

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Edna DeVries, Mayor

PLANNING COMMISSION
Doug Glenn, District 1
Richard Allen, District 2
C. J. Koan, District 3 – Chair
Andrew Shane, District 4 – Vice-Chair
Linn McCabe, District 5
Wilfred Fernandez, District 6
Curt Scoggin, District 7



Michael Brown, Borough Manager

PLANNING & LAND USE
DEPARTMENT
Alex Strawn, Planning & Land Use
Director
Vacant, Planning Services Manager
Jason Ortiz, Development Services Manager
Fred Wagner, Platting Officer
Karol Riese, Planning Clerk
Corinne Lindfors, Planning Clerk Assistant

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

April 1, 2024
REGULAR MEETING
6:00 p.m.

Ways to participate in the meeting:

IN PERSON: You will have 3 minutes to state your oral comment.

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

Written comments are due at **noon on the Friday prior to the meeting.**

TELEPHONIC TESTIMONY:

- Dial 1-855-290-3803; you will hear “joining conference” when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press *3; you will hear, “Your hand has been raised.”
- When it is your turn to testify, you will hear, “Your line has been unmuted.”
- State your name for the record, spell your last name, and provide your testimony.

OBSERVE: observe the meeting via the live stream video at:

- <https://www.facebook.com/MatSuBorough>
- Matanuska-Susitna Borough - YouTube

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

II. APPROVAL OF AGENDA

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

A. MINUTES
Regular Meeting Minutes: March 18, 2024

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

Resolution 24-03 A conditional use permit in accordance with MSB 17.60 – Conditional Uses, for the operations of a marijuana retail facility known as Northern Emerald, located at 2803 S. Old Glenn Highway, Building #2; Tax ID #53998000L002. Public Hearing: April 15, 2024 (Applicant: Keith Crocker for Northern Emerald, LLC; Staff: Rick Benedict, Current Planner)

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

VII. PUBLIC HEARING: LAND USE CLASSIFICATIONS

VIII. AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS
(*Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application*).

X. PUBLIC HEARING: LEGISLATIVE MATTERS

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

A. Upcoming Planning Commission Agenda Items

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (*Mandatory Midnight*)

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

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
March 18, 2024**

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on March 18, 2024, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair Koan.

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

Planning Commission members present and establishing a quorum:

Mr. Doug Glenn, Assembly District #1
Mr. Richard Allen, Assembly District #2
Ms. C. J. Koan, Assembly District #3
Mr. Andrew Shane, Assembly District #4
Ms. Linn McCabe, Assembly District #5
Mr. Wilfred Fernandez, Assembly District #6
Mr. Curt Scoggin, Assembly District #7

Planning Commission members absent and excused were:

Staff in attendance:

Mr. Rick Benedict, Planner II
Mr. Alex Strawn, Planning and Land Use Director
Ms. Erin Dooling, Assistant Attorney
Ms. Karol Riese, Planning Depart. Administrative Specialist/Planning Commission Clerk

*Indicates that the individual attended telephonically.

II. APPROVAL OF AGENDA

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

GENERAL CONSENT: The agenda was approved without objection.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Allen.

IV. CONSENT AGENDA

A. Minutes Regular Meeting Minutes: March 4, 2024

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

GENERAL CONSENT: The consent agenda was approved without objection.

V. COMMITTEE REPORTS - (There were no committee reports.)

VI. AGENCY/STAFF REPORTS - (There were no Agency/Staff Reports.)

VII. LAND USE CLASSIFICATIONS - *(There were no land use classifications.)*

VIII. AUDIENCE PARTICIPATION (Three minutes per person.)
(There were no persons to be heard.)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS

Resolution 24-02 A conditional use permit in accordance with MSB 17.60 – conditional uses for the operation of a marijuana cultivation facility known as, The Connoisseur, located at 3160 W. Top of the World Circle; Tax ID #8280000L001A; (Applicant: Matthew Chambers for The Connoisseur, LLC; Staff: Rick Benedict, Current Planner)

Chair Koan read the resolution title into the record.

Chair Koan read the ex-parte memo asking questions of the Planning Commissioners.

Staff presented their staff report.

Commissioners questioned staff regarding:
250' from residential structure – what are the setbacks from a residential area? 50' from any right-of-way

Chair Koan invited applicant to speak and provide any additional information.
Applicant did not have anything to add.

Chair Koan opened the public hearing.

The following persons spoke in regarding Planning Commission Resolution 24-02:
Ms. Allison Gutkes Johnson against the resolution.

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

Chair Koan invited the applicant to respond to statements presented during public hearing.
Mr. Aurandt responded to statement regarding explosion.

Commissioners questioned staff regarding:
Building that exploded; traffic; hours; parking.

Matthew Chambers responded to the statement regarding safety of kids.

MOTION: Commissioner Allen moved to approve Planning Commission Resolution 24-02.
The motion was seconded by Commissioner Glenn.

Discussion ensued

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
March 18, 2024**

MOTION: Commissioner Koan moved a primary amendment to change the hours of operation from 8:00 a.m. to midnight to 8:00 a.m. to 5:00 p.m.

MOTION: Commissioner Allen moved a secondary amendment to change the hours of operation from 8:00 a.m. to 8:00 p.m.

Discussion ensued

VOTE: The secondary amendment fails four (4) against and three (3) in support.
Commisisoner

VOTE: The primary amendment fails with Commissioner Scoggin in support.

MOTION: Commissioner Allen moved an amendment for #5 to read: "The hours of operation for harvesting activities shall not exceed 8:00 a.m. to 8:00 p.m., seven days a week."

VOTE: The main motion passed without objection.

X. PUBLIC HEARING LEGISLATIVE MATTERS

Resolution 24-05 A resolution recommending approval of an ordinance amending MSB 8.40 regarding transfers of alcoholic beverage licenses from the borough into the cities; (Staff: Alex Strawn, Planning and Land Use Director)

Chair Koan read the resolution title into the record.

Mr. Strawn provided a staff report.

