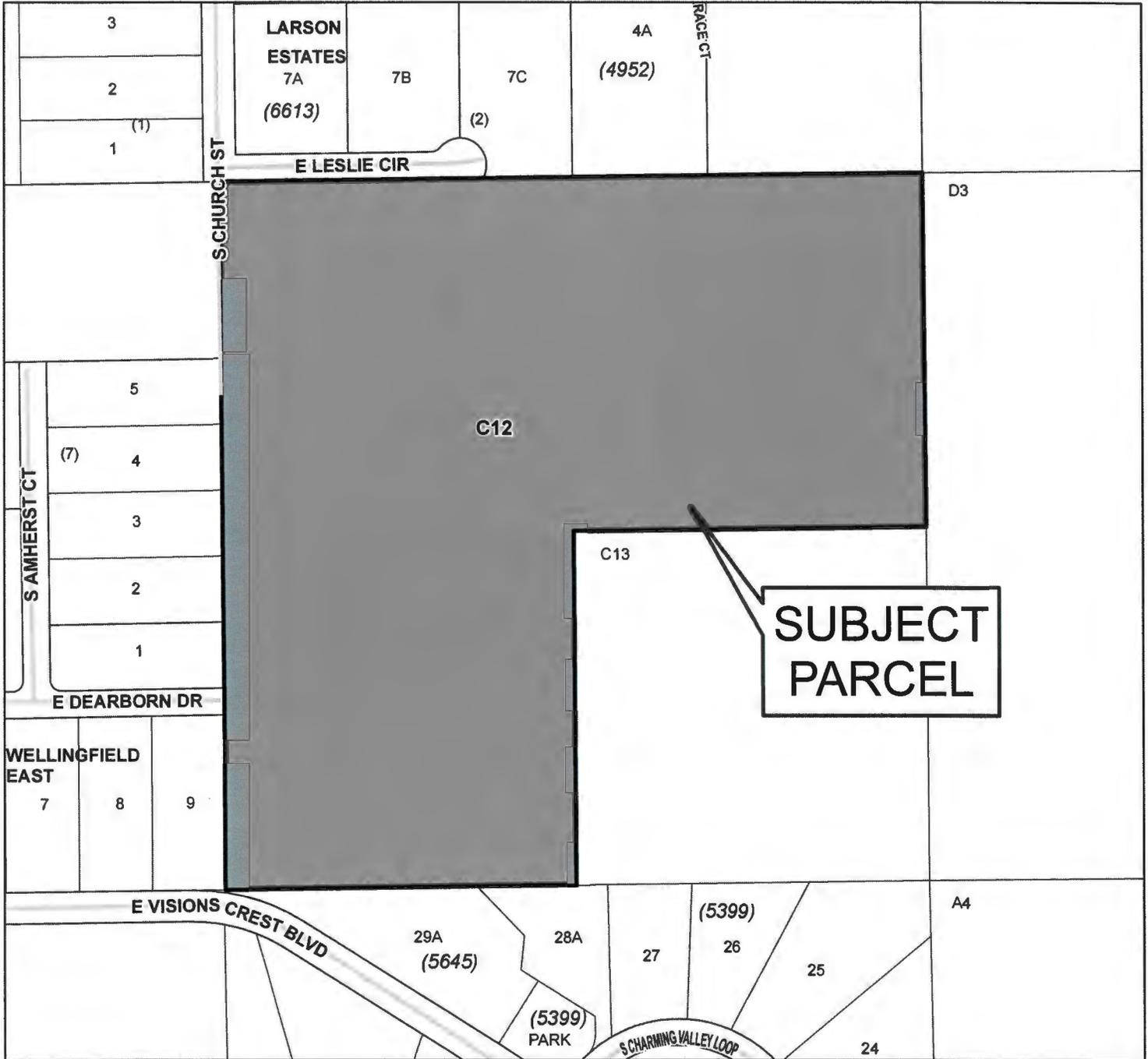
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52464B05L008 41
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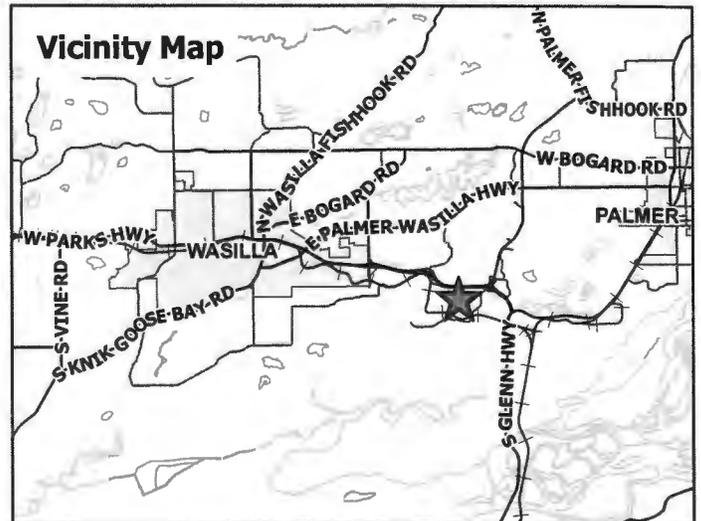
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 PO BOX 578
 PALMER, AK 99645

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VICINITY MAP



17N01E16C012



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.

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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) 861-7876

Email: permitcenter@matsugov.us

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.

*Ad ck #441
11/15/19*

Application fee must be attached:

- \$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: 17N, Range: 1E, Section: 16, Meridian SMA

MSB Tax Account # 17N01E16 0012

SUBDIVISION: _____ BLOCK(S): _____ LOT(S): _____

STREET ADDRESS: 2141 S. Church Street Palmer AK 99645

(US Survey, Aliquot Part. Lat. /Long. etc) _____

Establishment Name: Moonstone Farm

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
David Church

Name of Agent/ Contact for application
Michelle Church

Address: 2141 S. Church St
Palmer AK 99645

Address: 2141 S. Church Street
Palmer AK 99645

Phne: Hm 7450130 Fax ---

Phne: Hm 7450130 Fax ---

Wk 745-0130 Cell ---

Wk 354-1887 Cell 354-1887

E-mail moonstonefarm05@gmail.com

E-mail moonstonefarm05@gmail.com

In order to grant a conditional use permit under MSB 17.70, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:	Attached
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?	
2. Will the granting of the conditional use permit be harmful to the public health, safety, convenience and welfare?	

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	3
2. Number of employees proposed to work on largest work shift.	2
3. Number of regular parking spaced provided.	10
4. Number of handicapped parking spaces provided.	2
5. Is the use a sole occupant in a building or a tenant in a building?	yes
6. Total square footage of space in building occupied by this use.	144 sq. ft
7. Hours of operation.	12-5 pm
8. Noise mitigation measures	n/a

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) ~~1260~~ 17N01E16C012 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.

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, at other times necessary to monitor compliance.

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

Michelle Church Michelle Church 9-5-19
Signature: Property Owner Printed Name Date

Signature: Agent Printed Name Date

MOONSTONE FARM
ALCOHOL BEVERAGE DISPENSARY
CONDITIONAL USE APPLICATION

Applicants:

Michelle and David Church
Owners
Moonstone Farm
2141 S Church Street
Palmer, AK 99645
Moonstonefarm05@gmail.com
(907)354-1887

Matanuska - Susitna Borough
Development Services

NOV 15 2019

Received

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?

Moonstone Farm is a market farm owned and operated by the grandson of the colonists who built the homestead in 1935. Farm tours have been occurring on the farm for the past two seasons, 2018 and 2019. The purpose of obtaining an alcohol license is to allow diversification of revenue sources for the farm and augmentation of the ongoing tourist related activities providing introduction, education and promotion of Alaska grown products, beer, wine, cider and spirits produced in Alaska. The bar will be operated in conjunction with current ongoing farm activities which include produce, flower and hay sales, and farm tour opportunities. The bar will keep in character with the small family run farm operation. The bar will be located in a small cabin on the property with a designated fenced in "beer garden." Traffic will be limited to the buses and vans already coming to the farm as well as potential foot traffic from patrons of a neighboring RV Park. Bar hours will be limited to noon to 5:00pm to serve tour operations.

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

Operation of the bar will be conducted in full compliance of all state and local laws. Staff serving alcohol will be property credentialed. Alcohol consumption will occur only in designated outdoor area and will be strictly monitored by staff. The purpose of the bar is to provide tasting opportunities for tour groups and the number of drinks allowed will be limited.

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

See site map.

4. Is there any potential negative effect upon other properties in the area due to such factors as dust, noise, obtrusive advertising and glare?

There will not be any lighted signage. Hours of operation are limited to usual hours of farm tours, anticipated to be noon to 5:00 pm. Church Street is paved, the road dead ends at the subject property. Parking area will be kept watered if needed for dust control. There will be no amplified sound system within the bar area. The past two years of farm tours have not resulted in any issues addressed here and the tours will continue to operate in the same way with the added opportunity to taste test local brews and spirits.

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?

Traffic to the property will not increase beyond what is already occurring other than potential foot traffic from the neighboring RV park. Patrons currently arrive at the property in buses and vans operated by licensed tour companies. Church Street dead ends at the subject property.

6. What measures are being proposed to reduce any negative effect upon adjacent and nearby properties....

The subject property is 30 acres in total. No homes or businesses are within 100' of the property lines. The bar will be housed in a small cabin within the property (see site map) with a fenced "beer garden" where consumption will occur. No lighted signage or amplified sound systems will be used. Hours of operation are during the day.

7. Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit?

See site map. Parking is located in the entrance to the property with handicapped parking allowed next to the bar. Local farm tourists are transported to the farm in vans and buses so the number of vehicles traveling to the property is limited. Parking can occur on the gravel and grass areas accommodating anywhere from 10 to 50 vehicles. There are two exits from the property available for potential emergency vehicle use.

8. Will access to the premises create an unreasonable traffic hazard?

Traffic to the property is limited to occasional customers who come to buy produce, flowers and hay. Tour buses and vans come in sporadically throughout the week and do not create any traffic issues. The property is at the end of Church Street.

9. Will a reasonable expected increase in traffic overtax the existing road system?

There is no increased traffic anticipated beyond what already occurs from people traveling to the farm to purchase produce, flowers, hay or participate in farm tours.

10. Is the use compatible with the character of the surrounding neighborhood?

The bar will be incorporated into the ongoing activities of a historical family farm. It will meld into the character of the farm and will simply augment ongoing activities designed to celebrate and educate the public on Alaska grown and Alaska produced products. Consumption of alcohol will be limited to taste tasting and consumption will be closely monitored to maintain a family friendly atmosphere.

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?

Alcohol consumption will be closely monitored by staff who will be family members living on the farm. Anyone serving alcohol will be properly credentialed by the state and all laws concerning the serving of alcoholic beverages will be strictly adhered to. Consumption is for taste testing and refusal to serve anyone who is inebriated will be strictly enforced.

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.

The cabin that will serve as the bar is under renovation and will be inspected by the Fire Marshall as soon as it is completed, estimated to occur spring 2020. All alcohol will be purchased and served in the cabin but consumption will occur in a designated outdoor area. Patrons will buy their beer, etc then step outside to drink it. Maximum capacity of the bar will be 3, one server and two patrons maximum at a time. There will be smoke and CO2 detectors and a fire extinguisher.

2. Number of employees proposed to work on largest work shift

Two (2)

3. Number of regular parking spaces provided

Ten (10) (see site map)

4. Number of handicapped parking spaces provided

Two (2) (see site map)

5. Is the use a sole occupant in a building or tenant in a building?

Yes

6. Total square footage of space in building occupied by this use

144 sq feet (building is 12' X 12')

7. Hours of operation

12:00 noon to 5:00pm Coinciding with scheduled farm tours

8. Noise mitigation measures

None required

SECURITY PLAN:

The bar will be on a family owned market farm. Two family members or farm workers will be present during bar hours. The purpose is to provide tasting opportunities for farm tour participants and farm guests. Alcohol service and consumption will be monitored by the host/farm guide as well as the server in the bar. Tour guests who have minor children with them will be served refreshments in a different area of the farm outside the designated bar

garden. Signage will be prominently placed at the entrances stating that no minors will be allowed in the bar garden as required by state law.

The area designated for consumption of all alcoholic beverages is an outside "beer garden" design delineated on all sides by a 3 foot wooden fence. There will be a single point of entry via a gate on the north side of the fenced area next to the building. We will have a camera on the gate with a monitor inside the small building where the alcohol will be sold so that the employee serving the alcohol can monitor the gate along with the host farm guide who will remain with the guests.

All individuals serving alcohol will hold current TAP cards.

Signage will be posted at each gate stating that alcoholic beverages are prohibited beyond that point.

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MOONSTONE FARM
ALCOHOL BEVERAGE DISPENSARY
CONDITIONAL USE APPLICATION
REQUEST FOR ADDITIONAL INFORMATION RESPONSE

1/30/20

Matanuska-Susitna Borough
Permit Center

Applicants:

FEB 03 2020

Michelle and David Church
Owners
Moonstone Farm
2141 S Church Street
Palmer, AK 99645
moonstonefarm05@gmail.com
(907)354-1887

Received

Dear Mr. Whisenhunt:

Enclosed are scaled drawings, maps and additional narrative in answer to your 12/9/19 letter requesting additional information/clarification for our CUP liquor license.

Drawing 1: PROPERTY MAP
Drawing 2: SITE MAP
Drawing 3: Bar Layout
Drawing 4: Bar Interior Layout and Lighting

In our discussions with planning staff regarding our CUP application, we were informed of a setback violation on the north side of the property. The 120' long structure (marked as 'q' on the SITE MAP) will be moved to the south to meet the required 25' setback from the north property line as required by code. The structure is currently 10' from the property line. Once the ground has thawed and is workable the building will be moved forward. Our goal is to have the setback issue resolved by the first of July 2020. We understand completion of this setback remedy will be a requirement of the CUP.

The Site Map drawing indicates the area that will be utilized for parking. As stated in our earlier CUP narrative, the bar will be primarily used to augment ongoing farm tour activities. Farm tour participants arrive via bus or van so multiple parking spaces are not normally required. However, in order to host a larger event such as a reception or wedding, we have indicated where additional public parking can occur. The total area designated for the parking is 17,830 sq feet and is noted on the Property Map as well as the Site Map.

The Handicapped Parking is designated as two ADA compliant spaces (each 8' wide) directly on the north side of the bar building. Signage for these spaces will be placed on the north side of the bar building. Persons requiring handicapped parking will be able to drive

directly to the bar building. Others will be walking from the parking area past the north garden as indicated on the drawing as Pedestrian Circulation. See Site Map and Bar Layout for details showing ADA compliant handicap parking location.

There will be no contouring or landscaping done regarding the bar beyond what already exists on the property. Natural surface drainage occurs southward of the subject building, indicated by blue arrows on the Site and Property Maps. No persons or property will be impacted by placement of this structure as we own the 20+ acres of land to the south of the bar building.

Existing vegetative buffers consists of a tree line along the entire property as well as significant tree stands to the east and the south, clearly visible on the attached aerial photo of the property. The bar will not have additional vegetative buffering added around the structure.

There are no private or public use easements on the property.

Drawings 3 and 4 provide detailed to scale plans for the 12' X 12' bar. The outdoor beer garden will be bordered by fencing. Proper signage designating where consumption of alcoholic beverages can occur will be posted on the bar and on the fencing as required by state statute. The 27' X 28' outdoor beer garden area is south of the bar building and is designated on the drawings. Bar patrons will enter the gate on the south west corner of the bar. Beverages will be dispensed inside the 12' X 12' bar with consumption of the beverage occurring outside the bar in the beer garden area. We anticipate maximum capacity for the bar building will be 3 to 5 people, to be determined by the Fire Marshall. Persons with mobility issues will be served in the beer garden.

Bar hours will be available Monday through Sunday from noon to 8:00pm in conjunction with farm tour activities. We expanded the proposed hours of operation from our original application to allow maximum flexibility for activities as we are unable to confirm scheduled farm tours at this date. We will be meeting with tour operators to finalize hours of operation once we have received final approval of the liquor license. Our focus is to enhance the farm tour experience and to promote Alaska agriculture through tourism activities; however, as a seasonal full dispensary license we reserve the right to serve other groups and members of the public during our stated hours of operation. The bar will be seasonally operated from May 15 to October 15.

We have attached the driveway permit for the primary access which will be from Church Street. We have applied for and received a grandfathered permit for the driveway off Leslie Circle. We have been informed that we will receive the permit for this driveway as soon as inspections by the Borough can be completed this spring. The Church Street driveway is approximately 20' wide. The Leslie Circle driveway is approximately 15' wide. Leslie Circle exit is available for emergency and overflow access for larger events. There is an additional permitted driveway on the south west boundary of the property intersecting with Dearborn Circle however it will not be used for any activity associated with this CUP. We have attached the receipt for this permit application. Dearborn Circle is also scheduled for

upgrade by the Borough and the final driveway will be completed when that project is done.

The bar is 330' from the nearest intersection, which is Church Street and Leslie Circle.

The farm has a 3 X 3 Moonstone Farm sign posted at the entrance to the property off Church Street. We will have an unlighted bar sign designed and mounted to the outside of the building scaled to the building once remodeling of the structure is completed. There will be one exterior light outside the bar door entrance on the south side of the building and a security light on the north side of the building above the handicap parking area. Because CUP activities are limited to May through October, no additional lighting will be required.

There will be an interior security camera and three exterior mounted security cameras that can be remotely monitored as well as via a screen inside the bar.

We are currently working with DEC to get final approval of the grey water disposal plan. A 'porta john' will be rented and on site for guest use during the farm tour season from May through October. An outdoor guest hand washing station will be located on the west side of the bar building. We will be meeting with the Fire Marshall in the next week to get scheduled for inspection and plan approval. We anticipate both additional agency approvals will be completed prior to the CUP hearing.

If there are any other questions or clarification we need to provide please let us know. Thank you for your assistance.

Michelle Church
Moonstone Farm
(907)354-1887
moonstonefarm05@gmail.com

Attachments:

Drawing 1: Property Map

Drawing 2: Site Map

Drawing 3: Bar Layout

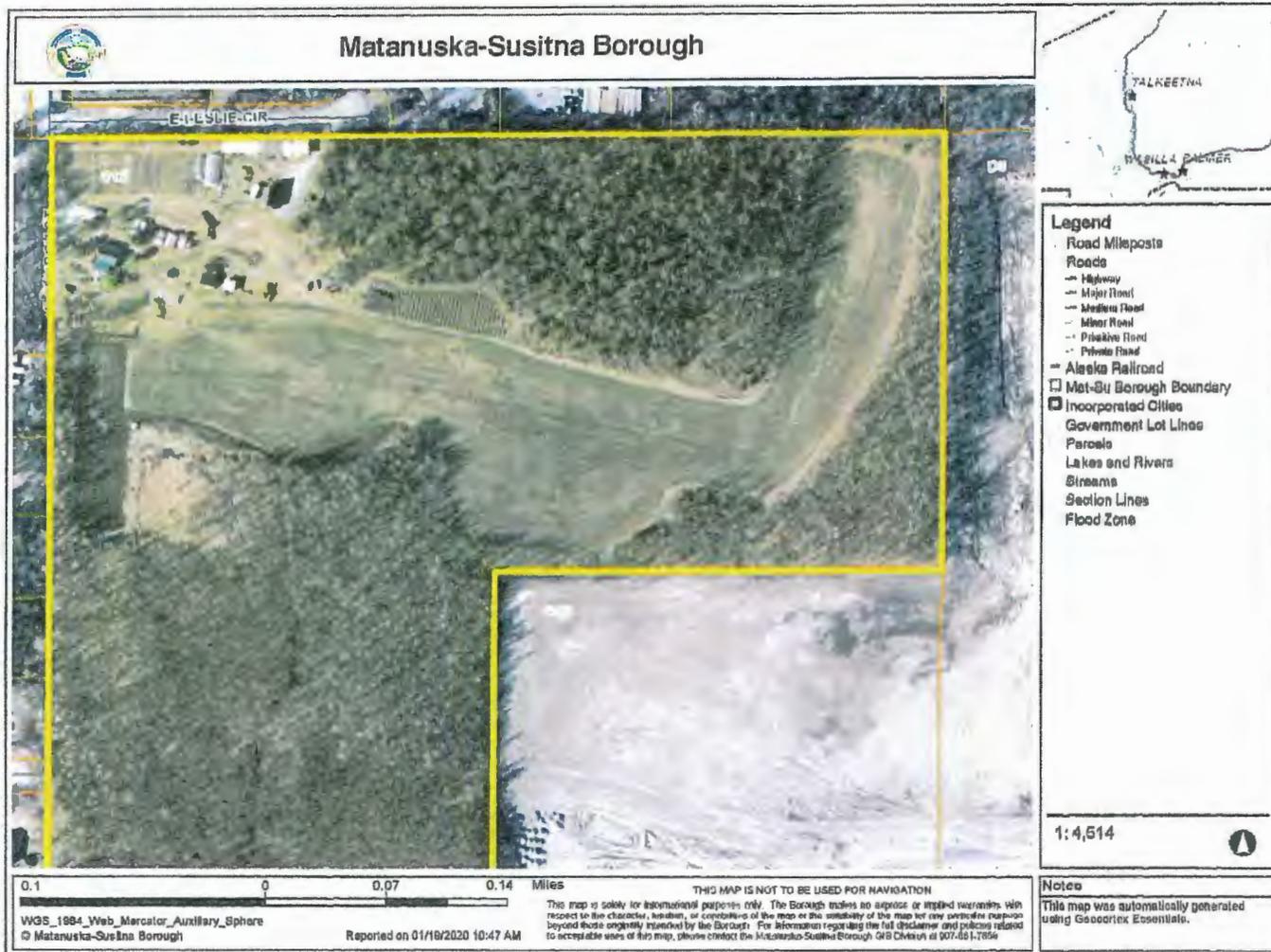
Drawing 4: Bar Interior Layout and Lighting

Matanuska Susitna Borough Geocortex photo

Matanuska Susitna Borough parcel viewer showing street map

Driveway permits: Church Street, Leslie Circle, Dearborn

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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 # D23405
TAX PARCEL ID # 17N01E16C006

October 9, 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.

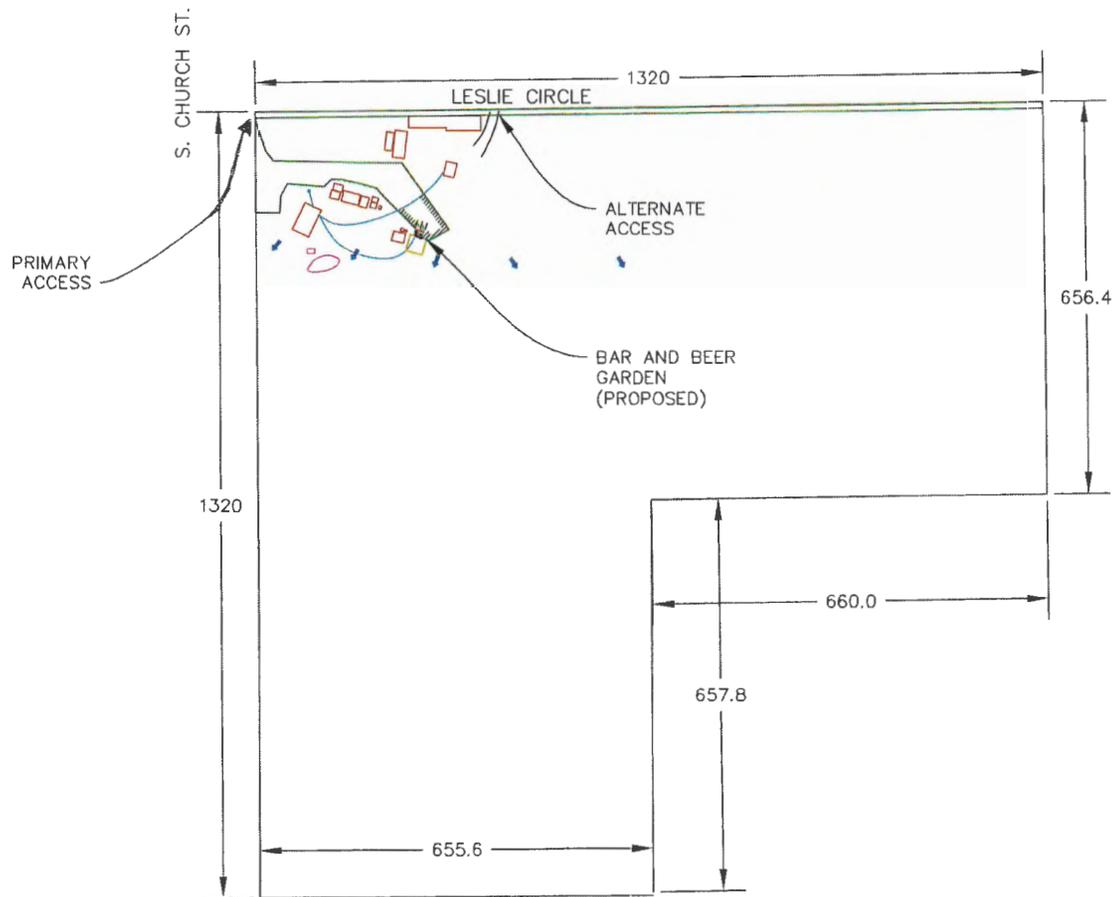
Sincerely,

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

Michelle Olsen, CFM
Permit Technician

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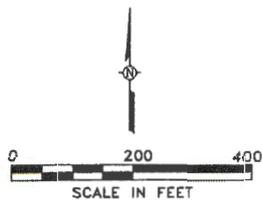
SITE PLAN

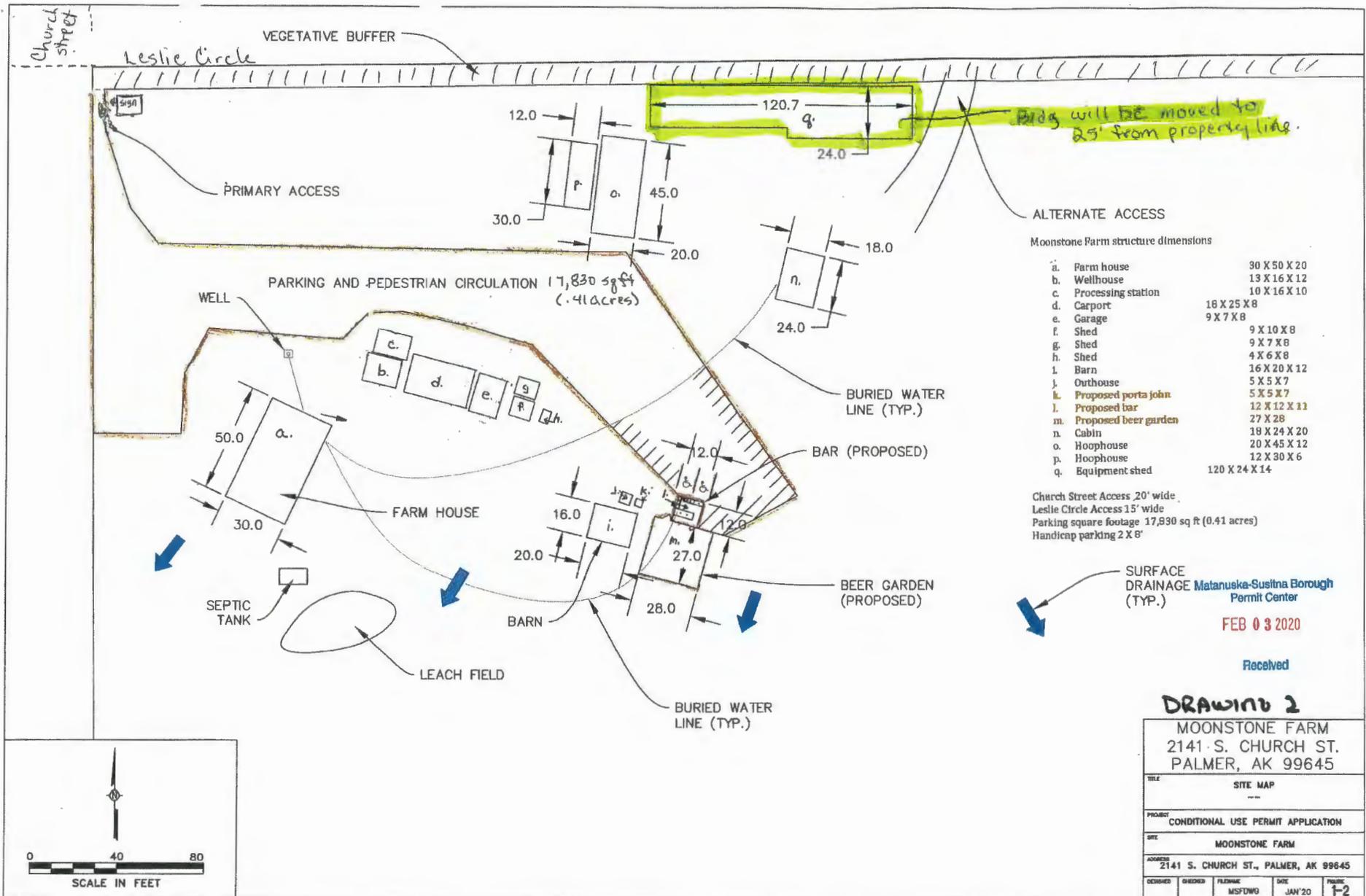


Matanuska-Susitna Borough
Permit Center
FEB 03 2020
Received

DRAWING 1

MOONSTONE FARM 2141 S. CHURCH ST. PALMER, AK 99645				
TITLE PROPERTY MAP				
PROJECT CONDITIONAL USE PERMIT APPLICATION				
SITE MOONSTONE FARM				
ADDRESS 2141 S. CHURCH ST., PALMER, AK 99645				
DESIGNED	CHECKED	FILED	DATE	FIGURE
		MSFDWG	JAN'20	1-1







Matanuska-Susitna Borough
Permit Center

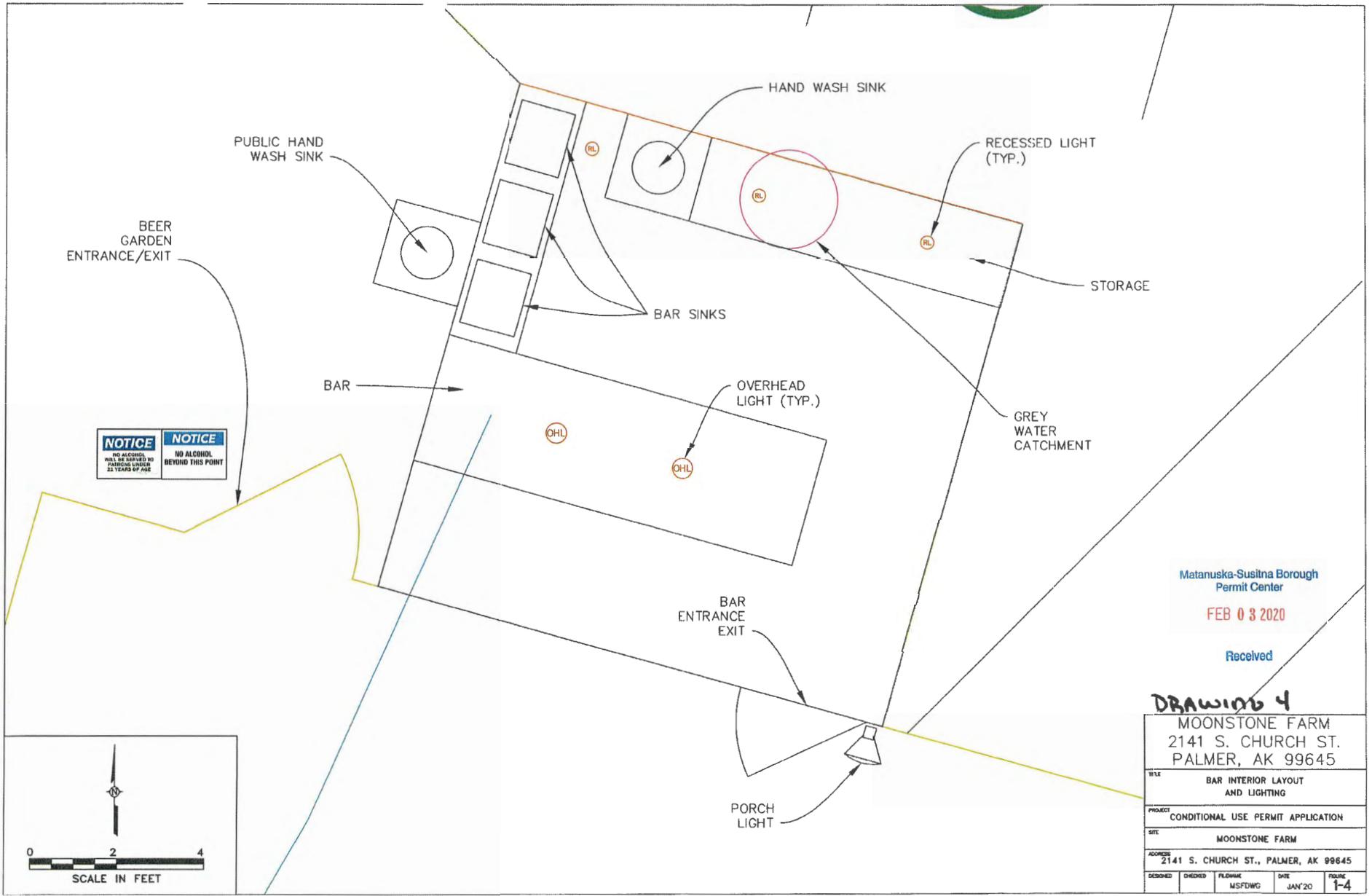
FEB 03 2020

Received

DRAWING 3

MOONSTONE FARM
2141 S. CHURCH ST.
PALMER, AK 99645

TITLE	BAR LAYOUT			
PROJECT	CONDITIONAL USE PERMIT APPLICATION			
SITE	MOONSTONE FARM			
ADDRESS	2141 S. CHURCH ST., PALMER, AK 99645			
DRAWN	CHECKED	FILED	DATE	FIGURE
		MSPDWG	JAN'20	1-3



NOTICE NO ALCOHOL WILL BE SERVED TO PATRONS UNDER 21 YEARS OF AGE

NOTICE NO ALCOHOL BEYOND THIS POINT

Matanuska-Susitna Borough
Permit Center

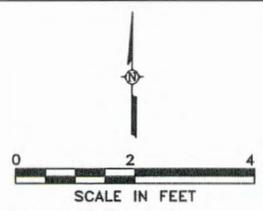
FEB 03 2020

Received

DRAWING 4

MOONSTONE FARM
2141 S. CHURCH ST.
PALMER, AK 99645

TITLE				
BAR INTERIOR LAYOUT AND LIGHTING				
PROJECT				
CONDITIONAL USE PERMIT APPLICATION				
SITE				
MOONSTONE FARM				
ADDRESS				
2141 S. CHURCH ST., PALMER, AK 99645				
DESIGNED	CHECKED	FLOWING	DATE	FOUR
		MSFDWG	JAN'20	1-4



COMMENTS

Agency Comments

Mark Whisenhunt

From: Fire Code
Sent: Wednesday, May 20, 2020 1:55 PM
To: Mark Whisenhunt
Subject: Moon Stone Farm

The Fire Marshal met with the Church's in April, regarding the Moon Stone Farm use of a small outbuilding for outdoor alcohol sales. The Fire & Life Safety Division will not require a plan review for this location.



Michelle Wagner

Permit Technician

CMSFD – Fire & Life Safety Division (Fire Code)

Matanuska Susitna Borough – Department of Emergency Services

Phone: (907) 861-8030 – Email: FireCode@matsugov.us

Mark Whisenhunt

From: Taunnie Boothby
Sent: Thursday, April 16, 2020 1:32 PM
To: Karol Riese; Pam Graham
Cc: Mark Whisenhunt
Subject: RE: RFC Michelle Church/Moonstone Farm - CUP Alcoholic Beverage Dispensary (BAR) 2141 S. Church Road 17N01E16 DUE: April 17, 2020

No special flood hazard area.

Taunnie L. Boothby, CFM, Planner II
Matanuska-Susitna Borough
Planning Department
907-861-8526
taunnie.boothby@matsugov.us

-----Original Appointment-----

From: Karol Riese <Karol.Riese@matsugov.us>
Sent: Tuesday, March 3, 2020 2:53 PM
To: Karol Riese; Pam Graham; Taunnie Boothby
Subject: RFC Michelle Church/Moonstone Farm - CUP Alcoholic Beverage Dispensary (BAR) 2141 S. Church Road 17N01E16 DUE: April 17, 2020
When: Friday, April 17, 2020 12:00 AM to Saturday, April 18, 2020 12:00 AM (UTC-09:00) Alaska.
Where:

Mark Whisenhunt

From: Theresa Taranto
Sent: Thursday, March 26, 2020 4:57 PM
To: Mark Whisenhunt
Subject: Comments Moonstone Farm
Attachments: comments KG Enterprises.pdf

Theresa Taranto
Mat-Su Borough
Development Services
Administrative Specialist

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



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

March 20, 2020

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

Subject: Conditional Use Permit for an alcoholic beverage dispensary located at 2141 S. Church Road, within Township 17 North, Range 1 East, Section 16, Seward Meridian.

Dear Mr. Whisenhunt:

ENSTAR Natural Gas Company has reviewed the application for a conditional use permit for an alcoholic beverage dispensary.

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 blue ink that reads "Cassie Acres".

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

Mark Whisenhunt

From: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Sent: Wednesday, March 4, 2020 1:13 PM
To: Mark Whisenhunt
Cc: Alcohol Licensing, CED ABC (CED sponsored)
Subject: RE: Moonstone Farm: Beverage Dispensary License #5852

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

Good afternoon,

As far as I know, those individuals do not have any interest in other liquor licenses at all.

Thank you for asking,

Carrie Craig

Records and Licensing Supervisor
Alcohol and Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0350

From: Mark Whisenhunt <Mark.Whisenhunt@matsugov.us>
Sent: Tuesday, March 3, 2020 1:45 PM
To: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>; AMCO Admin (CED sponsored) <amco.admin@alaska.gov>
Subject: Moonstone Farm: Beverage Dispensary License #5852
Importance: High

Greetings,

Our office has received an application for Conditional Use Permit to operate an alcoholic beverage dispensary (bar) associated with Moonstone Farm tourism, located at 2141 S. Church Road (MSB Tax ID# 17N01E16C012). MSB 17.70.110(B)(2) requires our office to find out if "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."

Can you please let me know if the following individuals have interest in a liquor license which was suspended or revoked in the 12 months preceding the application:

1. David Church
2. Michelle Church
3. Moonstone Farm

Mr. and Mrs. Church are currently working with your office to obtain Beverage Dispensary License #5852. Please let me know if you have any questions. Thank you for your time and consideration on this matter.

Respectfully,

Mark Whisenhunt

Planner II

Matanuska-Susitna Borough

Office: (907) 861-8527

mark.whisenhunt@matsugov.us

Public Comments

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

Matanuska-Susitna Borough
 Development Services

MAR 18 2020

Received

55645B01L028A 8
 BREEDEN TIMOTHY RAY
 BREEDEN KIMBERLY MARIE
 3378 S CHARMING VALLEY LOOP
 PALMER AK 99645

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: Michelle Church (dba Moonstone Farm)
Location: 2141 S. Church Road (Tax ID# 17N01E16C012);
 within Township 17 North, Range 1 East, Section 16, Seward Meridian.
Request: An application for a conditional use permit has been submitted for the operation of an alcoholic beverage dispensary (bar) associated with Moonstone Farm tourism.

