



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

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

Email: [permitcenter@matsugov.us](mailto:permitcenter@matsugov.us)

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AUG - 8 2024

Mat-Su Borough  
Development Services

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

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

**Application fee must be attached:**

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

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

**Required Attachments for a Marijuana Cultivation Facility:**

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

**Required Attachments for Both Retail and Cultivation Facilities:**

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

**Subject Property:** Township: \_\_\_\_\_, Range: \_\_\_\_\_, Section: \_\_\_\_\_, Meridian: \_\_\_\_\_

MSB Tax ID# 51818000L001

SUBDIVISION: KILBOURNE RALPH BLOCK(S): \_\_\_\_\_, LOT(S): 1

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

FACILITY / BUSINESS NAME: Fort Green Alaska

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

**Name of Property Owner**

KR&W Management, LLC

Mailing: 2174 E Red Fox Drive

Wasilla, Alaska 99654

Phone: Hm \_\_\_\_\_ Fax \_\_\_\_\_

Wk \_\_\_\_\_ Cell (360) 292-3280

E-mail algunlimited1@gmail.com

**Name of Agent / Contact for application**

Ryan McKay / Attorney Jana Weltzin

Mailing: 901 Photo Avenue, Second Floor

Anchorage, Alaska 99503

Phone: Hm 907-231-3750 Fax \_\_\_\_\_

Wk \_\_\_\_\_ Cell \_\_\_\_\_

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

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

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

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

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

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

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

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

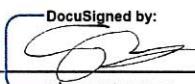
I understand all activity must be conducted in compliance with all applicable standards of MSB 17.60 and with all other applicable borough and state.

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

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

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

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

<b>DocuSigned by:</b>	Ryan McKay - Member of KR&W Management, LLC	8/8/2024
		
Signature: Property Owner	Printed Name	Date
<hr/>		
<b>DocuSigned by:</b>	Ryan McKay	8/8/2024
		
Signature: Agent	Printed Name	Date

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Development Services

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

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

*Dear Planning Office,*

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

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

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

*Sincerely,*

DocuSigned by:



Ryan McKay – Member of  
Fort Green, LLC

Owner of property

DocuSigned by:



Ryan McKay  
Member of KR&W Management, LLC

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Mat-Su Borough  
Development Services

## **RETAIL MARIJUANA FACILITY CONDITIONAL USE PERMIT NARRATIVE**

**Fort Green, LLC, DBA Fort Green Alaska**

**A locally owned and operated business**

Submitted: \_\_\_\_\_, 2024

Prepared by:



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

**On behalf of:**  
Fort Green, LLC

## Introduction:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- ✓ Yes.

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

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

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

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

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

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

Current status of State License Application Process.

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

Misc. Items and Information.

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

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

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

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

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



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

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

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



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

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

Afternoon Peggy-

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

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

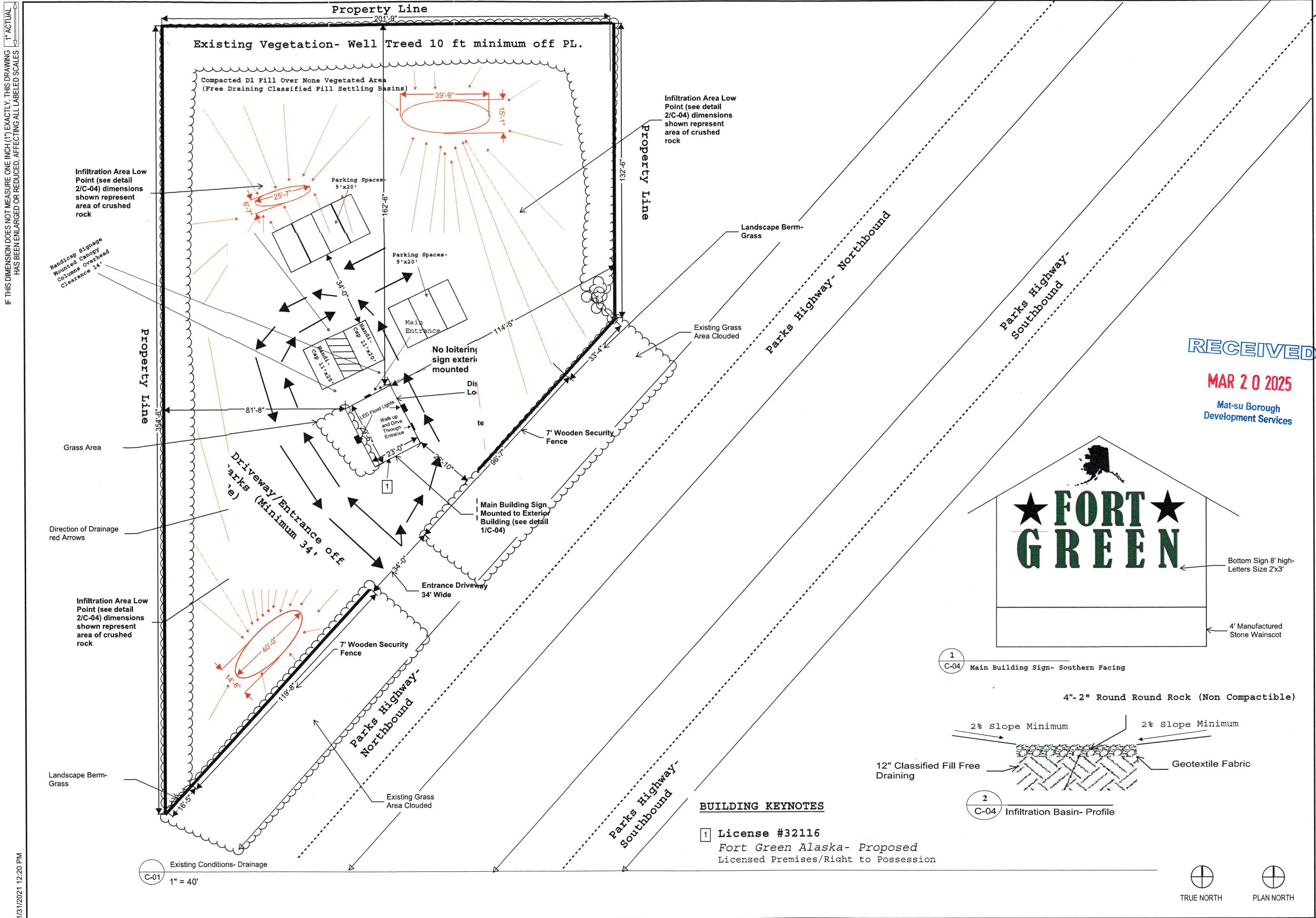
To address engineering's second concern regarding compaction of the 3/4" minus crushed rock due to vehicular traffic, another good comment, I have made several other changes to the drawing. While the drainage basins on the earlier drawing were outside the planned driveable areas for the facility, I agree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