Commissioners questioned staff regarding:

- How many can be transferred

Chair Koan opened the public hearing.

The following persons spoke in regarding Planning Commission Resolution 24-05:

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

MOTION: Commissioner McCabe moved to approve Planning Commission Resolution 24-05. The motion was seconded by Commissioner Glenn.

Discussion ensued

VOTE: The main motion passed without objection.

XI. CORRESPONDENCE AND INFORMATION
(There was no correspondence and information.)

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
March 18, 2024**

XII. UNFINISHED - *(There was no unfinished business.)*

XIII. NEW BUSINESS

- A. Susitna Basin Recreation Rivers Advisory Board – MSB Planning Commission seat Commissioner McCabe is thinking about this – will decide next meeting.
- B. Sepcial Meeting – Understanding the Conditional Use Permit process – Meeting Date May 6, 2024 @ 4:00 – 5:30 p.m. before regular meeting

XIV. COMMISSION BUSINESS

- A. Upcoming Planning Commission Agenda Items *(Staff: Alex Strawn)*
(Commission Business was presented, and no comments were noted.)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Commissioner Glenn: Good to see everyone – appreciate all of you. Have a good week.

Commissioner McCabe: Ditto

Commissioner Scoggin: I feel for the people that have these growing facilities going in around these residential areas.

Commissioner Shane: These evenings are hard with passions growing high and I can understand. Great to see everyone – have a good month.

Commissioner Allen: A fantastic week in the MSB – volunteered for AWG. The organization was incredible. The weather was spectacular for the whole week – conditions were great. Made my heart feel good that people had such a great impression.

Commissioner Fernandez: A pleasure to serve.

Alex Strawn: Took most of the week off and got to work at AWG – got to know the coaches and athletes. The coaches had no complaints and were able to focus on the competitions.

Commissioner Koan: I was unable to participate. Everyone had a good time. Thank you all for being here. Sometimes, maybe we need to look at our ordinances that we have to make some changes.

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION MINUTES**

**REGULAR MEETING
March 18, 2024**

XVI. ADJOURNMENT

The regular meeting adjourned at 7:10 p.m.

C J KOAN
Planning Commission Chair

ATTEST:

KAROL RIESE, Planning Commission Clerk

Minutes approved: _____

DRAFT

**INTRODUCTION FOR PUBLIC HEARING
QUASI-JUDICIAL**

Resolution No. 24-03

Northern Emerald, LLC

(Pages 9 - 46)

INTRODUCTION FOR PUBLIC HEARING



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

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

Email: permitcenter@matsugov.us

CONDITIONAL USE PERMIT FOR MARIJUANA RELATED FACILITIES – MSB 17.60

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

Application fee must be attached:

- \$1,500 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# 53998000L002

SUBDIVISION: K&C BLOCK(S): _____, LOT(S): 2

STREET ADDRESS: 2803 S Old Glenn Hwy, Building #2, Palmer, AK 99645

FACILITY / BUSINESS NAME: Northern Emerald, LLC DBA Northern Emerald

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

Patrick Patrick & Day LLC

Name of Agent / Contact for application

Keith Crocker / Jana Weltzin

Mailing: 600 N Eckert Street, Palmer, AK 99645

Mailing: 00 N. Eckert Street, Palmer, AK 99645

Phone: Hm _____ Fax _____

Phone: Hm _____ Fax _____

Wk _____ Cell _____

Wk _____ Cell 907-321-5808

E-mail northernemeraldalaska@gmail.com

E-mail northernemeraldalaska@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.	Yes
Signage – Existing and Proposed.	Yes
Location and dimensions for all access points to and from the site to public rights-of-way or public access easements.	Yes
Buffering – Fences, vegetation, topography, berms, and any landscaping	Yes
Drainage	Yes
Vehicular and pedestrian circulation patterns.	Yes
Exterior site lighting.	Yes
Location and dimensions of parking areas to be provided	Yes
Scale and north arrow using standard engineering intervals such as 1" = 30', 1" = 50' or similar as required by project size.	Yes

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

In order to grant a conditional use permit under MSB 17.60, the Planning Commission must find that each of the following requirements have been met. Explain the following in detail:	Attached
Is the conditional use compatible with and will it preserve or not materially detract from the value, character and integrity of the surrounding area?	Yes, Please see 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.	Yes, Please see Narrative
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 	Yes, Please see Narrative
Describe how this use is compatible with the character of the surrounding area.	Pls See Narrative
Current status of State License application process – 17.60.150 (D) (1)	Approved by AMCO

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

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

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

MSB Tax account #(s) 53998000L002 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.

Keith Crocker
agent for Patrick, Patrick & Day

KEITH CROCKER

6/21/23

Signature: Property Owner

Printed Name

Date

Jana Welton

JANA WELTON

6/21/23

Signature: Agent

Printed Name

Date

PERMIT CENTER – FEE RECEIPT FORM

Property Location: 53998000L002
2803 S Old Glenn

Applicant: JDW LLC on behalf of
Northern Emerald

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 (locatio	\$100.00
8.41.010 Marijuana License - Alcohol & Marijuana Control Office Susitna Borough Review of Issuance, renewal or transfer (locatio	
8.52 Temporary Noise Permit	
8.55 Special Events Permit 500 – 1000 Attendees 1000+ Attendees 8.55 Special Events Permit Site Monitor Fee / Per Day	
17.02 Mandatory Land Use Permits	
17.04 Nancy Lake Special Land Use District CUP	
17.06 Electrical Generating & Delivery Facility Application	
17.08 Hay Flats Special Land Use District Exception Application	
17.17 Denali State Park Conditional Use Permit	
17.18 Chickaloon Special Land Use District CUP	
17.19 Glacier View Special Land Use District CUP	
17.23 Port MacKenzie Development Permit	
17.25 Talkeetna Conditional Use Permit	
17.25 Talkeetna Conditional Use Permit – Variance	
17.27 Sutton Special Land Use District CUP	
17.29 Flood Damage Prevention Development Permit	
17.29 Flood Damage Prevention Development Permit –Variance	
17.30.040 Earth Materials Extraction Admin. Permit	
17.30.050 Earth Materials Extraction CUP	
17.36 Residential Planned Unit Development Application – Concept Plan – up to 50 Lots Additional Lots or tracts being created – Per Lot	
17.48 Mobile Home Park Permit Application	
17.52 Residential Land Use District App (Rezone)	
17.52 Conditional Use Permit Application CUP	\$1,500.00
17.55 Shoreline Setback Exception Application	\$300.00
X 17.60 Conditional Use Permit Application <i>marijuana retail</i>	\$1500.00
17.61 Commercial/Industrial Core Area Conditional Use Permit	\$1500.00
17.62 Coal Bed Methane	\$1500.00