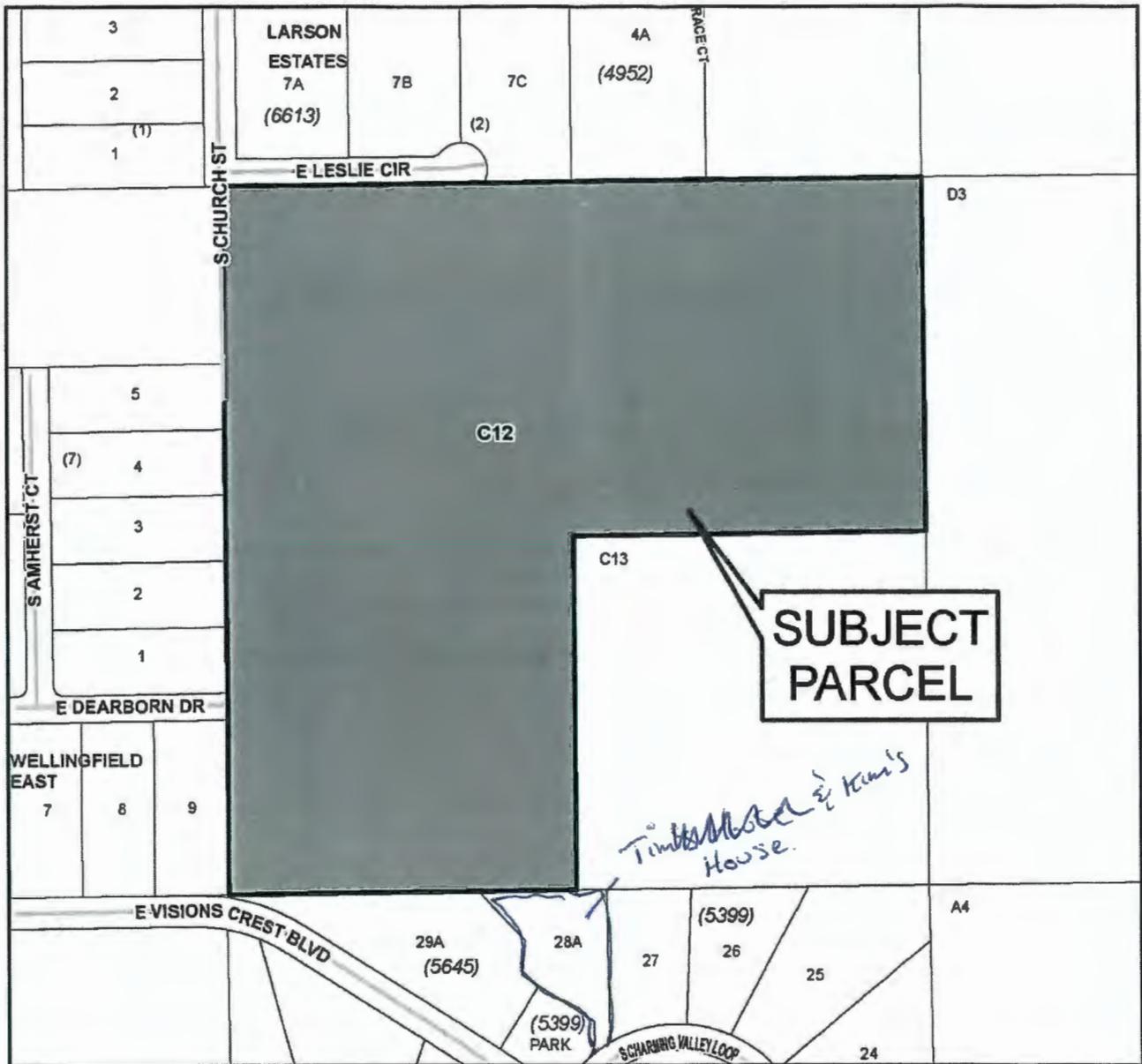
The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **May 18, 2020 at 6:00 p.m.** in the Borough Assembly Chambers, 350 E. Dahlia Avenue, in Palmer. This may be the only presentation of this item before the Planning Commission 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 Mark Whisenhunt, Planner II, at 861-8527. Written comments can be mailed to the MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645. You may e-mail comments to mark.whisenhunt@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 **April 17, 2020** and will be included in the Planning Commission packet for the Planning Commission'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: Timothy R Breeden **Mailing Address:** 3378 S Charming Valley Loop
Location/Legal Description of your property: Harmoy PT 1 RSB B/1 L/28-29 Blk 1 Lot 28A
Comments: This Property is literally "in my back yard," please see the picture/map on reverse. I thank the Borough for the notice. I think my neighbors should be allowed to do whatever they wish with their property, provided that it does not affect me. This does not affect me. They are responsible people and care about safety. I support approval.

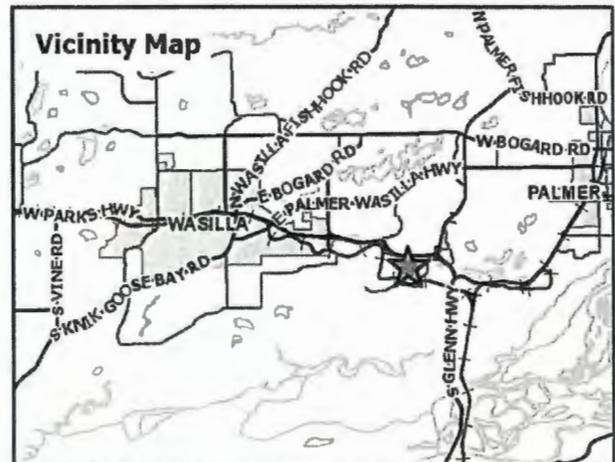
Note: Vicinity Map Located on Reverse Side



17N01E16C012



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

Matanuska-Susitna Borough
 Development Services

APR 09 2020

Received

55656B01L023 18
 HORNUNG LINDA CHRISTENE
 6156 E VISIONS CREST BLVD
 PALMER AK 99645-7706

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: Michelle Church (dba Moonstone Farm)
Location: 2141 S. Church Road (Tax ID# 17N01E16C012);
 within Township 17 North, Range 1 East, Section 16, Seward Meridian.
Request: An application for a conditional use permit has been submitted for the operation of an alcoholic beverage dispensary (bar) associated with Moonstone Farm tourism.

The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **May 18, 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.

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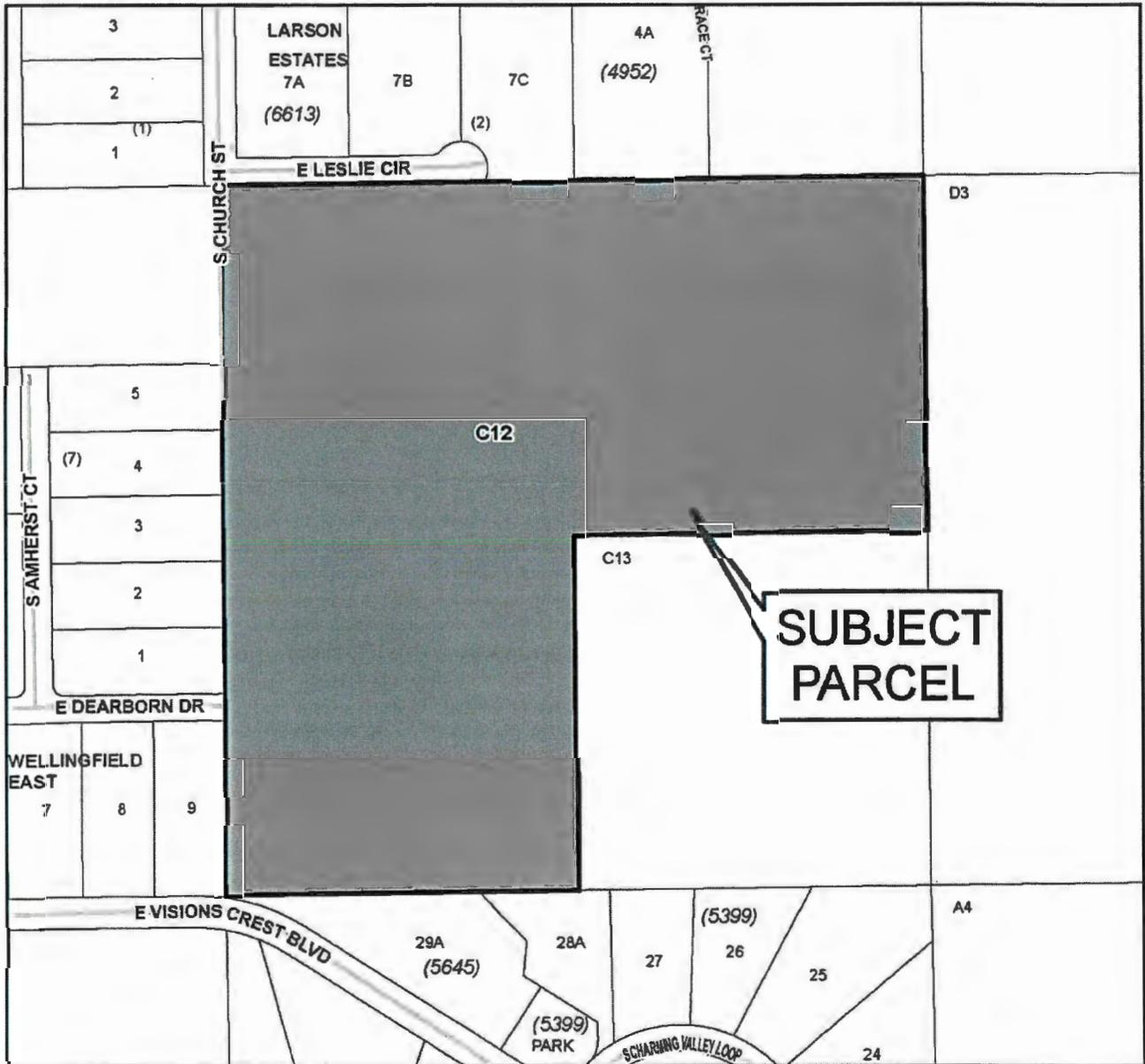
Comments are due on or before **April 17, 2020** and will be included in the Planning Commission packet for the Planning Commission's review and information. Please be advised that comments received from the public after that date will not be included in the staff report to the Planning Commission.

Name: Linda Hornung Mailing Address: 6156 E Visions Crest Blvd Palmer

Location/Legal Description of your property: _____

Comments: Everyone should be allowed to do with their property as they wish but I admit that a "bar" going into a residential area with children around does not sound like the safest thing to have next door to a person. How much noise and disruption will this bring?

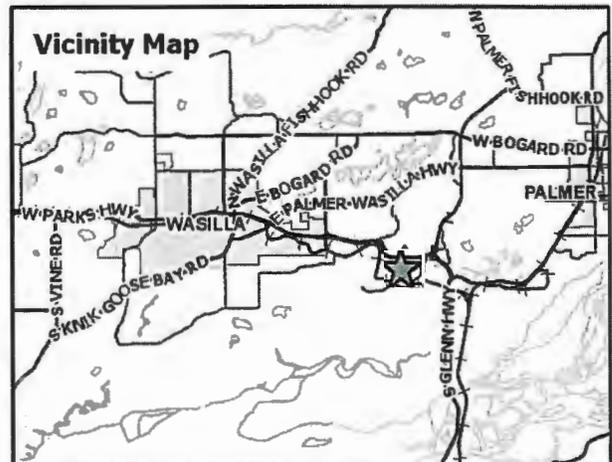
Note: Vicinity Map Located on Reverse Side



17N01E16C012



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

Matanuska-Susitna Borough
Development Services

MAR 26 2020

Received

52514B01L006 19
KG-ENTERPRISES LLC
4891 E STONEY HOLLOW DR
WASILLA AK 99654-4506

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:** Michelle Church (dba Moonstone Farm)
- Location:** 2141 S. Church Road (Tax ID# 17N01E16C012);
within Township 17 North, Range 1 East, Section 16, Seward Meridian.
- Request:** An application for a conditional use permit has been submitted for the operation of an alcoholic beverage dispensary (bar) associated with Moonstone Farm tourism.

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Comments are due on or before **April 17, 2020** and will be included in the Planning Commission packet for the Planning Commission'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: Kenneth Gittlein and Janice Gittlein Mailing Address: 3147 E. Carney Rd Wasilla, AK 99654

Location/Legal Description of your property: 2010 S. Church St Palmer AK

Comments: We have owned property near Dave and Michelle Church since 1991. They have always been good, responsible neighbors and we have no problem with them operating an alcoholic beverage dispensary on their property. We are in favor of granting them their conditional use permit.

Note: Vicinity Map Located on Reverse Side

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**PLANNING COMMISSION
RESOLUTION**

By: Mark Whisenhunt
Introduced: May 18, 2020
Public Hearing: June 8, 2020
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 20-13

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF AN ALCOHOLIC BEVERAGE DISPENSARY (BAR), LOCATED AT 2141 S. CHURCH ROAD (TAX ID# 17N01E16C012); WITHIN TOWNSHIP 17 NORTH, RANGE 1 EAST, SECTION 16, SEWARD MERIDIAN.

WHEREAS, an application has been received from Michelle Church, dba Moonstone Farm for a conditional use permit for the operation of an alcoholic beverage dispensary (bar) at 2141 S. Church Road (Tax ID# 17N01E16C012); within Township 17 North, Range 1 East, Section 16, Seward Meridian; and

WHEREAS, MSB 17.70.020 requires a conditional use permit for the operation of an alcoholic beverage dispensary (bar); and

WHEREAS, 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; and

WHEREAS, the subject property is 30 acres in size and is currently a homestead farm, which offers farm tours during summer months; and

WHEREAS, in 2018 the property owner began operating farm tours during the summer months. The tours offer education, information, and promotion of Alaska grown products; and

WHEREAS, according to the application material, the proposed use is intended to support the farm tours conducted at the site; and

WHEREAS, the proposed use will be approximately 900 square feet in size; and

WHEREAS, land uses to the northwest, north, and northeast are mixed with residential, commercial, and a recreational vehicle (RV) park. An industrial gravel extraction operation, approximately 100 acres in size, abuts the property to the east and southeast. A residential subdivision abuts the property to the south and west, with lots ranging from approximately one to five acres in size; and

WHEREAS, the closest residential structure, not owned by the applicant, is approximately 350 feet west of the proposed use; and

WHEREAS, the proposed use will be approximately 250 feet from the west property line, 200 feet from the Leslie Circle right-of-way, and more than 1,000 feet from the east and south side lot lines; and

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

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

WHEREAS, according to the application material, the proposed hours of operation are 12:00 p.m. to 8:00 p.m., daily from May 15 through October 15 in conjunction with farm tour activities; and

WHEREAS, the proposed use has Borough approved access onto South Church Street, with an alternate emergency access onto East Leslie Circle; and

WHEREAS, South Church Street is paved and classified as residential. It also has the ability to accommodate access to commercial land uses, such as the proposed use; and

WHEREAS, according to the Borough Fire Marshal, no plan review is required due to the small size of the building; and

WHEREAS, the nearest school (Machetanz Elementary School) is approximately 6,200 feet southwest of the site. State regulations preclude beverage dispensary (bar) licenses within 200 feet of a school; 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 Alcoholic & Marijuana Control Office (AMCO) has no record of violations by the applicants within the last 12 months; and

WHEREAS, South Church Street is a paved and Borough maintained road; and

WHEREAS, according to the application material, there is only one porch/security light on the north and south sides of the structure; and

WHEREAS, the applicant is not proposing any lighted signage; and

WHEREAS, the applicant is not proposing any outdoor amplified sound activities; and

WHEREAS, according to the application material, the parking area will be watered as needed for dust control; 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 proposed use is considered a "Drinking Place (Land Use Code 925)" in the Trip Generation, 10th Edition, published by the Institute of Transportation Engineers; and

WHEREAS, the Trip Generation, 10th Edition, published by the Institute of Transportation Engineers, notes the average PM (afternoon) peak hour rate to be 15.53 trips per 1,000 square feet of the gross floor area; and

WHEREAS, the average PM (afternoon) peak hour rate for the proposed use is calculated to be 14 trips; and

WHEREAS, there is a large parking area on site, which can accommodate more than 10 parking spaces, and multiple buses; and

WHEREAS, according to the site plan, 2 customer parking spaces designated for persons with disabilities will be provided; and

WHEREAS, persons under the age of 21 are prohibited from being served alcoholic beverages; and

WHEREAS, there has been no information submitted indicating the applicants, David and Michelle Church of Moonstone Farm, LLC are untrustworthy or unfit to conduct business in the borough or that the applicants are a potential source of harm to the public; and

WHEREAS, the Planning Commission has reviewed this application with respect to standards set forth in MSB 17.70.100 and 17.70.110; and

WHEREAS, the Planning Commission conducted a public hearing on June 8, 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 20-13:

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, that 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 an alcoholic beverage dispensary (bar), 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.

4. The hours of operation shall be limited to 12:00 p.m. - 8:00 p.m., daily.
5. The structure labeled as the "equipment shed" in the application material shall be moved or removed to comply with the minimum setback requirements detailed in MSB 17.55 on or before October 1, 2020.

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

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Acting Planning
Clerk

(SEAL)

YES:

NO:

**PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. PC 20-16

Canna Get Happy
Marijuana Retail Facility CUP

(Page 339 - 494)

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: May 27, 2020

File Number: 176020200001

Applicant: Sandra Millhouse, on behalf of Canna Get Happy

Property Owner: Sandra Millhouse

Request: Planning Commission Resolution 20-16
Conditional Use Permit for the operation of a marijuana retail facility in accordance with MSB Chapter 17.60 – Conditional Uses

Location: 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020); within Township 17 North, Range 1 West, Section 11, Seward Meridian

Size of Facility: 1,270 Square Feet

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

Staff: Joseph 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 a commercial structure approximately 1,270 square feet in size. MSB 17.60.30 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:

In 2019 the applicant purchased 19 acres, including the subject parcel (5.1 acres) along the Palmer-Wasilla Highway and bordering Wasilla Lake. Prior the applicant's purchase, the property was used for both residential and commercial purposes. There is one structure situated on the subject property that is currently being renovated to be used for the proposed marijuana retail facility. The structure was originally constructed in the 1930's.

The proposed use accesses E. Palmer-Wasilla Highway via an existing State of Alaska permitted driveway.

On March 4, 2020, the proposed marijuana facility was granted pre-existing legal nonconforming status. This means the structure is in compliance with MSB setback requirements and allows the structure to remain, at its closest point, 16 feet from the Palmer-Wasilla Highway right-of-way.

Surrounding Land Uses:

The surrounding area is comprised of mixed uses, with the majority being used for commercial purposes. The parcel borders Wasilla Lake to the north and abuts the Palmer-Wasilla Highway to the south. The parcel to the east is vacant and is owned by the applicant and the parcel to the west is used for commercial purposes and contains a tattoo parlor and CBD shop. This lot is also owned by the applicant.

East Palmer-Wasilla Highway is classified as a Highway and is capable of handling traffic from residential and commercial uses. Frontage on E. Palmer-Wasilla Highway consists of residential, commercial, and industrial. There are multiple commercial businesses in the surrounding area such as, but not limited to, a marijuana retail facility, a tattoo shop, a gravel pit, and a tire business. The closest residential structure is located to the northeast and is approximately 585 feet away from the proposed use. This residential structure is owned by the applicant.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS**MSB 17.03 – Public Notification**

On April 28, 2020 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 April 29, 2020 issue of the *Frontiersman*. The application material was posted on the Borough web site for public review on April 28, 2020. The proposed use is within the South Lakes Community Council boundary, however, the South Lakes Community Council is inactive, so no notice was sent. Due to its proximity to the City of Wasilla, a notice requesting comments was sent to the City on April 28, 2020. Staff did not receive any comments related to the proposed use.

The request was scheduled for public hearing on June 1, 2020. The regularly scheduled Planning Commission Meeting to be held on June 1, 2020 was postponed and rescheduled for June 8, 2020. The change in public hearing date required new notices to be mailed and posted.

On May 20, 2020 notices were mailed to all property owners with a 600-foot radius of the use. A total of 10 notices were mailed. The permit application notification was published in the May 22, 2020 issue of the *Frontiersman*. The application material was updated on the Borough web site for public review on May 20, 2020. The proposed use is within the South Lakes Community

Council boundary, however, the South Lakes Community Council is inactive, so no notice was sent. Due to its proximity to the City of Wasilla, a notice requesting comments was sent to the City on May 20, 2020.

CORE AREA PERMIT IS NOT REQUIRED

Section 17.61.020 Intent

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

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

Findings of Fact:

1. The proposed retail facility will be wholly contained within the commercial structure approximately 1,270 square feet in size.
2. There is no industrial equipment or processes that generate noise associated with the proposed use.

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

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

Findings of Fact:

1. ITE Trip Generation 10th Edition indicates a “Marijuana Dispensary” 1000-square feet in size is expected to produce 29.93 trips per peak PM hour. The structure that will contain the proposed marijuana retail facility is approximately 1,270 square feet and based on these calculations is expected to produce approximately 38 trips per peak PM hour.
2. ITE Trip Generation 10th Edition indicates a “Marijuana Dispensary” 1000-square feet in size is expected to produce 259.31 trips per day. The structure that will contain the proposed marijuana retail facility is approximately 1,270 square feet and based on these calculations is expected to produce approximately 330 trips per day.

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

(3) Any commercial or industrial use involving processing, manufacturing, or storage of hazardous substances over thresholds established by federal or state community right-to-know laws and regulations (40 CFR 370, AS 29.35.500), any use which generates combustible dust produced in sufficient quantity to produce an explosion or combustion

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

Findings of Fact:

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

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

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

Findings of Fact:

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

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

Section 17.60.100 General Standards

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

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

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

Findings of Fact:

1. The proposed retail facility will be wholly contained within a commercial structure approximately 1,270 square feet in size.
2. The property is located in the Core Area; however, there are no other specific zoning designations for this parcel.

3. The proposed use accesses E. Palmer-Wasilla Highway from an existing, State of Alaska permitted driveway.
4. E. Palmer-Wasilla Highway is considered a highway and has many different uses on its frontage, including residential, commercial, and industrial.
5. The closest residential structure is located to the northeast and is approximately 585 feet away from the proposed use.
6. The application material indicates a “60’s style” sign will be illuminated when the facility is open.
7. The proposed hours of operation are 10:00 a.m. until 9:00 p.m. Sunday-Thursday, and from 10:00 a.m. until 10:00 p.m. Friday-Saturday.
8. The proposed use is located approximately 16 feet from the E. Palmer-Wasilla Highway to the south, approximately 300 feet to the property line to the east, approximately 460 feet to Wasilla Lake and the property line to the north, and approximately 95 feet to the property line to the west.
9. There are multiple commercial businesses in the surrounding area such as, but not limited to, a marijuana retail facility, a tattoo shop, a gravel pit, and a tire business.
10. Consumption of marijuana is prohibited at the site.
11. Persons under the age of 21 are prohibited from entering the facility.
12. According to the application material, loitering will not be allowed.

Discussion: Staff recommends a condition that the hours of operation shall not exceed 8:00 a.m. – 12:00 a.m., daily.

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

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

Findings of Fact:

1. The closest school (Wasilla Lake Christian School) is approximately 1,024 feet away from the 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 E. Palmer-Wasilla Highway from an existing, State of Alaska permitted driveway.
5. E. Palmer-Wasilla Highway is considered a highway 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. The application material indicates a “60’s style” sign will be illuminated when the facility is open.
8. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-011, for the commercial structure.
9. The commercial structure is in full compliance with the applicable State of Alaska fire code.
10. After proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products deemed unusable are blended together before being mixed with compostable material, and sealed in a container. The waste will then be taken to an approved disposal facility.

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

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

Findings of Fact:

1. The proposed use is located approximately 16 feet from the E. Palmer-Wasilla Highway to the south, approximately 300 feet to the property line to the east, approximately 460 feet to Wasilla Lake and the property line to the north, and approximately 95 feet to the property line to the west.
2. The closest school (Wasilla Lake Christian School) is approximately 1,024 feet away from the use.
3. The closest residential structure is located to the northeast and is approximately 585 feet away from the proposed use.
4. The proposed use accesses E. Palmer-Wasilla Highway from an existing, State of Alaska permitted driveway.
5. E. Palmer-Wasilla Highway is considered a highway 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. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-011, for the commercial structure.
8. The commercial structure is in full compliance with the applicable State of Alaska fire code.

Discussion: On March 4, 2020, the proposed marijuana facility was granted pre-existing legal nonconforming status. This means the structure is in compliance with MSB setback requirements and allows the structure to remain at its closest point, 16 feet from the Palmer-Wasilla Highway right-of-way.

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 1,270 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. 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 1,270 square feet in size.
2. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-011, for the commercial structure.
3. The commercial structure is in full compliance with the applicable State of Alaska fire code.
4. E. Palmer-Wasilla Highway is considered a highway and has many different uses on its frontage, including residential, commercial, and industrial.

5. The proposed use is located approximately 16 feet from the E. Palmer-Wasilla Highway to the south, approximately 300 feet to the property line to the east, approximately 460 feet to Wasilla Lake and the property line to the north, and approximately 95 feet to the property line to the west.
6. According to the application material, landscaping on the south side of the structure will be done during the summer and following the completion of the Palmer-Wasilla Highway road project and bike path. The landscaping will include crabapple trees and other perennials.

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 1,270 square feet in size.
2. The Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-011, for the commercial structure.
3. The commercial structure is in full compliance with the applicable State of Alaska fire code.
4. E. Palmer-Wasilla Highway is considered a highway and has many different uses on its frontage, including residential, commercial, and industrial.
5. The closest residential structure is located to the northeast and is approximately 585 feet away from the proposed use.
6. The proposed use is located approximately 16 feet from the E. Palmer-Wasilla highway to the south, approximately 300 feet to the property line to the east, approximately 460 feet to Wasilla Lake and the property line to the north, and approximately 95 feet to the property line to the west.
7. There are multiple commercial businesses in the surrounding area such as, but not limited to, a marijuana retail facility, a tattoo shop, a gravel pit, and a tire business.
8. The majority of uses situated in the surrounding area and along the Palmer-Wasilla Highway are commercial in nature.
9. The proposed hours of operation are 10:00 a.m. until 9:00 p.m. Sunday-Thursday, and from 10:00 a.m. until 10:00 p.m. Friday-Saturday.
10. Consumption of marijuana is prohibited at the site.
11. 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 (Wasilla Lake Christian School) is approximately 1,024 feet away from the 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 State of Alaska Marijuana Control Board meeting conducted April 2-3, 2020, the Board voted to approve Canna Get Happy Retail Marijuana Store License #22327 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 #2020-011, 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 #2020-011.

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 E. Palmer-Wasilla Highway from an existing, State of Alaska permitted driveway.
2. E. Palmer-Wasilla Highway is considered a highway and has many different uses on its frontage, including residential, commercial, and industrial.
3. E. Palmer-Wasilla Highway is classified as a Highway and is capable of handling traffic from residential, commercial, and industrial uses.
4. There are multiple commercial businesses in the surrounding area such as, but not limited to, a marijuana retail facility, a tattoo shop, a gravel pit, and a tire business.
5. The majority of uses situated in the surrounding area and along the Palmer-Wasilla Highway are commercial in nature.
6. The proposed hours of operation are 10:00 a.m. until 9:00 p.m. Sunday-Thursday, and from 10:00 a.m. until 10:00 p.m. Friday-Saturday.
7. The proposed use is located approximately 16 feet from the E. Palmer-Wasilla Highway to the south, approximately 300 feet to the property line to the east, approximately 460 feet to Wasilla Lake and the property line to the north, and approximately 95 feet to the property line to the west.
8. The closest residential structure is located to the northeast and is approximately 585 feet away 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 1,270 square feet in size.
2. A marijuana retail facility 1,270 square feet in size is required to provide four parking spaces with one ADA compliant space.
3. Ten (10) 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 1,270 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, ten (10) customer parking spaces will be provided.
4. According to the site plan, one van accessible parking spaces, 11 feet wide with a five-foot wide parking isle is being provided.

Discussion: The application material and site plan indicate the parking area will be paved and the parking stalls will be painted. Currently, the parking area is not paved and the parking stalls are not painted. Staff recommends a condition that requires the parking area shall be paved and that the parking stalls shall be painted as indicated in the application material and site plan, and within one year of the date of decision.

Conclusion of Law: Based on the above findings, and with conditions, 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, 1,270 square feet in size, at 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020). 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 hours of operation shall not exceed 8:00 a.m. – 12:00 a.m., daily.
5. The parking area shall be paved and the parking stalls shall be painted as indicated in the application material and site plan, and within one year of the date of decision.
6. On-site consumption of marijuana and marijuana products is prohibited.

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

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Photos taken by Joe Metzger, MSB
Planner, during a May 15 and May 18,
2020 site visit.



LOOKING TO THE EAST



ENTRANCE TO PROPOSED FACILITY



ENTRANCE AND PARKING AREA TO PROPOSED FACILITY



LOOKING TO THE WEST - EMPLOYEE ENTRANCE



LOOKING TO THE WEST



PROPOSED FACILITY LOOKING TO THE NORTH



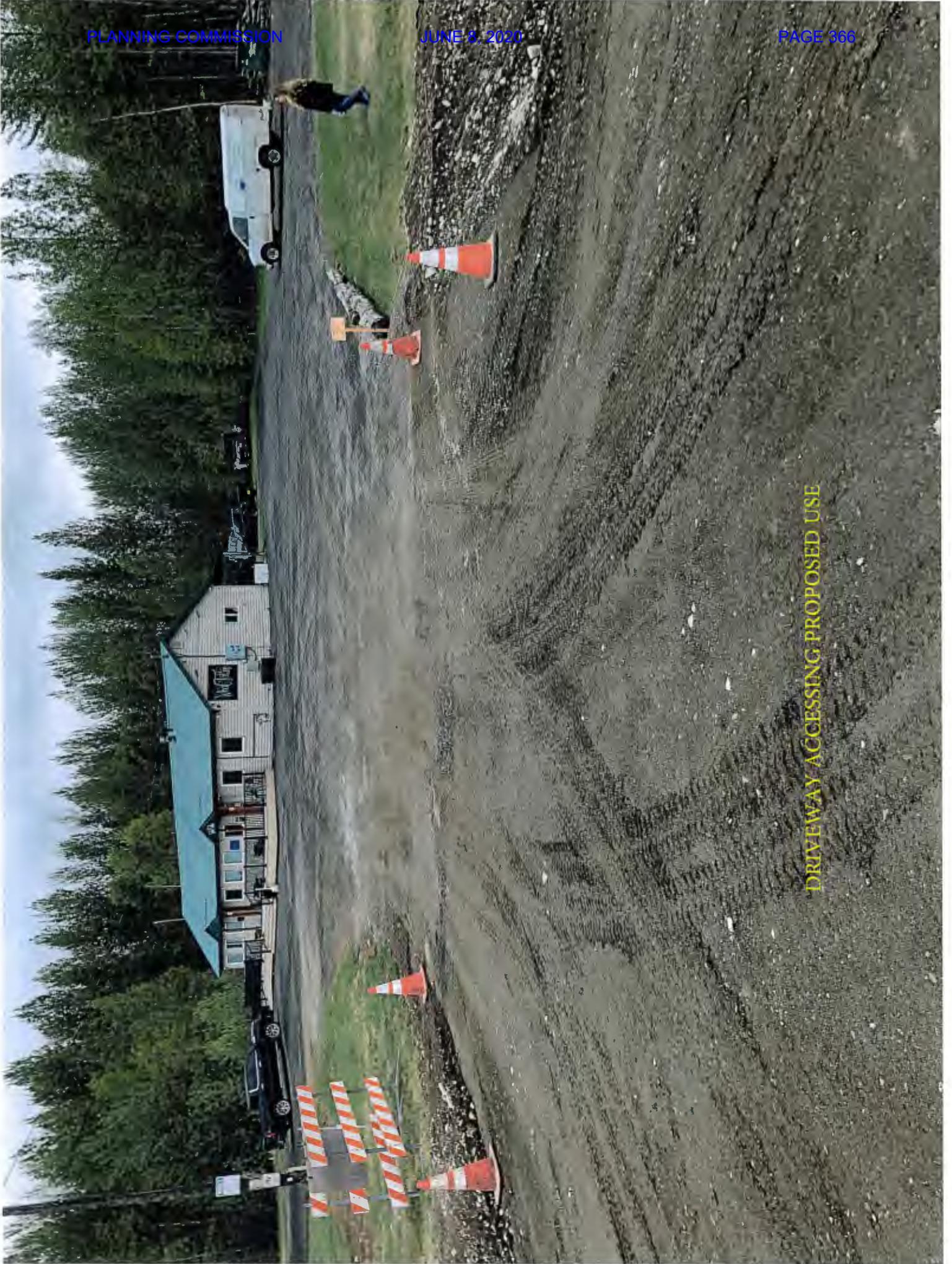
DRIVEWAY ENTRANCE



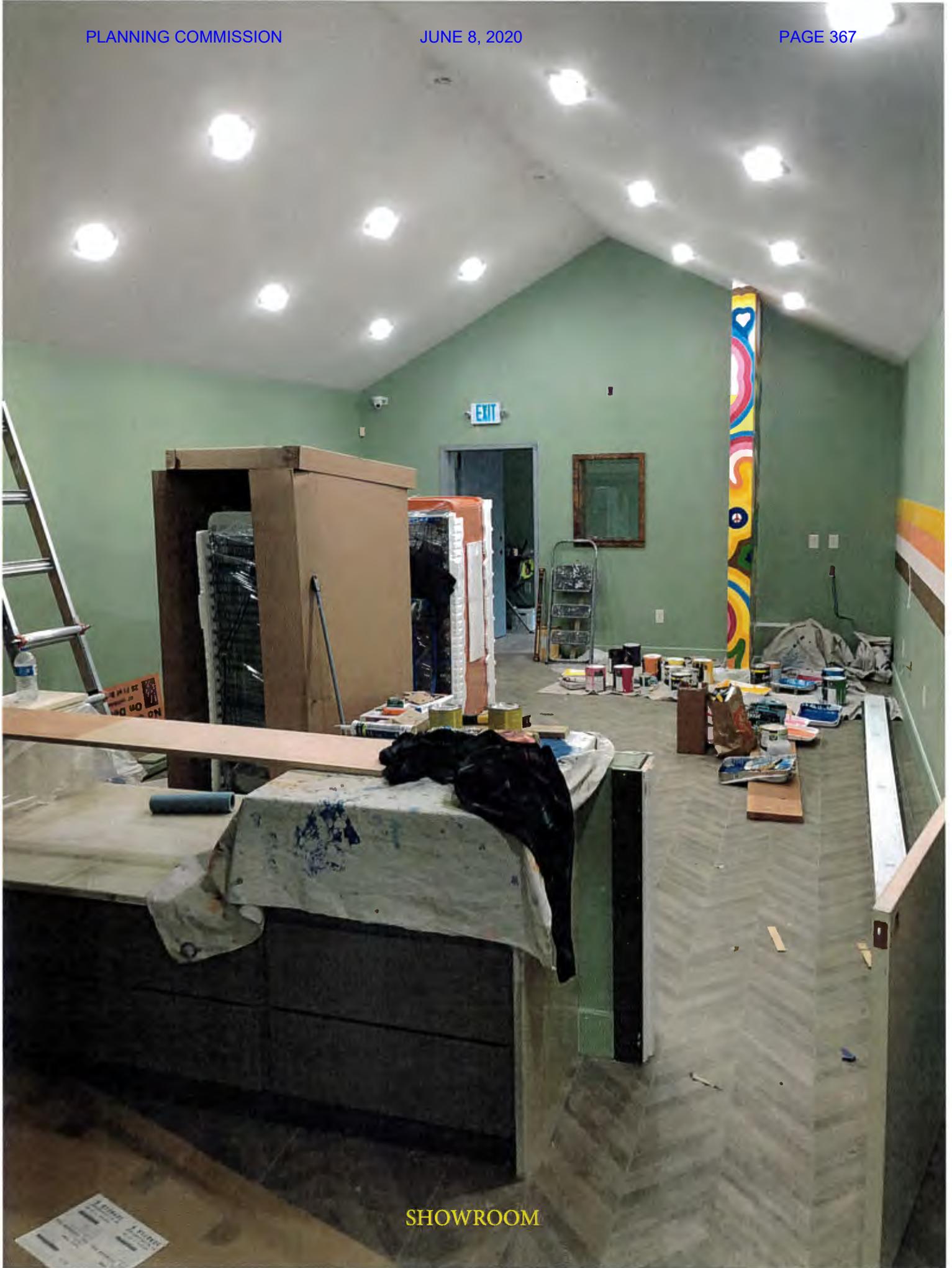
ADOT BIKE PATH UNDER CONSTRUCTION - LOOKING TO THE SOUTHEAST



ADOT BIKE PATH UNDER CONSTRUCTION AND DRIVEWAY ENTRANCE - LOOKING TO SOUTHWEST



DRIVEWAY ACCESSING PROPOSED USE



SHOWROOM



ACCESSIBLE RAMP

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Recording District 311 Palmer

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Page 1 of 3

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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 #178020200002

Based on the application and supporting documentation, it is my determination that the structure, an approximately 18.5' x 37.5' cabin like structure set back 16 feet from the E. Palmer-Wasilla Highway right-of-way on (Grantee) Parcel Lot A20, within Township 17 North, Range 1 West, Section 11, Seward Meridian (MSB Tax ID# 17N01W11A020), more commonly known as 2321 E. Palmer-Wasilla 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: 3/4/2020

Alex Strawn, Development Services Manager
Matanuska-Susitna Borough

STATE OF ALASKA
THIRD JUDICIAL DISTRICT

THIS IS TO CERTIFY that on this 4th day of March, 2020 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.