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

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

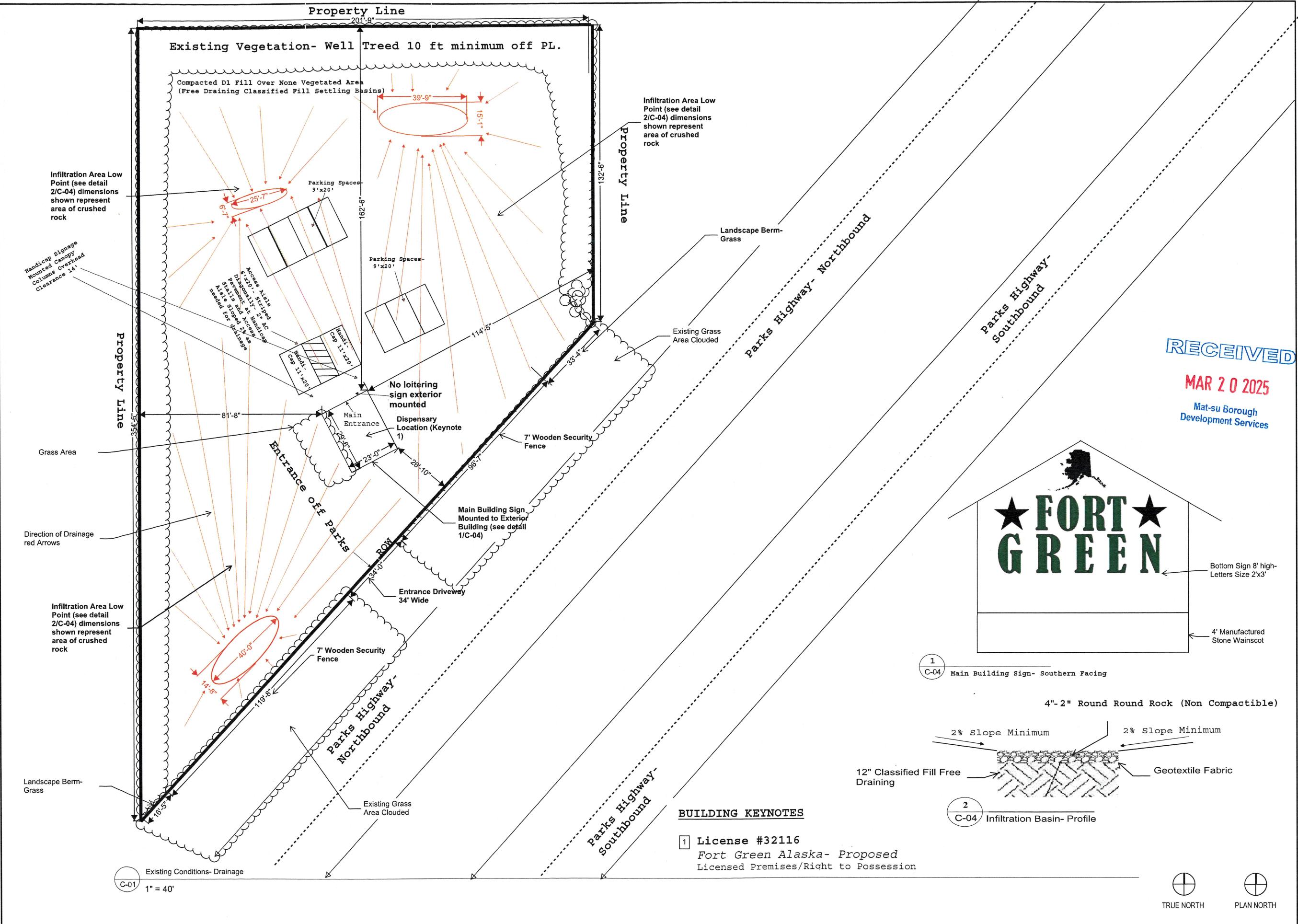
Respectfully,

Kyler Dias  
Project Manager, EIT



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