Matanuska Susitna Borough

Payment Date: Tuesday, June 27, 2023
Deposit Number: 49950
Operator: thom1274

Balance 2023 (Total) \$0.00
Fees (Planning/Platting) \$1,500.00
Account Rec
Map # 2MISC

Amount Paid \$1,500.00
Check \$1,500.00
Balance \$0.00

Receipt Number: msb91870951
2023 9:16:31 AM
By: JDW, LLC
Operator Id: thom1274

	17.63 Conditional Use Permit - Racetracks	\$1500.00
	17.65 Variance	\$1500.00
	17.67 Tall Structures -	
	Network Improvement Permit	\$100.00
	Nonconforming Use	\$200.00
	Administrative Permit	\$500.00
	Conditional Use Permit	\$1500.00
	17.70 Regulation of Alcoholic Beverage Use Permit Application	\$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	\$500.00
	17.76 Large Lot Single-Family Residential Land Use District Conditional Use Permit Application	\$1000.00
	17.80 Nonconforming Structures (Amnesty) Pre-Existing Legal Nonconforming (Grandfather)	\$300.00
	17.90 Regulation of Adult Businesses – Conditional Use Permit	\$300.00
	28.60 Timber Transport Permit	\$1500.00
		\$300.00

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

	PLATTING PRE-APPLICATION CONFERENCE:	
	Pre-Application Fee	\$50.00

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

\$ 1,500.00 Amount Paid Date: RCUD 6/23/23 Receipt # MSB91870951 By: Thom 1274
Ref # 49950



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

March 16, 2023

Northern Emerald, LLC
DBA: Northern Emerald
Via: northernemeraldalaska@gmail.com

Re: Northern Emerald #32759

Dear Northern Emerald, LLC:

At the March 8 – 9, 2023 meeting of the Marijuana Control Board in Fairbanks, Alaska, the board voted to approve your new retail marijuana application with delegation to the director. Delegation means that the board has authorized me to issue the license once all outstanding approvals are received.

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

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

Sincerely,

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

Carrie Craig
Records and Licensing Supervisor

For
Joan Wilson, Director

cc: License File
Matanuska - Susitna Borough

ALCOHOL & MARIJUANA CONTROL OFFICE

[State of Alaska](#) / [Commerce](#) / [Marijuana](#) / [License Search](#) / License #32759

LICENSE NUMBER 32759

[Return to Search Results](#)

License Number: 32759

License Status: Delegated

License Type: Retail Marijuana Store

Doing Business As: Northern Emerald

Business License Number: 2153479

Issue Date:

Effective Date:

Expiration Date:

Email Address: northernemeraldalaska@gmail.com

Physical Address: 2803 S. Old Glenn Hwy

Building #2

Palmer, AK 99645

UNITED STATES

Licensees: Northern Emerald, LLC [10190803](#)

Entity Officials: Keith Crocher

Patrick O'Neal

William Little

Jason Wood

Travis Grande

Onsite Consumption Endorsement

Status:

Approval Date:

Issue Date:

Effective Date:

**RETAIL MARIJUANA STORE CONDITIONAL
USE PERMIT NARRATIVE**

Northern Emerald, LLC

DBA Northern Emerald

a locally owned and operated business

Submitted: _____, 2023

Prepared by:



JDW, LLC
Jana D. Weltzin, Esq.
901 Photo Avenue, Second Floor
Anchorage, AK 99503
jana@jdwcounsel.com
630-913-1113
907-231-3750

On behalf of:
Northern Emerald, LLC

Introduction:

We are pleased to introduce life-long Alaskan entrepreneurs, Keith Crocker, Patrick O’Neal, Jason Wood and Travis Grande. This group is a partnership of motivated and successful business owners in the Mat-Su Borough. Prior to venturing into cannabis, currently the group owns and operates a local liquor license.

Keith Crocker, a member of Northern Emerald, LLC has been selected by the company to act as the operations manager to handle day to day tasks and obtain all necessary approvals for this venture.

Keith Crocker is an Alaskan resident who has called this beautiful state his home since 1977. Over the years, Keith has had the privilege of living in several incredible cities, including Homer, Ketchikan and Juneau. Keith attended the University of Alaska in Juneau and the Western Culinary Institute in Portland Oregon where he learned the skills necessary to excel in the food and beverage industry. For the past 32 years, Keith has worked in the beverage industry and for 30 of those years, he has also been involved in the restaurant business. Along the way, Keith has developed a passion for entrepreneurship and now owns several businesses in Juneau, as well as serving as a co-owner of the Git N Go store in Butte. In addition to Keith’s professional endeavors, he is also a trustee and board chair for the Juneau Elks Lodge. Keith is committed to promoting fellowship, charity and community service through this organization, and he takes great pride in being able to give back to his community in this way. Keith is incredibly grateful for the opportunities he has been given to learn, grow, and serve throughout his life. Keith is dedicated to his craft, his passion for entrepreneurship and his commitment to community service are all values that he holds dear. Keith looks forward to continuing to make a positive impact on the world around him whatever way he can.

This Conditional Use Permit (“CUP”) application for a Retail Marijuana Store is requesting approval from this Honorable Commission. Northern Emerald’s retail application has been approved with delegation by the Marijuana Control Board “MCB” during the March 2023 meeting.