Theresa Taranto
Notary Public for the State of Alaska
My commission expires: 10/13/22

RETURN TO: Matanuska-Susitna Borough, 350 East Dahlia Avenue, Palmer, Alaska 99645
MSB File # 178020200002



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MATANUSKA-SUSITNA BOROUGH

Real Property Detail for Account: 17N01W11A020

Site Information

Account Number	17N01W11A020	Subdivision	
Parcel ID	43385	City	None
TRS	S17N01W11	Map WA11	Tax Map
Abbreviated Description (Not for Conveyance)	TOWNSHIP 17N RANGE 1W SECTION 11 LOT A20		

Site Address	2321 E PALMER-WASILLA HWY		
Ownership			
Owners	MILLHOUSE SANDRA D	Buyers	
Primary Owner's Address	PO BOX 874574 WASILLA AK 99687-4574	Primary Buyer's Address	

Appraisal Information

Appraisal				Assessment			
Year	Land Appraised	Bldg. Appraised	Total Appraised	Year	Land Assessed	Bldg. Assessed	Total Assessed ¹
2019	\$610,900.00	\$51,100.00	\$662,000.00	2019	\$610,900.00	\$51,100.00	\$662,000.00
2018	\$610,900.00	\$48,200.00	\$659,100.00	2018	\$610,900.00	\$48,200.00	\$659,100.00
2017	\$610,900.00	\$51,900.00	\$662,800.00	2017	\$610,900.00	\$51,900.00	\$662,800.00

Building Information

Structure 1 of 1			
Business Use	None	Residential Units	1
Design	Residential Building	Condition	Standard
Construction Type	One Story	Basement	Full
Grade	Frame	Year Built	1960
Building Appraisal	03.9	Foundation	Unknown
Septic	\$51100	Well	Well 1 - Drilled Well
	Septic - 1 - Septic Tank		

Building Item Details

Building Number	Description	Area	Percent Complete
1	Gas Heat		1 Sq. Ft. 50 %
1	First Story		684 Sq. Ft. 100%
1	Unfinished Basement - 2A		684 Sq. Ft. 100%
1	Fin. Basement Living - 2C		684 Sq. Ft. 100%

Tax/Billing Information

Year	Certified	Zone	Mill	Tax Billed
2019	Yes	0007	14.839	\$9823.42
2018	Yes	0007	14.759	\$9727.66
2017	Yes	0007	14.76	\$9782.92

Recorded Documents

Date	Type
7/30/2019	CORRECTIVE DEED
2/15/2019	WARRANTY DEED (ALL TYPES)
12/30/2002	

Recording Info (offsite link to DNR)

[Palmer 2019-015911-0](#)
[Palmer 2019-002730-0](#)
[Palmer 2002-030019-0](#)

Tax Account Status ²

Status	Tax Balance	Farm	Disabled Veteran	Senior	Total	LID Exists
Current	\$4,823.42		\$0.00	\$0.00	\$0.00	\$0.00 No

Land and Miscellaneous

Gross Acreage	5.10	Taxable Acreage	5.10	Assembly District	004	Precinct	07-115	Fire Service Area	130 Central Mat-Su	Road Service Area	025 Bogard 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: 1/13/2020 12:00:24 AM

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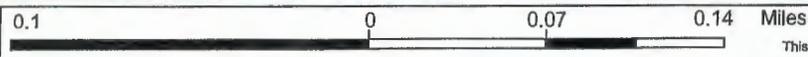
Matanuska-Susitna Borough



Legend

- Road Mileposts
- Roads**
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - - Primitive Road
 - - Private Road
- + Alaska Railroad
- ▣ Mat-Su Borough Boundary
- ▣ Incorporated Cities
- - Government Lot Lines
- ▭ Parcels
- ▭ Lakes and Rivers
- Streams
- ▭ Section Lines
- ▭ Flood Zone

1: 4,514



WGS_1984_Web_Mercator_Auxiliary_Sphere
 © Matanuska-Susitna Borough

Reported on 01/13/2020 09:23 AM

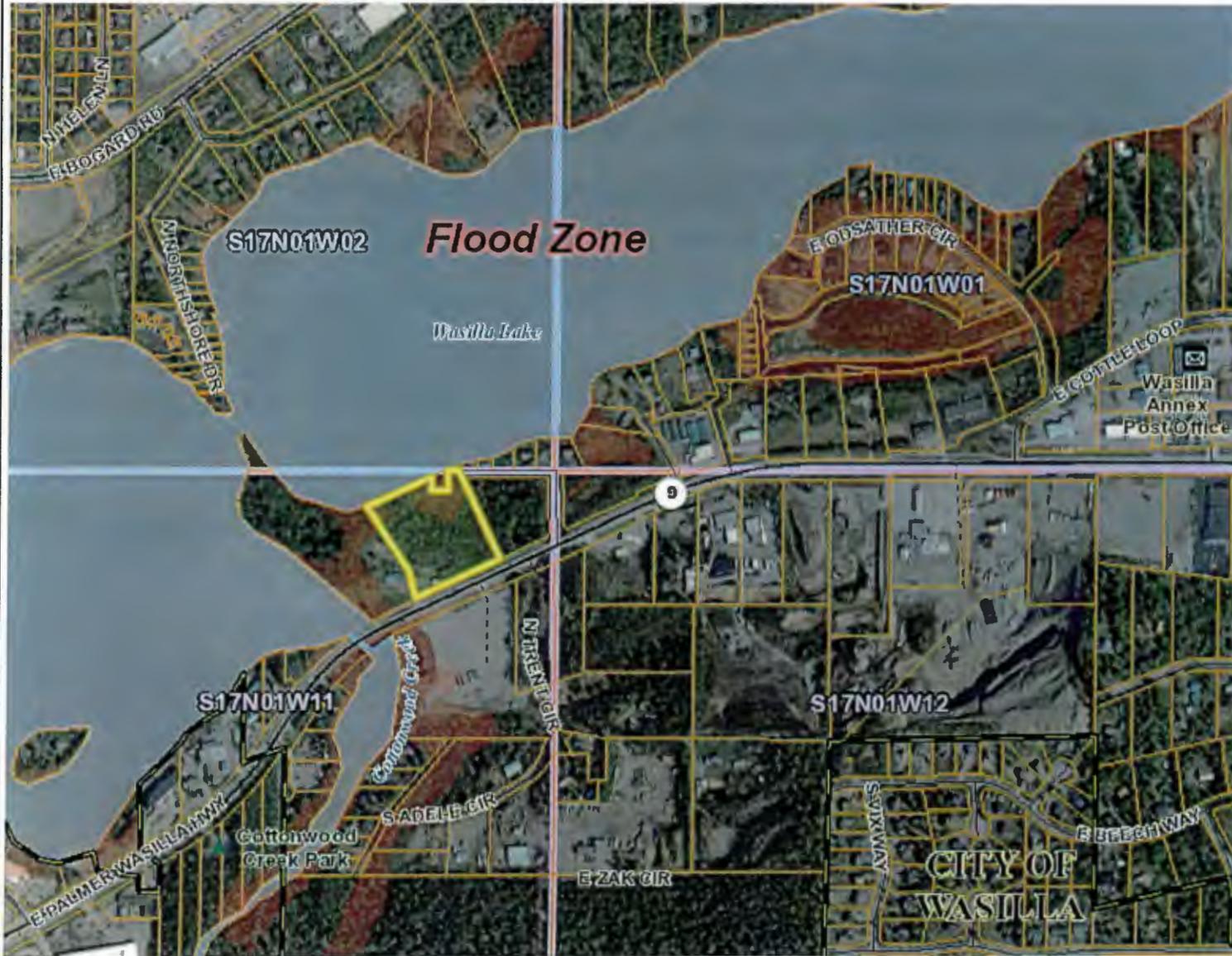
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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

Notes
 This map was automatically generated using Geocortex Essentials.



Matanuska-Susitna Borough



Legend

- Road Mileposts
- Roads
 - Highway
 - Major Road
 - Medium Road
 - Minor Road
 - - Primitive Road
 - - Private Road
- + Alaska Railroad
- ▣ Mat-Su Borough Boundary
- ▣ Incorporated Cities
- - Government Lot Lines
- ▣ Parcels
- ▣ Lakes and Rivers
- Streams
- ▣ Section Lines
- ▣ Flood Zone

1: 18,056



0.6 0 0.28 0.57 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Matanuska-Susitna Borough

Reported on 01/13/2020 09:24 AM

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Notes

This map was automatically generated using Geocortex Essentials.



Trip Generation Manual

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

SEPTEMBER 2017

INSTITUTE OF TRANSPORTATION ENGINEERS

Land Use: 882 Marijuana Dispensary

Description

A marijuana dispensary is a standalone facility where cannabis is sold to patients or consumers in a legal manner.

Additional Data

Time-of-day distribution data for this land use for a weekday and Saturday are presented in Appendix A. For the four general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 11:45 a.m. and 12:45 p.m. and 5:45 and 6:45 p.m., respectively.

The sites were surveyed in the 2010s in Colorado and Oregon.

Source Numbers

867, 893, 919

Marijuana Dispensary (882)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

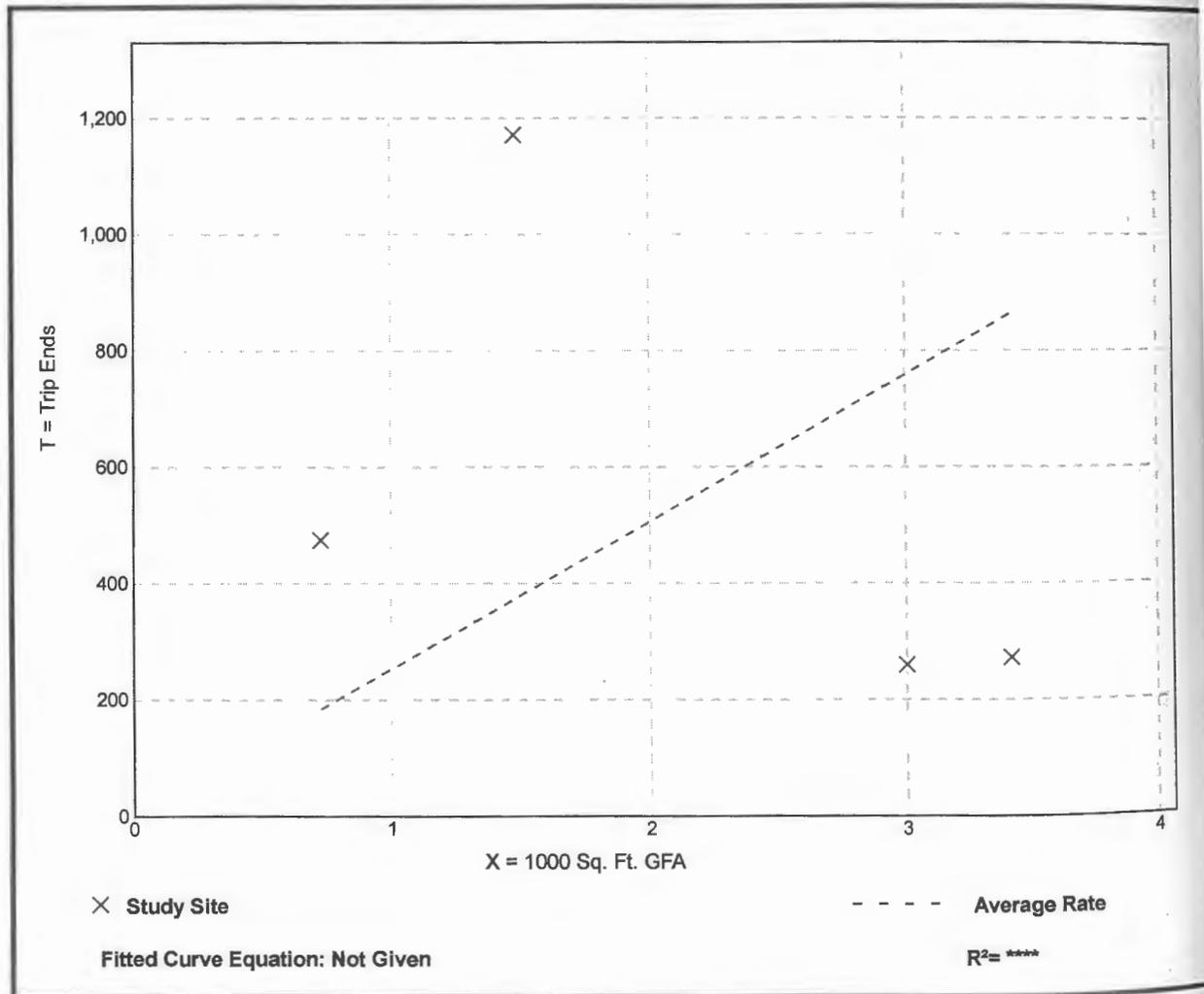
Setting/Location: General Urban/Suburban
Number of Studies: 4
1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
252.70	79.74 - 791.22	336.11

Data Plot and Equation

Caution – Small Sample Size



Marijuana Dispensary (882)

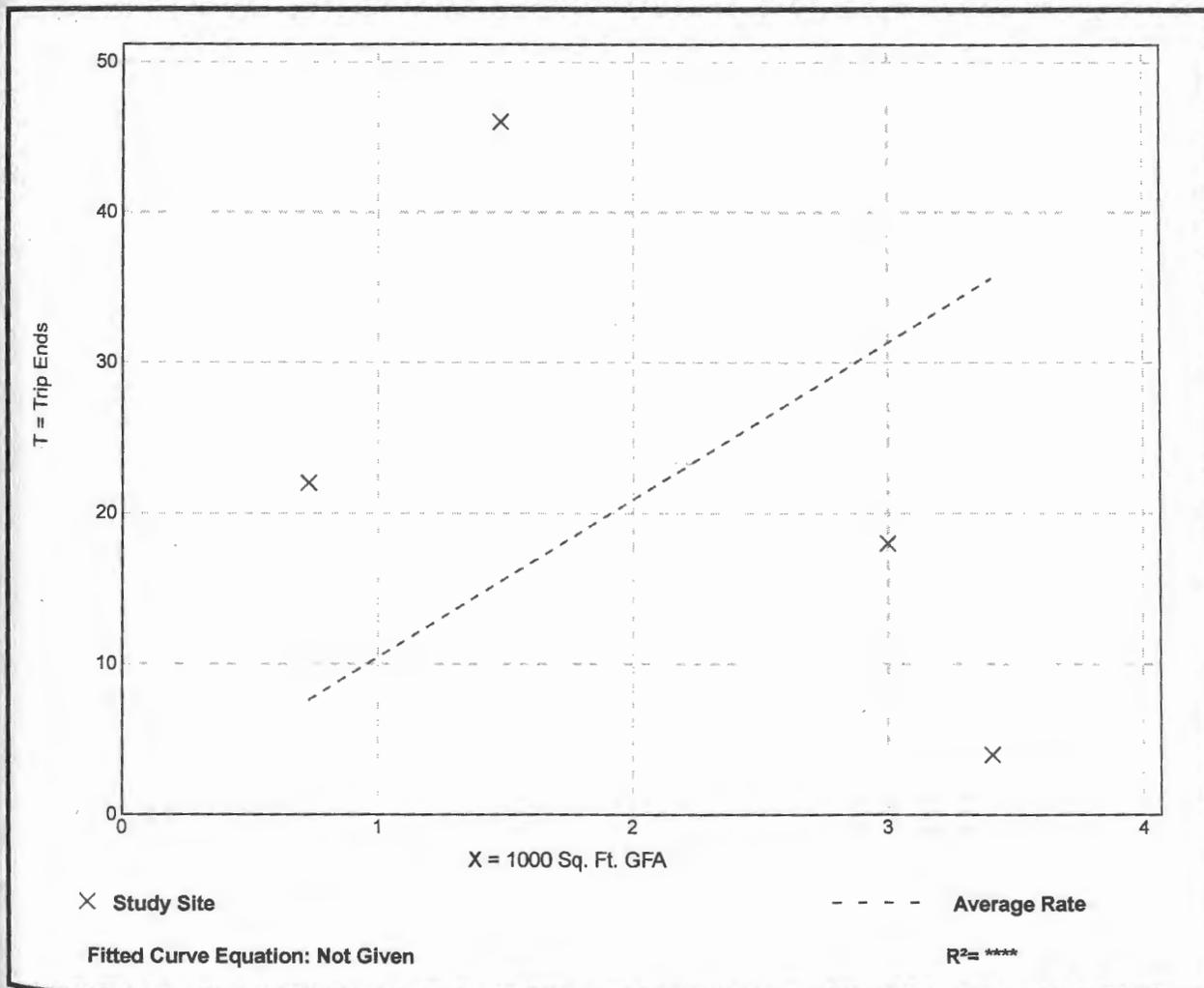
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday,
 Peak Hour of Adjacent Street Traffic,
 One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
 Number of Studies: 4
 1000 Sq. Ft. GFA: 2
 Directional Distribution: 56% entering, 44% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
10.44	1.17 - 31.08	14.00

Data Plot and Equation

Caution – Small Sample Size



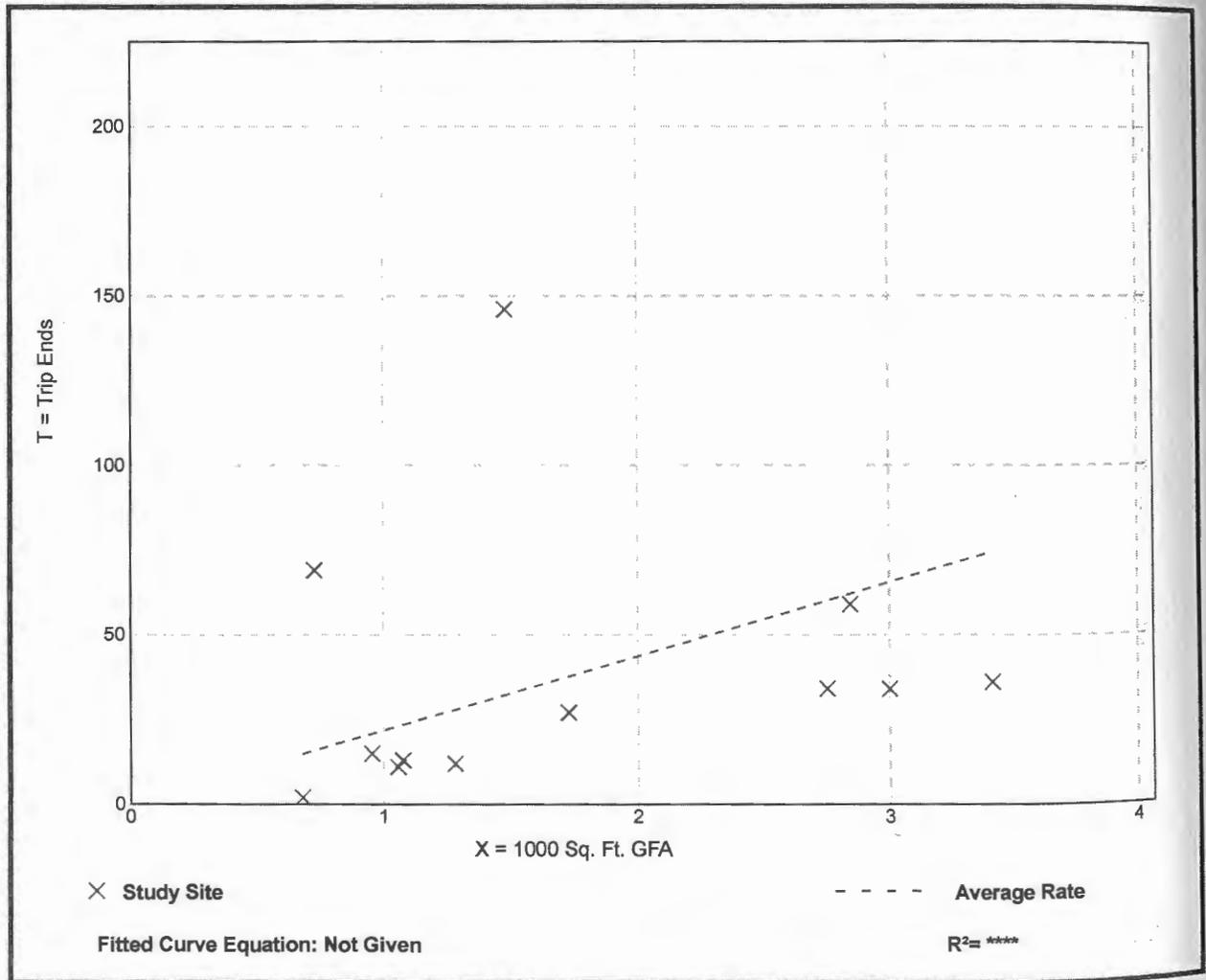
Marijuana Dispensary (882)

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: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
21.83	2.94 - 98.65	27.36

Data Plot and Equation



Marijuana Dispensary (882)

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

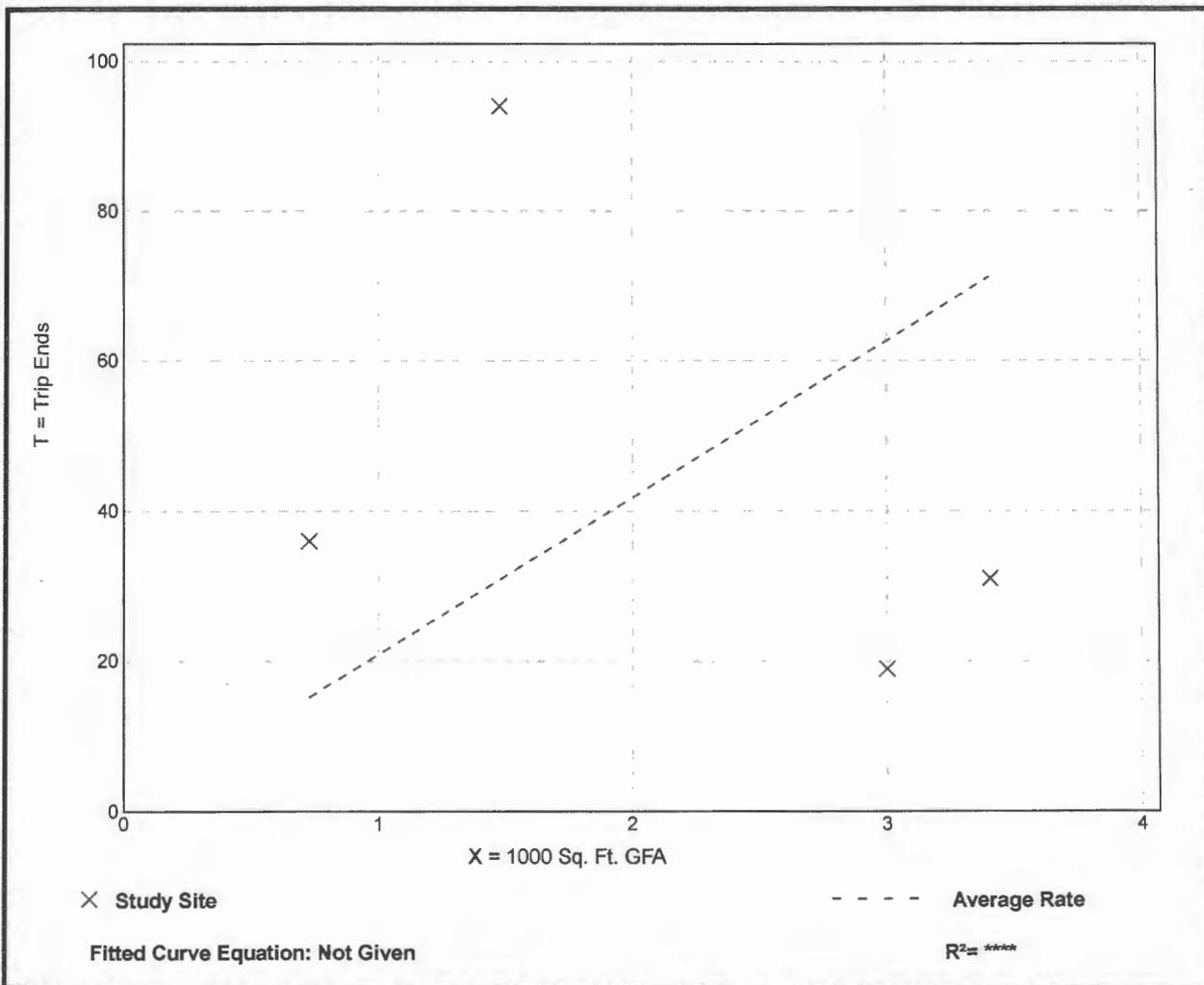
Setting/Location: General Urban/Suburban
Number of Studies: 4
1000 Sq. Ft. GFA: 2
Directional Distribution: 52% entering, 48% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
20.88	6.33 - 63.51	26.07

Data Plot and Equation

Caution – Small Sample Size



Marijuana Dispensary (882)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Saturday

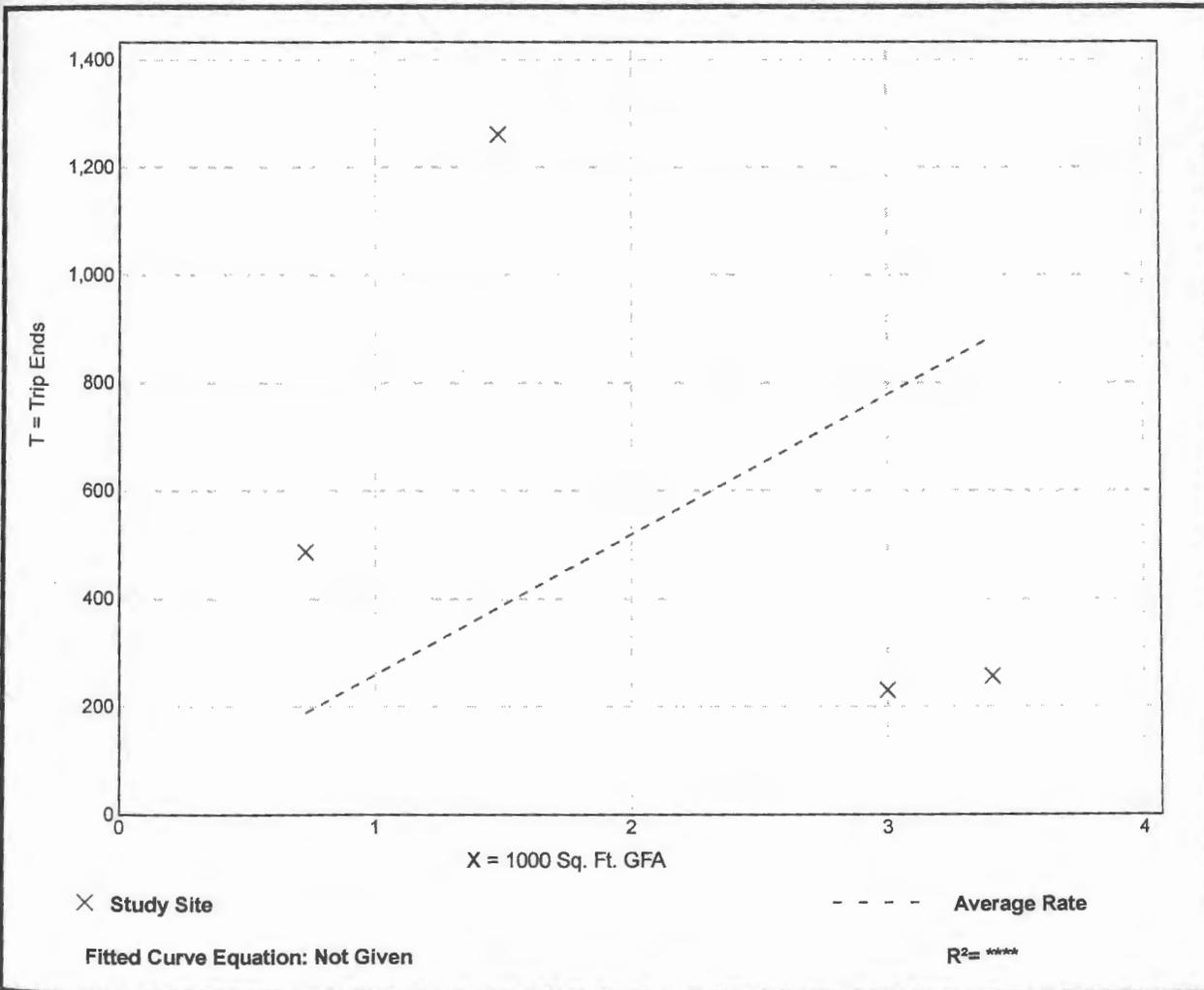
Setting/Location: General Urban/Suburban
Number of Studies: 4
1000 Sq. Ft. GFA: 2
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
259.31	75.34 - 852.03	364.24

Data Plot and Equation

Caution – Small Sample Size



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Certificate of

Fee for Certificate

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

For each additional 1,000 pieces, or fraction thereof

Duplicate Copy

Use
Current
Price List
(Notice 123)

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

Acceptance employee must cancel p affixed (by round-date) at the time of

If payment of total fee due is being paid by Permit Imprint, include the PostalOne® Transaction Number here



U.S. POSTAGE » PITNEY BOWES
ZIP 99645 \$ 006.95⁰
02 4W
0000368428 APR 28 2020



U.S. POSTAGE » PITNEY BOWES
ZIP 99645 \$ 001.60⁰
02 4W
0000368428 APR 28 2020

Number of Identical Weight Pieces <i>10</i>	Class of Mail <i>1st</i>	Postage for Each Mailpiece Paid <input type="checkbox"/> Verified	Number of Pieces to the Pound <i>96</i>
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Total Number of Pounds <i>3.602</i>	Total Postage Paid for Mailpieces <i>5-</i>	Fee Paid <i>8.55</i>
--	--	-------------------------

Mailed For <i>Dev. Services</i>	Mailed By <i>Nikki</i>
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Postmaster's Certification

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

[Signature]

(Postmaster or Designee)



PLANNING COMMISSION

Joe M - Dew Services
JUNE 8, 2020

51053000L001 1
ALASKA STATE OF
DEPT OF TRANS & PUB FAC
PO BOX 196900
ANCHORAGE, AK 99519-6900

217N01W12B004 2
CPD ALASKA LLC
201 ARCTIC SLOPE AVE
ANCHORAGE AK 99518-3033

217N01W11A015 3
FOLLETT ERIC G & JILL E
10300 SCHNEITER DR
ANCHORAGE AK 99507-6834

51053000T00A 4
GRACE INVESTMENTS LLC
EDWARDS STEVEN R & STROBLE CAL &
KESLER ELAINE & MCKEAN B
% STEVEN EDWARDS PMB 560
3705 ARCTIC BLVD

51053000L002-1 5
GRACE INVESTMENTS LLC
PO BOX 4356
PALMER, AK 99645-4356

51025000L001 6
LACHER LOUIS R & BARBARA
610 N BETTS ST
WASILLA, AK 99654

51029000L08-6 7
MCCAIVIT JERRY C & BRENDA D
569 N BETTS ST
WASILLA AK 99654

217N01W11A014 8
MILLHOUSE SANDRA D
PO BOX 874574
WASILLA, AK 99687-4574

51086000L002 9
MILLHOUSE TROY D & SANDRA D
PO BOX 874574
WASILLA AK 99687-4574

10
CITY OF WASILLA
290 E HERNING AVE
WASILLA, AK 99654

tara0609
10
4/28/2020 11:31:18 AM

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

tara0609
 10
 4/28/2020 11:31:18 AM

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

- Applications:** Conditional Use Permits for a marijuana retail facility
- MSB Code Section:** MSB 17.60 – Conditional Uses
- Applicant:** Sandra Millhouse, on behalf of Canna Get Happy
- Location:** 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020);
 within Township 17 North, Range 1 West, Section 11, Seward Meridian
- Request:** An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility.

The Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, **June 1, 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 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. 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.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough Website. The public is encouraged to check the Borough Website prior to attending the public hearing for any changes to the meeting schedule or method.**

Application material may be viewed online at: www.matsugov.us by clicking on “All Public Notices & Announcements.” Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to: 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 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 **May 15, 2020** 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

51053000L001 1
 ALASKA STATE OF
 DEPT OF TRANS & PUB FAC
 PO BOX 196900
 ANCHORAGE, AK 99519-6900

217N01W12B004 2
 CPD ALASKA LLC
 201 ARCTIC SLOPE AVE
 ANCHORAGE AK 99518-3033

217N01W11A015 3
 FOLLETT ERIC G & JILL E
 10300 SCHNEITER DR
 ANCHORAGE AK 99507-6834

51053000T00A 4
 GRACE INVESTMENTS LLC
 EDWARDS STEVEN R & STROBLE CAL &
 KESLER ELAINE & MCKEAN B
 % STEVEN EDWARDS PMB 560
 3705 ARCTIC BLVD

51053000L002-1 5
 GRACE INVESTMENTS LLC
 PO BOX 4356
 PALMER, AK 99645-4356

51025000L001 6
 LACHER LOUIS R & BARBARA
 610 N BETTS ST
 WASILLA, AK 99654

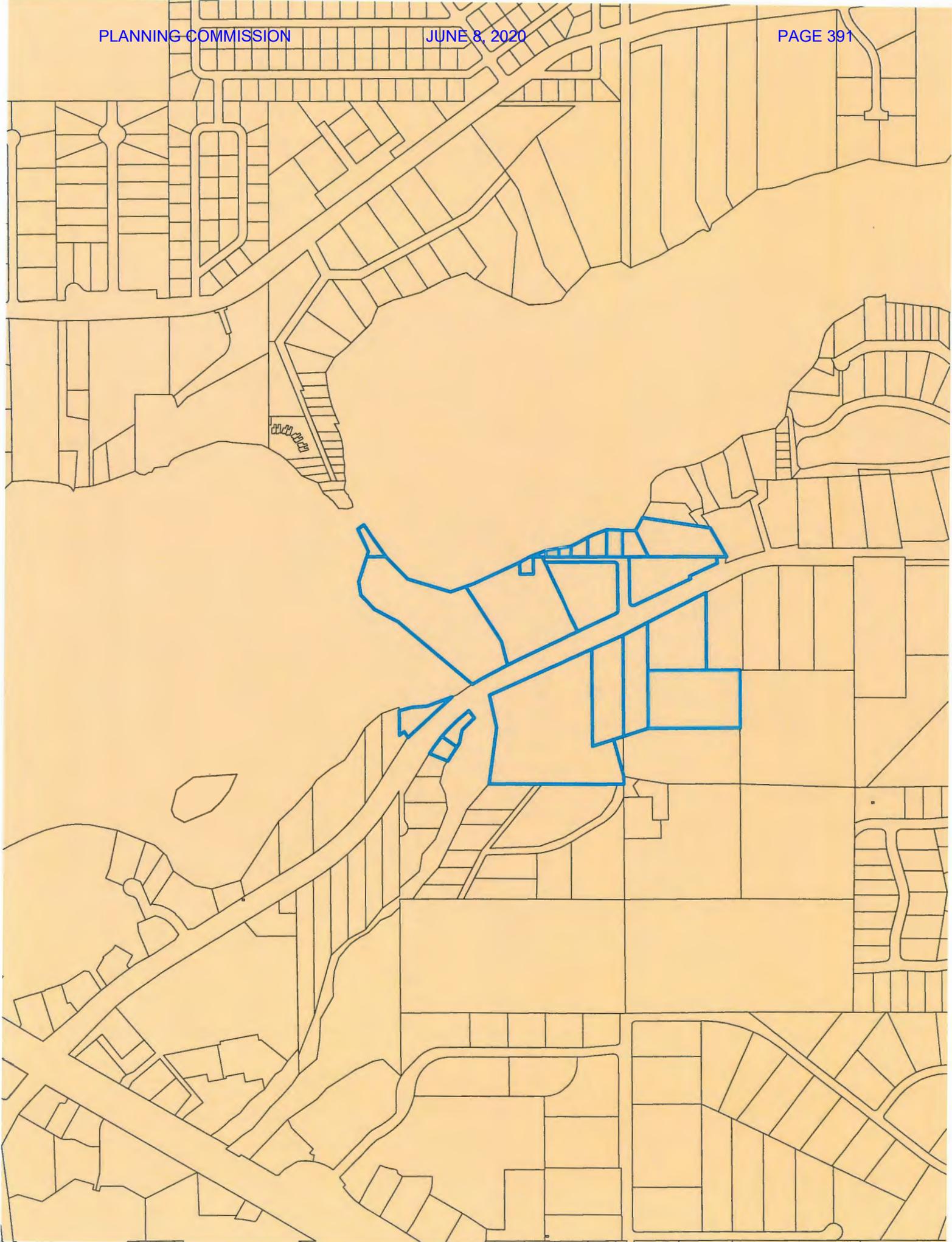
51029000L08-6 7
 MCCAVIT JERRY C & BRENDA D
 569 N BETTS ST
 WASILLA AK 99654

217N01W11A014 8
 MILLHOUSE SANDRA D
 PO BOX 874574
 WASILLA, AK 99687-4574

51086000L002 9
 MILLHOUSE TROY D & SANDRA D
 PO BOX 874574
 WASILLA AK 99687-4574

10
 CITY OF WASILLA
 290 E HERNING AVE
 WASILLA, AK 99654

tara0609
 10
 4/28/2020 11:31:18 AM



Frontiersman

Growing with the Valley since 1947.

5751 E. MAYFLOWER CT.
Wasilla, AK 99654

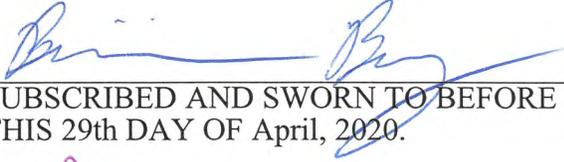
(907) 352-2250 ph
(907) 352-2277 fax

AFFIDAVIT OF PUBLICATION

UNITED STATES OF AMERICA, STATE OF ALASKA, THIRD DIVISION
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, THIS DAY
PERSONALLY APPEARED BEFORE **BENJAMIN BORG** WHO, BEING
FIRST DULY SWORN, ACCORDING TO LAW, SAYS THAT HE 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:

04/29/2020

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


SUBSCRIBED AND SWORN TO BEFORE ME
THIS 29th DAY OF April, 2020.


NOTARY PUBLIC FOR STATE OF ALASKA

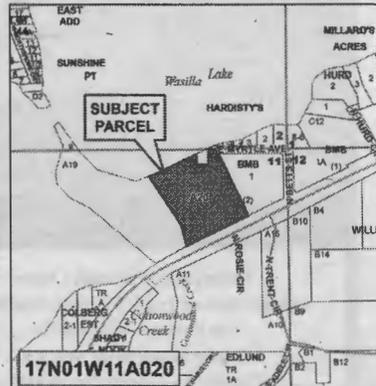
NOTARY PUBLIC NANCY E DOWNS STATE OF ALASKA MY COMMISSION EXPIRES AUG. 25, 2023
--

MAT-SU BOROUGH/PAGE
4.29 OVERAGE
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, June 1, 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.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough Website. The public is encouraged to check the Borough website prior to attending the public hearing for any changes to the meeting schedule or method.**



An application for a conditional use permit under MSB

17.60 – Conditional Uses, has been submitted by Sandra Millhouse on behalf of Canna Get Happy, for the operation of a marijuana retail facility at 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020); within Township 17 North, Range 1 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 material may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." Application material may also be viewed at the Borough Permit Center. For additional information, you may contact Joe Metzger, Planner II, at 861-7862. Written comments can be mailed to: 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 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 **May 15, 2020** 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 Date: April 29, 2020

04-28-20

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Joseph Metzger

From: Joseph Metzger
Sent: Tuesday, April 28, 2020 12:32 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; 'tedleonarddistrict4@gmail.com'
Subject: RFC Canna Get Happy - Marijuana Retail- Due May 15, 2020

MEMORANDUM

Date: April 28 , 2020
To: Various Governmental Agencies
From: Joe Metzger, Planner
Subject: Request for Review and Comments Governmental Agencies
Project: Conditional Use Permits for a marijuana retail facility.
Location: 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020); within Township 17 North, Range 1 West, Section 11, Seward Meridian
Applicant: Sandra Millhouse, on behalf of Canna Get Happy

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility. The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, June 1, 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.

****Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough Website. The public is encouraged to check the Borough Website prior to attending the public hearing for any changes to the meeting schedule or method.***

Application material 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/canna-get-happy-marijuana-retail-facility-conditional-use-permit>

Comments are due on or before **May 15, 2020** 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
907-861-7862

Canna Get Happy Marijuana Retail Facility – Conditional Use Permit

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility.

Location: The proposed use is located at 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020); within Township 17 North, Range 1 West, Section 11, Seward Meridian.

Applicant: Sandra Millhouse, on behalf of Canna Get Happy

Public Hearing: The Planning Commission will conduct a public hearing concerning the application for a conditional use permit on Monday, June 1, 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.

***Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough Website. The public is encouraged to check the Borough Website prior to attending the public hearing for any changes to the meeting schedule or method.**

The application material may also be viewed at the Borough Permit Center. If you have questions or want to submit comments, please contact Joe Metzger 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 May 15, 2020 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.