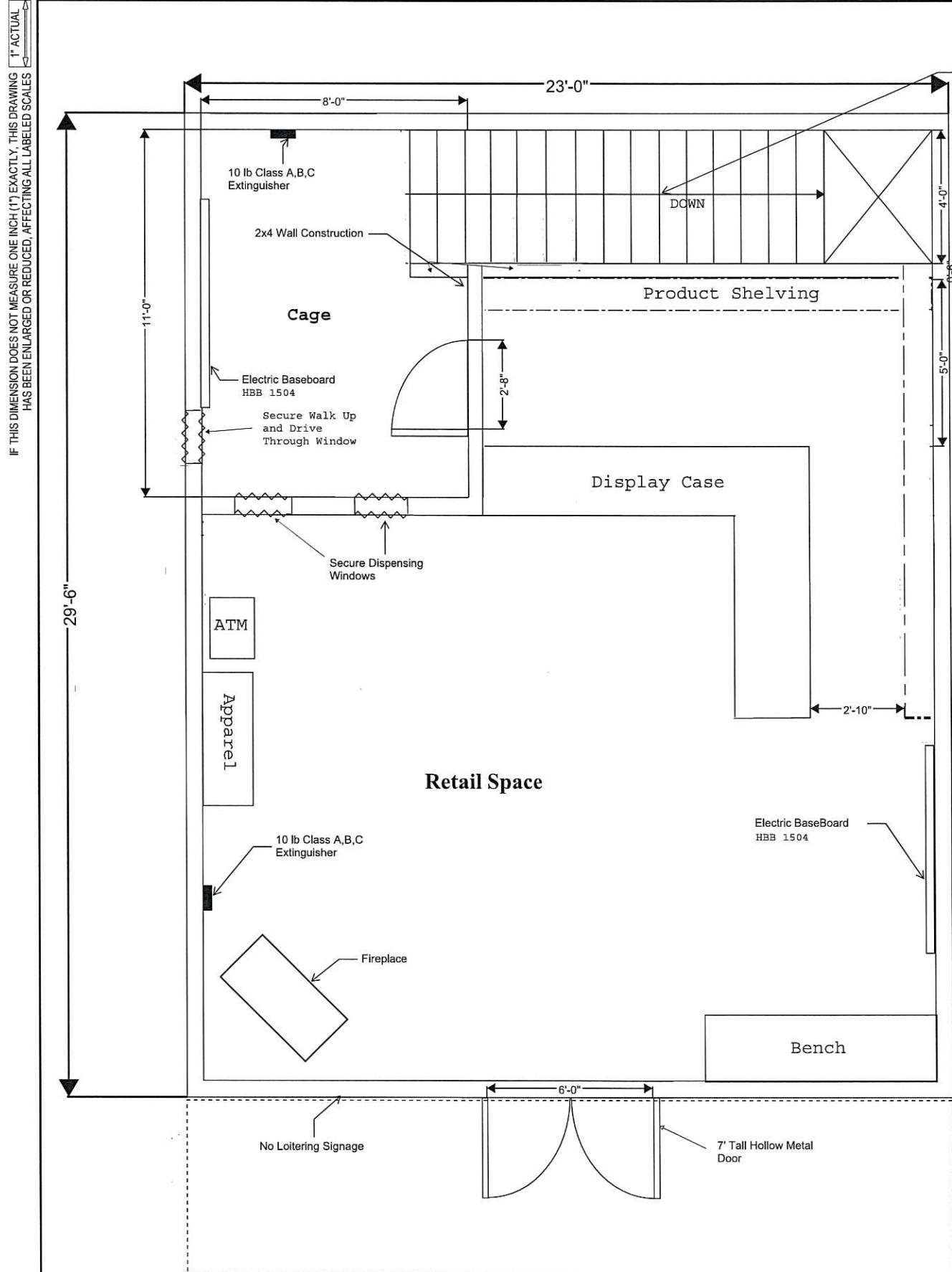
1/31/2021 12:20 PM



**CONSULTANT:**

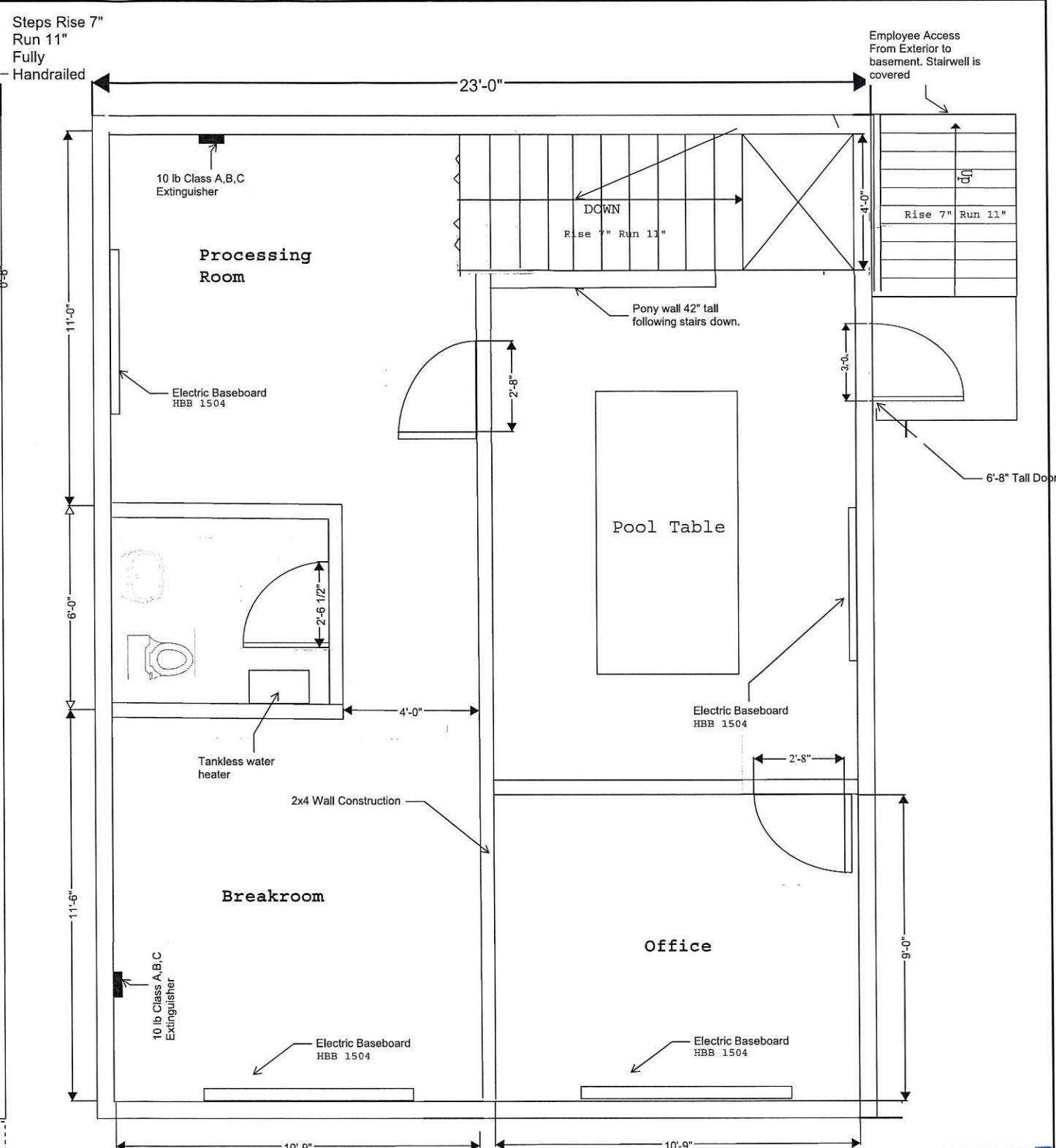
C-04

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



1  
A01 FIRST FLOOR PLAN  
1/2" = 1'-0"

See Drawing A-03 for exterior deck and stairs