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 very large, treed lots, that house commercial uses and some residential uses. The property faces S Old Glenn Hwy and is situated for commercial use. The entire licensed area, including the restroom, pack/prep/inventory storage rooms and the retail sales floor will be approximately 520 square feet. The proposed use fits into the harmony of the surrounding uses both in size and design. The facility is located on a 1-acre lot off S Old Glenn Hwy. As the facility’s lot is surrounded by remotely located, large undeveloped lots, there are very few neighbors, the majority of the lots surrounding the facility are large empty parcels with the

exception of Wasilla Towing which sits on the lot next to the proposed retail facility. Therefore, the proposed use will not detract from the character, value, and integrity of the surrounding area. The facility will not produce any noise pollution and has an odor control method in place.

Steps have been taken to reduce the potential negative effects of the proposed use upon adjacent properties. The facility design utilizes its existing natural landscaping and larger than required setbacks, as the lot has been previously approved through a conditional use permit for the co-located Liquor license package store. The property exterior to the building will be maintained in a manner conducive to a professional appearance as not to present an eye sore to the public or surrounding neighbors. Northern Emerald has cleared the land and is diligently working on interior and exterior renovations to preserve the character of the neighborhood and property values by creating a clean exterior design that fits into the area design. As discussed in this narrative, Northern Emerald is located next to commercial use businesses, including their co-located Liquor Package Store that has been previously approved through an MSB conditional use permit and intends to operate the new retail store as any other business in a competitive market and in a professional manner as all commercial businesses in the area are doing.

The proposed use will meet all compatible uses allowed on adjacent properties and will improve the overall neighborhood as the premises will not emit odor, will not produce excess dust, will not produce noise pollution, and will have parking & loading on the licensed premises to cut down traffic congestion on the street, thus fitting in with adjacent property uses. As detailed in the attached site plan, there will be ample space for parking on the premises 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 entrances are secured by commercial locking mechanisms and video surveillance to capture individuals within twenty (20) feet. Inside the licensed premises, video surveillance will cover all areas of the facility (apart from the bathroom) 24/7 (which is stored for a minimum of 40 days) to monitor and identify all activity. Specific portions of the store will be designated as restricted access areas, with signs posted prominently around the premises stating, “Restricted Access Area: Visitors Must Be Escorted” and “Video Surveillance in Progress.”

In the event a non-employee/agent of the company needs to access the restricted access area of the retail establishment, 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 clearly displayed at all times while in the restricted access areas. All restricted access area visitors must be pre-approved by management (except for AMCO officials, law enforcement or an agent of the Matanuska Susitna Borough) - there should be no unscheduled and unexpected visitors into the restricted access area of the retail. Northern Emerald staff must accompany visitors throughout the entire visit, with no more than five visitors to one staff member while in the restricted access area – again, there likely will not be visitors to the retail restricted access area, because that area is for inventory storage and control and is separate from the retail display floor where customers can visit the store and purchase products. To maintain the security of the facility and to ensure control over all marijuana products, access to the restricted access areas will be monitored and always restricted.

Access will only be granted to employees and licensees, AMCO agents, law enforcement and the limited exception of scheduled pre-approved visitors. Additionally, Northern Emerald's interior signage will indicate that any members of the public are not allowed unescorted access in the retail restricted access designated area. On the exterior entrance, signage warning the public that only persons who are over the age of 21 may enter the retail establishment. Distinct and apparent cameras will be placed throughout and around the facility to encourage people to not attempt unauthorized access and to discourage criminal activity in the retail and around the surrounding areas.

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

No – Northern Emerald has a detailed security system and plan, diversion/inversion/theft control policies, and a loitering check plan.

The facility is a commercial marijuana retail store that will only allow access to those who are at least 21 years of age or older and have produced a valid, government-issued photo identification (ID) for staff to inspect before being accepted into the retail floor. 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 – the parking lot will have distinct and apparent cameras pointed towards to parking lot to further discourage consuming in vehicles and loitering. A Northern Emerald employee shall perform regular parking lot and perimeter checks throughout the day, frequent but unscheduled so no member of the public picks up on a scheduled pattern, to ensure that no persons are loitering in the area, to identify any persons who may be scoping the facility out for illegal purposes or planning a robbery, and to check to ensure that no customers are consuming product on the property and/or in their vehicles.

√ All marijuana and marijuana products will be displayed in locked display cabinets for customers to view. 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 product into exit packaging (i.e., packaging that is child resistant, resealable and opaque) 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 retail store.

√ In order to ensure Northern Emerald 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. 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, no matter how familiar the employee is with the customer. 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 that is downward facing to minimize light pollution to neighboring lots and a video surveillance system. All entrances are secured by commercial locking mechanisms and video surveillance to capture individuals within 20 feet of all points of entry. 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 the licensee or a manager (with the exception of AMCO agents, 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 access areas will only be granted to employees and licensees, AMCO agents, MSB agents, law enforcement and the limited exception of scheduled pre-approved visitors. Access to the sales floor will only be granted to customers who possess and provide a valid ID that evidences they are over the age of 21. Distinct and apparent cameras will be placed throughout and around the facility to encourage people to not attempt unauthorized access to the restricted access area and to discourage any criminal or mal-intent activity.

✓ On-site video surveillance will continuously monitor all areas of the premises. Employees will perform mandatory inventory counts each week, check counts against Metrc records and compare with point-of-sale reports to ensure no diversion or inversion is occurring, and document the reports as official business records. Northern Emerald will not tolerate any theft, inversion, and diversion, and all employees will complete mandatory training in recognizing such activity. Northern Emerald management team understands 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, Northern Emerald will notify local law enforcement immediately, comply with all directives, and provide all necessary information and records for the investigation. Northern Emerald 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, the licensee or 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. Northern Emerald 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 retail floor, entryway, safes, storage, and product packaging areas. Security monitors and video recording equipment will be securely located onsite.