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VICINITY MAP

SUNSHINE

(1058) PT

Wasilla Lake

HARDISTY'S

HURD

(4636)

**SUBJECT
PARCEL**

(1086)

(1029)

(1025)

E MYRTLE AVE

C12

9

A19

BMB

1
(3283)

(2)

A20

N BETTS ST

12

BMB

1A

(1)

(4491)

B4

B10

B14

E PALMER WASILLA HWY

N ROSIE CIR

A15

A11

N TRENT CIR

A10

(1053)

TRA

(1034)

COLBERG

(3633)

2-1

EST

Cottonwood
Creek

2-1

3-1

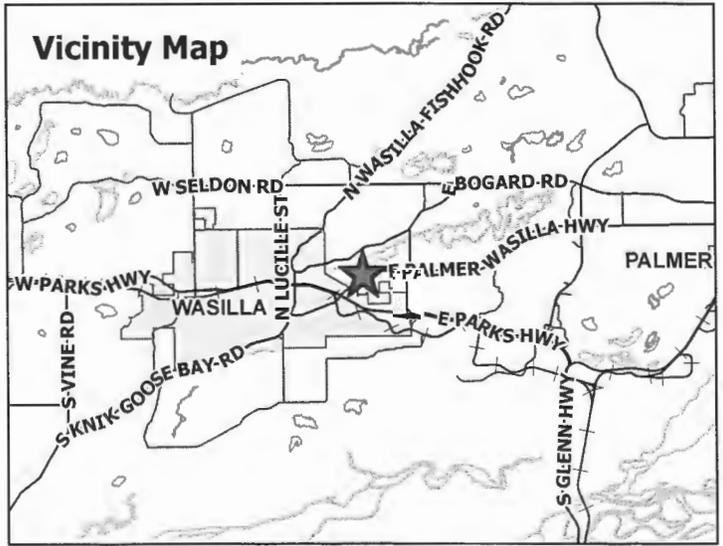
SHADY

NOOK

17N01W11A020



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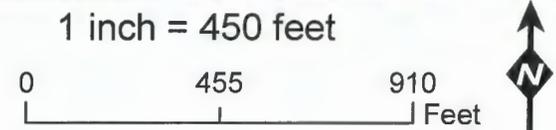


-  1000' Buffer
-  Subject Parcel
-  Parcels



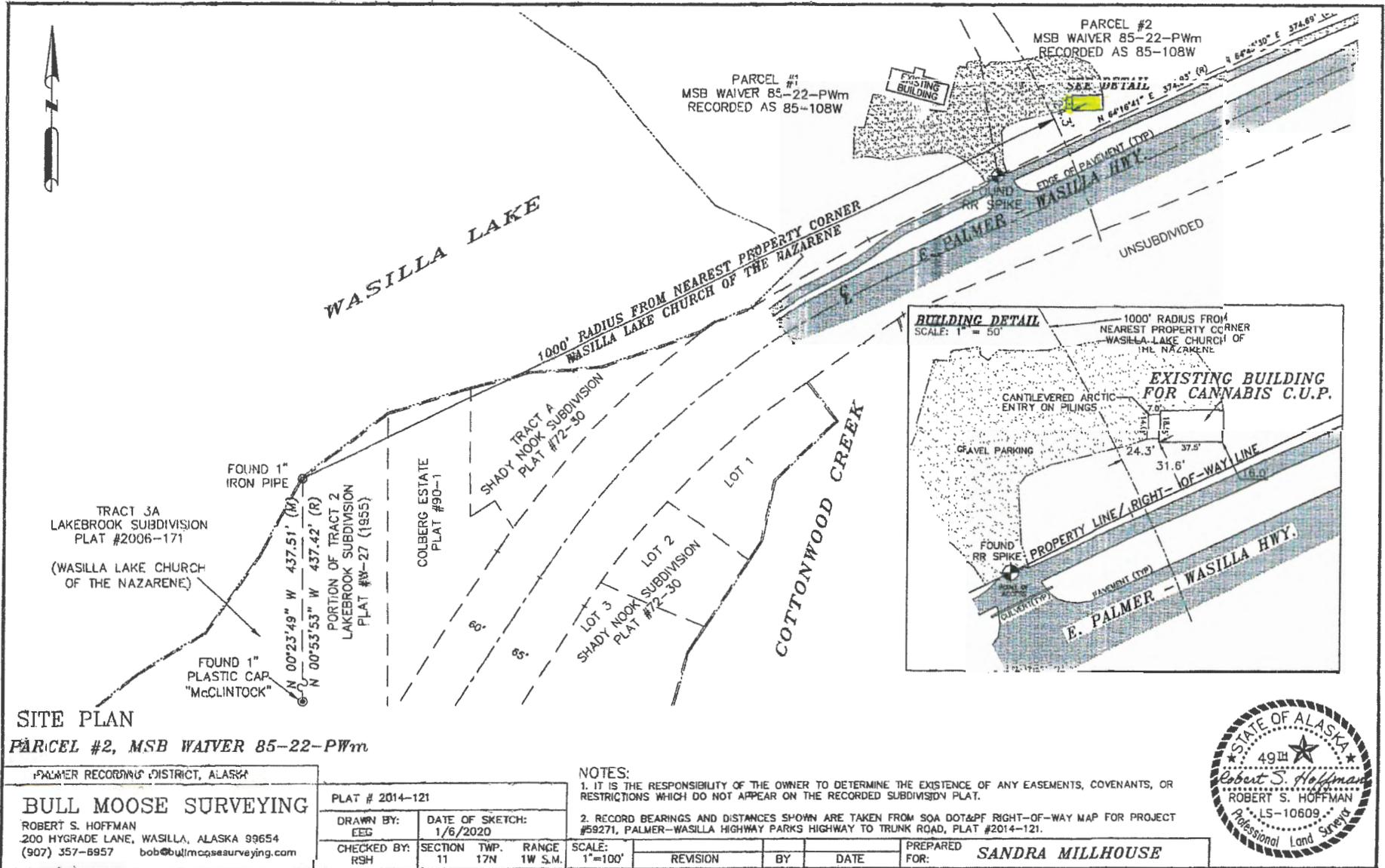
This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding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

Date: 3/4/2020



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SITE PLAN



SITE PLAN

PARCEL #2, MSB WAIVER 85-22-PWm

PALMER RECORDING DISTRICT, ALASKA

BULL MOOSE SURVEYING

ROBERT S. HOFFMAN
 200 HYGRADE LANE, WASILLA, ALASKA 99654
 (907) 357-6957 bob@bulmoosesurveying.com

PLAT # 2014-121

DRAWN BY: EEC
 DATE OF SKETCH: 1/6/2020

CHECKED BY: RSH
 SECTION: 11 TWP: 17N RANGE: 1W S.M.

NOTES:

- IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT.
- RECORD BEARINGS AND DISTANCES SHOWN ARE TAKEN FROM SOA DOT&PF RIGHT-OF-WAY MAP FOR PROJECT #59271, PALMER-WASILLA HIGHWAY PARKS HIGHWAY TO TRUNK ROAD, PLAT #2014-121.

SCALE: 1"=100'
 REVISION BY DATE

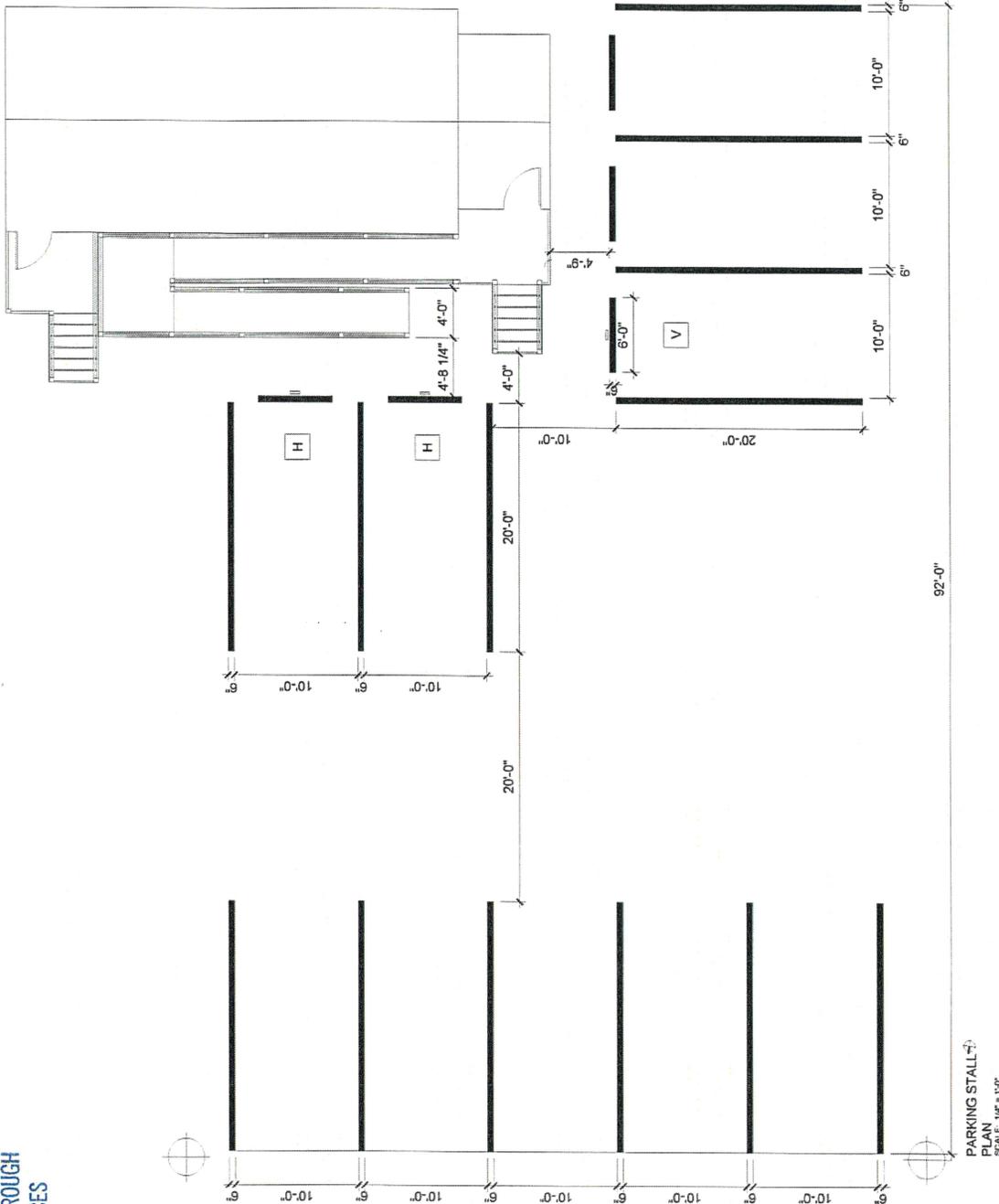
PREPARED FOR: **SANDRA MILLHOUSE**



RECEIVED
MAR 11 2020

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

- CONSTRUCTION PLAN NOTES:
- ALL PARKING STALLS TO BE 10Wx 20'L WITH 7' VERTICAL CLEARANCE
 - (2) HANDICAP PARKING STALLS REQUIRED PER OCCUPANCY, PARKING STALLS TO BE WITHIN 5' OF HANDICAP ROOP
 - (1) VETERAN PARKING SPOT
 - PARKING STOPS REQUIRED AT ALL STALLS NEXT TO PEDESTRIAN PATHWAY
 - 20' REQUIRED BETWEEN STALL ISLES FOR TWD WAY ROAD
 - PARKING LOT AND PEDESTRIAN PATHWAYS TO BE CONFORM WITH ADA REQUIREMENTS FOR ADDITIONAL LANDINGS REQUIRED
 - PROVIDE REFLECTIVE PAINT STRIPS AT ALL PARKING STALLS ON PAVED PARKING LOT PER PARKING STALL LAYOUT
 - LAMP POSTS (2) AT PARKING STALL ISLES



- LEGEND:
- KEY NOTE
 - PARKING STALLS
 - LAMP POSTS
 - H HANDICAP STALL
 - V VETERAN STALL
 - PARKING SIGNAGE

PARKING STALL PLAN
SCALE 1/4" = 1'-0"

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Application



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:

- X \$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:

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

Subject Property: Township: 17N, Range: 1W, Section: 11, Meridian: Lot A20
MSB Tax ID# 17N01W11A020
SUBDIVISION: BLOCK(S): LOT(S):
STREET ADDRESS: 2321 E. Palmer Wasilla Hwy
FACILITY / BUSINESS NAME: Canna Get Happy

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 X N/A

Name of Property Owner: Sandra D. Millhouse
Name of Agent / Contact for application:
Mailing: PO Box 874574, Wasilla, AK 99687
Phone: Hm Fax
Wk Cell 373-8761
E-mail sandradhbica@yahoo.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) 17N01W11A020 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.

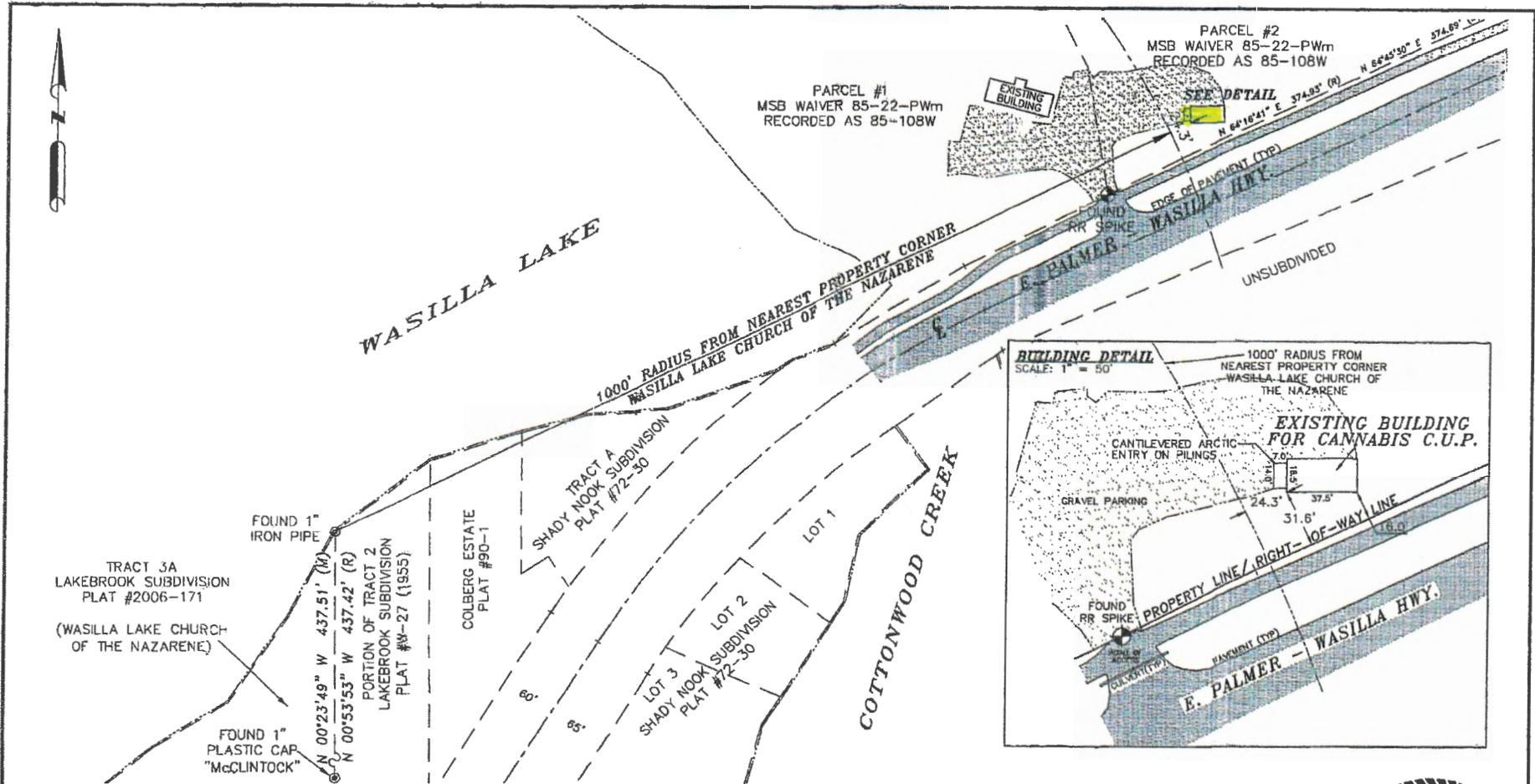
I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, and at other times necessary to monitor compliance.

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


Sandra D. Millhouse

Signature: Property Owner Printed Name Date

Signature: Agent Printed Name Date



SITE PLAN

PARCEL #2, MSB WAIVER 85-22-PWm

PALMER RECORDING DISTRICT, ALASKA

BULL MOOSE SURVEYING

ROBERT S. HOFFMAN
200 HYGRADE LANE, WASILLA, ALASKA 99654
(907) 357-6957 bob@bullmoosesurveying.com

PLAT # 2014-121

DRAWN BY:
EEG

DATE OF SKETCH:
1/6/2020

CHECKED BY:
RSH

SECTION: 11
TWP.: 17N
RANGE: 1W S.M.

NOTES:

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SCALE:
1"=100'

REVISION BY DATE

PREPARED FOR:

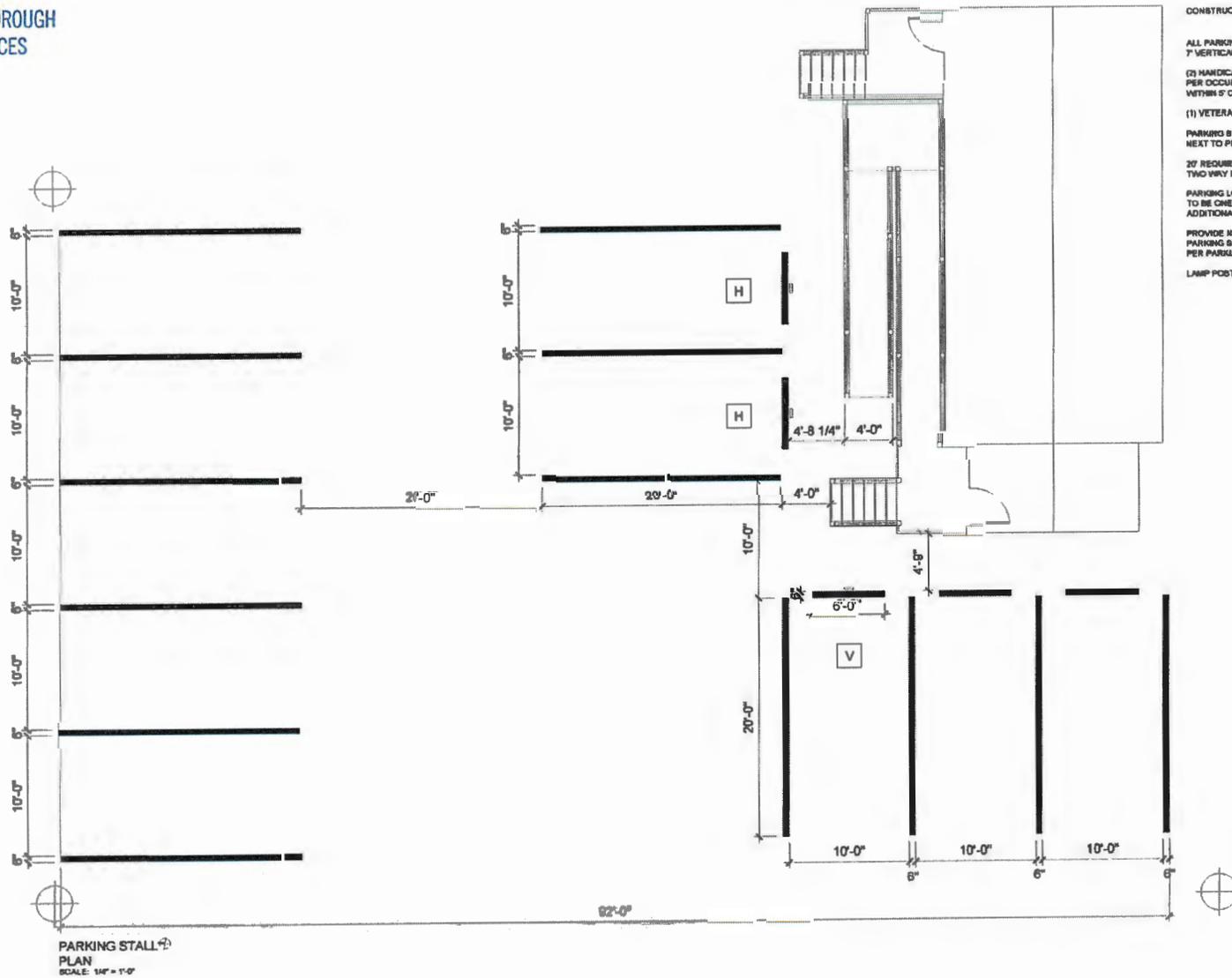
SANDRA MILLHOUSE

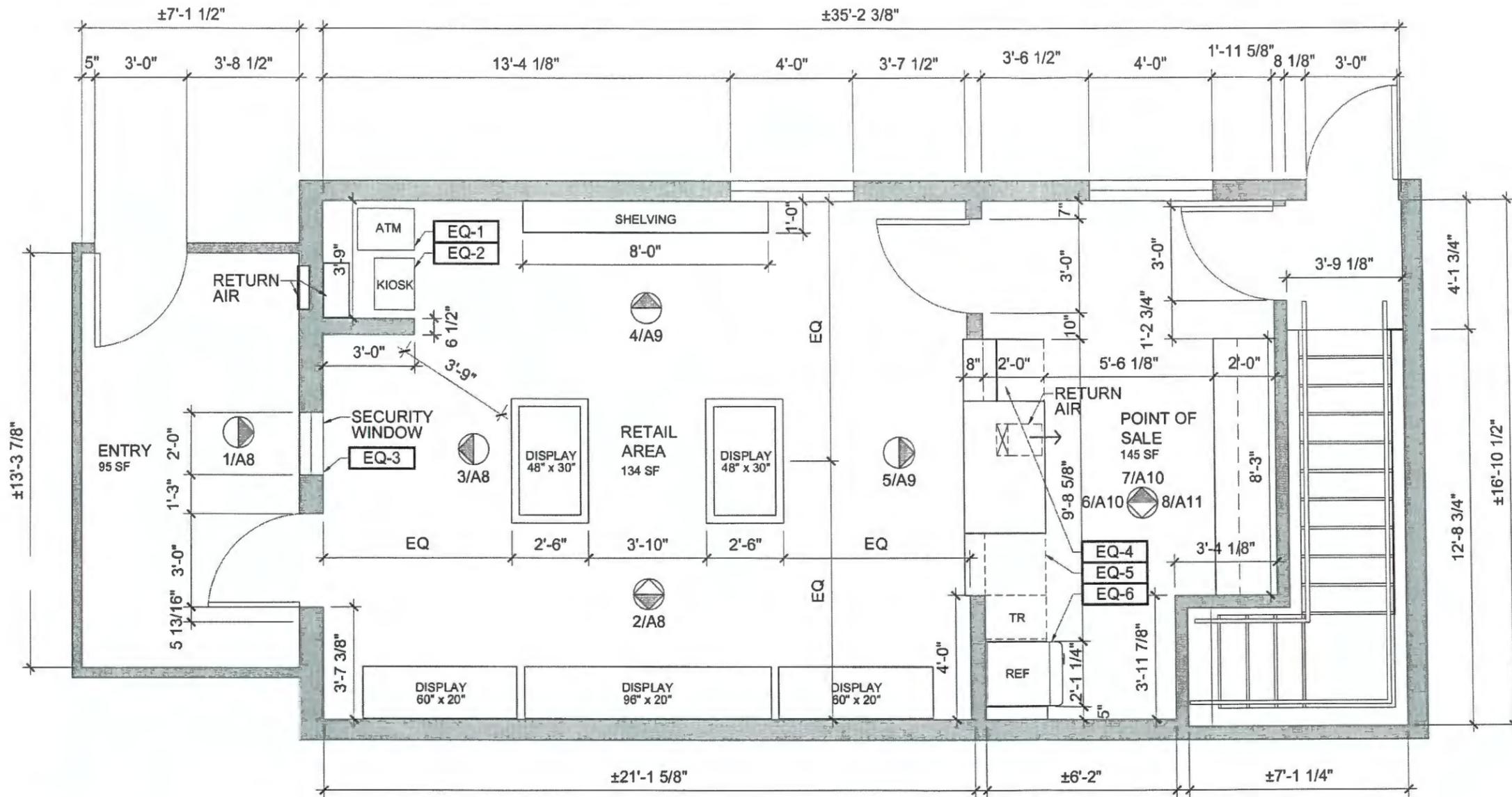


RECEIVED
MAR 11 2020

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

- LEGEND:
-  KEY NOTE
 -  PARKING STALLS
 -  LAMP POSTS
 -  HANDICAP STALL
 -  VETERAN STALL
 -  PARKING SIGNAGE





CONSTRUCTION PLAN NOTES:

ALL SUBCONTRACTORS SHALL CHECK & VERIFY ALL DIMENSIONS AND CONDITIONS AT JOB SITE AND REQ CLARIFICATION FROM THE DESIGNER (DO) OF POSSIBLE CONFLICTS BETWEEN DWGS AND FIELD CONDITIONS BEFORE COMMENCING ANY WORK

FRAMING SUBCONTRACTOR TO CHALK-OUT ALL WALLS FOR REVIEW PRIOR TO CONSTRUCTION BEGINNING

DO NOT SCALE DRAWINGS; DIMENSIONS GOVERN. NOTIFY DESIGNER OF ANY POSSIBLE CONFLICTS BEFORE PROCEEDING.

PARTITIONS SHALL BE DIMENSIONED FROM FINISHED FACE OF WALL AND "CL" INDICATES CENTER LINE OF WALL OR OBJECT, U.N.O.

SUBCONTRACTOR TO PROVIDE ALL REQ'D. ROUGH-INS, VALVES, COMPONENTS & TRIMS FOR A COMPLETE INSTALLATION OF ALL PLUMBING FIXTURES SPECIFIED

SUBCONTRACTORS TO PROVIDE SHOP DRAWINGS FOR ALL CABINERY AND SUBMITTALS FOR ALL ITEMS AND FIXTURES SPECIFIED FOR REVIEW & APPROVAL PRIOR TO ORDERING

PROVIDE NEW PAINT GRD. 2 1/2" FLAT CASING AT ALL DOORS & WINDOWS. PROV. NEW PT. GRD. 4"H X 1/2"TH BASEBOARD THROUGHOUT.

PROVIDE (2) NEW SINGLE PANEL DOORS W/ LEVER HDWR, (2) METAL SECURITY DOORS W/ LEVER HDWR, (1) FIRE RATED DOOR W/ LEVER HDWR & (1) FRONT ENTRY DOOR W/ LEVER DWR NEW DBL. DOORS TO BE PT. GRD. FLAT PANEL STYLE SOLID CORE DOORS. TO COMPLY WITH COMMERCIAL CODE. ALL HDWR. (TBD). PROV. 1/4" UNDER-CUT AFF, TYP.

REFER TO ELEVATION SHEET A9 AND A10 FOR CABINET & COUNTER TOP INFO / SPECS.

PROVIDE POLY-SEAL @ ALL MECH., ELECTRICAL & PLUMBING ROUGH-IN OPENINGS FOR COMPLETE SEAL - ONLY IF REQUIRED BY CITY

LEGEND:

- KEY NOTE
- EXISTING PARTITIONS
- EXIST. PH PARTITION
- EQUIPMENT TAG
- PLUMBING FIXT. TAG
- ELEVATION TAGS

SECOND FLOOR CONSTRUCTION PLAN
SCALE: 1/4" = 1'-0"

EQUIPMENT (CONT):

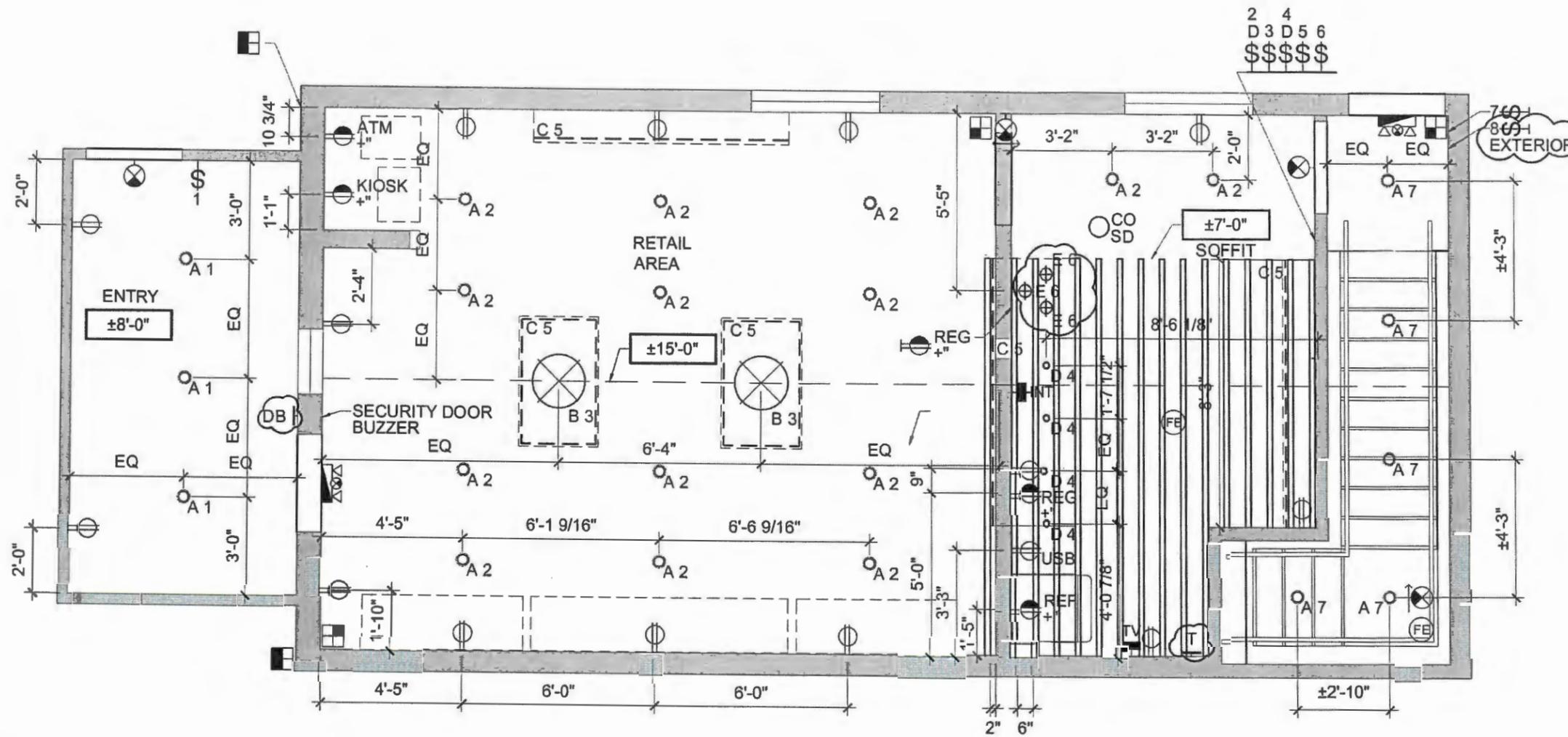
- (EQ-4) CASH REGISTER: TBD "W X "D X "H
- (EQ-5) CASH REGISTER: TBD "W X "D X "H
- (EQ-6) THE BIG CHILL:

EQUIPMENT:

- (EQ-1) ATM: CASH DISPENSING MACHINE, TBD "W X "D X "H
- (EQ-2) KIOSK: TBD "W X "D X "H
- (EQ-3) SECURITY BUZZER:

REVISED: 12.29.19
DATE: 10.02.19





REFLECTED CEIL. & POWER PLAN NOTES & KEY NOTES:

ALL KITCHEN RECEPTACLES SHALL BE GROUND-FAULT INTERRUPTER TYPE DEVICES.

ALL RECESSED LIGHT FIXTURES IN CONTACT WITH INSULATION SHALL BE RATED FOR SUCH AN INSTALLATION.

CLEAN AND EQUIP ALL LIGHT FIXTURES WITH NEW SPECIFIED LAMPS AT THE COMPLETION OF CONST.

PROVIDE ALL REQ'D SWITCHES. EACH LIGHT FIXTURE TYPE IN EA. ROOM/AREA TO HAVE SEPARATE SWITCH.

OUTLET & SWITCH SPECIFICATIONS:
 OUTLETS, RECEPTACLES & WALL PLATES:
 SWITCHES: ELECTRICIAN RECOMMENDED
 DIMMERS: ELECTRICIAN RECOMMENDED
 DIMMER & SWITCH PLATES: ELECTRICIAN RECOMMENDED SERIES TO COORD. W/ DIMMERS & SWITCHES
 ALL SWITCHES & OUTLETS TO BE GANGED WITH SINGLE SWITCH PLATE AND ALL COVER PLATES TO HAVE INVISIBLE ATTACHMENT. NO SCREWS VISIBLE.

DIMMERS TO BE PROVIDED FOR ALL PENDANTS, DOWNLIGHTS AND SURFACE MT. FIXTURES. PENDANT LIGHT MOUNTING HEIGHTS TBD IN THE FIELD WITH DO.

PROVIDE NEW POWER, PHONE & CABLE TV / INTERNET OUTLETS AS SHOWN.

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1 PROVIDE DEDICATED CIRCUITS FOR ATM, PURCHASE KIOSK, REFRIGERATOR, CASH REGISTERS OUTLETS (CONFIRM ALL REQUIREMENTS & PROVIDE ALL REQUIRED OUTLET TYPES PER EACH MFG'S. SPECS)

2 FISHEYE SECURITY CAMERA LOCATED ON ROOF

LIGHT FIXTURES (CONT.):

(TYPE F): HOME DEPOT: LITHONIAN LIGHTING: IBC 454 MV 4-LIGHT T5 WHITE HIGH OUTPUT FLOURESCENT HIGH BAY, 120-277 VOLT, 54 WATT HIGH OUTPUT BULBS, TO VERIFY
 (TYPE G): HUDSON VALLEY LIGHTING: ANGIE DOUBLE WALL SCONCE, TWO 3 WATT 120 VOLT G9 DOUBLE LOOP BASE LED LAMPS, 230 LUMENS, 4.75"WIDTH x 15"H, METAL AND GLASS, AGED BRASS AND POLISHED NICKEL

REVISED: 12.28.19
 DATE: 12.09.19

LEGEND (CONT):

- EMERGENCY EXIT LIGHT COMBO, WALL MOUNTED
- EMERGENCY EXIT LIGHT COMBO, CEILING MOUNTED
- EXIT LIGHT, WALL MOUNTED ARROW INDICATES EXIT
- FLUORESCENT LIGHT FIXTURE
- WALL SCONCE
- FISHEYE SECURITY CAMERA
- SECURITY CAMERA
- DOOR BELL ANNUNCIATOR
- THERMOSTAT

LEGEND (CON'T):

- DUPLEX RECEPTACLE: (USB) ADD USB OUTLET WHERE NOTED
- DUPLEX RECEPTACLE: DEDICATED CIRCUIT
- FOURPLEX RECEPTACLE
- TELEPHONE OUTLET
- TELEVISION / INTERNET OUTLET
- INTERNET OUTLET
- JUNCTION BOX
- THERMOSTAT
- INDICATES MOUNTING HEIGHT
- GROUND FAULT INTERRUPTER

LEGEND:

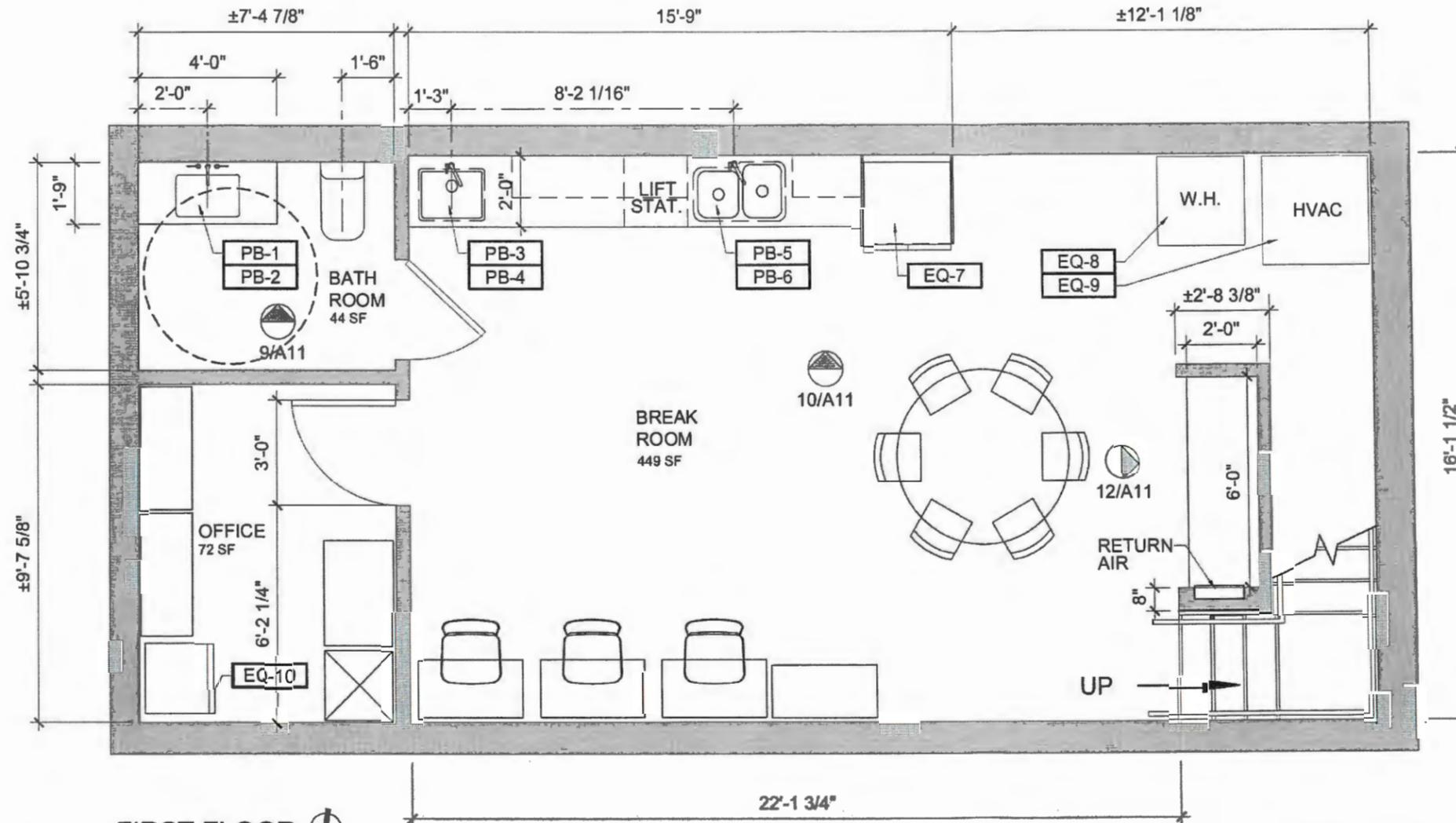
- KEY NOTE
- LIGHT SWITCH: (D) DIMMER, (3W) 3 WAY SWITCH, (#) CIRCUIT NUMBER
- UNDER CABINET OUTLET STRIP, GROUND FAULT INTERRUPTER TYPE OUTLETS: GF (X" = LENGTH OF STRIP), WHITE LAGRAND 2000 SERIES GFCI OR EQUAL
- CARBON MONOXIDE / SMOKE DETECTOR CEILING MOUNT
- GARBAGE DISPOSAL
- EXISTING CEILING HEIGHT A.F.F

SECOND FLOOR RCP & POWER PLAN

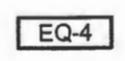
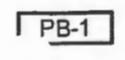
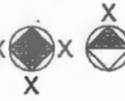
SCALE: 1/4" = 1'-0"

LIGHT FIXTURES:

- (TYPE A): 6" LED LENSED (FROSTED) DOWNLIGHT CLEAR ALZAK TRIM, WHITE TRIM RING, 3000K COLOR, DIMMABLE
- (TYPE B): LOUIS POULSEN: PH 5 PENDANT, 23 WATT 120 VOLT MEDIUM BASE FLUORESCENT LAMP, E26 BULB, 1380 LUMEN, 19.7"DIA x 11.1"H, SPUN ALUMINUM SHADE, HUES OF GREEN
- (TYPE C): CONTINUOUS LED LINEAR UNDER CABINET LIGHT W/ REMOTE TRANSFORMER, 3000K COLOR, PROVIDE ALL TRANSFORMERS CABLES, CONNECTORS AND COMPONENTS
- (TYPE D): LED SPOTLIGHTS - TO CONFIRM ELECTRICIAN RECOMMENDED LIGHT FIXTURE
- (TYPE E): BESA LIGHTING: PERA 6 PENDANT, 40 WATT 120 VOLT, E12 CANDELABRA BASE INCANDESCENT BULB, 330 LUMENS, 4.5" DIA x 6.5"H, GLASS AND METAL, AMBER MATTE



FIRST FLOOR CONSTRUCTION PLAN
SCALE: 1/4" = 1'-0"

- LEGEND:**
-  KEY NOTE
 -  EXISTING PARTITIONS
 -  EXIST. PH PARTITION
 -  EQUIPMENT TAG
 -  PLUMBING FIXT. TAG
 -  ELEVATION TAGS

PLUMBING FIXTURES (CONT.):

- (PB-4) DELTA: TRINSIC, SINGLE HOLE, PULL-DOWN KITCHEN FAUCET, #9159-CZ-DST, CHAMPAGNE BRONZE
- (PB-5) FRANKE: CRYSTAL, UNDERMOUNT KITCHEN SINK, #CLV110-31, 30"W X 17"D X 9"H, STAINLESS STEEL
- (PB-6) DELTA: TRINSIC, SINGLE HOLE, PULL-DOWN KITCHEN FAUCET, #9159-CZ-DST, CHAMPAGNE BRONZE

PLUMBING FIXTURES:

- (PB-1) DELTA: TRINSIC, THREE HOLE, WIDESPREAD BATHROOM FAUCET, #3559-CZMPU-DST, CHAMPAGNE BRONZE
- (PB-2) KOHLER: LADENA, UNDERMOUNT BATHROOM SINK WITH OVERFLOW, WIDESPREAD BATHROOM FAUCET, #K-2214-0, 20-7/8"W X 14-3/8"D X 8-1/8"H, WHITE FINISH
- (PB-3) KOHLER: UNDERTONE, UNDERMOUNT UNDERCOUNTER UTILITY SINK, #K-6661-NA, 23"W X 11-1/4"D X 11.63"H, STAINLESS STEEL

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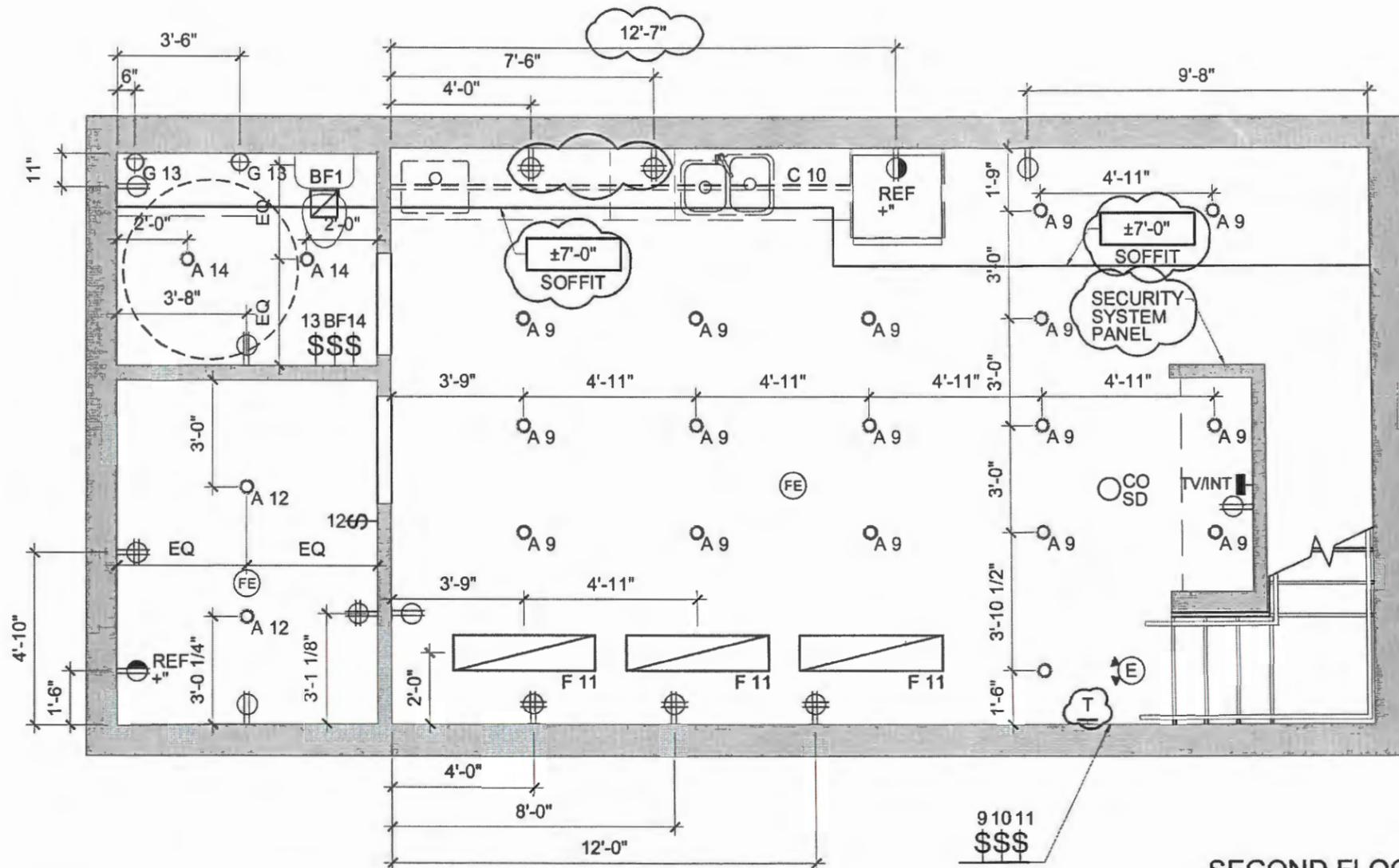
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PROVIDE POLY-SEAL @ ALL MECH., ELECTRICAL & PLUMBING ROUGH-IN OPENINGS FOR COMPLETE SEAL - ONLY IF REQUIRED BY CITY

EQUIPMENT:

- (EQ-7) 30" FRIDGE, TBD
- (EQ-8) WATER HEATER
- (EQ-9) HVAC UNIT
- (EQ-10) 30" FRIDGE, TBD

REVISED: 12.30.19
DATE: 10.02.19



REFLECTED CEIL. & POWER PLAN NOTES & KEY NOTES:

ALL KITCHEN RECEPTACLES SHALL BE GROUND-FAULT INTERRUPTER TYPE DEVICES.