2  
A01 BASEMENT FLOOR PLAN  
1/2" = 1'-0"

RECEIVED  
FEB - 6 2025  
Mat-Su Borough  
Development Services

100% FOR CONSTRUCTION

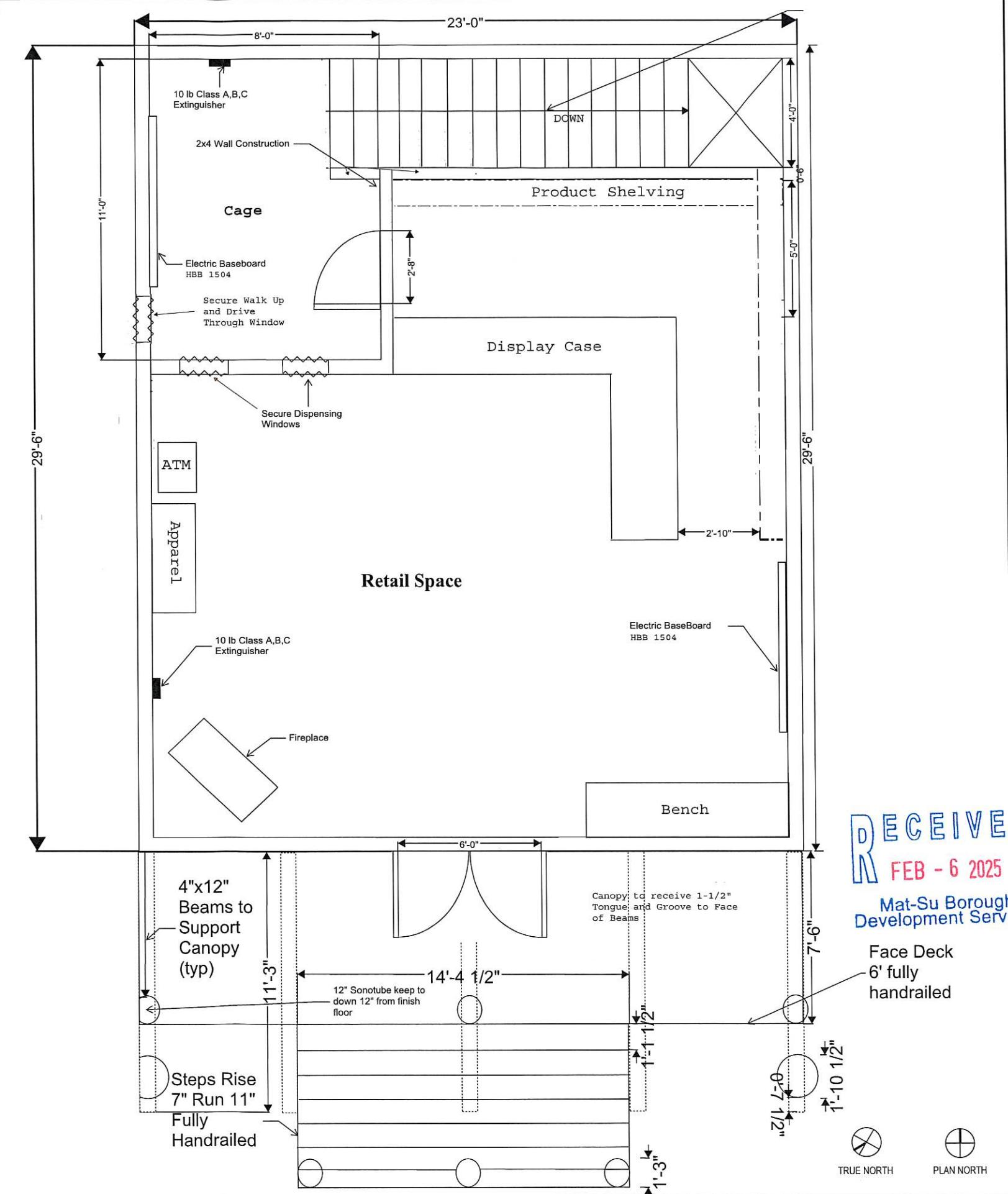
PROJECT NO:	01
DATE:	01/31/2021
DRAWN BY:	Kylex Dias, (CE, EIT)
CHECKED BY:	NA