✓ Qualified candidates will be hired on a probationary period during which they will receive training and evaluation specific to their position. Training will include internal policies and procedures; state statutes and regulations; diversion, theft, and inversion prevention; sanitation and hygiene; legalities and regulation of recreational cannabis at state and federal levels; Metrc use; point of sale system functions and use; identification of fake IDs, and safety protocols. Training will take place throughout the year when topics arise that need further explanation or refreshing.

A licensee or manager will present training and education to employees. As proper safety and security procedures are of the utmost importance to Northern Emerald, the most up-to-date reading materials will always be available to employees. Prior to beginning work, employees will be expected to understand the following: (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) Northern Emerald standards, operational protocol, and best practices with regard to marijuana retail sales; (4) general safety procedures and security protocol; (5) how to think defensively if threatening situations occur; (6) in-depth information about particular strains and their features; (7) in-depth information on the requirements of each room, task, and system; and (8) the general federal, state, and local employment regulations by which Northern Emerald is governed. To ensure full coverage for each position, all employees will be cross-trained on the requirements of each job.

✓ Northern Emerald will have “No Loitering” signs clearly posted around the licensed premises. If an employee suspects that a person is loitering, they will be given a verbal warning to leave the premises or else law enforcement will be notified. Trained employees will maintain regular periodic checks around the property to deter any unauthorized entrance or loitering around the facility. The exterior lighting system will keep the premises well-lit during closed hours and provide extra lighting for all surveillance recordings. Exterior lighting will be shielded and downward directional to mitigate any unwanted light pollution. Lighting will be frequently checked by an employee to ensure that lighting is adequate to prevent dark spots and capture the best facial image of every person who approaches the facility. 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 facility’s architectural design incorporates lighting that will project light on to the building and downward. The alarm system will monitor for intrusions with motion detectors on all access points during closed hours, including the entrance to the licensed facility and secured storage. Live security footage will also be accessible to licensee and management via their cellular phones, so they may keep an eye on the facility even when they are away. Any attempted or actual intrusion will prompt an automatic, electronic alert to the security company who will then contact local law enforcement and the licensee or manager. 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 previously, Northern Emerald is located within a 1-acre parcel. This application and the layout of Northern Emerald meets the required setbacks, buffers, and lot area. The entire retail store is enclosed in a commercial-grade building.

There will be plenty of onsite parking developed on the site for this use, including accessible spaces.

The facility has incorporated all measures to reduce the negative effects of the surrounding properties, including but not limited to natural landscaping screening and a modest architectural design that will not take away from the character of the surrounding area.

The facility will not produce any noise pollution and has an odor control method in place. A robust security plan and the “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 the manager on duty or licensee 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 buildings architectural design incorporates shielded lighting to prevent light pollution. Northern Emerald’s co-located liquor license package store also has exterior lighting which is an added security measure for the retail store.

✓ A third-party security company will install the alarm system and to continuously monitor the electronic notifications in the event the alarm is triggered. The security company will periodically visit to 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 effect upon other properties in the area due to such factors as noise and odor.

The proposed use will produce very little noise. Northern Emerald does not anticipate any noise to come from the 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 fluctuate in traffic flow during the weekends of the summer months due to tourism, however, do not seem to be used to their maximum capacity; 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.

Northern Emerald will abide by a strict “no odor” policy per MSB 17.60.150(A)(1) that will ensure no odor is detectible by the public from outside the facilities. This use is a retail establishment and should not have any issued with odor seeping out from the retail to the outside air. However, in 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 container 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, deli style enclosed

jars that are only opened to take product out for sale to a customer and is repacked 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 exists on a largely remote property with very few neighboring lots (which are distanced well beyond the required setback distances). As well, there are some vacant land parcels nearby that have yet to be developed. The secluded character of the surrounding parcels and their uses are a good fit for a marijuana retail store. Within 1000 feet of the proposed location, there appears to be two parcels that are used as residential only and one parcel that appears to be a mix of commercial and residential use. The remaining parcels within 1000 feet are either vacant or commercial in use.

Current status of State License Application Process.

The Application was approved by the Marijuana Control Board during their March 2023 meeting.

Misc. Items and Information.

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

Proposed hours of operation for the retail establishment shall be Monday – Sunday, 8 am – Midnight.

Number of employees onsite will be between 1 and 4, depending on employee shifts, season, and other needs of the store.

Northern Emerald has been reviewed and approved by the State Fire Marshal – See the attached certificate of approval.

The logo for the store is classy and professional that consists of the company name and an emerald-colored dragon fly (see below). Northern Emerald will have up to two signs on the exterior of the facility. Each 5.5' x 6' sign will be front lit during operating hours and off during closed hours. No sign will exceed 4,800 square inches as per AMCO regulations.

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



June 14, 2023

Owner & Agent Permission Letter for Use and Occupancy of Premises

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

Re: Northern Emerald – Owner & Agent Authorization

Dear Planning Office,

I, Keith Crocker, member of Patrick Patrick & Day LLC hereby grants permission for Northern Emerald, LLC to lease and use my property located at 2803 S. Old Glenn Hwy, Building #2, Palmer, AK 99645 as a Marijuana Retail Store. I am aware that Northern Emerald, LLC will be commercially selling marijuana, and marijuana products on this property once the conditional use permit is approved by the Matanuska-Susitna Borough.

I, Keith Crocker, of Northern Emerald, authorize Jana Weltzin and her firm of JDW, LLC to take all necessary actions to apply for and obtain one (1) conditional use permits for the operation of a Marijuana Retail Store of the property owned by Patrick Patrick Day LLC located at Township 17N Range 2E Section 17 Lot 2, commonly known as 2803 S Old Glenn Hwy, Building #2, Palmer, AK 99645.

If you have any questions regarding this correspondence, please feel free to contact me.