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CLEAN AND EQUIP ALL LIGHT FIXTURES WITH NEW SPECIFIED LAMPS AT THE COMPLETION OF CONST.

PROVIDE ALL REQ'D SWITCHES. EACH LIGHT FIXTURE TYPE IN EA. ROOM/AREA TO HAVE SEPARATE SWITCH.

OUTLET & SWITCH SPECIFICATIONS: LUTRON / DESIGNER STYLE, SATIN SNOW
 OUTLETS, RECEPTACLES & WALL PLATES: CLARO SERIES
 SWITCHES: DIVA CLARO SERIES
 DIMMERS: DIVA SERIES
 DIMMER & SWITCH PLATES: DIVA & DIVA CLARO SERIES TO COORD. W/ DIMMERS & SWITCHES
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LIGHT FIXTURES (CONT.):
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LEGEND (CONT):

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- EMERGENCY EXIT LIGHT COMBO, CEILING MOUNTED
- EXIT LIGHT, WALL MOUNTED ARROW INDICATES EXIT
- FLUORESCENT LIGHT FIXTURE
- WALL SCONCE
- FISHEYE SECURITY CAMERA
- SECURITY CAMERA
- DOOR BELL ANNUNCIATOR
- T THERMOSTAT

LEGEND (CONT):

- DUPLEX RECEPTACLE: (USB) ADD USB OUTLET WHERE NOTED
- DUPLEX RECEPTACLE: DEDICATED CIRCUIT
- FOURPLEX RECEPTACLE
- TELEPHONE OUTLET
- TELEVISION / INTERNET OUTLET
- INTERNET OUTLET
- J JUNCTION BOX
- T THERMOSTAT
- +40" INDICATES MOUNTING HEIGHT
- GF GROUND FAULT INTERRUPTER

LEGEND:

- X KEY NOTE
- LIGHT SWITCH: (D) DIMMER, (3W) 3 WAY SWITCH, (#) CIRCUIT NUMBER
- UNDER CABINET OUTLET STRIP, GROUND FAULT INTERRUPTER TYPE OUTLETS: GF (X" = LENGTH OF STRIP), WHITE LAGRAND 2000 SERIES GFCI OR EQUAL
- CO SMOKE DETECTOR CEILING MOUNT
- GD GARBAGE DISPOSAL
- ±8'-11" E EXISTING CEILING HEIGHT A.F.F

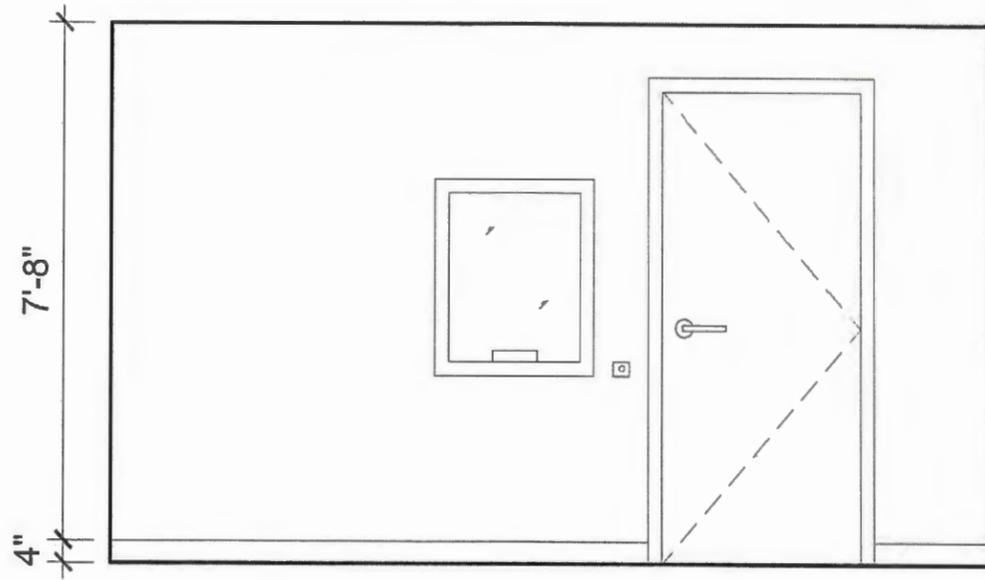
SECOND FLOOR RCP & POWER PLAN

SCALE: 1/4" = 1'-0"

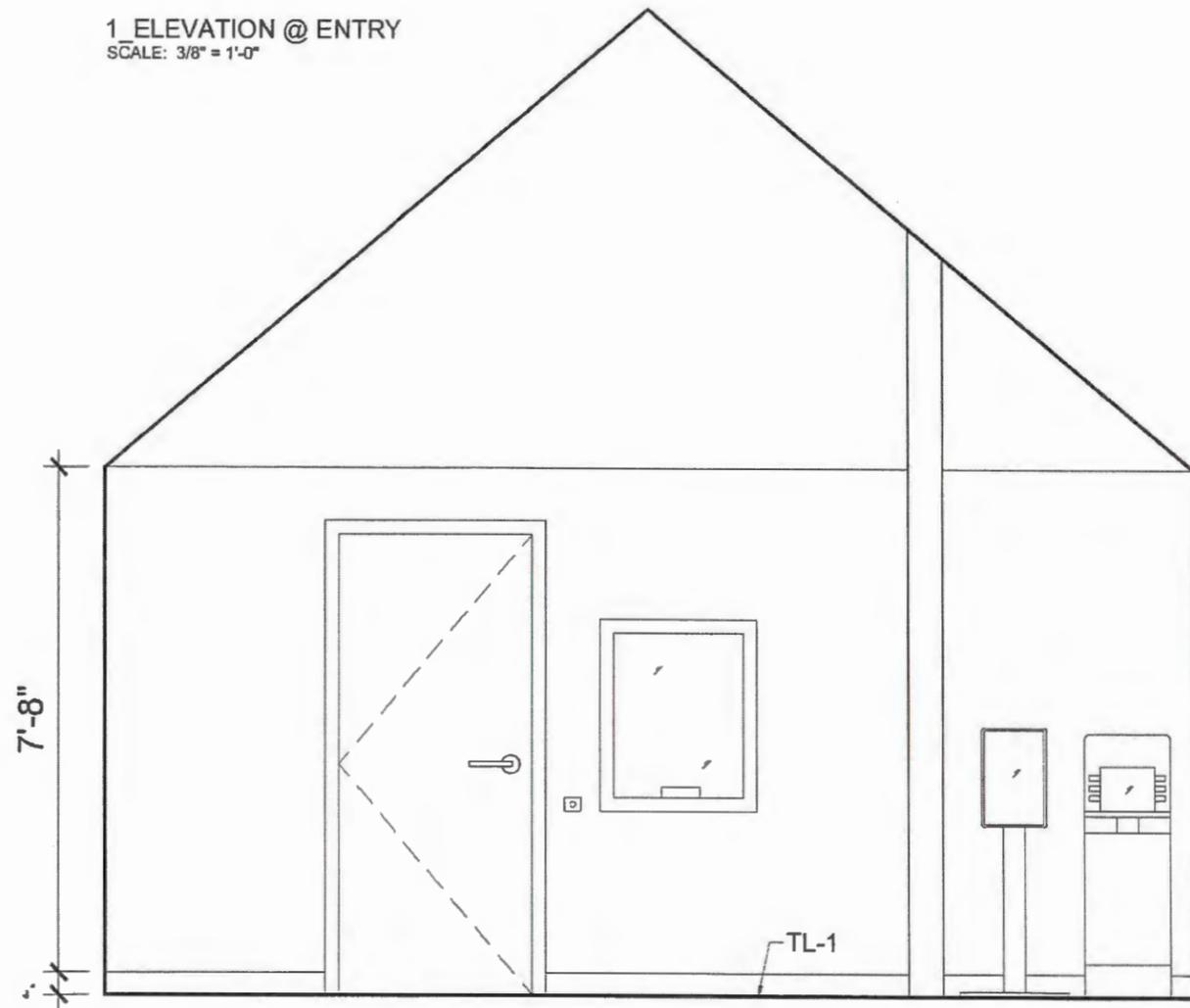
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- (TYPE C): CONTINUOUS LED LINEAR UNDER CABINET LIGHT W/ REMOTE TRANSFORMER, 3000K COLOR, PROVIDE ALL TRANSFORMERS CABLES, CONNECTORS AND COMPONENTS
- (TYPE D): LED SPOTLIGHTS - TO CONFIRM ELECTRICIAN RECOMMENDED LIGHT FIXTURE
- (TYPE E): BESA LIGHTING: PERA 6 PENDANT, 40 WATT 120 VOLT, E12 CANDELABRA BASE INCANDESCENT BULB, 330 LUMENS, 4.5" DIA x 6.5"H, GLASS AND METAL, AMBER MATTE

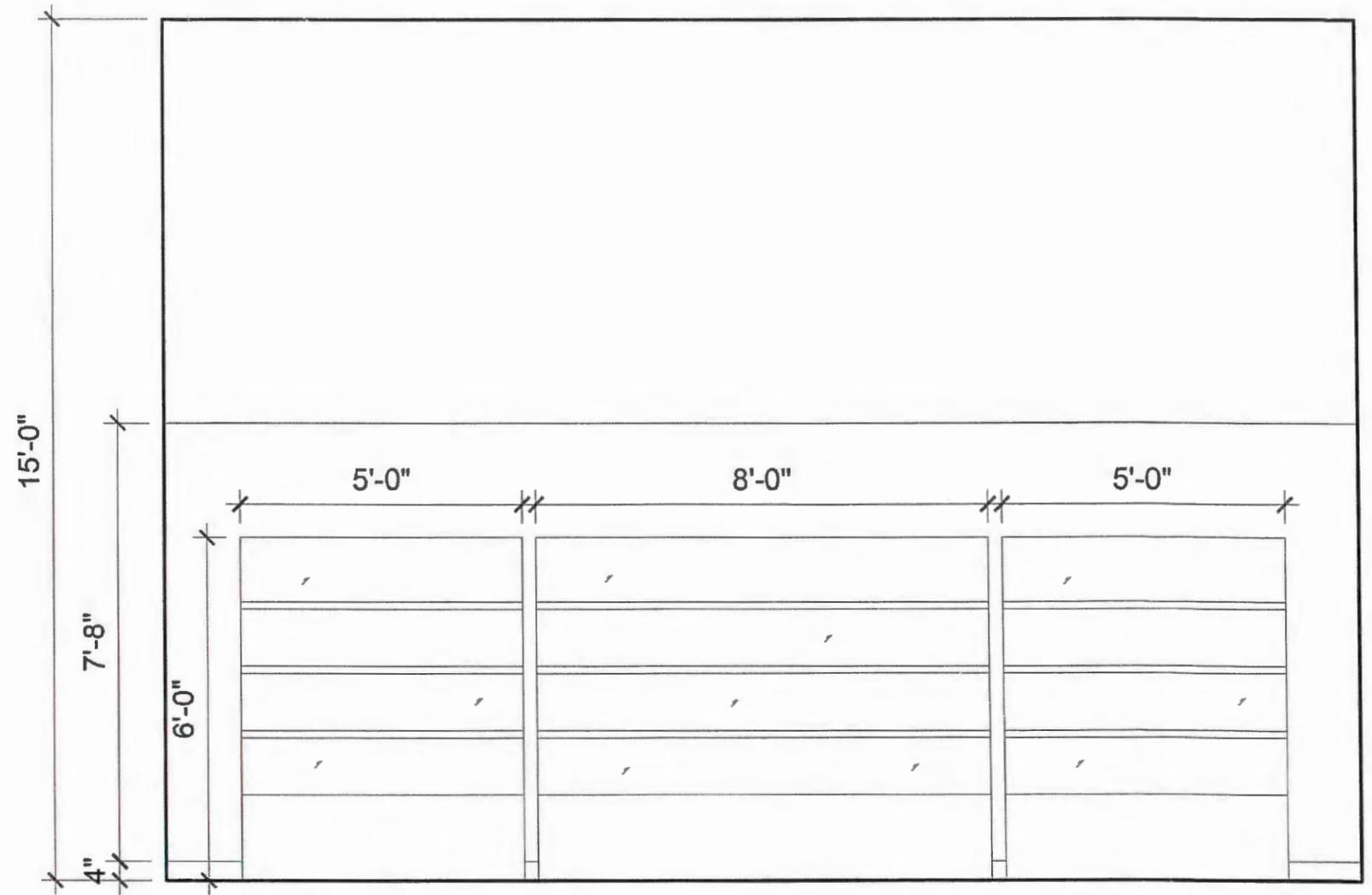
REVISED: 12.29.19
 DATE: 12.09.19



1_ELEVATION @ ENTRY
SCALE: 3/8" = 1'-0"

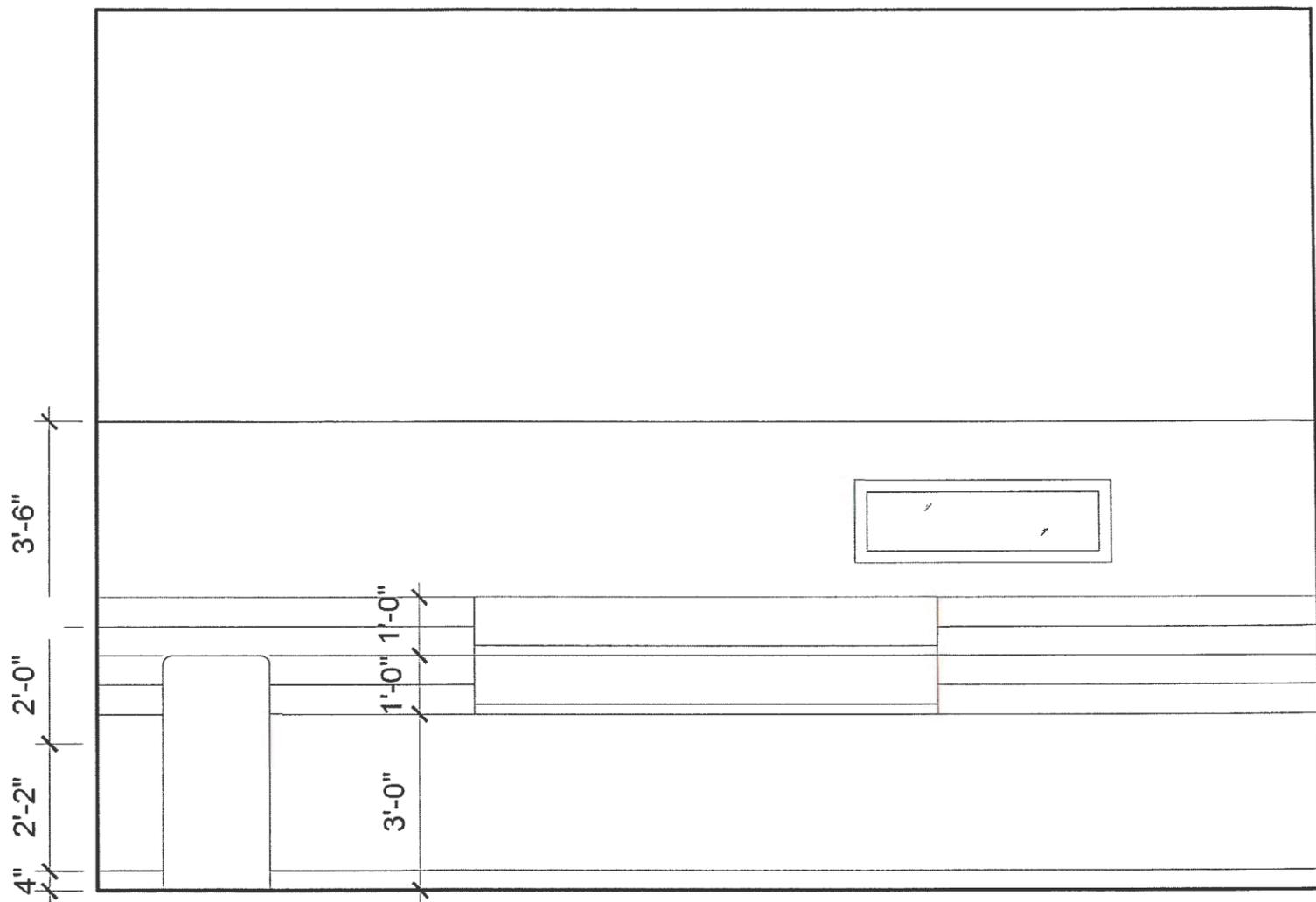


3_ELEVATION @ RETAIL AREA
SCALE: 3/8" = 1'-0"

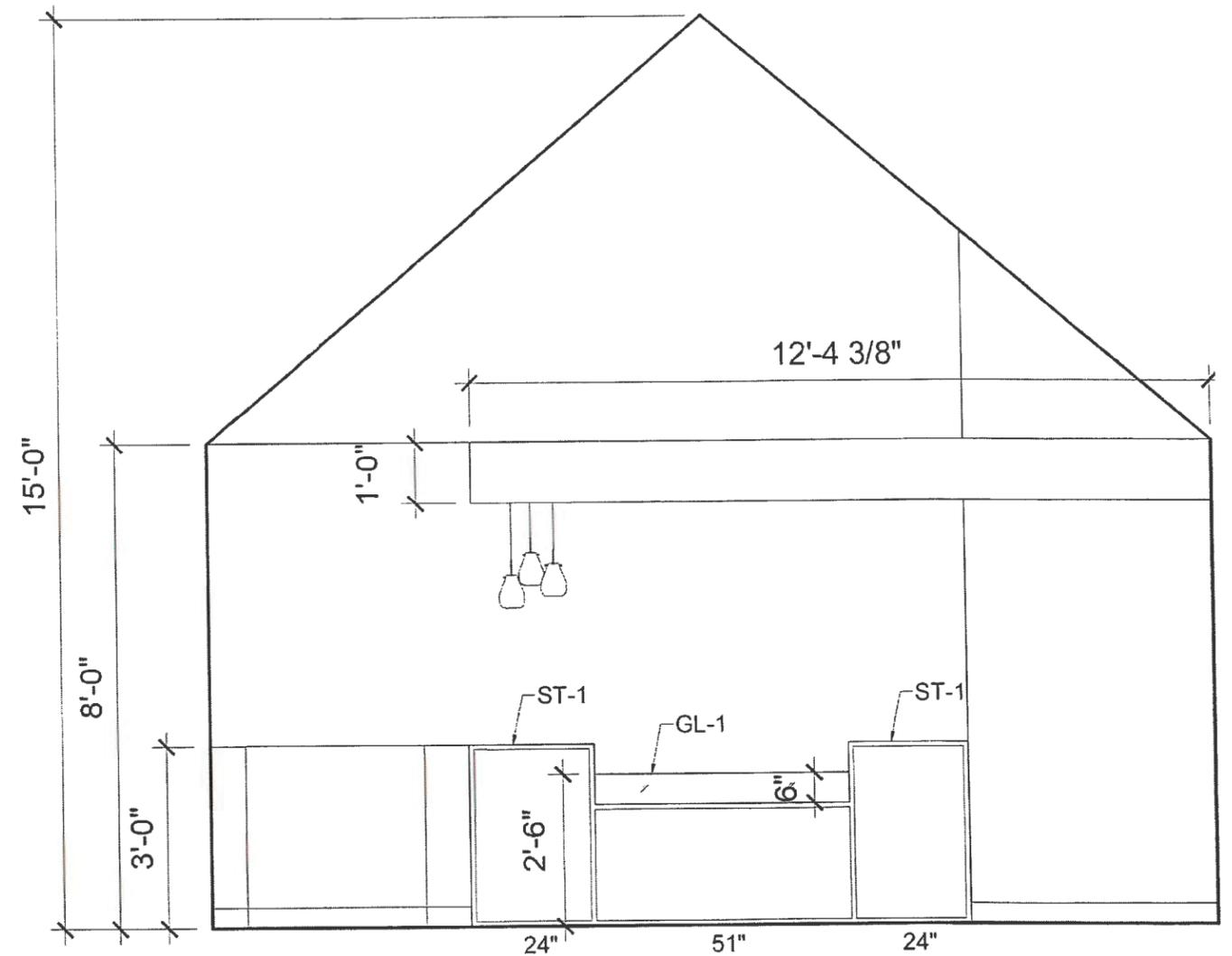


2_ELEVATION @ RETAIL AREA
SCALE: 3/8" = 1'-0"

- DOORBELL LOCATED AT SECURITY ENTRANCE DOOR
- SECURITY ENTRY BUZZER LOCATED NEXT TO SECURITY WINDOW, BUZZER REQUIRED TO OPEN DOOR
- SECURITY WINDOW TO HAVE FILM
- KIOSK AND ATM TO HAVE OWN DEDICATED OUTLETS
- FREESTANDING DISPLAYS, NOT BUILT-IN



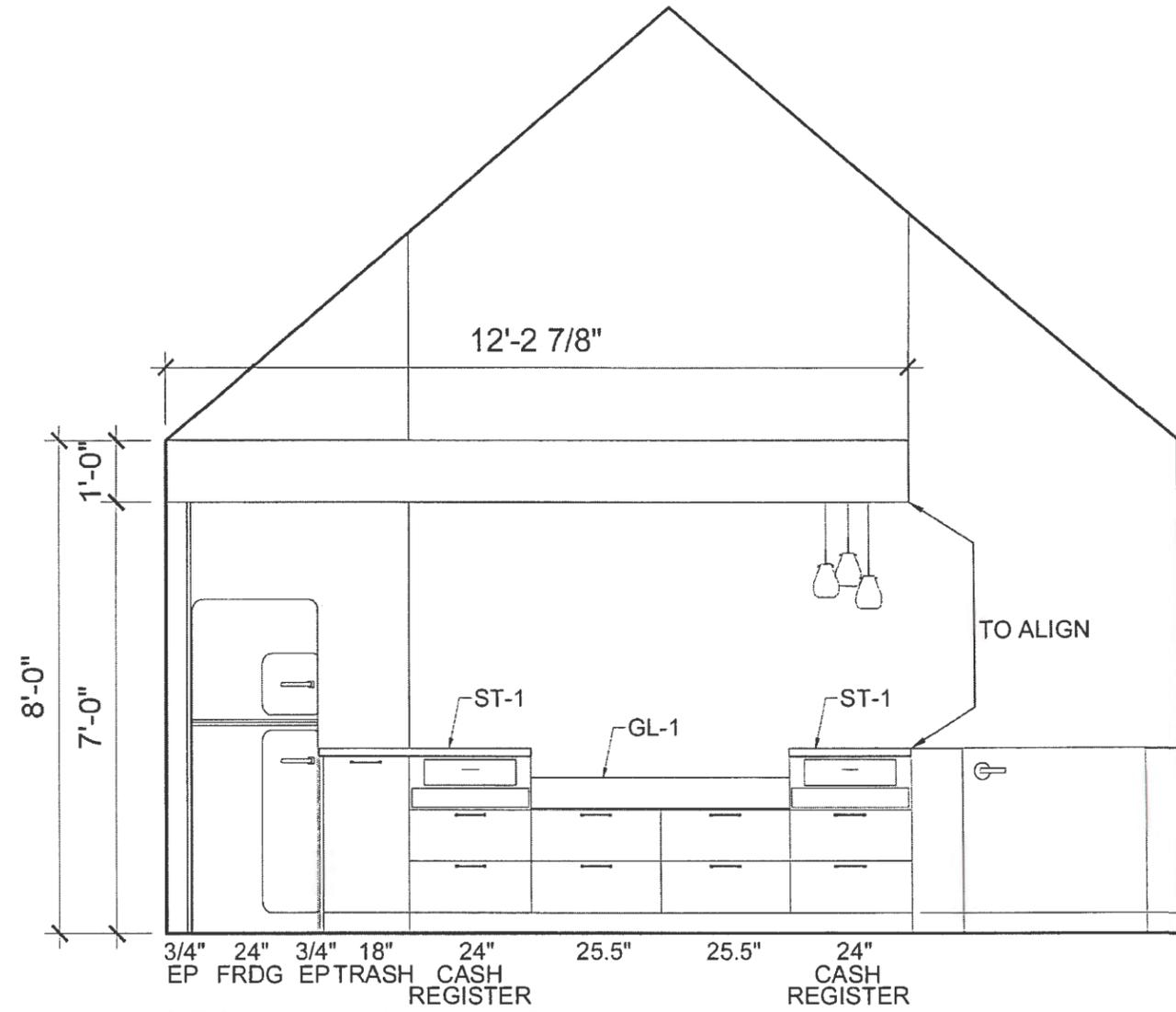
4 ELEVATION @ RETAIL AREA
SCALE: 3/8" = 1'-0"



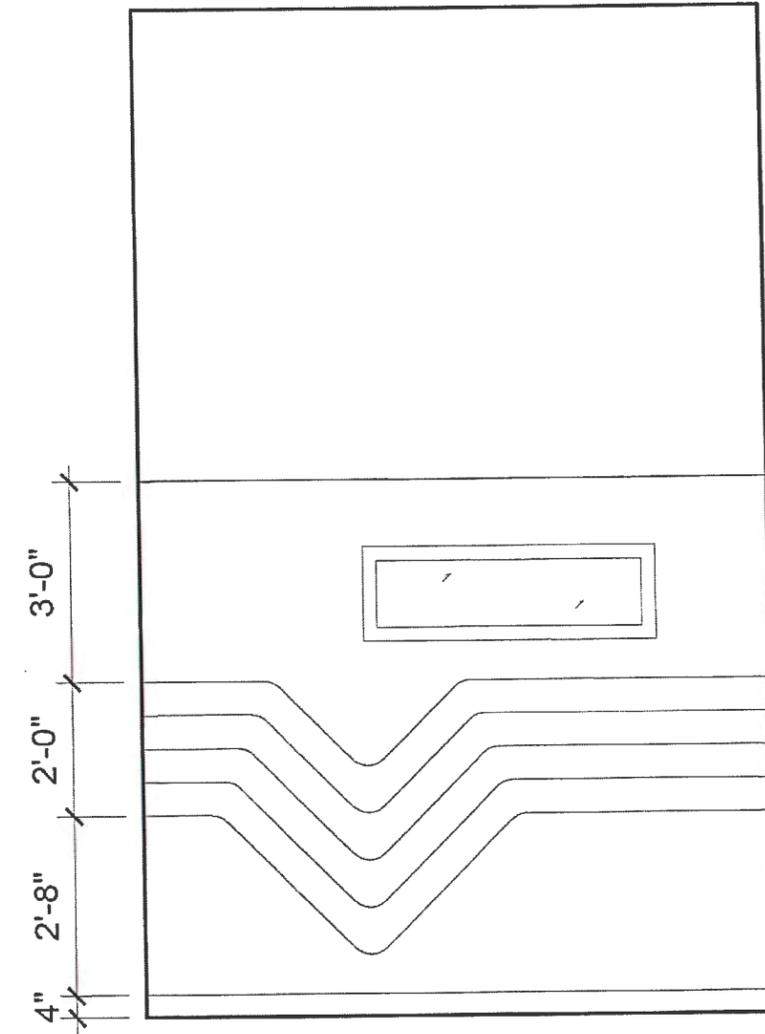
5 ELEVATION @ RETAIL AREA
SCALE: 3/8" = 1'-0"

- FLOATING SHELF WITH GLASS ENCLOSURE LOCATION TO BE VERIFIED WITH DESIGNER
- PROVIDE CONTINUOUS LINEAR LED STRIP LIGHTS AT FLOATING SHELVES, RE: 4/A9
- OPEN SHELVING BELOW CASH REGISTER AND DELI COUNTERTOP
- PAINT STRIPES ALONG ENTIRE WALL, COLOR SELECTION TO BE VERIFIED WITH DESIGNER, RE: 4/A9
- 2" x 12" WOOD PLANKS FOR SOFFIT APPEARANCE, WOOD TBD, REF 5/A9
- COUNTERS TO HAVE SQUARE EDGE PROFILE WITH MIN. EASED EDGES, NO MORE THAN 1/32" BREAK. ALIGN COUNTER EDGE WITH CABINET DOOR / DRAWER FACE, TYP UNO. PROVIDE SUGGESTED JOINT LOCATIONS FOR APPROVAL PRIOR TO FABRICATION.
- CENTER GLASS COUNTER DISPLAY, OPEN FROM POINT OF SALE

DATE: 12.29.19



6_ELEVATION @ POINT OF SALE
SCALE: 3/8" = 1'-0"

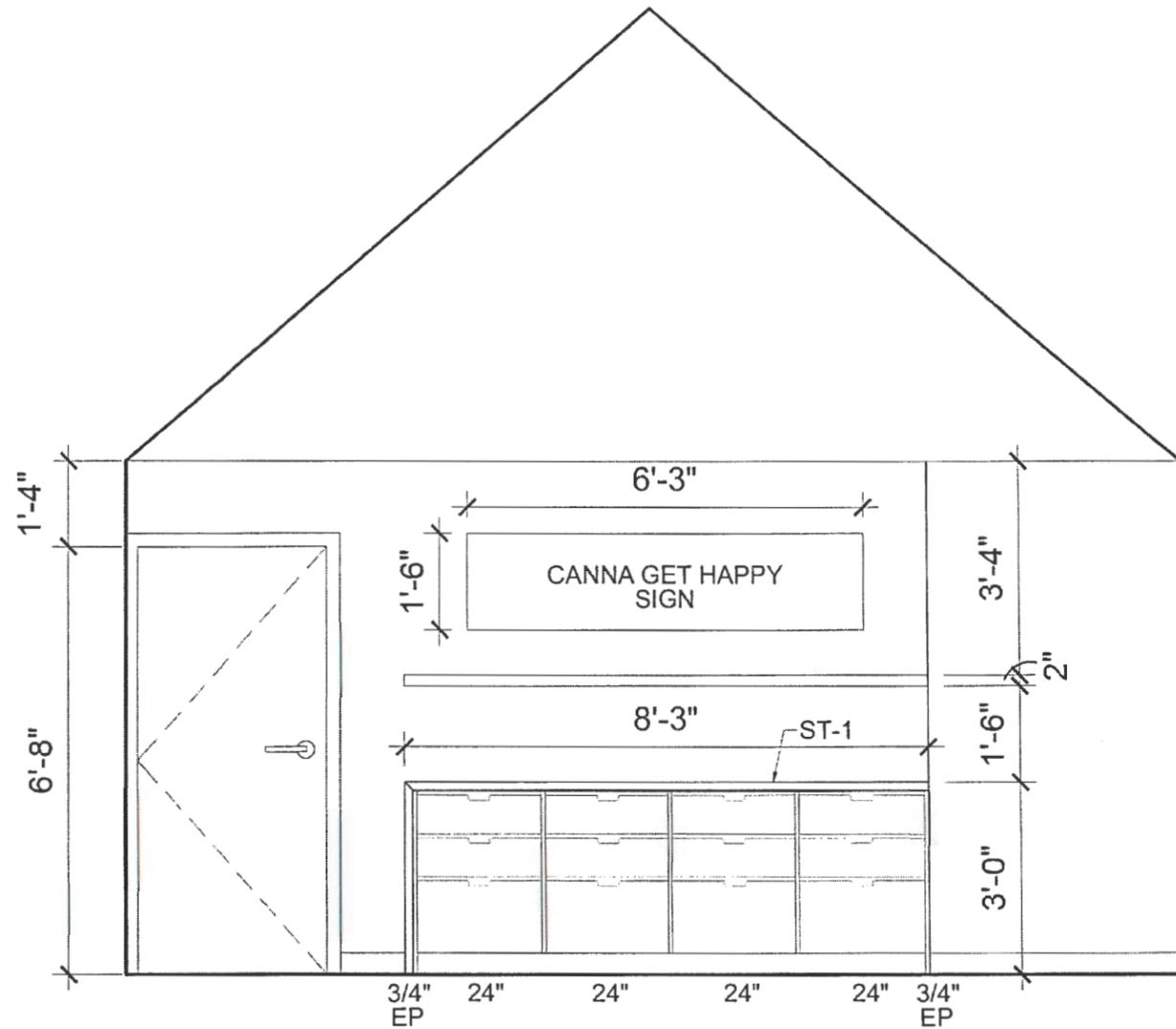


7_ELEVATION @ POINT OF SALE
SCALE: 3/8" = 1'-0"

- CABINETS: DOOR / DRAWER STYLE: FLAT PANEL, 5/8" MAPLE PLYWOOD, PT. GRD. FINISH: BASE CABS COLOR TBD, HINGES: BLUM SOFT CLOSE CLIP ON, DRAWER GUIDE: BLUM SOFT CLOSE FULL EXTEN.
- OPEN SHELF BELOW REGISTERS
- GLASS DISPLAY AT CENTER CHECKOUT COUNTER
- PROVIDE BACK LIGHTING
- WOOD SOFFIT PLANK EDGE TO ALIGN WITH OF CHECKOUT COUNTER
- 2" x 12" WOOD PLANKS FOR SOFFIT APPEARANCE, WOOD TBD

- DOOR & DRAWER PULLS, TBD
- COUNTERTOPS TO HAVE SQUARE EDGE PROFILE WITH MIN. EASED EDGES, NO MORE THAN 1/32" BREAK. ALIGN COUNTER EDGE WITH CABINET DOOR / DRAWER FACE, TYP UNO. PROVIDE SUGGESTED JOINT LOCATIONS FOR APPROVAL PRIOR TO FABRICATION.
- COUNTERTOP EDGE TO ALIGN WITH SOFFIT
- PAINT STRIPES ALONG ENTIRE WALL, COLOR SELECTION TO BE VERIFIED WITH DESIGNER, RE: 7/A10

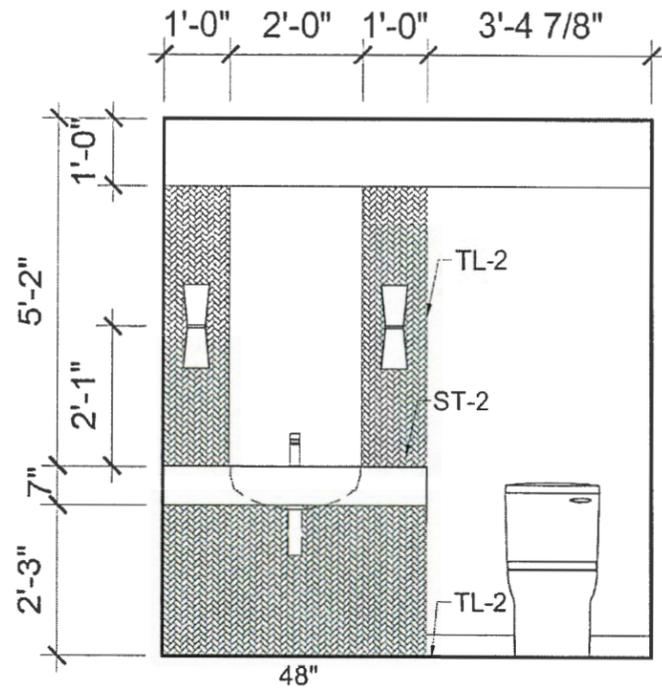
DATE: 12.29.19



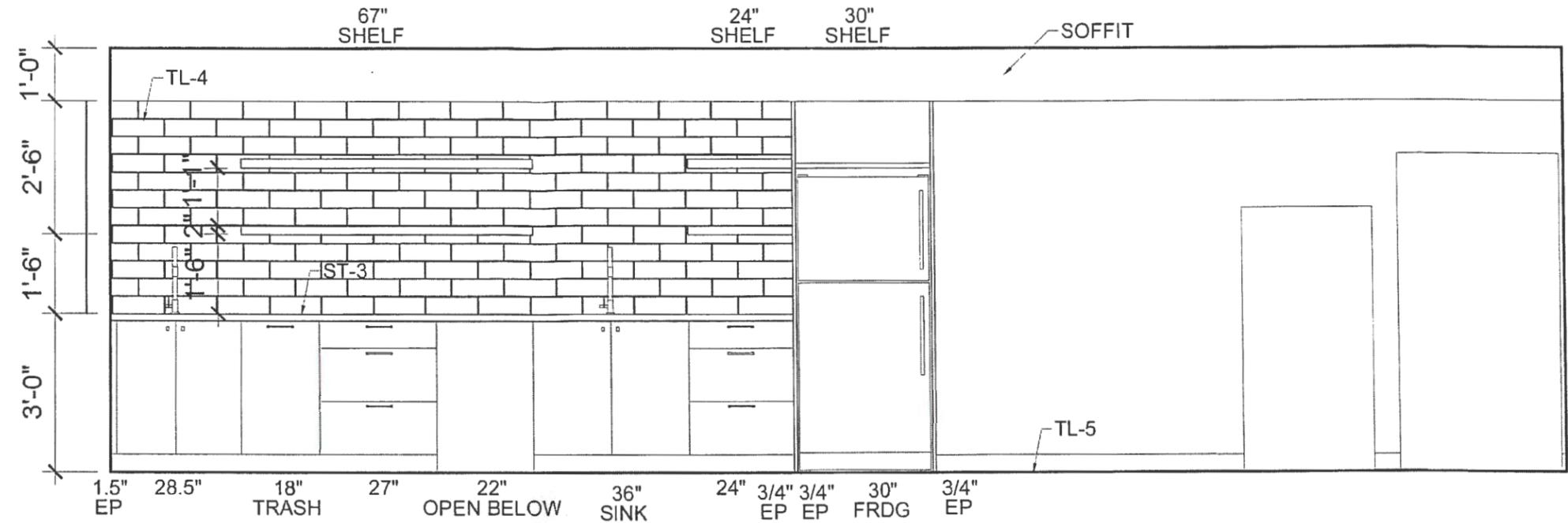
8_ELEVATION @ POINT OF SALE
SCALE: 3/8" = 1'-0"