TRUE NORTH PLAN NORTH

A01

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



11/31/2021 12:20 PM

**FIRST FLOOR PLAN**

A03

100% FOR CONSTRUCTION

RECEIVED  
FEB - 6 2025  
Mat-Su Borough  
Development Services

Face Deck  
6' fully  
handrailed

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

---

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

Afternoon Peggy-

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

Respectfully,

Kyler Dias

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

Hello,

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

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



720 N Yeti Street  
Palmer, AK 99645

RECEIVED  
DEC 2 2024  
Mat-Su Borough  
Development Services

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

November 29, 2024

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

Dear KR&W Management LLC,

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

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

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

Sincerely,

A handwritten signature in blue ink that reads "Dayna Rumfelt".

Dayna Rumfelt, PLS, CFedS  
Lavender Survey & Mapping  
Owner



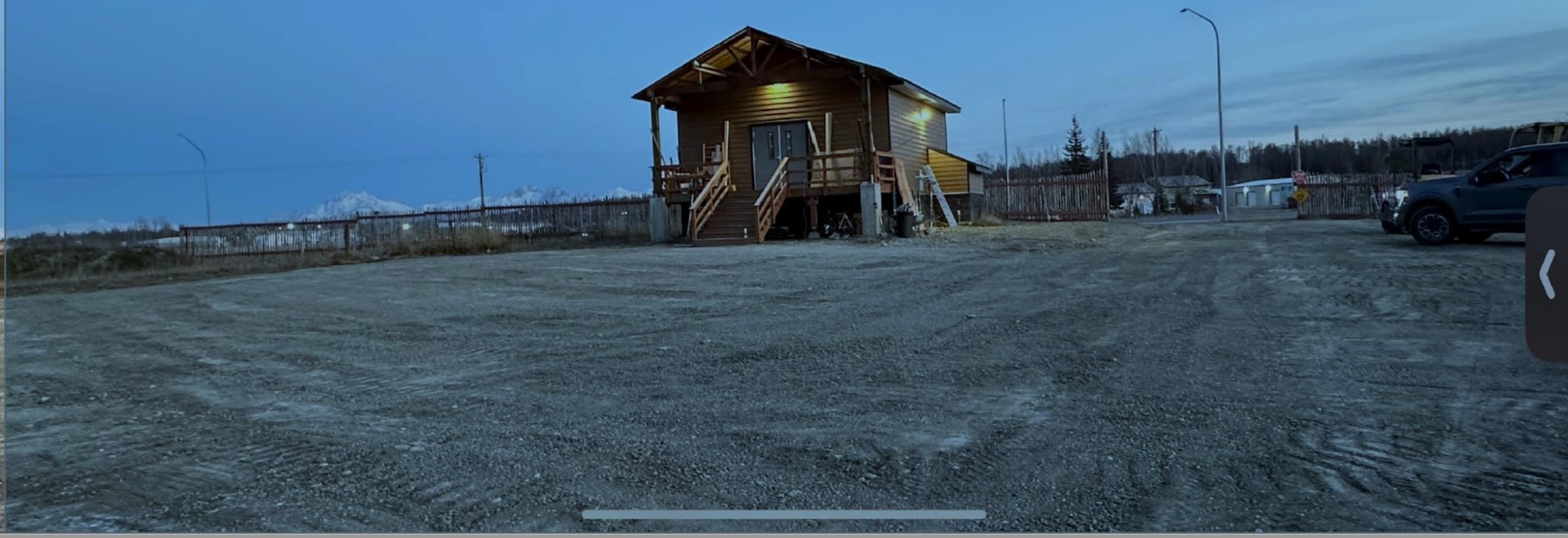


Crop

Photo



Done



Crop



Crop





Kyler Dias <kyler@x907.com>

---

## Fire Department Access Letter

---

Kyler Dias <kyler@x907.com>

Draft

Wed, Nov 27, 2024 at 12:13 PM

Thanks

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

Kyler,

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

Oscar

---

**From:** Kyler Dias <[kyler@x907.com](mailto:kyler@x907.com)>

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

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

**Subject:** Re: Fire Department Access Letter

Morning Oscar-

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

11:22

◀ Messages

LTE

AA

🔒 bavis.com



BAVIS FABACRAFT

Home // Products // Window- // Dispensary



Drawer

32x40 Window

Drawer

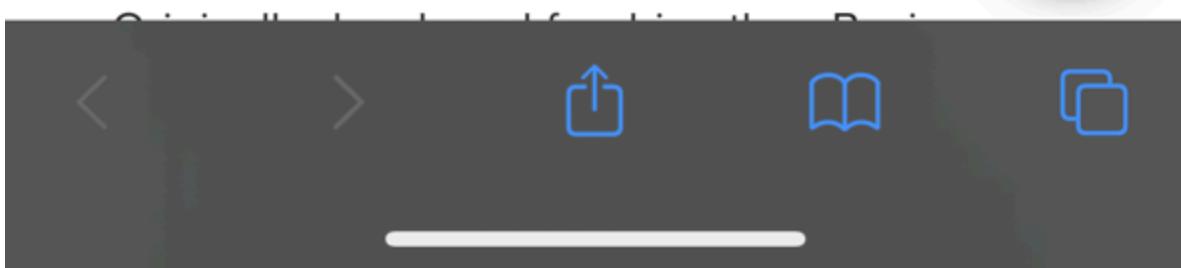
Combination

Unit

TRANSACTION DRAWER

**VIEW GALLERY**

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



11:22

◀ Messages

LTE

AA

🔒 bavis.com



BAVIS FABACRAFT

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

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

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

is the 22x40 with a green drawer (pictured), but other sizes are available. Combos are shipped assembled as a single unit for easier delivery and installation.



REQUEST A QUOTE



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

Good afternoon Kyler,

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

Oscar

---

**From:** Kyler Dias <[kyler@x907.com](mailto:kyler@x907.com)>  
**Sent:** Wednesday, October 9, 2024 1:43 PM  
**To:** Lage, Oscar (DPS) <[oscar.lage@alaska.gov](mailto:oscar.lage@alaska.gov)>; Brenda Butler <[brenda@jdwounsel.com](mailto:brenda@jdwounsel.com)>  
**Subject:** Fwd: Fire Department Access Letter

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

Afternoon Oscar-