Sincerely,



Keith Crocker – Member of
Northern Emerald, LLC
&
Patrick Patrick & Day, LLC



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

05/02/2023

Return to Applicant: Patrick O'Neal
600 N. Eckert
Palmer, AK 99645

SUBJECT: Northern Emerald - Palmer - Full Plan Review
ADDRESS: 2803 S. Old Glenn Hwy #2
CITY: Palmer
PLAN REVIEW: 2023ANCH0117
TYPE OF CONSTRUCTION: II-B
OCCUPANCY: M Mercantile
2021 INTERNATIONAL BUILDING AND FIRE CODE

Dear Patrick O'Neal:

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: PATRICK PATRICK & DAY LLC
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 4/27/2023 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 Northern Emerald - Palmer 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 #: 2023ANCH0117 By: 








Authority: AS 18.70.080
Form: 12-741
(6/01)

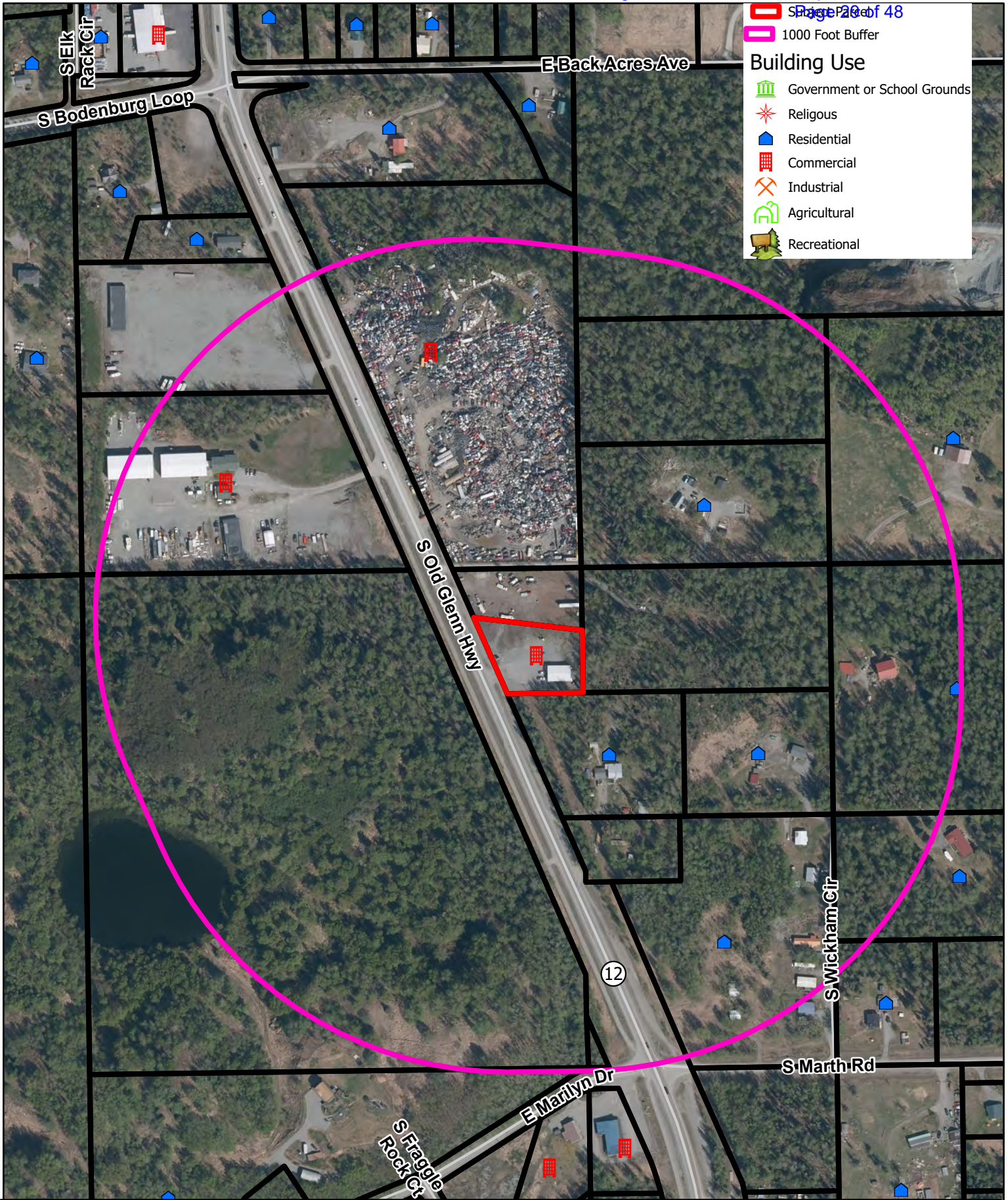
Oscar Lage
Building Plans Examiner I

Full Plan Review

1000 Foot Buffer

Building Use

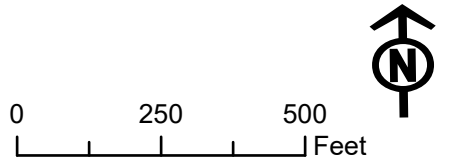
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-  Religious
-  Residential
-  Commercial
-  Industrial
-  Agricultural
-  Recreational