- CABINETS: DOOR / DRAWER STYLE: FLAT PANEL, 5/8" MAPLE PLYWOOD, OPEN SHELF DRAWERS, PT. GRD. FINISH: BASE CABS COLOR TBD, HINGES: BLUM SOFT CLOSE CLIP ON, DRAWER GUIDE: BLUM SOFT CLOSE FULL EXTEN.
- RECESS BELOW FOR SHELF LIGHT
- PROVIDE CONTINUOUS LINEAR LED STRIP LIGHTS AT FLOATING SHELF, RE: A4
- FLOATING SHELF TO BE 2" THICK. PAINT GRADE WOOD SHELF. COLOR TBD
- PROVIDE BACK LIGHTING
- DOOR & DRAWER PULLS, TBD
- PROVIDE LED BACK LIGHTING FOR CANNA GET HAPPY SIGN
- SIGN MATERIAL TBD
- COUNTERS TO HAVE SQUARE EDGE PROFILE WITH MIN. EASED EDGES, NO MORE THAN 1/32" BREAK. ALIGN COUNTER EDGE WITH CABINET DOOR / DRAWER FACE, TYP UNO. PROVIDE SUGGESTED JOINT LOCATIONS FOR APPROVAL PRIOR TO FABRICATION. WATERFALL EDGE AT END

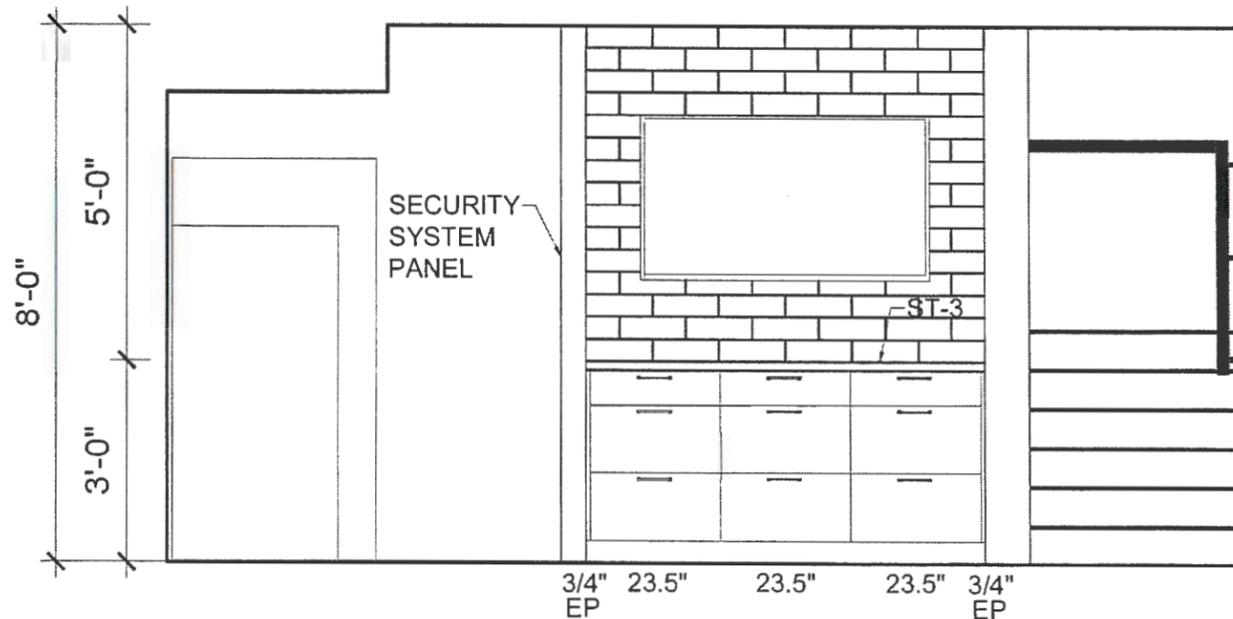
DATE: 12.29.19



9_ELEVATION @ BATH ROOM
SCALE: 3/8" = 1'-0"



10_ELEVATION @ BREAK ROOM
SCALE: 3/8" = 1'-0"



11_ELEVATION @ BREAK ROOM
SCALE: 3/8" = 1'-0"

- HEAT VENT TO BE SHEET ROCKED AND CREATE SOFFIT
- CABINETS: DOOR / DRAWER STYLE: FLAT PANEL, 5/8" MAPLE PLYWOOD, PT. GRD. FINISH: BASE CABS COLOR TBD, HINGES: BLUM SOFT CLOSE CLIP ON, DRAWER GUIDE: BLUM SOFT CLOSE FULL EXTEN.
- PROVIDE CONTINUOUS LINEAR LED STRIP LIGHTS FOR FLOATING SHELVES, RE: 10/A12
- FLOATING SHELF TO BE 2" THICK. PAINT GRADE WOOD SHELF. COLOR TBD
- DOOR & DRAWER PULLS, TBD
- COUNTERS TO HAVE SQUARE EDGE PROFILE WITH MIN. EASED EDGES, NO MORE THAN 1/32" BREAK. ALIGN COUNTER EDGE WITH CABINET DOOR / DRAWER FACE, TYP UNO. PROVIDE SUGGESTED JOINT LOCATIONS FOR APPROVAL PRIOR TO FABRICATION
- 22" OPEN SPACE IN LOWER CABINETS FOR LIFT STATION
- SECURITY TV TO BE MOUNTED ON WALL, HEIGHT TBD
- BATH ROOM COUNTERTOP TO HAVE MITERED EDGEWORK
- WALL SCONCES TO BE AT EACH SIDE OF MIRROR
- FULL HEIGHT MIRROR AND BACKSPLASH TILE TO BE FLUSH
- FLOOR TO CEILING GLASS MOSAIC TILE BACKSPLASH
- BATHROOM COUNTER TO COMPLY WITH COMMERCIAL CODE 4.19.2

EXTERIOR ELEC. & POWER PLAN NOTES & KEY NOTES:

ALL EXTERIOR LIGHT FIXTURES SHALL BE RATED FOR SUCH AN INSTALLATION.

CLEAN AND EQUIP ALL LIGHT FIXTURES WITH NEW SPECIFIED LAMPS AT THE COMPLETION OF CONST.

TO CONFIRM ALL LIGHTS ARE COMPATIBLE WITH SECURITY CAMERA SYSTEM

COMPANY SIGN TO INCLUDE BACKLIGHTING OF LOGO AND FLOWER ELEMENTS AS DISCUSSED

SUPPLY POWER TO FUTURE LAMP POSTS AND LARGE SIGN BY ROAD

1) FISHEYE SECURITY CAMERA LOCATED ON ROOF

LIGHT FIXTURES (CONT.):

(TYPE H): HOME DEPOT: COMMERCIAL LIGHTING: HIGH-OUTPUT WALL PACK, PHOTOCELL, DUSK TO DAWN, 28-WATT, 120-277 VOLT, 3000 LUMENS, 7.8"D X 6.46"L X 6.46"W, ALUMINUM, BRONZE FINISH - TO FIND COMPATIBLE FIXTURE IN CHARCOAL

(TYPE I): HOME DEPOT: COMMERCIAL ELECTRIC, FLOOD LIGHT WITH WALL PACK MOUNT, PHOTOCELL, DUSK TO DAWN, 50-WATT, 120 VOLT LED LAMP, 5000 LUMENS, 9.57"D x 11.61"L X 11.61"W, ALUMINUM, BRONZE FINISH - TO FIND COMPATIBLE FIXTURE IN CHARCOAL

(TYPE J): BACK LIGHTING FOR COMPANY SIGN - TO CONFIRM PROPER LIGHTING SPECS WITH ELECTRICIAN

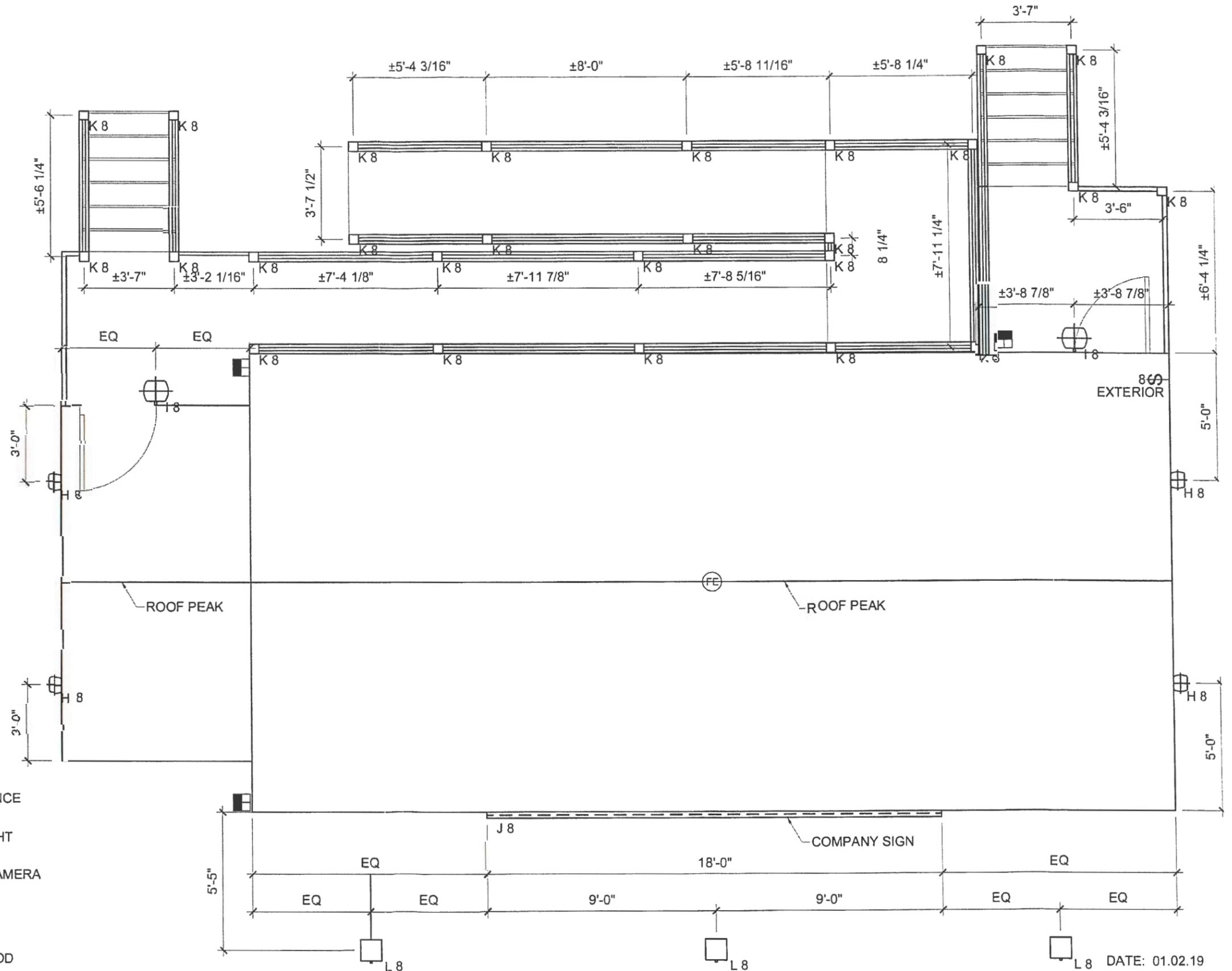
(TYPE K): RAMP POST LIGHTS - TBD

(TYPE L): HOME DEPOT: COMMERCIAL ELECTRIC, ARCHITECTURAL FLOOD LIGHT, DUSK TO DAWN, 50-WATT, 120-270 VOLT, LED LAMP, 5000 LUMENS, 10"D X 10"L X 10"W, ALUMINUM, BRONZE FINISH

LEGEND:

LEGEND (CONT.):

- | | | | |
|--|---------------------------|--|---------------------------|
| | KEY NOTE | | EXTERIOR WALL SCONCE |
| | DUPLEX RECEPTACLE | | EXTERIOR FLOOD LIGHT |
| | FOURPLEX RECEPTACLE | | FISHEYE SECURITY CAMERA |
| | LED BACKLIGHT | | SECURITY CAMERA |
| | INDICATES MOUNTING HEIGHT | | RAMP POST LIGHT |
| | | | ARCHITECTURAL FLOOD LIGHT |

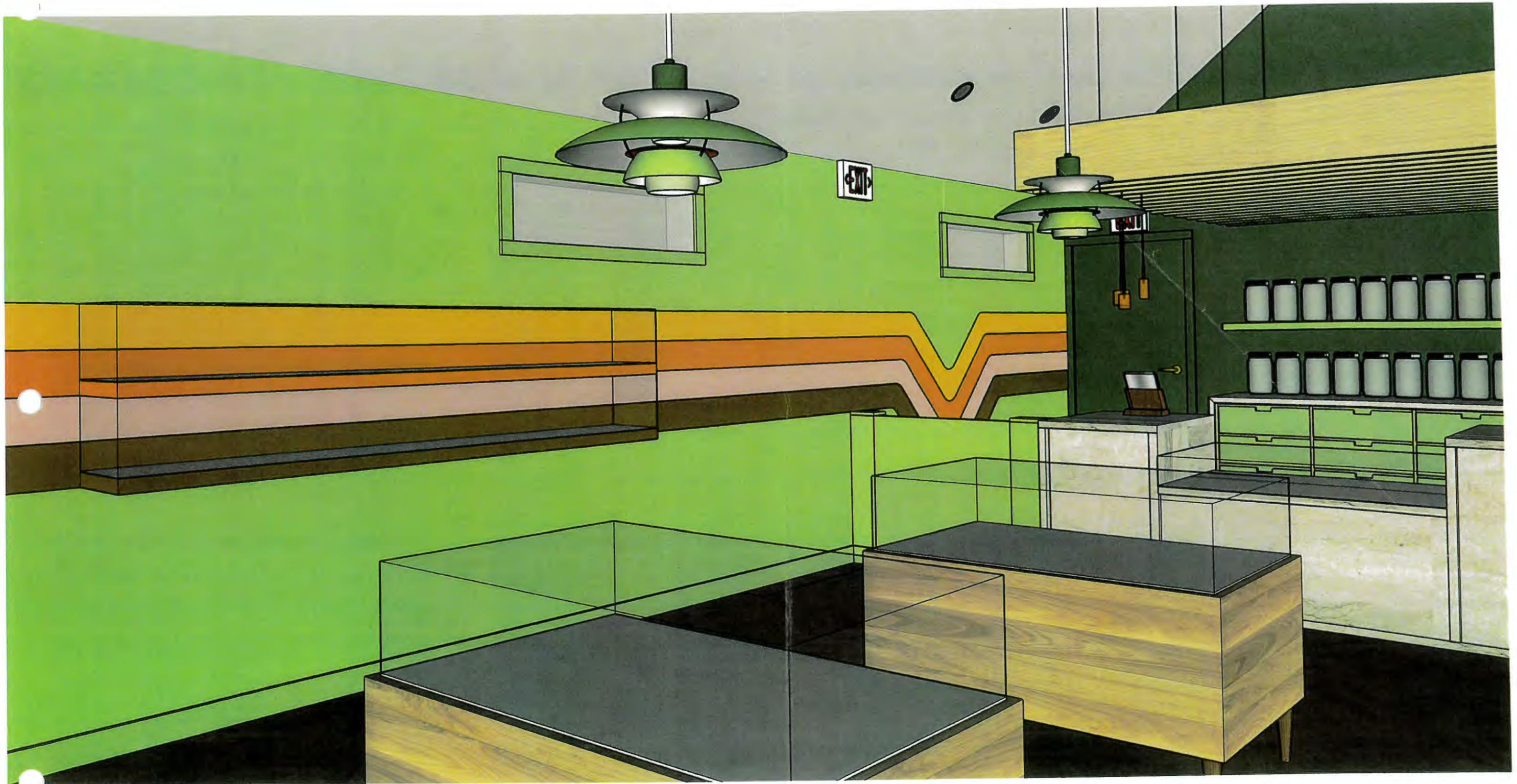


DATE: 01.02.19







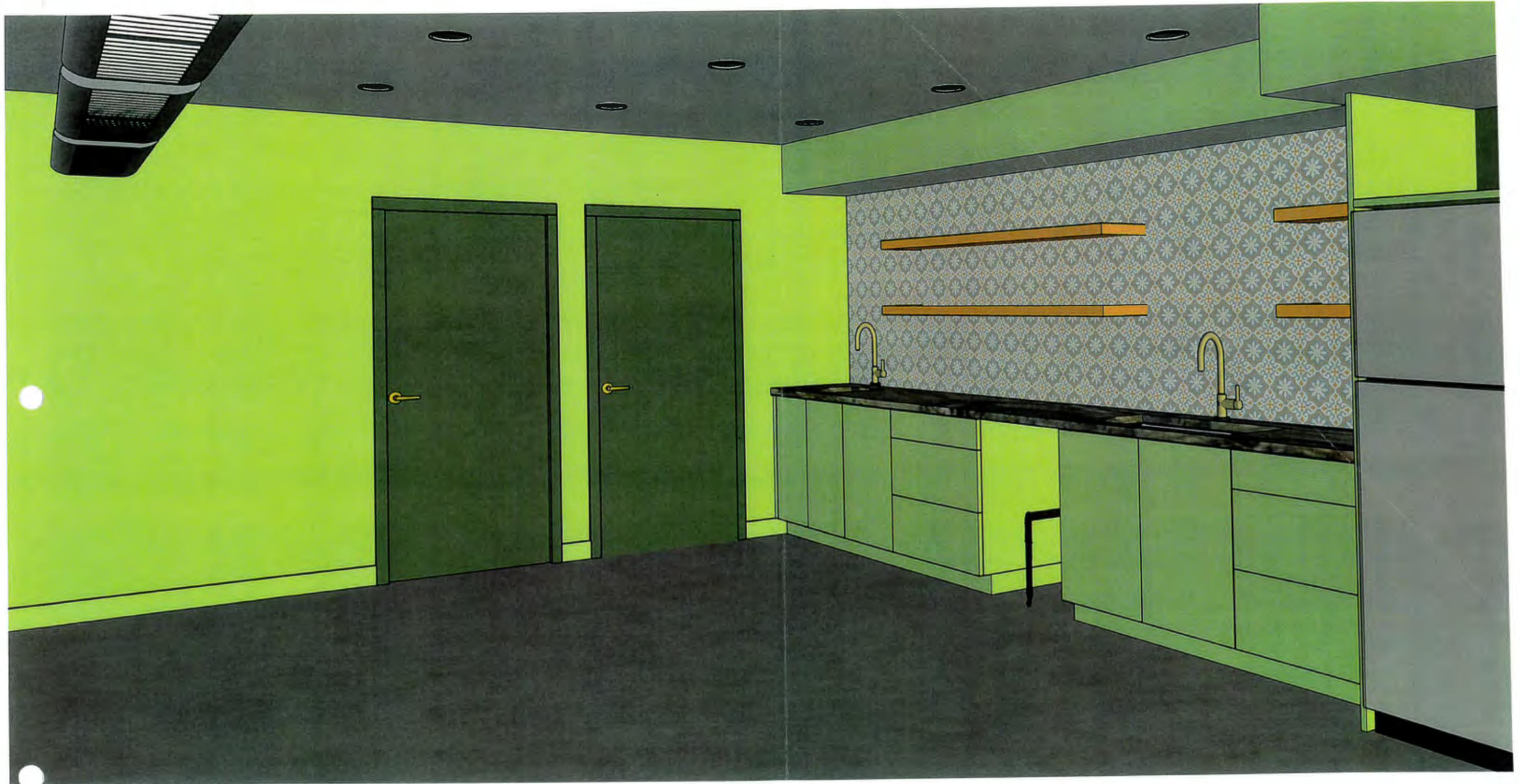




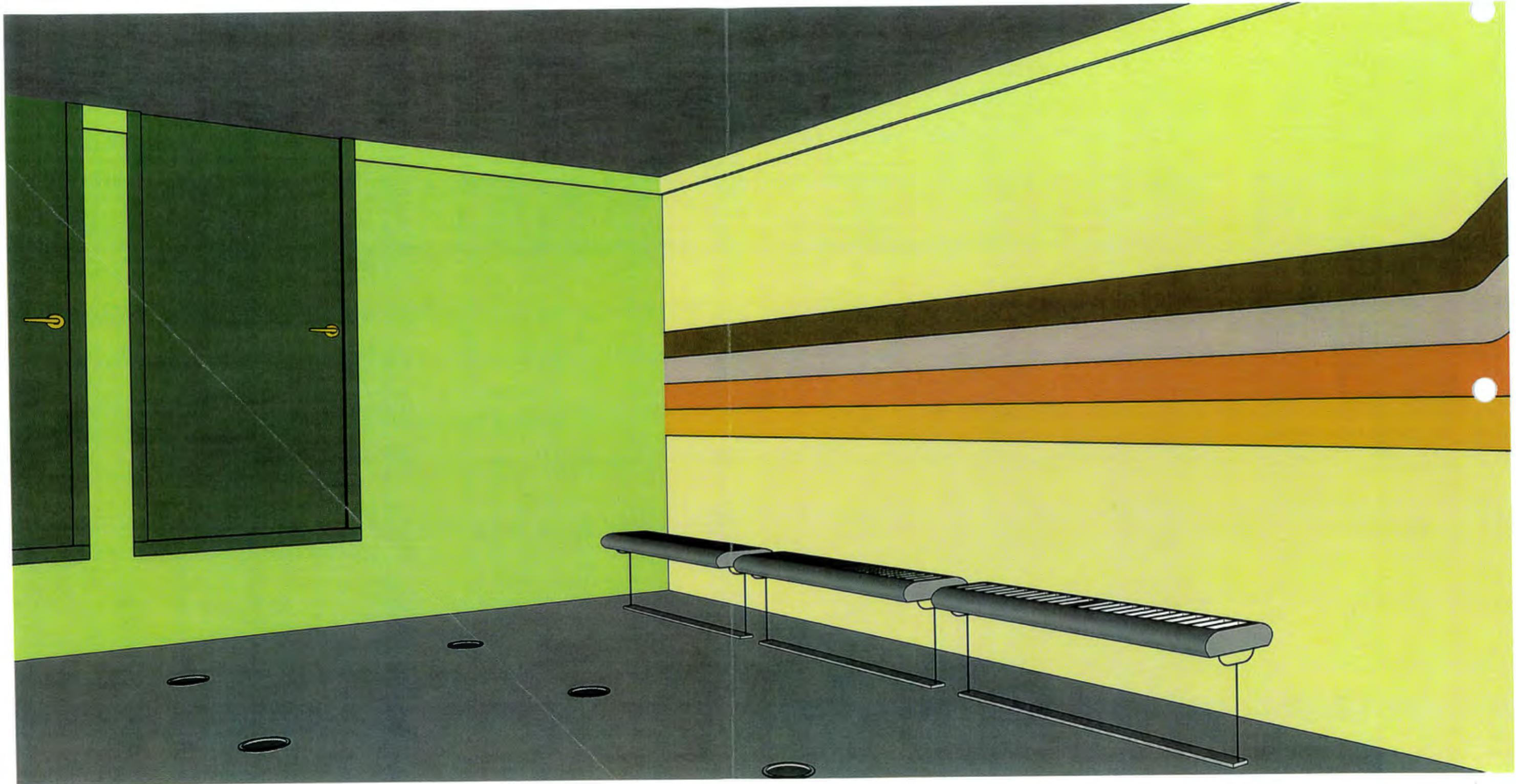


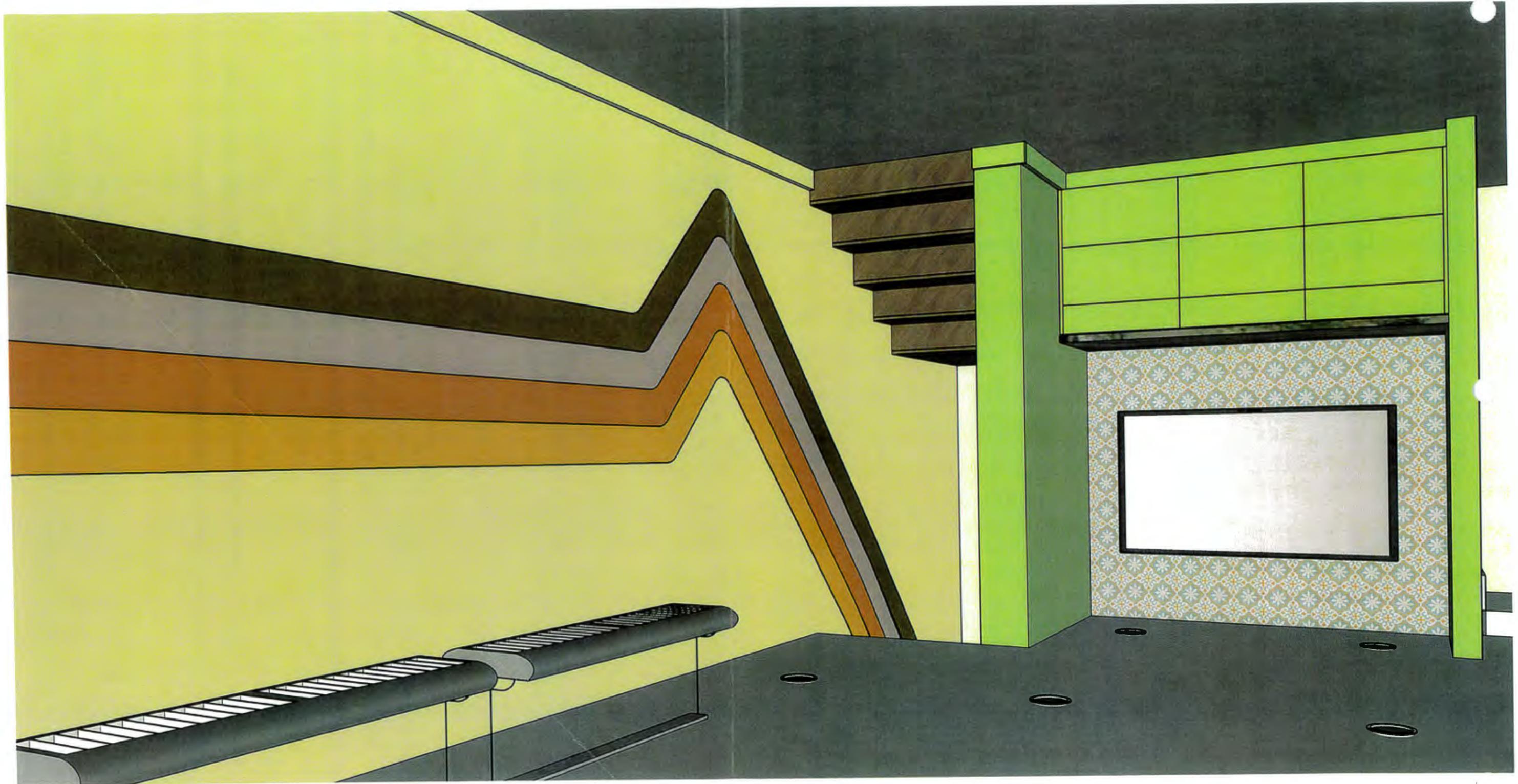


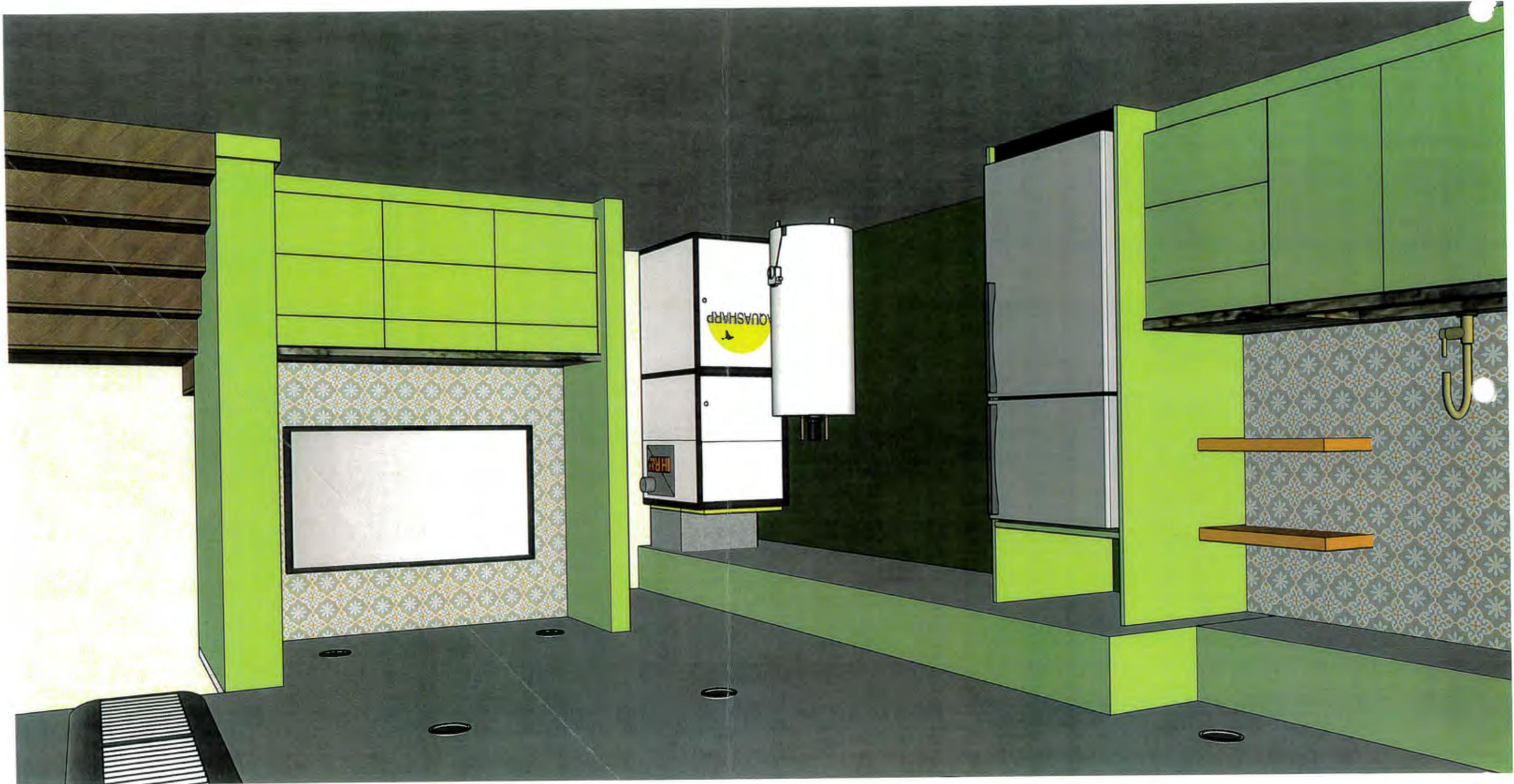












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mid century modern commercial exte or



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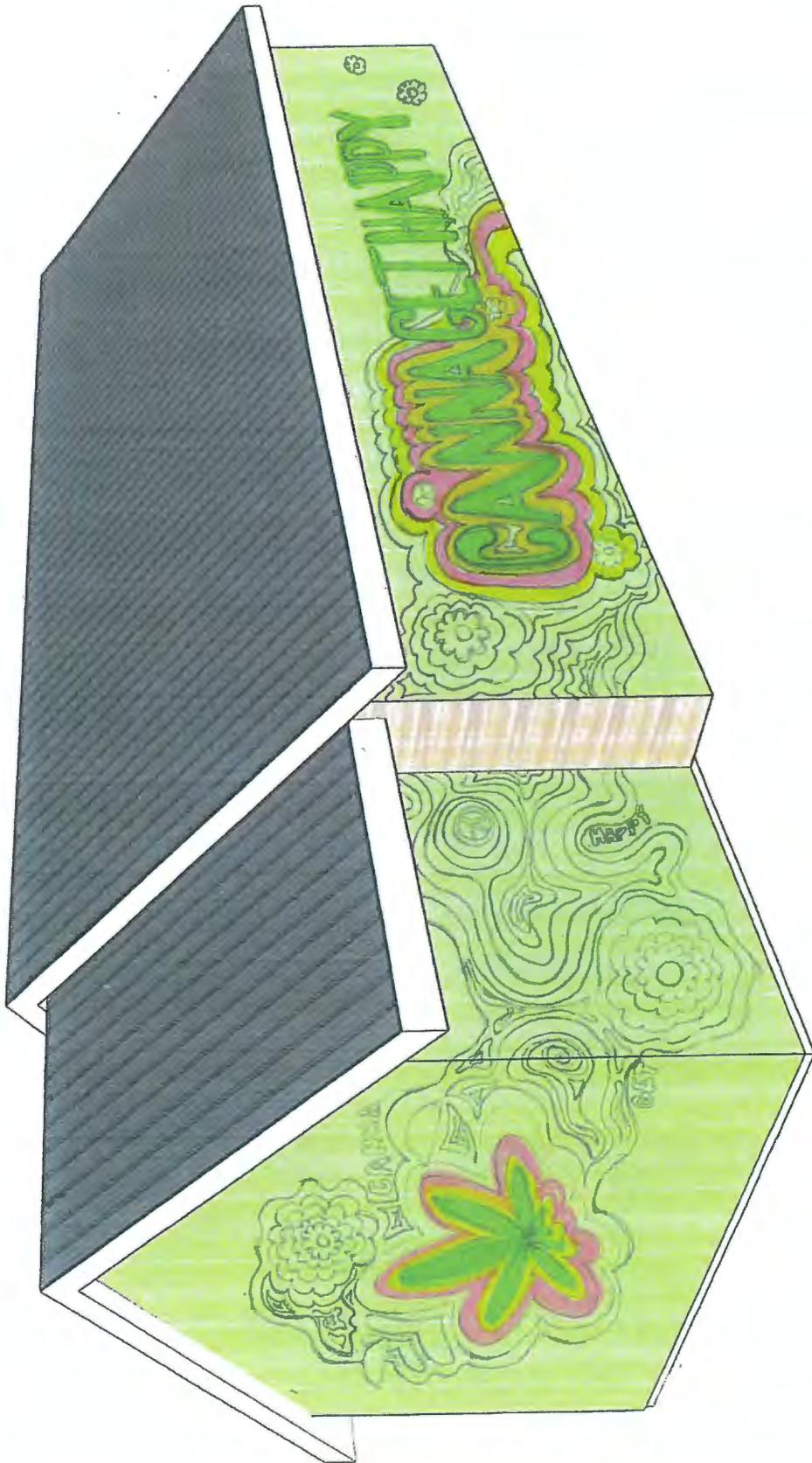
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CANNA GET HAPPY





CANNA GET HAPPY



Re: Site Plan

Canna Get Happy is located on a 5 acre parcel. It is located in the old railroad building (highlighted in yellow on the map) that was placed on the property back in the 1930's. We tried to preserve as much of the original building as possible because it is one of the last original structures on Wasilla Lake. There is another building on the property that currently has What Tattoo renting and they are agreeable to the new proposed business.

We are putting a 60's style sign on the Palmer Wasilla that will light up when we are open, but not a digital screen that can sometimes distract drivers. We will be painting the outside of the building a light green tone, and will have a flower design cascading around the building.

I have provided a map from Bull Moose Surveying which provides the right of ways and easements.

Most of the 5 acres is treed, but we plan to plant crabapple trees with pink flowers along the highway to add to the beauty of the location.

The buildings were existing so current drainage and parking lots were in place, but we took out a few trees along the tree line to provide 5 other spaces. The rest of the 5 acres is landscaped with grass or thick forest. Along with exterior building lights we will have lamp posts around the parking lot as shown on the scale. We plan to have Clearwater Fence Company place a 6 foot fence along the front 558 lineal feet front of the property, but have to wait to meet with the State in the spring regarding the bike trail to make sure we place it in the correct area. We have already spoken with the state, and they staked the property for us, but they weren't able to meet again before winter hit.

I have provided a layout of the exterior (A13) which shows all exterior lighting and security cameras.

I have provided a map of the parking lot with 2 handicap spaces, 1 veteran parking, and 7 additional spaces for the general public.



CANNA GET HAPPY



January 9, 2020

To Whom it May Concern:

Hello, my name is Sandra Millhouse. I am a 4th generation Alaskan. I was born at the old Native Hospital downtown and raised in Anchorage. When I started a family of my own, I moved to the valley for the possibility of a larger home and more acreage.

In 1999 my husband and I started our first business out of our garage. Within 6 months, we were renting a shop and our career took off. We owned Hard Rock Designs, a granite and marble fabrication company. In 2007 we bought property and built a state of the art fabrication facility in Wasilla. We installed kitchens from Fairbanks to Seldovia and everywhere in between. We closed our business in June of 2019, so I could pursue this new business adventure.

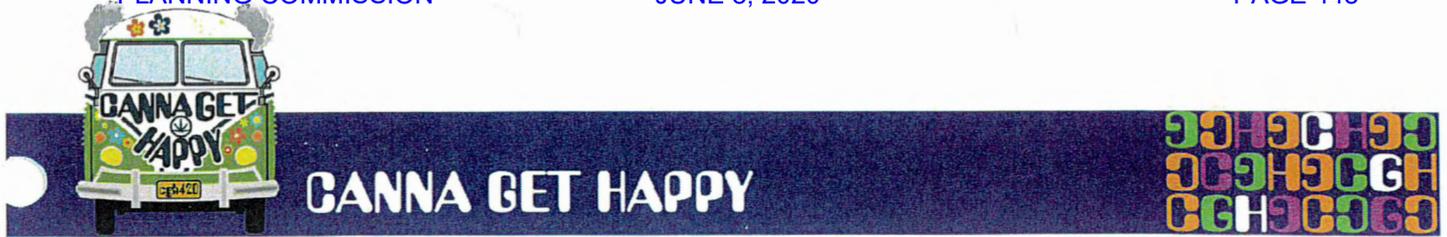
In February of 2019, I purchased 19 acres along the Palmer Wasilla highway, where I would be able to build a retail facility with space to be in compliance of all codes.

My husband has owned Green Go, a marijuana cultivation in Anchorage for the last 3 years. I have been in charge of light bookkeeping, but most importantly compliance with taxes and insurance. I am fully aware of the financial obligations of a marijuana company and will make sure Canna Get Happy complies with all state and borough regulations.

I appreciate your time and consideration in this matter.