We are working through the CUP Application process for our property at [7821 W. Parks Highway](https://www.google.com/maps/place/7821+W.+Parks+Highway,+Anchorage,+AK+99503/@61.2541,-151.7541,17z). The plan review was completed earlier this year but we added a drive through window to the plans. Peggy with the borough said we may have to do something with the approved plan review to get this added. See below email from the James Keel, the AHJ stating that it will not affect the access letter since it is a minor change. If you could let me know whether this would require any changes to the approved plan review I'd appreciate it. Hoping it is a minor enough change that we can continue moving forward.

Respectfully,

Kyler Dias

907-602-4293

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

From: James Keel <[James.Keel@matsugov.us](mailto:James.Keel@matsugov.us)>  
Date: Fri, Sep 27, 2024 at 7:55 AM  
Subject: RE: Fire Department Access Letter  
To: Kyler Dias <[kyler@x907.com](mailto:kyler@x907.com)>

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

Respectfully

James Keel  
Assistant Chief  
West Lakes fire.  
Desk 907-861-8085

---

**From:** Kyler Dias <[kyler@x907.com](mailto:kyler@x907.com)>  
**Sent:** Thursday, September 26, 2024 11:13 AM  
**To:** James Keel <[James.Keel@matsugov.us](mailto:James.Keel@matsugov.us)>  
**Subject:** Fire Department Access Letter

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

Morning James-

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

Respectfully,

Kyler Dias  
907-602-4293



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 99705-1225

Main: 907.269.2004

Fax: 907.269.0098

06/12/2024

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

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

Dear Kyler Dias:

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

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

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

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

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

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

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

Enclosure: Approval Certificate

Plan Review Approval Letter & Certificate

Grantor: State of Alaska, Department of Public Safety, Division of Fire & Life Safety

Grantee: DIAS DAVID T & MERRI B

Recording District:

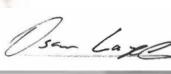
Legal Description:

State of Alaska  
Office of the State Fire Marshal  
Plan Review

This is to certify that the plans for this building were reviewed by the *State Fire Marshal* on 6/10/2024 for conformance with AS 18.70.010 -- 100; 13 AAC 50.027.

This certificate shall be posted in a conspicuous place on the premises named  
Fort Green and shall remain posted until construction is completed.

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

Plan Review #: 2024ANCH0137 By: 

Oscar Lage  
Building Plans Examiner I

Authority: AS 18.70.080

Form: 12-741

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



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

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

ALCOHOL & MARIJUANA CONTROL OFFICE

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

June 13, 2023

Fort Green, LLC  
DBA: Fort Green Alaska  
Via: [algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)

Re: Fort Green Alaska #32116

Dear Fort Green, LLC:

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

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

Please contact [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Carrie Craig".