Sincerely,

Sandra D Millhouse, Owner
Canna Get Happy



Re: Standards for Marijuana Retail Facilities

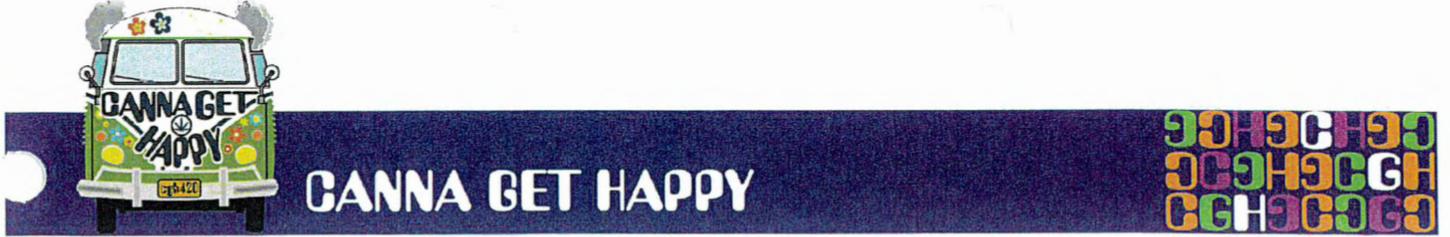
The building located closest to a tattoo shop.

The building is located on a parcel that is connected to another 5 acre commercial property.

There are 4 homes close to the facility which I own, and I reside in one of them.

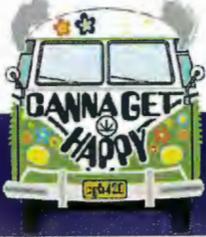
This is a commercial lot off the Palmer Wasilla Highway, so it is appropriate for the business, and can handle the traffic.

We would like to be open 10am-10pm Friday and Saturday, 10am-9pm Sunday thru Thursday



Re: Floor Plan

We have attached the renderings showing the complete floor design. The facility is approx 1270 square feet, and we will have 2 dedicated handicap parking, 1 dedicated veteran parking, and 5 additional spaces for customers.



CANNA GET HAPPY



Re: Planning Commission

We have worked with Destynie Ost (a local artist) to create an artistic design for the exterior which will add to the beauty of the area. Destynie will be painting the exterior of the building in a floral design with metal lighted effects. She has created a modern space with a 70's flair.

We have a security system in place to help provide safety to the public, and we will have continuing education classes for our employees in safety procedures.

This property is 5 acres with only one other commercial building on it, so space is not an issue.

We are a retail shop, so we don't have a product that would put out odor or noise that could affect surrounding businesses or homes.

This property is located near to another potential dispensary, so like businesses will be around it. We plan to plant flowers all around the building to additionally provide safety and beauty, and trees along the highway to add beauty to the property.

We are renovating in a commercial area with like businesses.

We are just starting the application process with the state, we wanted to get all details worked out with the borough before moving forward.

Alaska Business License # 2090055

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

Canna Get Happy LLC

P.O. Box 874574, wasilla, AK 99687

owned by

canna get happy llc

is licensed by the department to conduct business for the period

January 2, 2020 to December 31, 2021
for the following line(s) of business:

42 - Trade



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Anderson
Commissioner

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

Fire & Life Safety Division

Physical: Station 51 – 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



August 28, 2019

Sandra Millhouse
Millhouse Farms & Gardens
P O Box 874574
Wasilla AK 99687

SUBJECT: Canna Get Happy, TI
FIRE SERVICE AREA: Central Mat-Su FSA
PLAN REVIEW: 2020-011
TYPE OF CONSTRUCTION: V-B
OCCUPANCY TYPE: M
2012 INTERNATIONAL BUILDING AND FIRE CODE

Dear Ms. Millhouse:

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,

A handwritten signature in black ink, appearing to read "Donald C. Cuthbert".

Donald C. Cuthbert
Fire Marshal

Fire and Life Safety Division

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

Plan Review #2020-011

Canna Get Happy

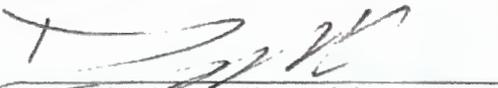
Tenant Improvement Approval



This is to certify that the plans for this building were reviewed by CMSFD's Fire & Life Safety Division on 8/28/2019, 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.

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


by Donald C. Cuthbert, Fire Marshal

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

State of Alaska / Commerce / Marijuana / License Search / License #22327

LICENSE NUMBER 22327

[Return to Search Results](#)

License Number: 22327

License Status: Delegated

License Type: Retail Marijuana Store

Doing Business As: Canna Get Happy LLC

Business License Number: 2090055

Issue Date:

Effective Date:

Expiration Date:

Email Address: sandradhbic@yahoo.com

Physical Address: 2321 E Palmer Wasilla Hwy
Wasilla, AK 99654
UNITED STATES

Licensees: canna get happy llc 10109683

Entity Officials: sandra millhouse

Onsite Consumption Endorsement

Status:

Approval Date:

Issue Date:

Effective Date:

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DEVELOPMENT ·



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

March 4, 2020

Sandra Millhouse
dba Canna Get Happy
PO Box 874574
Wasilla, Alaska 99687

SUBJECT: Conditional Use Permit Application – Request for Required Information

LOCATION: 2321 E. Palmer-Wasilla Highway (Tax ID: 17N01W11A020)

Dear Ms. Millhouse,

Borough staff has reviewed the application material and the site plan(s) submitted on January 9, 2020 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. Please identify all the land uses (residential, commercial, vacant, etc.) within 1000' of the proposed use. I have included a blank map for your convenience.
2. This property is located within the Core Area Planning Area. According to my calculations, it appears the proposed facility will not exceed the traffic standards outlined in MSB 17.61. A Core Conditional Use Permit is not required at this time.
3. The narrative in your application material is insufficient. Please address each question listed on page two of the application specifically in your narrative. Some other pertinent information to include in your narrative which is useful for staff's evaluation include: loitering prevention, diversion prevention, ID policy, lighting information (location, height, type, etc.), odor mitigation measures, landscape details, estimated number of employees, etc. I would be happy to have a meeting with you to go over these details if you would like.
4. The application material indicates you have a security plan in place. Will all employees be trained on all security measures?
5. Do you have an electronic version of site plan map (A14)? The copy that has been provided is very large and will be challenging to copy, scan, and share electronically.

6. What is your status with the State of Alaska Marijuana Control Board?
7. Do you have a State of Alaska Driveway Permit for access to the Palmer-Wasilla Highway?
If so, please provide a copy to staff, if not, you should obtain a driveway permit for the use.

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@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,



Joe Metzger
MSB Planner II
907-861-7862

Joseph Metzger

From: Joseph Metzger
Sent: Wednesday, March 11, 2020 3:15 PM
To: 'Sandra D Millhouse'
Subject: RE: Canna Get Happy- Follow Up

Hi Sandra,

Thank you for your additional information submittal. I also received the parking layout you sent earlier today. I will review the additional information and let you know if anything else is needed.

Respectfully,

Joe Metzger
MSB Planner II
907-861-7862

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

From: Sandra D Millhouse <sandradsbic@yahoo.com>
Sent: Wednesday, March 11, 2020 3:02 PM
To: Joseph Metzger <Joseph.Metzger@matsugov.us>
Subject: Canna Get Happy- Follow Up

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

Hey Joseph,

I haven't heard back from the state about my driveway permit.
I will stop by there tomorrow.

Please let me know if I got it right this time. :)

Thx,
Sandra D



March 11, 2020

To Whom it May Concern:

Re: Page 2 of the Conditional Use Permit Application

The location we picked for our dispensary is in a highly commercial area. Fred Meyers, our largest grocery store in the valley is located approximately 2500 feet from our location. There is a tattoo shop and CBD/Glass store on the property next door. There is another dispensary located directly across the Palmer Wasilla Hwy with 3 other commercial lots available beside it. Most of the locations within 1000 feet are commercial or vacant with commercial possibilities.

Our location has been cleared for parking spots, and we did not leave any area for loitering. We will have signs stating "No Loitering" in all areas of the parking lot. We have 2 dedicated handicap spots and 1 dedicated for veteran parking. We will have numerous signs clearly stating our policy of 21 or older in the parking lot and throughout the building. We have photo cell lights around the entire building which will come on when the natural light goes down, and turn off when the sun rises which will light up the entire parking lot. We also put in lights on a pole on the adjacent property to light up the lot behind the dispensary.

We do not expect to have any issues with noise or odor, because we are not looking to do on site consumption, and we don't have a grow which would produce odor. We won't be holding any events which would create noise problems, and the traffic should remain the same because there used to be another commercial business with high traffic prior to Canna Get Happy.

We plan to have future landscaping (natural perennial bushes), but we have to wait until spring to meet with the state so we know exactly where the new bike trail will be. The state had the land staked but we weren't able to get together before the snow flew to determine where I could plant without being in an easement.

We expect to have a total of 10 employees. All of our employees will be trained in sales, security, and cleanliness. We will require employees to wear a lanyard with their ID and Handlers Card for entrance and all operations. We will have training classes for sales and dealing with all situations that can arise (unruly customers). We will have a security plan in place for employees to follow. Cameras will record all daily operations to prevent diversion. In the case of needing to dispose of product, it will be mixed in with recycled shredded paper and put into our locked dumpster.

We hired Cardoso Integrated Security to put in a security system for us. We have cameras at all doors, above the point of sale, throughout the showroom, in the stairway, in the employee break room area, and lower office. We will have recorded data on site, and Cardoso will have extra hours logged which are available at request. We have security TVs to view the cameras beside the point of sale and downstairs in the break room visible from all areas downstairs. In addition to this security we have a security vestibule with a treated glass window under which you present ID before being buzzed into the facility, and a door greeter for added security.

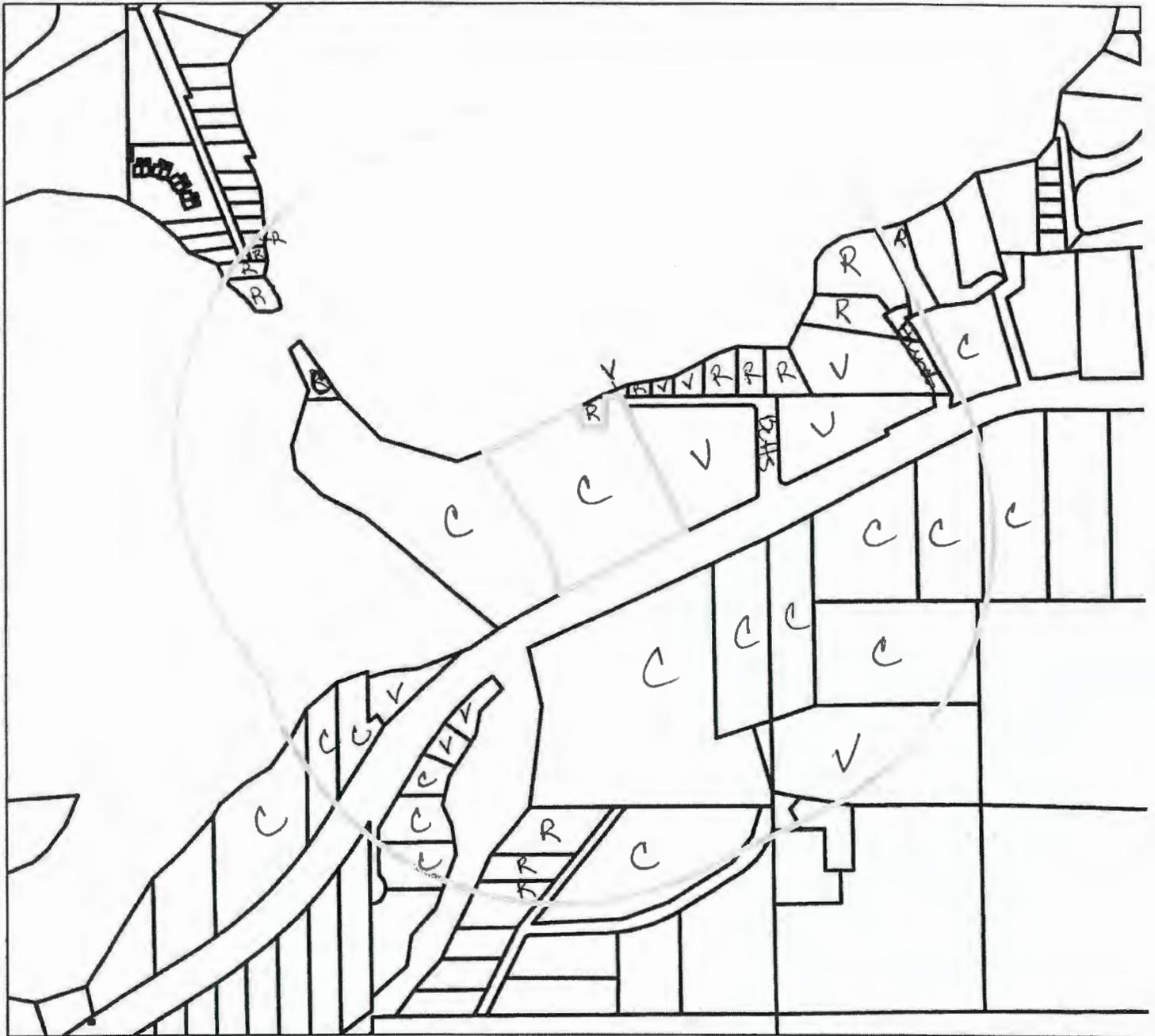
We are currently scheduled for the April 2nd and 3rd for going before AMCO for approval.

If you need more information, please do not hesitate to contact me.

Thank you,



Sandra Millhouse, Owner
Canna-Get Happy



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 the map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7801.

Date: 3/4/2020

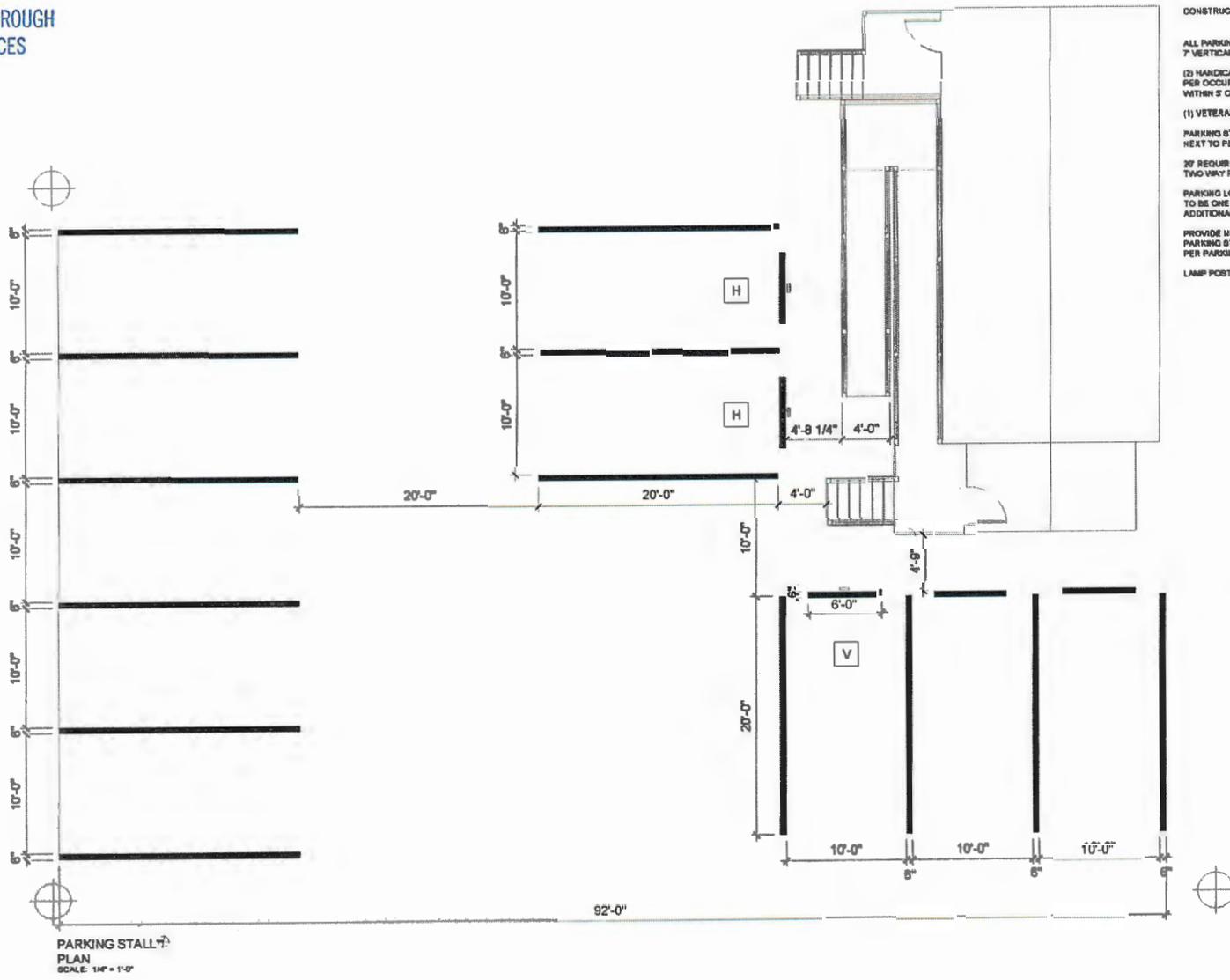
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Res
Use
Comm

RECEIVED
MAR 11 2020

MATANUSKA-SUSITNA BOROUGH
DEVELOPMENT SERVICES

- LEGEND:
-  KEY NOTE
 -  PARKING STALLS
 -  LAMP POSTS
 -  HANDICAP STALL
 -  VETERAN STALL
 -  PARKING SIGNAGE



CONSTRUCTION PLAN NOTES:

- ALL PARKING STALLS TO BE 10W x 20L WITH 7' VERTICAL CLEARANCE
- (2) HANDICAP PARKING STALLS REQUIRED PER OCCUPANCY, PARKING STALLS TO BE WITHIN 5' OF HANDICAP RAMP
- (1) VETERAN PARKING SPOT
- PARKING STOPS REQUIRED AT ALL STALLS NEXT TO PEDESTRIAN PATHWAY
- 20' REQUIRED BETWEEN STALL ISLES FOR TWO WAY ROAD
- PARKING LOT AND PEDESTRIAN PATHWAYS TO BE ONE LEVEL, NO SIDEWALKS OR ADDITIONAL LANDINGS REQUIRED
- PROVIDE NEW 6" PAINT STRIPE AT ALL PARKING STALLS ON PAVED PARKING LOT PER PARKING STALL LAYOUT
- LAMP POSTS (2) AT PARKING STALL ISLES



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

March 26, 2020

Sandra Millhouse
dba Canna Get Happy
PO Box 874574
Wasilla, Alaska 99687

SUBJECT: Conditional Use Permit Application – Request for Required Information
LOCATION: 2321 E. Palmer-Wasilla Highway (Tax ID: 17N01W11A020)

Dear Ms. Millhouse,

Borough staff has reviewed the application material and the site plan(s) submitted on January 9, 2020, as well as the additional information submittal on March 11, 2020 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. The application narrative contains a lot of pertinent information about the surrounding area, however, it does not describe how you will not detract from the value, character and integrity of the surrounding area. Please describe how your proposed use will preserve and not materially detract from the value, character, and integrity of the surrounding area.
2. Describe how granting the conditional use permit will not be harmful to the public health, safety, convenience, and welfare.
3. The narrative indicates: “in the case of needing to dispose of product, it will be mixed in with recycled shredded paper and put into our locked dumpster.” Please provide a more detailed description of the disposal process for product waste.

NOTICE: Our offices are currently closed to the public as a health precaution in response to the COVID-19 (Corona Virus) outbreak. Please submit all updated information electronically, or call to make other arrangements for submittal.

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@matsugov.us. Thank you for your time and consideration on this matter.

Joseph Metzger

From: Sandra D Millhouse <sandradsbic@yahoo.com>
Sent: Wednesday, March 18, 2020 2:10 PM
To: Joseph Metzger
Subject: Fwd: Millhouse - 2201 E palmer Wasilla
Attachments: TCP 24.pdf; TCP 25.pdf

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

Hey Joseph,

This was sent to me from the DOT.

There is a current driveway permit in place.

He said that new owners COULD apply, but I dont want to spend \$100 on a permit if I dont need one.

The documents below look like a permit was approved back in 2016.

Is this correct, or do I still need to apply for another one?

Thank you,

Sandra

Begin forwarded message:

From: "Kutcher, Gabe J (DOT)" <gabe.kutcher@alaska.gov>
Subject: RE: Millhouse - 2201 E palmer Wasilla
Date: March 11, 2020 at 3:00:44 PM AKDT
To: Sandra D Millhouse <sandradsbic@yahoo.com>
Cc: "Reese, Jill (DOT)" <jill.reese@alaska.gov>, "Simpson, Danika L (DOT)" <danika.simpson@alaska.gov>, "Hurn, John T (DOT)" <tucker.hurn@alaska.gov>, "Lopez, Sterling R R (DOT)" <sterling.lopez@alaska.gov>

Hello Sandra,

My name is Gabe Kutcher, I am a Right of Way Agent with the State of Alaska, Property Management Section. Your email was forwarded to our section and I was assigned to assist with the inquiry about getting a driveway permit for the properties you own on Palmer Wasilla Highway.

<https://myproperty.matsugov.us/mydetail.aspx?pID=49359>

<https://myproperty.matsugov.us/mydetail.aspx?pID=43385>

Please call me at (907) 269-0691 to discuss how to get a permit.

Respectfully,
Gabe

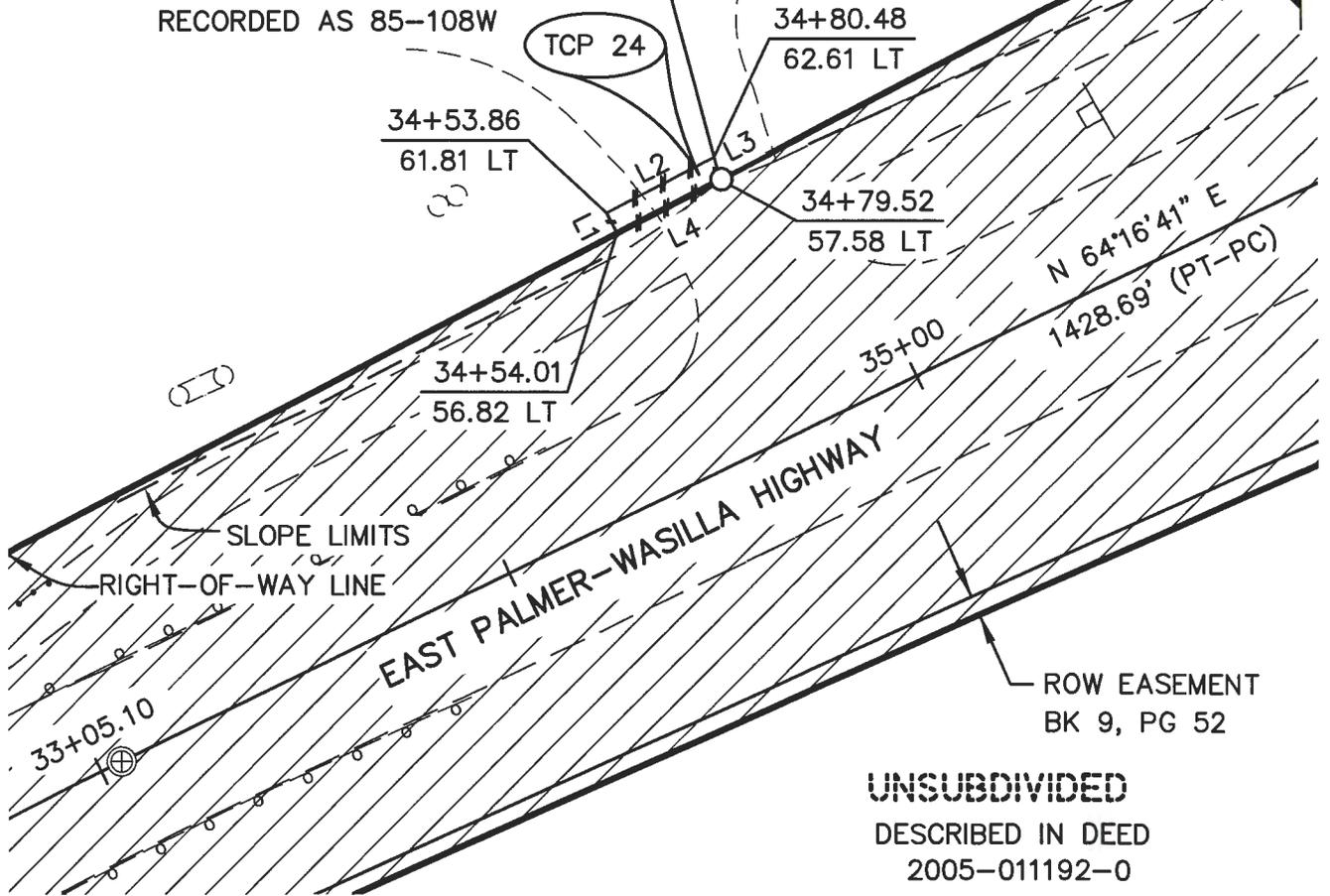
Gabe Kutcher, Right of Way Agent
State of Alaska DOT&PF, Central Region Right of Way
4111 Aviation Ave, Anchorage, AK 99502
P: (907) 269-0691 E: gabe.kutcher@alaska.gov

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N 27°26'30" W	5.00'
L2	N 62°33'30" E	26.64'
L3	S 14°58'56" E	5.12'
L4	S 62°33'30" W	25.53'

WAIVER No. 85-22-PWm
 PARCEL No. 2
 RECORDED AS 85-108W

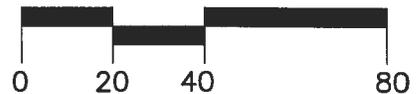
T17N R1W
 S. M.
 SEC. 11

WAIVER No. 85-22-PWm
 PARCEL No. 1
 RECORDED AS 85-108W



UNSUBDIVIDED
 DESCRIBED IN DEED
 2005-011192-0

SCALE IN FEET



EXISTING RIGHT-OF-WAY

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

PALMER WASILLA HIGHWAY
 CENTER LEFT TURN LANE WIDENING
 HHE-0441(8)

OWNER'S INITIAL _____
 ATTACHED TO _____
 PAGE ___ OF ___ DATED _____

SHEET 1 OF 1
 DRAWN BY JWV
 CHECKED BY _____ DATE 10/15/16 PRCL NO. TCP 24
 PERMIT AREA 130 S.F.

<http://dot.alaska.gov/permits/index.shtml>

Out of Office Alerts:
March 13 & 27

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

From: Sandra D Millhouse <sandradsbic@yahoo.com>
Sent: Wednesday, March 11, 2020 12:52 PM
To: DOT ASK <dot.ask@alaska.gov>
Subject: <http://www.dot.state.ak.us/>

Hello,

I purchased a parcel of property along the palmer wasilla hwy.
2321 E. Palmer Wasilla Hwy and 2201 E. Palmer Wasilla Hwy both have access from the driveway.

There was an existing driveway in place for the 3 businesses located there.

Do I need to apply for a new driveway permit as the new owner?

If not, how can I get a cop of the driveway permit if one exists?

Thank you,

Sandra D Millhouse, Owner
Hard Rock Designs



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

March 26, 2020

Sandra Millhouse
dba Canna Get Happy
PO Box 874574
Wasilla, Alaska 99687

SUBJECT: Conditional Use Permit Application – Request for Required Information

LOCATION: 2321 E. Palmer-Wasilla Highway (Tax ID: 17N01W11A020)

Dear Ms. Millhouse,

Borough staff has reviewed the application material and the site plan(s) submitted on January 9, 2020, as well as the additional information submittal on March 11, 2020 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. The application narrative contains a lot of pertinent information about the surrounding area, however, it does not describe how you will not detract from the value, character and integrity of the surrounding area. Please describe how your proposed use will preserve and not materially detract from the value, character, and integrity of the surrounding area.
2. Describe how granting the conditional use permit will not be harmful to the public health, safety, convenience, and welfare.
3. The narrative indicates: “in the case of needing to dispose of product, it will be mixed in with recycled shredded paper and put into our locked dumpster.” Please provide a more detailed description of the disposal process for product waste.

NOTICE: Our offices are currently closed to the public as a health precaution in response to the COVID-19 (Corona Virus) outbreak. Please submit all updated information electronically, or call to make other arrangements for submittal.

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@matsugov.us. Thank you for your time and consideration on this matter.

Respectfully,



Joe Metzger
MSB Planner II
907-861-7862

Hello,

The following are our responses to the above referenced questions.

#1- We will not detract from surrounding area. We are opening on a commercial lot surrounded by like businesses. There is another dispensary going in across the street. We are 2500 feet from the largest grocery store and shopping centers in the valley. The building we are in used to be a retail store, so we are putting in a similar business. We have cleared the trees/grounds to provide a paved parking lot. We added an up-to-code entrance on the front and back of the building and built a large handicap ramp, which the building previously did not have. We added a new roof and are painting the outside of the building for an overall improvement.

#2- We will not be harmful to the public health, safety, convenience and welfare. We are opening our business in a commercial building on a commercial lot with a pre-existing driveway access. Our lot is close to the largest commercial area and largest intersection in the valley. We are more than a 1000 feet from schools and churches, and a business similar to ours in the same field is going in across the street. We have a security system and safety procedures in place to keep our employees and the public safe, and will have signs clearly labeling who can have access to our facility.

#3- Marijuana or a marijuana product that has been found to be unfit for sale or consumption, expired marijuana products, and other waste as determined by the board will be handled by:

A- Giving the board notice, on a form prescribed by the board, not later than three days before making the waste unusable and disposing of it, and the director may authorize immediate disposal on an emergency basis;

B- We will record the waste in the marijuana inventory tracking system required under 3 AAC 306.730; and keep a record through the marijuana inventory tracking system of the final destination of marijuana waste made unusable.

C- Any marijuana plant waste will be made unusable by grinding the marijuana plant waste and mixing it with at least an equal amount of other compostable or non-compostable materials.

We will use another method to make marijuana waste unusable if the board approves the method in advance.

D- Material that we may mix with the marijuana waste includes:

(1) compostable materials including food waste, yard waste, vegetable based grease or oils, or other wastes approved by the board when the mixed material can be used as compost feedstock or in another organic waste method such as an anaerobic digester with approval of any applicable local government entity; or

(2) non-compostable materials including paper waste, cardboard waste, plastic waste, oil, or other wastes approved by the board when the mixed material may be delivered to a permitted solid waste facility, incinerator, or other facility with approval of any applicable local government entity.

If there are additional questions, please don't hesitate to call.

Thank you,
Sandra Millhouse,
Canna Get Happy

From: [Joseph Metzger](#)
To: ["Sandra D Millhouse"](#)
Subject: Canna Get Happy Application
Date: Friday, April 3, 2020 11:05:00 AM

Good Morning Sandra,

I hope you and family are staying well.

Staff has completed a review of the application and supplemental application material submittals for Canna Get Happy, and deems the application complete. Typically at this point we would schedule a date for a public hearing and begin the public notice process, but as we all are painfully aware, the Covid-19 pandemic is restructuring our routines and daily lives.

Currently, all Planning Commission Meetings have been canceled until May, but with the present uncertainty with scheduling going forward and how quickly things are changing, staff is hitting the pause button and holding off on scheduling public hearings and sending public notices until more is known. Staff will continue to evaluate the situation and when things become more clear, we will get Canna Get Happy scheduled for a public hearing as soon as possible. Thank you for your understanding during this unforeseen time and don't hesitate to contact me if you have any questions or concerns.

Respectfully,

Joe Metzger

MSB Planner II

907-861-7862



Matanuska-Susitna Borough Business License #: 35771

350 E. Dahlia Ave, Palmer, Alaska 99645

Effective Date: NOV 22 2019

Expiration Date: DEC 31 2021

**This license must be prominently displayed.
It is not transferable or assignable.**

This license shall not be taken as permission to do business in the State without having complied with the other requirements of the laws of the State of Alaska or the United States.

DEPARTMENT OF FINANCE

**CANNA GET HAPPY LLC
CANNA GET HAPPY LLC
PO BOX 874574
WASILLA, AK 99687**

Business Location(s): 2321 E PALMER WASILLA HWY

This is to certify that the licensee named above holds a Matanuska-Susitna Borough business license covering the period listed above.

Detach Here

**CANNA GET HAPPY LLC
CANNA GET HAPPY LLC
PO BOX 874574
WASILLA, AK 99687**

Fee Paid: \$100

License No.: MBL **35771**

Effective: NOV 22 2019 To DEC 31 2021

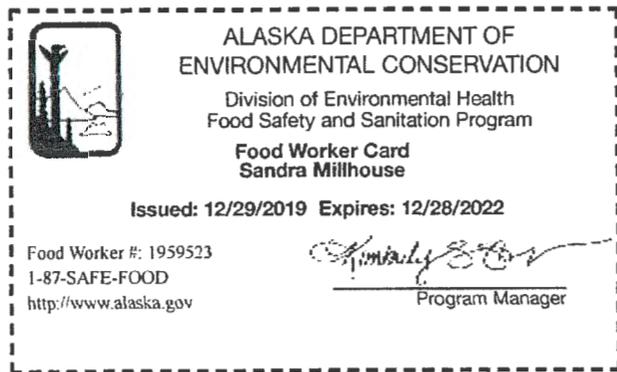
The above business has been licensed to conduct business in the Matanuska-Susitna Borough. The borough business license must be prominently displayed. When a business has more than one location, the original license shall be displayed at the main location and a copy of the license shall be displayed at each branch location. If the business is continued at the same location but there is a change in its form of organization, such as from a single proprietorship to a partnership or a corporation, the admission or withdrawal of a partner, or any other change, the seller making the

[EH / Food Safety and Sanitation]

PRINT YOUR FOOD WORKER CARD

Congratulations on passing the State of Alaska's Food Safety test and meeting all of the qualifications necessary to obtain a Food Worker Card and work in Alaska's food industry. You will need to print two copies: one copy for your employer and one to keep on your person.

Note, your Food Worker Card is good for a period of three years from today's date. Please keep your Test ID. It is your proof of qualifying to work in Alaska's food industry. If your card is lost or stolen, you will need your Test ID to come back to this page and print out a replacement.



State of Alaska

© 2013

Webmaster (mailto:beth.johnson@alaska.gov)

SOA / DCCED / Marijuana / Account / #20807

HANDLER PERMIT 20807

Handler Permit Number:

20807

Handler Status:

Active

Issue Date:

04/12/2019

Effective Date:

04/12/2019

Expiration Date:

02/13/2022

Name:

Sandra Millhouse

Date of Birth:

01/28/1972

Phone Number:

907-373-8761

Email Address:

sandradsbic@yahoo.com

Mailing Address:

P.O. Box 874574
Wasilla, AK 99687
UNITED STATES

Actions & Documents

<input type="checkbox"/>	17.61 Commercial/Industrial Core Area Conditional Use Permit -	\$1000.00
<input type="checkbox"/>	17.62 Coal Bed Methane	\$1000.00
<input type="checkbox"/>	17.63 Conditional Use Permit for Racetracks	\$1000.00
<input type="checkbox"/>	17.65 Variance	\$1000.00
<input type="checkbox"/>	17.67 Tall Structures -	
	Network Improvement Permit	\$100.00
	Nonconforming Use	\$200.00
	Administrative Permit	\$500.00
<input type="checkbox"/>	Conditional Use Permit	\$1000.00
<input type="checkbox"/>	17.70 Regulation of Alcoholic Beverage Use Permit Application	\$1000.00
<input type="checkbox"/>	17.73 Multi-Family Land Use Permit – add \$25.00 for each additional unit beyond 5 units.	\$500.00
<input type="checkbox"/>	17.75 Single-Family Residential Land Use District CUP	\$1000.00
<input type="checkbox"/>	17.76 Large Lot Single-Family Residential Land Use District Conditional Use Permit Application	\$1000.00
<input type="checkbox"/>	17.80 Nonconforming Structures (Amnesty) Pre-Existing Legal Nonconforming (Grandfather)	\$300.00
<input type="checkbox"/>	17.90 Regulation of Adult Businesses – Conditional Use Permit	\$1000.00

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

PLATTING PRE-APPLICATION CONFERENCE:		
<input type="checkbox"/>	Pre-Application Fee	\$50.00

FEES:		
<input type="checkbox"/>	Flood Plain Development Survey CD	\$10.00
<input type="checkbox"/>	CD/DVD/DVD-R	\$7.50
<input type="checkbox"/>	Construction Manual/Title 43	\$5.00
<input type="checkbox"/>	Plat Map/Tax Map Copies/Mylar	\$5.00
<input type="checkbox"/>	Color Maps	\$12.00
<input type="checkbox"/>	Xerox Copies (B/W = \$0.25 ~ Color \$1.00/page 11X17 Color \$1.75/page)	
<input type="checkbox"/>	Advertising Fees	
<input type="checkbox"/>	Cultural Resources Books or Maps	
<input type="checkbox"/>	Citation Payment (If sent to collections – use total due from Courtview)	
<input type="checkbox"/>	Thumb Drive 2GB = \$5, 4GB = \$8, 8GB = \$10; 16GB = \$15; 32GB = \$20	

\$ 1000 Amount Paid Date: 11-0-2020 Receipt # 91367497 By: [Signature]

Agency Comments

From: [Theresa Taranto](#)
To: [Joseph Metzger](#)
Subject: RE: RFC Canna Get Happy - Marijuana Retail- Due May 15, 2020
Date: Friday, May 1, 2020 12:06:50 PM

FIRM 8085, X and A Zone - As per MSB 17.29, Any development in a Special Flood Hazard Area requires a Floodplain Development Permit prior to any development.

Please contact the Mat-Su Borough Permit Center at 907-861-7822 or email permitcenter@matsugov.us for more information.

Core 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: Tuesday, April 28, 2020 12:32 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>; tedleonarddistrict4@gmail.com

Subject: RFC Canna Get Happy - Marijuana Retail- Due May 15, 2020

MEMORANDUM

Date: April 28 , 2020

To: Various Governmental Agencies

From: Joe Metzger, Planner

Subject: Request for Review and Comments Governmental Agencies

Project: Conditional Use Permits for a marijuana retail facility.

Location: 2321 E. Palmer-Wasilla Highway (Tax ID# 17N01W11A020);

within Township 17 North, Range 1 West, Section 11, Seward Meridian

Applicant: Sandra Millhouse, on behalf of Canna Get Happy

An application for a conditional use permit under MSB 17.60 – Conditional Uses, has been submitted for the operation of a marijuana retail facility. The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the following application for a conditional use permit on Monday, June 1, 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.

****Please Note: Due to the ongoing Coronavirus/COVID-19 Pandemic, the method in which this meeting is being conducted may change. If a change to the meeting is necessary, it will be posted on the Borough Website. The public is encouraged to check the Borough Website prior to attending the public hearing for any changes to the meeting schedule or method.***

Application material 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/canna-get-happy-marijuana-retail-facility-conditional-use-permit>

Comments are due on or before **May 15, 2020** 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

907-861-7862

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Joseph Metzger

From: Taunnie Boothby
Sent: Thursday, May 14, 2020 2:31 PM
To: Karol Riese; Christopher Cole
Cc: Joseph Metzger
Subject: RE: RFC CUP Canna Get Happy Millhouse - Marijuana retail facility 2321 E. Palmer-Wasilla Highway17N01W11A020 DUE: May 15, 2020
Attachments: SFHA Overview 2321 E Palmer Wasilla Hwy.pdf

The property has mapped Special Flood Hazard Area (SFHA) located within its boundaries. If the proposed development encroaches into the SFHA a floodplain development permit is required prior to the start of any work. This development would need to comply with MSB 17.29:

<https://www.codepublishing.com/AK/MatanuskaSusitnaBorough/#!/MatanuskaSusitnaBorough17/MatanuskaSusitnaBorough1729.html#17.29>

Please contact me if you have any questions.

Taunnie L. Boothby, CFM, Planner II
Matanuska-Susitna Borough
Planning Department
907-861-8526
taunnie.boothby@matsugov.us

-----Original Appointment-----

From: Karol Riese <Karol.Riese@matsugov.us>
Sent: Wednesday, April 29, 2020 8:28 AM
To: Karol Riese; Taunnie Boothby; Christopher Cole
Subject: RFC CUP Canna Get Happy Millhouse - Marijuana retail facility 2321 E. Palmer-Wasilla Highway 17N01W11A020 DUE: May 15, 2020
When: Friday, May 15, 2020 12:00 AM to Saturday, May 16, 2020 12:00 AM (UTC-09:00) Alaska.
Where:

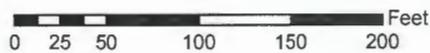


Matanuska Susitna Borough
Permit Center

Date: 5/14/2020



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.



Planning Commission Resolution

By: Joe Metzger
Introduced: May 18, 2020
Public Hearing: June 8, 2020
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 20-16

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A MARIJUANA RETAIL FACILITY AT 2321 E. PALMER-WASILLA HIGHWAY (TAX ID# 17N01W11A020); WITHIN TOWNSHIP 17 NORTH, RANGE 1 WEST, SECTION 11, SEWARD MERIDIAN.

WHEREAS, an application has been received from Sandra Millhouse on behalf of Canna Get Happy for a conditional use permit for the operation of a marijuana retail facility at 2321 E. Palmer-Wasilla Highway, (17N01W11A020); within Township 17 North, Range 1 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 the commercial structure approximately 1,270 square feet in size; and

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

WHEREAS, ITE Trip Generation 10th Edition indicates a "Marijuana Dispensary" 1000-square feet in size is expected to

produce 29.93 trips per peak PM hour. The structure that will contain the proposed marijuana retail facility is approximately 1,270 square feet and based on these calculations is expected to produce approximately 38 trips per peak PM hour; and

WHEREAS, ITE Trip Generation 10th Edition indicates a "Marijuana Dispensary" 1000-square feet in size is expected to produce 259.31 trips per day. The structure that will contain the proposed marijuana retail facility is approximately 1,270 square feet and based on these calculations is expected to produce approximately 330 trips per day; and

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

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

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

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

WHEREAS, the proposed use accesses E. Palmer-Wasilla Highway from an existing, State of Alaska permitted driveway; and

WHEREAS, E. Palmer-Wasilla Highway is considered a highway and has many different uses on its frontage, including residential, commercial, and industrial; and

WHEREAS, the closest residential structure is located to the northeast and is approximately 585 feet away from the proposed use; and

WHEREAS, the application material indicates a "60's style" sign will be illuminated when the facility is open; and

WHEREAS, the proposed hours of operation are 10:00 a.m. until 9:00 p.m. Sunday-Thursday, and from 10:00 a.m. until 10:00 p.m. Friday-Saturday; and

WHEREAS, the proposed use is located approximately 16 feet from the E. Palmer-Wasilla Highway to the south, approximately 300 feet to the property line to the east, approximately 460 feet to Wasilla Lake and the property line to the north, and approximately 95 feet to the property line to the west; and

WHEREAS, there are multiple commercial businesses in the surrounding area such as, but not limited to, a marijuana retail facility, a tattoo shop, a gravel pit, and a tire business; 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 (Wasilla Lake Christian School) is approximately 1,024 feet away from the 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, the Mat-Su Borough Central Mat-Su Fire Department has issued Plan Review #2020-011 for the commercial structure; and

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

WHEREAS, after proper notification of the State of Alaska Alcohol & Marijuana Control Office, all marijuana products deemed unusable are blended together before being mixed with compostable material, and sealed in a container. The waste will then be taken to an approved disposal facility; and

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

WHEREAS, according to the application material, landscaping on the south side of the structure will be done during the summer and following the completion of the Palmer-Wasilla Highway road project and bike path. The landscaping will include crabapple trees and other perennials; and

WHEREAS, the majority of uses situated in the surrounding area and along the Palmer-Wasilla Highway are commercial in nature; and

WHEREAS, at the State of Alaska Marijuana Control Board meeting conducted April 2-3, 2020, the Board voted to approve Canna Get Happy Retail Marijuana Store License #22327 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, the applicant has provided a copy of the approved Plan Review #2020-011; and

WHEREAS, E. Palmer-Wasilla Highway is classified as a highway and is capable of handling traffic from residential, commercial, and industrial uses; and

WHEREAS, a marijuana retail facility 1,270 square feet in size is required to provide four parking spaces with one ADA compliant space; and

WHEREAS, ten (10) 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, 11 feet wide with a five-foot wide parking isle is being 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 June 8, 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 20-16:

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 parking area shall be paved and the parking stalls shall be painted as indicated in the application
-

material and site plan, and within one year of the date of decision.

- 5. The hours of operation shall not exceed 8:00 a.m. - 12:00 a.m., daily.
- 6. On-site consumption of marijuana and marijuana products is prohibited.

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

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Acting Planning
Clerk

(SEAL)

YES:

NO:

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**PUBLIC HEARING
LEGISLATIVE**

Resolution No. PC 20-15

Ordinance Amending the Definition of Encroachment

(Page 495 - 520)

PUBLIC HEARING



MATANUSKA-SUSITNA BOROUGH

Community Development Department

350 East Dahlia Avenue • Palmer, AK 99645

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

E-mail: lmb@matsugov.us

MEMORANDUM

DATE: April 22, 2020
TO: Matanuska-Susitna Borough Planning Commission
THRU: Eric Phillips, Community Development Manager
FROM: Emerson Krueger, Land Management Specialist
FOR: Legislation amending the definition of Encroachment and amending when a Port Development Permit is Required, Agenda of May 18, 2020

REQUEST:

The Community Development Department seeks review and support from the MSB Planning Commission on the proposed amendment to the definition of “Encroachment” in MSB 11.10.010(A)(1) and the amendment of when a Port Development Permit is required under MSB 17.23.150.

SUMMARY:

The intent of this legislation is to streamline borough permitting requirements for development on borough-owned land.

The amendments were developed in coordination with the Community Development Department, the Planning and Land Use Department and the Port Manager.

DISCUSSION:

The Land and Resource Management Division adjudicates permits under MSB 23 for the use and development of borough-owned land.

Two instances of MSB organizational overlap have been evaluated by staff to determine how to streamline the permitting process for:

1. MSB 11.10, Encroachment Permits, includes a permit requirement for any encroachments built on Borough-owned land. This is in addition to the permit requirement under MSB 23.05. Staff determined that encroachments on Borough-owned land can be adequately addressed in the permitting process required under MSB 23.05.
2. MSB 17.23.150, Port Development Permit, includes a requirement for a port development permit for any use or development of land within the Port District. This is a duplicative

permit requirement when development in the Port District also requires a permit under MSB 23.05.

Exempting development and use of land in the Port District already permitted under MSB 23.05 will streamline the port development permitting process. This exemption will not apply to use or development on leaseholds, right-of-way, or land owned by another owner. The permit exemption will only apply to use or development of Borough-owned land permitted under MSB 23.05.

The Land and Resources Management Division Policy and Procedure Manual, Part 50: Permits, will be updated to include an application review requirement for a permit issued under MSB 23.05 within the Port District, to follow the same review process as a Port Development Permit issued under MSB 17.23.150.

Approval of the proposed amendments and update will better serve the public through streamlining the permitting requirements for use and development on Borough-owned land.

RECOMMENDATION:

Staff respectfully recommends the Planning Commission adopt a resolution of support recommending Assembly adoption of the legislation to amend Titles 11 and 17, and the Land and Resources Management Policy and Procedures Manual, Part 50: Permits.

Attachments:

Land and Resources Management Policy and Procedures Manual, Part 50: Permits (12 pp)

Draft Assembly Resolution Serial No. 20-034 (2 pp)

Draft Assembly Ordinance Serial No. 20-035 (4 pp)

Planning Commission Resolution Serial No. 20-15 (2 pp)

**TITLE 23
LAND AND RESOURCE MANAGEMENT DIVISION
POLICY AND PROCEDURE MANUAL**

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- 1.1 Authority: 23.05.030
23.10.100

- 2.1 A permit is an authorization for the temporary use of borough land, assets or the taking, of a specified borough-owned resource. It conveys no right in the land and is essentially a guarantee that so long as the activity is conducted under the terms of the permit the holder of the permit is immune from prosecution for trespass. It does not constitute waiver of any federal, state, or borough laws or regulations. A permit is, by its terms, revocable at will by the borough.

- 2.2 Permits will not be required to cross borough lands by use of historic or dedicated trail systems, public access or use easements and rights of way for non-commercial purposes. Any commercial use or associated use requires a permit through Land & Resource Management.
 - A. A historic trail system means trails listed in Alaska Statute 19.30.400(d), the R.S. 2477 trails recognized by the State of Alaska. A dedicated trail system means a system of trails on borough-owned lands within recorded easements, or developed and maintained trails within a dedicated park such as Talkeetna Lakes Park, Settlers Bay Park, etc.

 - B. Permits are not required for activities covered under Part 31, Generally Allowed Uses, on land where such uses are allowed.

- 2.3 Commercial use of trails requires a permit and fee as established by the MSB adopted fee schedule.

- 2.4 Where the activity is a duration of five (5) years or less, a permit is the appropriate document.

- 2.5 A permit conveys no interest in the land. It is the borough’s policy that a permit may not exceed five years in length. The permit will not be renewed, but it may be reissued upon application by the permit holder. All permits are revocable immediately with cause. Permits are revocable without cause

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upon a thirty-day notice unless otherwise provided in this policy. Permits are not transferable. A written permit is issued on a borough permit form and covers activities and time requested by the applicant.

- 2.6 “Cause” as stated in paragraph 2.4 means any violation of applicable borough code, statutes, regulations or permit stipulations, or a situation in which a continuance of the activity poses a threat to public health, safety, or welfare.
- 2.7 “Special use” is a designation indicating that certain land and asset uses are prohibited or limited. For instance, even though snow machining can be a generally allowed use, it may be necessary to restrict the activity in certain areas. This can be done by designating the conditions of a use area. Other actions may serve to restrict permits. For instance, a commercial salvage timber sale would serve to close the area to generally permitted activities for the duration of the sale. A classification action could prohibit a number of otherwise permitted activities and generally allowed uses.
- 2.8 All applicants for permits must meet the qualified applicant requirements of MSB 23.10.090.
- 2.9 Personal intermittent use permits may be issued to a parent or legal guardian, for the benefit of a minor child, provided the individual assumes all risks and responsibilities for the activities of the minor, accompanies the minor during activities on borough lands, pays the scheduled fee, and if applicable, also holds an individual permit.
- 3.1 Permits may be issued for use of borough real property for a period not to exceed five (5) years under the following categories and the accordance with adopted procedures for each.
- A. **PERSONAL INTERMITTENT USE**, which is defined as uses of a non-commercial, non-exclusive nature of short duration, is authorized on unimproved borough lands lying outside of special use or management areas not needing permits, or within special use or management areas in accordance with adopted procedures for that specific area.
1. The conduct of any such personal intermittent use activity brings with it several responsibilities on the person under-

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taking the activity including assumption of all liability for their actions and acquisition of all other permits or authorizations required by law or regulation.

2. The use must be of an occasional, infrequent, or intermittent nature, and at no time exceeding 14 consecutive days or 30 days in a 12 month period. The borough reserves the right to limit duration of use.
- B. PUBLIC USE CABIN PERMITS may be issued for the use of designated cabins located on borough owned land.
1. The permits may be issued only to a person 18 years of age or older for a specific period of time.
 2. The permittee shall disclose the total number of persons in the group using the cabin. Cabins may be restricted to a maximum number of occupants.
 3. An individual will be permitted to use a particular cabin no more than 7 consecutive days or 21 total days in a 12 month period.
 4. Permits will authorize use from 12 noon of the check-in date to 12 noon of the check-out date.
 5. The permittee may exchange the date of use to another available date if done so at least 5 days in advance.
 6. Reservations for cabin use will not be made without the completed cabin use permit application being submitted to, and accepted by, Land and Resource Management.
 7. The permittee shall be required to sign and agree to the regulations, terms, and conditions included in the cabin use permit application.
- C. DESIGNATED SPECIAL USE AND MANAGEMENT AREA PERMITS may be issued for the use of borough land within a special use or management area in accordance with adopted procedures

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and best management practices for the specific area.

1. Special use/management areas include:
 - a. borough park system lands
 - b. fish and game sanctuaries
 - c. refuges
 - d. critical habitat areas
 - e. Deshka River area
 - f. Palmer Hay Flats area
 - g. Natural Resource Management Units
 - h. Hatcher Pass
 - i. Port MacKenzie Port District
 - j. Port terminal building
 - k. Wetland mitigation bank lands
 - l. any other lands designated by federal, state, or borough as special use/management areas

- D. LAND USE PERMITS may be issued for either commercial or non-commercial purposes when it is found to be in the best interest of the borough to do so. In general, an application for a land use permit may be submitted when the use or activity cannot be authorized under another category of permit provided for in this section or MSB 11.10 (encroachment permits, including construction).
 1. All land use permits are subject to the following provisions unless inapplicable by the type of use or activity or by additional restrictions required in the permit issued:
 - a. Permitted activities employing wheeled or tracked vehicles shall be conducted in such a manner as to minimize surface damage.
 - b. Existing roads and trails shall be used wherever possible. Existing trail widths shall be kept to the minimum necessary. Trail surface may be cleared of down and dead timber, stumps, and snags. Due care shall be used to avoid excessive scarring or removal of ground vegetation cover.

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- c. All activities shall be conducted in a manner that will minimize disturbance of drainage systems, changing the character, polluting, or silting of streams, lakes, ponds, waterholes, seeps, and marshes, or disturbance of fish or wildlife resources. Cuts, fills, and other activities causing any of the above disturbances, if not restored immediately, are subject to any corrective action as may be required by the borough manager.
- d. The manager may prohibit the disturbance of vegetation within 300 feet of any waters located in specially designated areas except at designated stream crossings.
- e. All activities shall be undertaken in a manner which causes the least possible interference with any other authorized and generally permitted use of borough land.
- f. Trails and campsites shall be kept clean. All garbage and foreign debris shall be eliminated by removal and complete burning unless otherwise authorized.
- g. All survey monuments, witness corners, reference monuments, mining claim posts, and bearing trees shall be protected against being severed, removed, damaged, or destroyed. Any severed, removed, damaged or destroyed markers shall be re-established in accordance with accepted survey practices of the division at the expense of the party causing the severing, removal, damage or displacement, if known.
- h. Every reasonable effort shall be made to prevent, control, or suppress any fire in the permitted area. Uncontrolled fires shall be immediately reported to appropriate fire officials and the land and resource management division.
- i. Holes, pits, and excavations shall be filled, plugged, or

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repaired. Holes, pits, and excavations necessary to verify geo-technical data or discovery on prospecting sites, mining claims, and mining leasehold locations may be left open, but shall be maintained in such a manner as to minimize erosion and siltation, and shall be consistent with public safety and welfare.

- j. No person may engage in mineral exploration activity on land open to such use, the surface of which has been granted or leased to third parties by the borough, or on land in which the borough has received the reserved interest of the state of Alaska, until good faith attempts have been made to agree with the surface owner or surface lessee on a settlement for damages which may be caused by such activity. If agreement cannot be reached or the surface lessee or surface owner cannot be located within a reasonable time, operations may be commenced on the land only after specific approval by the manager, and after making adequate provisions for full payment of any damages which the surface owner or lessee may suffer.
2. A permit may authorize exclusive use. An exclusive use permit may be revoked at any time by the borough as it deems necessary.
3. Permanent structures are prohibited by a permit. Thus, any structure placed by a permittee must be readily removable. The permittee must be aware that no right nor title to the land is gained by placing an improvement on the land. A permit holder usually will be required to remove any improvements and restore the area upon termination of the permit.
4. Review by non-borough agencies of permit applications is not required except for areas under jurisdiction shared with other agencies. If the activity requested is of a nature as to have substantial impact on the resources of the area or presents a possibility of interference with another agency's responsibilities, then the issuing office is responsible for contacting that agency for its comments prior to issuance of

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the permit.

5. It is the policy of the borough to periodically field inspect permits, especially prior to term expiration; however, such inspections are limited depending on the necessity, permit location and availability of personnel and fiscal resources to adequately perform the inspection. Inspection priority will be given to those permits with the greatest potential for creating management problems or where misuse of the permit may result in the greatest environmental damage. For these, regular inspections shall be scheduled. The expertise of other agencies will be requested in all field inspections, when necessary.
6. In cases where the activity may alter the land surface, such as the removal of trees or other materials for a campsite, the borough may require a bond or damage deposit prior to issuance of the permit in an amount which will ensure proper restoration after use of the land is no longer needed. The bond amounts will vary depending on the type of activity. The permittee's liability will be released and the permit processed for closure only after the land has been restored to the borough's satisfaction.
7. It is the policy of the borough that the permittee agrees to indemnify, hold harmless and defend the borough, its assembly members, officers, agents and employees from all liability, including costs and expenses, for all actions or claims resulting from injuries or damages or economic loss sustained by any person or property arising directly or indirectly as a result of any error, omission, or anyone directly or indirectly employed by them, arising from the permittee's use, occupancy or performance under or in association with the permit.
 - a. Without limiting the permittee's indemnification, the permittee shall purchase at its own expense and maintain in force at all times during the term of the permit, the insurance limits required by the Borough.

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8. Applications for a land use permit within the Port District will be routed for review similar to an application for a Port Development Permit issued under MSB 17.23.150.

E. Roving Vendor Permits may be issued annually to a person who commercially offers food, goods or services to the public, with or without the use of a motor vehicle, from one or more locations on public property or from no fixed location at all.

1. It is unlawful for any person to engage in the business of a roving vendor in a manner that is inconsistent with the terms of a permit issued pursuant to this chapter.
2. Roving Vendor Permits are non-transferrable.
3. The permittee shall specify on the application the name of the vending business, the name of the owner and operators, home and business address and telephone numbers of the owner.
4. The permittee shall provide a complete description of the equipment to be used for display, storage or other purposes related to the business to be conducted pursuant to the desired license, to include a description of every vehicle or trailer to be used, and all distinctive markings and signs;
 - a. Proof that the applicant has obtained a state and a borough business license in the applicant's name and the name of the business to be conducted pursuant to the desired license;
 - b. A complete description of the types of goods and services that shall be offered under the desired license and an application fee;
 - c. Proof of state vehicle registration and of insurance as required by state law to include insurance coverage of each vehicle to be used in the vending business.
5. Notwithstanding the provisions of this chapter, the director of the Community Development Department shall regulate all activities by vendors on those borough lands and facilities managed by the parks and recreation division.

- 4.1 Permits, authorized under paragraph 2.4, may be issued for public utility facilities across borough real property for a period not to exceed five (5) years when it is in the best interest of the borough to do so.

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The applicant must demonstrate that it is in the best interest of the borough to issue a permit instead of an easement.

5.1 Personal use permits may be issued for a period not to exceed one year in designated areas based on the established fee schedule.

- A. The permits are non-assignable.
- B. Cordwood is limited to ten cords per household per calendar year.
- C. Gravel and other earth material is limited to one hundred cubic yards per household per calendar year.

6.1 Following is the procedure for issuance of permits:

- A. The application on a form issued by the borough and required application fee (if any) is submitted to the borough and reviewed for accuracy and completeness.
- B. If the application is for a personal intermittent use or public use cabin permit, a determination will be made if the applicant meets qualified applicant status, the lands available for personal intermittent use or public use cabin will be identified to the applicant, the fee will be accepted and the permit issued.
- C. All other permits will be processed as follows:
 - 1. Land status is checked for borough ownership and for any reservations or prohibited uses and to determine if the area is subject to coastal zone regulations. The application will be rejected if the existing classification is inconsistent with the proposed use. The land need not be classified, if it is unclassified at the time of application.
 - 2. If the application is for use of lands under the jurisdiction of another agency (i.e. parks, sanctuaries, or ILMA's) it is forwarded to the appropriate agency for action and the applicant is notified.
 - 3. The application if proper is accepted by the manager and is then given a MSB case number. It is then filed in a permit file which is kept by township, range, and section with a

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cross index to the name of the applicant.

A request for interdepartmental review of the application will be prepared and routed for the purpose of identifying problems or conflicting plans which other borough departments may have with the proposed permit or area of use. If the property is located within a community council area, a request for review similar to the interdepartmental review package will be prepared and provided to the council.

4. Any proposed use which may be potentially damaging to the environment or hazardous to the health, safety or welfare of the public must be carefully reviewed. Discretion should be used when coordinating with other agencies which, by law or other authority, share jurisdiction over the use. Examples of these types of activities include storage of flammable or explosive materials, activities in zones of suspected geological hazards, use of a material site for target practice, and activities which may significantly affect anadromous fish habitat.

Review and approval by the appropriate agency is mandatory when the activity applied for is within a game refuge, critical habitat area, coastal management zone, or other area designated "special use."

In cases where the application is sent to other agencies, the applicant is notified that additional review time will be required. The applications forwarded to the appropriate agency for review with a request for response within 15 working days. If agency review is mandatory, no permit will be issued without concurrence and failure of the agency to respond must be deemed non-concurrence. Where a review is elective, the notice will give the agency 15 calendar days to respond, and a non-response will be deemed a non-objection. Comments are reviewed and appropriate special conditions added to the permit.

5. The permit is either issued, denied or the review period extended within a 30 day period. The permit or

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application denial is signed by the manager or his designee with any necessary stipulations or conditions.

6. If the application is denied, the applicant must be informed of the reason for denial. The applicant then has the right to reconsideration of such denial according to MSB 23.05.090.
7. The user fee is collected. It is not effective until signed by the applicant and returned to the office issuing the permit, with the user fee and bond or other security if required, and signed by the authorized officer. The applicant's failure to sign and return the permit within 30 days of receipt constitutes their rejection of the conditions of the permit.
8. A copy of the issued and signed permit will be filed in the TRS file.
9. A permit may be revoked or altered by serving notice directly upon the permittee. If the revocation is pursuant to a special use designation per paragraph 2.6 above, the revocation is not effective until 30 days after notice of the designation has been published.
10. A notice revoking a permit under paragraph 2.5 of this section shall be signed by the manager. The notice shall be sent by certified mail, return receipt, and shall be considered delivered when postmarked or when receipted by permittee if delivered by hand.
11. Normally, a field inspection must be conducted as a condition of releasing a bond or security deposit. If the inspection indicates that the activity violated the stipulations of the permit, the permittee shall be given an appropriate length of time to take corrective action. If subsequent inspections indicate that the permittee remains in violation, the bond shall be revoked and the monies used to minimize adverse effects.
12. A permittee may be given up to 30 days to remove any improvements and do site restoration work. At his

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discretion, the manager may extend this time period due to adverse weather conditions or any extenuating circumstances. Failure to remove any improvements or to restore the site may result in filing a civil or criminal complaint or both by the borough attorney.

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Land & Resource Management Policy & Procedures (PPM)
The code authority cited is specific to this policy and procedure.
Other provisions of code may also apply.

Effective:
Reso:

Action:

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 20-034**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING PART 50, PERMITTING, OF THE LAND AND RESOURCE MANAGEMENT DIVISION POLICY AND PROCEDURES MANUAL.

WHEREAS, staff have identified overlap in the permitting requirements for use and development of Borough-owned land in MSB Titles 11, 17, and 23; and

WHEREAS, this current resolution shall supersede all prior Matanuska-Susitna Borough legislation with regard to the adopted Land and Resource Management Division Policy and Procedures Manual, be it by ordinance, resolution, or otherwise, until superseded by a future Assembly Resolution; and

WHEREAS, the updated Policy and Procedures Manual includes a new review requirement for an application for a land use permit, within the Port District, to follow the same review process as an application for a Port Development Permit; and

WHEREAS, this change, along with the associated amendments in the accompanying ordinance, will eliminate the duplicative permit requirement on Borough-owned land within the Port District when both a Port Development Permit and a Borough Land Use Permit are required.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby amends and adopts the Land and Resource

Management Division Policy and Procedures Manual, Part 50, as written.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2020.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

CODE ORDINANCE

Sponsored By:
Introduced:
Public Hearing:
Adopted:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 20-035**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING THE DEFINITION OF ENCROACHMENT IN MSB 11.10.010(A) (1) AND AMENDING 17.23.150 PORT DEVELOPMENT PERMIT REQUIRED.

WHEREAS, the Community Development Land and Resource Management Division was created to manage the use and development of Borough-owned land; and

WHEREAS, the Planning and Land Use Development Services Division has been issuing encroachment permits for development on Borough-owned land in accordance with the definition of "encroachment" in MSB 11.10.010(A); and

WHEREAS, through amendment of MSB 11.10.010 (A), limiting the number of departments responsible for permitting development and use of Borough land will simplify the permitting process, streamline government, and improve oversight; and

WHEREAS, there is a duplication of permit requirements within the special use port district wherein both a Port Development Permit and a Temporary Land Use Permit are required under MSB 17.23.150(A) and MSB 23.10.100 respectively; and

WHEREAS, exempting the use and development of Borough-owned land from the Port Development Permit requirement will simplify

the permitting process, streamline government, and reduce the cost of development in the Port District; and

WHEREAS, the application process for a Temporary Land Use Permit for Borough-owned land will be updated to include the Port Development Permit review requirements when an application is submitted for use or development of Borough- owned land within the Port District.

BE IT ENACTED:

Section 1. Classification. Sections 2 and 3 of this ordinance are of a general and permanent nature and shall become part of the Borough Code.

Section 2. Amendment of subsection. MSB 11.10.010(A) is hereby amended as follows:

(A) "Encroachment" means

(1) any structure, object, material or physical disturbance of materials, including but not limited to, driveways, culverts, road repairs, wells, septic systems, drainage, and all types of structural improvements within, extending over or under:

(a) the borough's public right-of-way;

(b) a public easement;

(c) property dedicated to a public use

which is operated or maintained by the borough; or

[(d) LAND OWNED BY THE BOROUGH.]

Section 3. Amendment of subsection. MSB 17.23.150(A) is hereby amended to read as follows:

(A) All development and use of land authorized within the special use district shall require prior authorization by issuance of a port district use permit from the borough manager or designee. Other permits or authorization may be required for specific uses or development.

(1) Maintenance activities are exempt from the requirement to obtain a port development permit.

(2) Use and development of Borough-owned land authorized under a Temporary Land Use Permit regulated under MSB 23 is exempt from the requirement to obtain a Port District use permit.

Section 4. Effective Date. This ordinance shall take effect upon adoption.

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

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

By: Emerson Krueger
Introduced: May 18, 2020
Public Hearing: June 1, 2020
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. PC 20-15

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY ADOPTION OF AN ORDINANCE AMENDING THE DEFINITION OF ENCROACHMENT IN MSB 11.10.010(A)(1) AND AMENDING 17.23.150 PORT DEVELOPMENT PERMIT REQUIRED AND A RESOLUTION AMENDING PART 50, PERMITTING, OF THE LAND AND RESOURCE MANAGEMENT DIVISION POLICY AND PROCEDURES MANUAL.

WHEREAS, the Community Development Land and Resource Management Division was created to manage the use and development of Borough-owned land; and

WHEREAS, the Planning and Land Use Development Services Division has been issuing encroachment permits for development on Borough-owned land in accordance with the definition of "encroachment" in MSB 11.10.010(A); and

WHEREAS, through amendment of MSB 11.10.010 (A), limiting the number of departments responsible for permitting development and use of Borough land will simplify the permitting process, streamline government, and improve oversight; and

WHEREAS, there is a duplication of permit requirements within the special use Port district wherein both a Port Development Permit and a Temporary Land Use Permit are required under MSB 17.23.150(A) and MSB 23.10.100 respectively; and

WHEREAS, exempting the use and development of Borough-owned land from the Port Development Permit requirement will simplify the permitting process, streamline government, and reduce the cost of development in the Port District; and

WHEREAS, the application process for a Temporary Land Use Permit for Borough-owned land will be updated to include the Port Development Permit review requirements when an application is submitted for use or development of Borough- owned land within the Port District.

NOW, THEREFORE BE IT RESOLVED, that the Matanuska-Susitna Planning Commission hereby recommend Assembly adoption of the ordinance amending MSB 11 and 17 to remove the duplicative permitting requirements.

BE IT FURTHER RESOLVED, that the Planning Commission does hereby recommend Assembly adoption of the resolution amending the Land and Resources Management Policy and Procedures Manual, Part 50: Permits as presented.

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

COLLEEN VAGUE, Chair

ATTEST

KAROL RIESE, Acting Planning
Clerk

(SEAL)

YES:

NO:

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COMMISSION BUSINESS
Upcoming PC Agenda Items

(Page 521 - 532)

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: May 29, 2020

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

June 15, 2020 (*MSB Assembly Chambers*)**Introduction for Public Hearing Quasi-Judicial**

- **Resolution PC 20-18**, a request under MSB 17.65 Variances, for a variance from the 75-foot shoreline setback requirement under MSB 17.55, located at 5782 S. Big Lake Road (Tax ID # 6142000L006), within 17 North, Range 3 West, Section 29, Seward Meridian; Public Hearing: July 6, 2020. (*Applicant: Dennelle Seetomona on behalf of Janice Ellsworth, Staff: Joe Metzger*).
- **Resolution PC 20-19**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 2439 S. Ridgecrest Road (Tax ID# 17N02W20B005); within Township 17 North, Range 2 East, Section 20, Seward Meridian. Public Hearing: July 6, 2020. (*Applicant: Heather Allen, on behalf of Bristol Bay Bud Company, Staff: Joe Metzger*)
- **Resolution PC 20-20**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 47265 S. Brookestar's Circle; Tax ID #22N04W01A004; within Township 22 North, Range 4 West, Section 01, Seward Meridian. Public Hearing: July 6, 2020. (*Applicant: Kenneth Champ, of Arctic Hydroponics, LLC, Staff: Mark Whisenhunt*).
- **Resolution PC 20-21**, A Conditional Use Permit in accordance with MSB 17.30— Conditional Use Permit (CUP) for Earth Materials Extraction Activities, for the extraction of approximately 407,300 cubic yards of earth material from a 19-acre site within two parcels totaling 160 acres, located within Township 17 North, Range 1 East, Sections 1&2, Tax Parcels D21 & D5 (17N01E02D021 & 17N01E01D005), Seward Meridian. Public Hearing: July 6, 2020. (*Applicant: MSB Land Management Division, Staff: Mark Whisenhunt*).

Introduction for Public Hearing Legislative

(None)

Agency/Staff Reports

- Wetlands Mitigation Ordinance Update. (Staff: Ted Eischeid)

Land Use Classifications

(None)

Public Hearing Quasi-Judicial

- **Resolution PC 20-17**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana retail facility, located at 2323 S. Trunk Road, Suite #3 (Tax ID# 7432000L011A); within Township 17 North, Range 1 East, Section 16, Seward Meridian. (Applicant: Jane Weltzin & Country Cannabis, LLC, Staff: Mark Whisenhunt)

Public Hearing Legislative

(None)

Unfinished Business

(None)

New Business

(None)

Commission Business

- Adjudicatory (if needed)
- Upcoming Planning Commission Agenda Items (Staff: Alex Strawn)

July 6, 2020 (MSB Assembly Chambers)**Introduction for Public Hearing Quasi-Judicial**

(None)

Introduction for Public Hearing Legislative

- **Resolution PC 20-23**, recommending Assembly approval of an Ordinance Amending MSB 15.24.030(C) The Matanuska-Susitna Borough Lake Management Plan; Adopting MSB 17.59.063 Adoption and Amendment of Regulations on Lakes; and MSB 17.59.065 Regulations on Lakes; and Repealing MSB 15.24.031 Initiating and Amending Lake Management Plans; MSB 17.58 Motorized Uses on Lakes and Waterways; and MSB 17.59.060 Limitation of Uses in Their Entirety. Public Hearing: July 20, 2020. (Staff: Eileen Probasco)
- **Resolution PC 20-24**, supporting an ordinance amending MSB 43.05.015(B)(3) to adopt the 2020 Subdivision Construction Manual. Public Hearing: July 20, 2020. (Staff: Eileen Probasco)

- **Resolution PC 20-25**, recommending Assembly approval of an ordinance adopting MSB 11.12 Driveway Standards in order to ensure driveways within borough right-of-ways minimize negative impact to drainage, maintenance, and safety of the traveling public. Public Hearing: July 20, 2020. (Staff: *Eileen Probasco*)

Agency/Staff Reports

(None)

Land Use Classifications

(None)

Public Hearing Quasi-Judicial

- **Resolution PC 20-18**, a request under MSB 17.65 Variances, for a variance from the 75-foot shoreline setback requirement under MSB 17.55, located at 5782 S. Big Lake Road (Tax ID # 6142000L006)), within 17 North, Range 3 West, Section 29, Seward Meridian. (Applicant: *Dennelle Seetomona on behalf of Janice Ellsworth*, Staff: *Joe Metzger*).
- **Resolution PC 20-19**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 2439 S. Ridgecrest Road (Tax ID# 17N02W20B005); within Township 17 North, Range 2 East, Section 20, Seward Meridian. (Applicant: *Heather Allen, on behalf of Bristol Bay Bud Company*, Staff: *Joe Metzger*)
- **Resolution PC 20-20**, a Conditional Use Permit in accordance with MSB 17.60 – Conditional Uses, for the operation of a marijuana cultivation facility, located at 47265 S. Brookestar's Circle; Tax ID #22N04W01A004; within Township 22 North, Range 4 West, Section 01, Seward Meridian. (Applicant: *Kenneth Champ, of Arctic Hydroponics, LLC*, Staff: *Mark Whisenhunt*).
- **Resolution PC 20-21**, A Conditional Use Permit in accordance with MSB 17.30— Conditional Use Permit (CUP) for Earth Materials Extraction Activities, for the extraction of approximately 407,300 cubic yards of earth material from a 19-acre site within two parcels totaling 160 acres, located within Township 17 North, Range 1 East, Sections 1&2, Tax Parcels D21 & D5 (17N01E02D021 & 17N01E01D005), Seward Meridian. (Applicant: *MSB Land Management Division*, Staff: *Mark Whisenhunt*).

Public Hearing Legislative

(None)

Unfinished Business

(None)

New Business

(None)

Commission Business

- Adjudicatory (*if needed*)
- Upcoming Planning Commission Agenda Items (Staff: *Alex Straw*)

July 20, 2020 (*MSB Assembly Chambers*)

Introduction for Public Hearing Quasi-Judicial

(None)

Introduction for Public Hearing Legislative

- **Resolution PC 20-12**, recommending Assembly adoption of MSB 17.68, Outdoor Shooting Facilities, in order to establish standards for commercial, educational, and nonprofit outdoor shooting facilities. Public Hearing: August 3, 2020. (*Staff: Alex Strawn*)

Agency/Staff Reports

(None)

Land Use Classifications

(None)

Public Hearing Quasi-Judicial

(None)

Public Hearing Legislative

- **Resolution PC 20-23**, recommending Assembly approval of an Ordinance Amending MSB 15.24.030(C) The Matanuska-Susitna Borough Lake Management Plan; Adopting MSB 17.59.063 Adoption and Amendment of Regulations on Lakes; and MSB 17.59.065 Regulations on Lakes; and Repealing MSB 15.24.031 Initiating and Amending Lake Management Plans; MSB 17.58 Motorized Uses on Lakes and Waterways; and MSB 17.59.060 Limitation of Uses in Their Entirety. (*Staff: Eileen Probasco*)
- **Resolution PC 20-24**, supporting an ordinance amending MSB 43.05.015(B)(3) to adopt the 2020 Subdivision Construction Manual. (*Staff: Eileen Probasco*)
- **Resolution PC 20-25**, recommending Assembly approval of an ordinance adopting MSB 11.12 Driveway Standards in order to ensure driveways within borough right-of-ways minimize negative impact to drainage, maintenance, and safety of the traveling public. Public Hearing: July 20, 2020. (*Staff: Eileen Probasco*)

Unfinished Business

(None)

New Business

(None)

Commission Business

- Adjudicatory (*if needed*)
- Upcoming Planning Commission Agenda Items (*Staff: Eileen Probasco*)

August 3, 2020 (*MSB Assembly Chambers*)

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

- **Resolution PC 20-12**, recommending Assembly adoption of MSB 17.68, Outdoor Shooting Facilities, in order to establish standards for commercial, educational, and nonprofit outdoor shooting facilities. (*Staff: Alex Strawn*)

Unfinished Business

(None)

New Business

(None)

Commission Business

- Adjudicatory (*if needed*)
- Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)

August 17, 2020 (*MSB Assembly Chambers*)

Introduction for Public Hearing Quasi-Judicial

(None)

Introduction for Public Hearing Legislative

- **Resolution PC 20-22**, Recommending Assembly adoption of MSB 17.31 Wetlands Management. Public Hearing: September 21, 2020. (*Staff: Ted Eischeid*)

Agency/Staff Reports

- Metropolitan Planning Organization (MPO) and The Official Streets and Highways Plan (OSHP) Updates. (*Staff: Kim Sollien*)
- Wetlands Mitigation Ordinance Update (*if needed*). (*Staff: Ted Eischeid*)

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: Alex Strawn)*

September 21, 2020 *(MSB Assembly Chambers)***Introduction for Public Hearing Quasi-Judicial**

(None)

Introduction for Public Hearing Legislative

(None)

Agency/Staff Reports

- Borough-wide Comprehensive Plan Update. *(Staff: Kim Sollien)*

Land Use Classifications

(None)

Public Hearing Quasi-Judicial

(None)

Public Hearing Legislative

- **Resolution PC 20-22**, Recommending Assembly adoption of MSB 17.31 Wetlands Management. Public Hearing: September 21, 2020. *(Staff: Ted Eischeid)*

Unfinished Business

(None)

New Business

(None)

Commission Business

- Adjudicatory (*if needed*)
- Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)

Upcoming PC Actions**Quasi-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*)
- Twin Lakes – Variance MSB 17.65, 6323000L005. (*Staff: Mark Whisenhunt*)
- Faded Moose Farms, LLC – Marijuana Cultivation Facility, 5902000L001. (*Staff: Mark Whisenhunt*)
- Northern Alliance – Marijuana Cultivation Facility, 17N04W25D005. (*Staff: Mark Whisenhunt*)
- Three Bear Trapper Creek – Alcoholic Beverage Package Store, 7561000L001. (*Staff: Mark Whisenhunt*)
- Alaska Self Storage – Talkeetna SpUD Conditional Use Permit, 7909000L002. (*Staff: Mark Whisenhunt*)

Legislative

- Wetlands Mitigation (*Staff: Ted Eischeid*)
- Outdoor Shooting Facilities (*Staff: Alex Strawn*)
- Subdivision Construction Manual 2020 (*Staff: Eileen Probasco*)
- MSB 11.12 Driveway Standards (*Staff: Alex Strawn*)
- Title 17 Consolidation (*Staff: Eileen Probasco*)

Other Upcoming Administrative Actions (Not going to the PC)

- Aldeman – Multifamily Permit; 17N01W18B011. (*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*)
- Bridgeway Community – Multifamily Development Permit, 17N02W11B005. (*Staff: Joe Metzger*)
- Great Alaska Cannabis Bowl – Temporary Noise Permit, 7717000T00L-1C. (*Staff: Mark Whisenhunt*)
- Great Alaska Cannabis Bowl – Special Event Permit, 7717000T00L-1C. (*Staff: Mark Whisenhunt*)

- Woodland Park – Nonconforming Structures (amnesty) – 3037B01L027. (Staff: Joe Metzger)
- Frontier Dream – Administrative Permit for Earth Materials Extraction, 5745000L002. (Staff: Mark Whisenhunt)
- Midnight Landing Lot 2 – Multifamily Permit, 7702000L002. (Staff: Mark Whisenhunt)

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. Alaska Superior Court has issued an order remanding this item back to the Planning Commission. A new public hearing will be scheduled. (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 on 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. The Planning Commission failed to garner enough votes to approve the permit. Planning Commission decision overturned by the BOAA on October 29, 2019. 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 20-11 , recommending Assembly approval of land classification of two parcels as Reserved Use for a future fire station and future school facilities, and eight parcels for conveyance through borough land sales or other allowed methods of disposal in accordance with Title 23 and adopted Land & Resource Management Policy and Procedures (MSB007557). (Staff: Nancy Cameron)		ORD # 20-121	IM 20-058
Actions:	05/18/20 – PC Land Classification/Approved 06/05/20 – Assembly Introduction 06/19/20 – Assembly Public Hearing		

Updates on PC items that went to the Assembly (Complete)

None

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