Carrie Craig  
Records and Licensing Supervisor

For  
Joan Wilson, Director

cc: License File  
Matanuska – Susitna Borough



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

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

ALCOHOL & MARIJUANA CONTROL OFFICE

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

November 27, 2024

Fort Green LLC  
DBA: Fort Green Alaska  
Via: [algunlimited1@gmail.com](mailto:algunlimited1@gmail.com)

Re: Fort Green Alaska #32116

Dear Ryan Mckay,

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

Please contact [marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov) with any questions.

Sincerely,

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

Regina T. Cruz  
Licensing Examiner 3- Supervisor

cc: License File  
Matanuska-Susitna Borough



Alaska Department of Transportation and Public Facilities

## STATEWIDE DESIGN & ENGINEERING SVCS.

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



## Driveway and Approach Road Permit Application Display

### Application Information

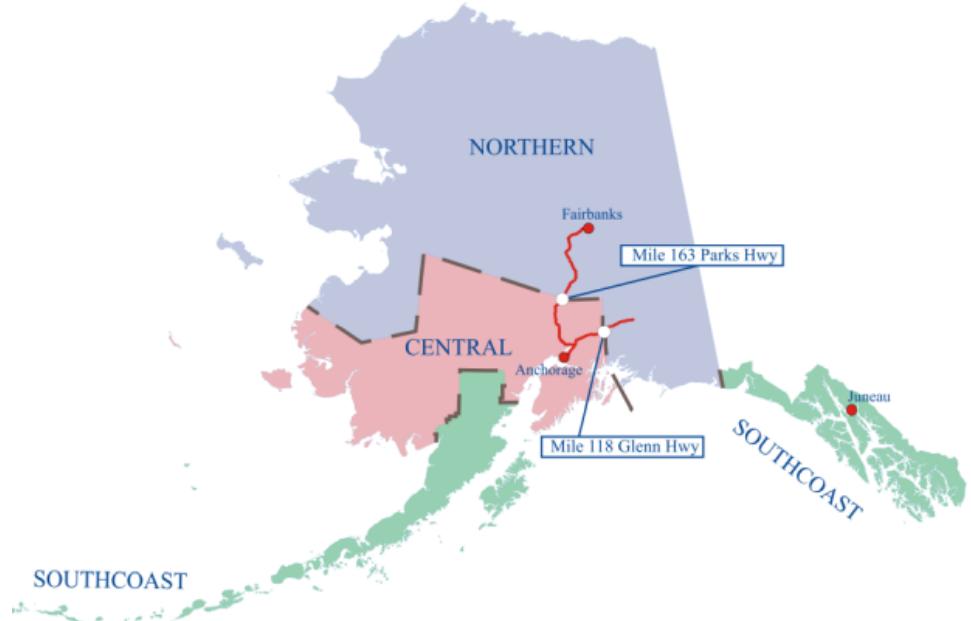
Application Number: [33837](#)

Status: Initial Status

### Customer Information

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

### Location Information



Central Region

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

#### Physical Address

Street Number **7821**

Milepost

Street Name

Address Line 2

City

**W Parks Highway**

**Wasilla**

State

AK

Zip

99623

### Legal Description

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

1

KILBOURNE  
51818000

Meridian  
Township  
Range  
Section  
Recording District  
Plat Number

Seward  
17N  
2W  
9  
79-461

### GPS Coordinates

Latitude

Decimal  
61.5781

Degrees  
61

Minutes  
34

Seconds  
41

Longitude

149.6478

149

38

52

## Driveway Information

Is access available from other public rights of way:

NO

Is driveway/road within a platted right of way:

YES

How many lots will the driveway/road serve:

1

Size of the tract served by driveway/road:

1.04 acres

Is driveway located within a zoning authority:

YES

Zoning designation:

Matanuska Susitna Borough

Is the driveway/road proposed or existing:

Existing

Date applicant/permittee to complete work in accordance with attached plan:

09/27/2024

Maximum number of vehicles which will use the driveway/road in any one hour:

6

Driveway/approach road main use:

Commercial

Speed Limit:

45 mph

Sight distance left:

1771 feet

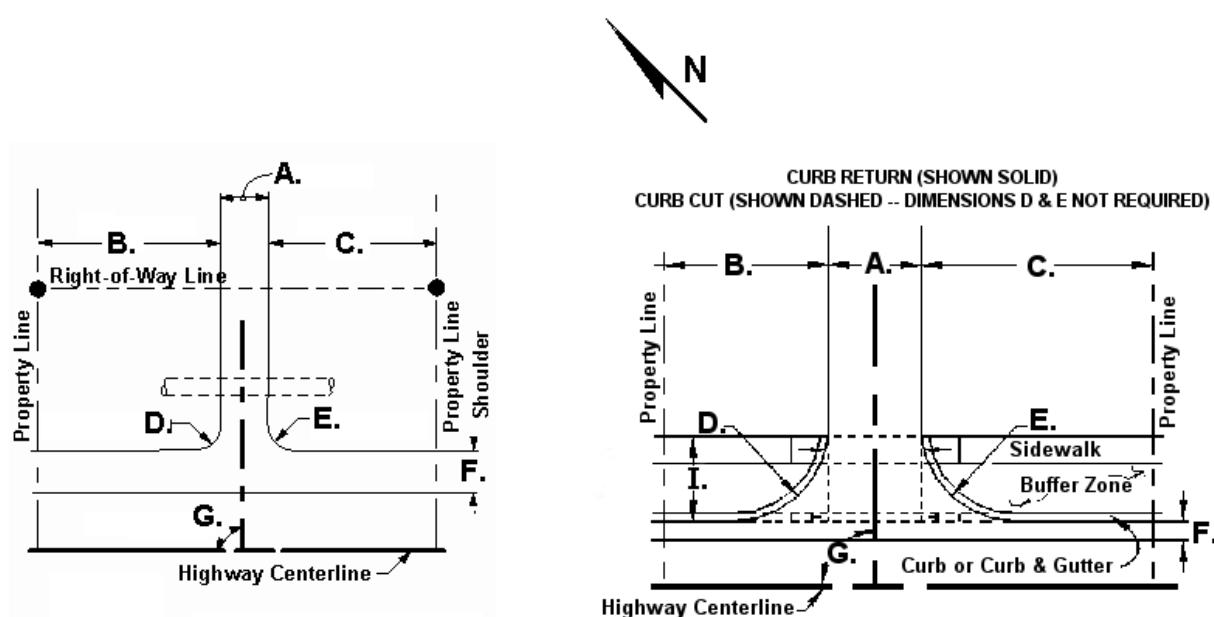
Sight distance right:

1560 feet

Proposed land use for tract served by driveway/road:

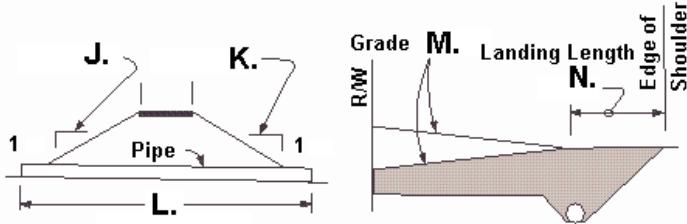
Marijuana Retail

## Driveway Specifications



- A. Driveway width      34 feet  
B. Left edge clearance      152 feet  
C. Right edge clearance      132 feet  
D. Left return radius      20 feet

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



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

## Attachments

Site Plan	<a href="#">FT_Green- Site Map- License- Revision 1.pdf</a> (271.55 KB)
Other	<a href="#">As-Built.pdf</a> (13.85 KB)
Proof of Ownership	<a href="#">Proof_of_ownership.pdf</a> (50.82 KB)

[Add Attachment](#)

## Provisions

This permit applies only to the State right of way.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Special Conditions

## Fees and Payments Information

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

### Fee Type      Amount When to pay

Application Fee \$ 100.00 Submit with permit application.

## Payments

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

Please send fees and attachments to the following address:

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

## AS-BUILT

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

PH

## PERMIT CENTER – FEE RECEIPT FORM

Property Location: 1818000L001

Applicant: KR+W MANAGEMENT

USE PERMITS (100,000,000,341,300)	Fee
8.35 Public Display of Fireworks	\$25.00
8.40.010 Liquor License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
8.40.060 Liquor License Relocation	\$500.00
8.41.010 Marijuana License - Alcohol & Marijuana Control Office (AMCO) Referrals for Matanuska Susitna Borough Review of Issuance, renewal or transfer (location, owner)	\$100.00
8.52 Temporary Noise Permit	\$1000.00
8.55 Special Events Permit 500 – 1000 Attendees	\$500.00
1000+ Attendees	\$1,000.00
8.55 Special Events Permit Site Monitor Fee / Per Day	\$300.00
17.02 Mandatory Land Use Permits Commercial	\$50.00
17.04 Nancy Lake Special Land Use District CUP	\$1,500.00
17.06 Electrical Generating & Delivery Facility Application	\$500.00
17.08 Hay Flats Special Land Use District Exception Application	\$1000.00
17.17 Denali State Park Conditional Use Permit	\$1500.00
17.18 Chickaloon Special Land Use District CUP	\$1500.00
17.19 Glacier View Special Land Use District CUP	\$1500.00
17.23 Port MacKenzie Development Permit	\$1000.00
17.25 Talkeetna Special Land Use CUP	\$1500.00
17.25 Talkeetna Conditional Use Permit – Variance	\$1500.00
17.27 Sutton Special Land Use District CUP	\$1500.00
17.29 Flood Damage Prevention Development Permit	\$100.00
17.29 Flood Damage Prevention Development Permit – Variance	\$500.00
17.30.040 Earth Materials Extraction Admin. Permit	\$1000.00
17.30.050 Earth Materials Extraction CUP	\$1500.00
17.36 Residential Planned Unit Development Application – Concept Plan – up to 50 Lots Additional Lots or tracts being created – Per Lot	\$500.00 \$100.00
17.48 Mobile Home Park Application	\$500.00
17.52 Residential Land Use District App (Rezone)	\$1,000.00
17.52 Residential Land Use District CUP	\$1,500.00
17.55 Shoreline Setback Exception Application	\$300.00
X 17.60 Conditional Use Permit Application <i>MARIJUANA</i>	\$1500.00
17.60 Transfer of Junkyard CUP	\$500.00

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

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

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

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

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

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

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

**MISCELLANEOUS RECEIPT**

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

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**\$1,500.00**

<b>Subtotal</b>	<b>\$1,500.00</b>
<b>Total</b>	<b>\$1,500.00</b>

CHECK	\$1,500.00
Check Number	4960

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**Change due** **\$0.00**

Paid by: JDW LLC

Comments: CONDITIONAL USE PERMIT  
APPLICATION

Thank you for your payment

CUSTOMER COPY