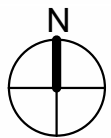
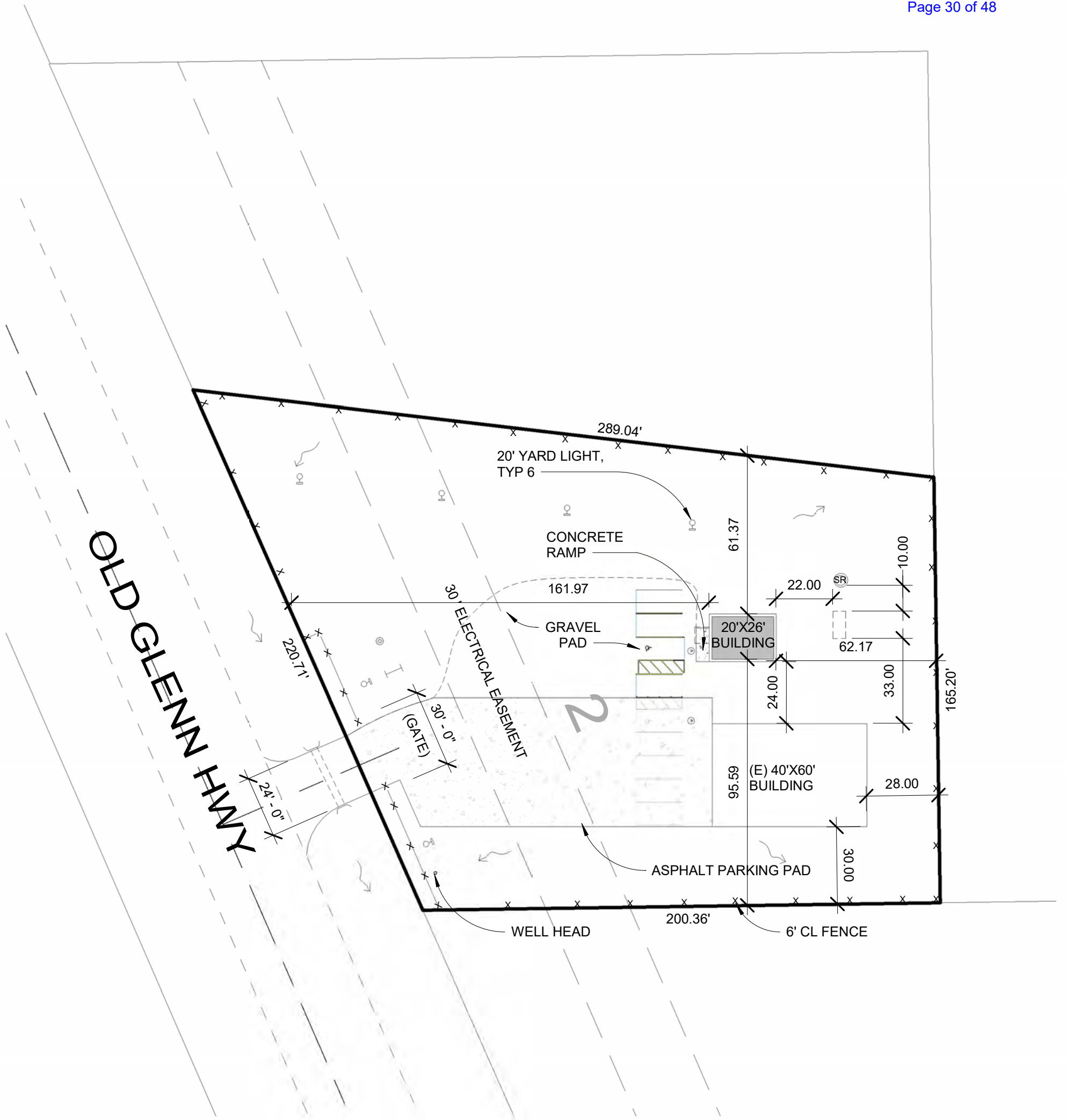


This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding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



Land Use Map for 3998000L002







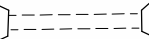




SITE PLAN

SCALE: 1" = 40'-0"

LEGEND

-  500 GAL. SEPTIC RING (SYSTEM INSPECTED AND EPA APPROVED)
-  1000 GAL. SEPTIC TANK
-  YARD LIGHT
-  SIGN
-  ADA PARKING SIGN, MOVEABLE
-  DRAINAGE ARROW
-  CORRUGATE METAL PIPE



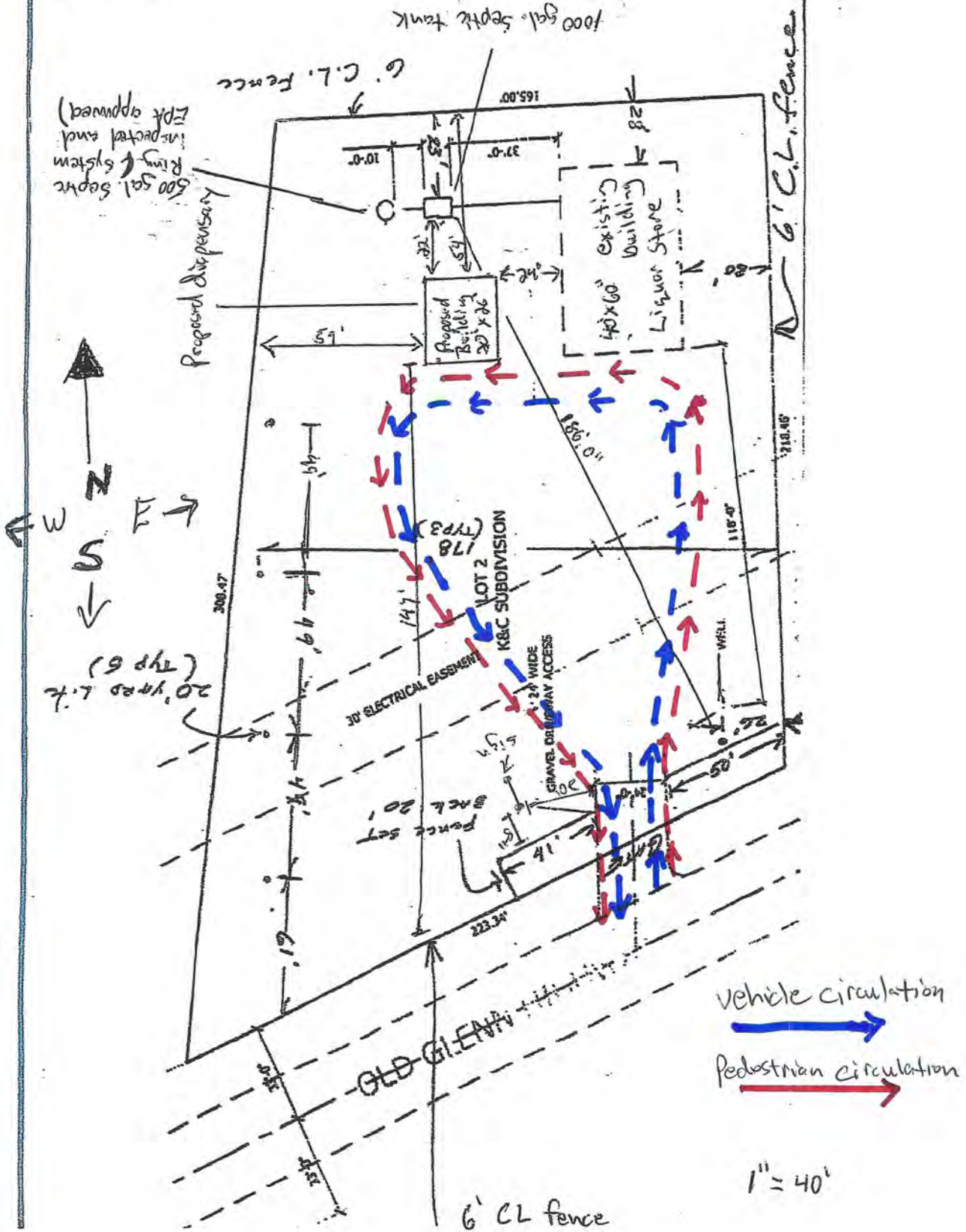
Reference:

<p>LEGAL DESCRIPTION: K&C SUBDIVISION, LOT 2 PARCEL ID: 51226</p>	<h2>NORTHERN EMERALD RETAIL SHOP</h2> <p>Project No.: 2023050 Client Project No.:</p>	<h1>G0.02</h1> <p>Date: 08/01/2023</p>
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Scale: 1" = 4'

Vehicle and Pedestrian Site Map Circulation



From: [MD C](#)
To: [Rick Benedict](#)
Cc: bponeal@mtaonline.net
Subject: Re: Northern Emerald - Site Plan
Date: Tuesday, August 29, 2023 2:39:29 PM

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

Thanks Rick, I have been working with the Owner on the remainder of your questions, I believe we have them all covered with one exception. The DOT driveway question is eluding us at the moment. I believe Pat is working with DOT to get the correct application in for the driveway information to include the marijuana license.

Regards,

Mike

From: Rick Benedict <Rick.Benedict@matsugov.us>
Sent: Tuesday, August 29, 2023 2:24 PM
To: MD C <mdcoop_ak@hotmail.com>
Cc: bponeal@mtaonline.net <bponeal@mtaonline.net>
Subject: RE: Northern Emerald - Site Plan

Mike,

I've reviewed the updated site plan and find it acceptable. I will add it to the previously accepted application materials. Thank you for making the adjustments.

The remaining items needed were requested in a letter emailed to JDW Counsel on July 11, 2023. If you have any questions, please reach out to me.

Respectfully,

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

From: MD C <mdcoop_ak@hotmail.com>
Sent: Tuesday, August 29, 2023 9:16 AM
To: Rick Benedict <Rick.Benedict@matsugov.us>
Cc: bponeal@mtaonline.net
Subject: Re: Northern Emerald - Site Plan

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

Rick, thanks for the review comments. I have attached the updated site plan for your review. I have included my review responses below in red.

1. The site plan is still not to scale. I was not able to view, or print, the site plan to correspond to the scaling it indicated, 1=40'. I tried various printing configurations and none of them reflected the correct scaling. Perhaps you have a hard copy or can revisit the electronic copy to see if there was an issue.

accepted, updated scale set.

4. Drainage needs to be indicated on the updated site plan. Using arrows to reflect drainage throughout the property is acceptable and should be included in the legend.

accepted, I will add drainage arrow to legend

5. The "North" arrow has not been included.

The North arrow is to the left of the view title, I will update to make clearer.

7. Distances from all sides of the proposed building to each property line (north, east, south, and west) have not been shown on the updated site plan.

Accepted, will update all distances to property line.

9. Identify any buffering on the subject property. Six-foot chain link fencing was included. However, is there any vegetation, topography, berms, or any other types of visual buffering that exists, or is being proposed that has not been included in the site plan?

This site is flat and has been cleared of all trees out to the fence line. No further site developments are planned on this site.

11. Dimensions of the access point (driveway) have not been included in the updated site plan.

Accepted, I will update site access to include dimensions.

Thanks,

Mike

From: Rick Benedict <Rick.Benedict@matsugov.us>
Sent: Monday, August 28, 2023 2:12 PM
To: MD C <mdcoop_ak@hotmail.com>
Cc: bponeal@mtaonline.net <bponeal@mtaonline.net>
Subject: RE: Northern Emerald - Site Plan

Mike,

I've reviewed the updated site plan submitted on 8/22/23. I've noted some deficiencies below:

1. The site plan is still not to scale. I was not able to view, or print, the site plan to correspond to the scaling it indicated, 1=40'. I tried various printing configurations and none of them reflected the correct scaling. Perhaps you have a hard copy or can revisit the electronic copy to see if there was an issue.
2. Drainage needs to be indicated on the updated site plan. Using arrows to reflect drainage throughout the property is acceptable and should be included in the legend.
3. The "North" arrow has not been included.
4. Distances from all sides of the proposed building to each property line (north, east, south, and west) have not been shown on the updated site plan.
5. Identify any buffering on the subject property. Six-foot chain link fencing was included. However, is there any vegetation, topography, berms, or any other types of visual buffing that exists, or is being proposed that has not been included in the site plan?
6. Dimensions of the access point (driveway) have not been included in the updated site plan.

Respectfully,

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

From: MD C <mdcoop_ak@hotmail.com>
Sent: Tuesday, August 22, 2023 11:18 AM
To: Rick Benedict <Rick.Benedict@matsugov.us>
Cc: bponeal@mtaonline.net
Subject: Northern Emerald - Site Plan

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

Good Morning Rick, I have attached an updated site plan for your review. I have cc'd the owner on this email for his reference.

If you have any questions or comments, please let me know.

Mike Cooper

From: [REBECCA O'NEAL](#)
To: [Rick Benedict](#)
Subject: CUP info
Date: Monday, December 18, 2023 8:48:16 PM
Attachments: [CUP application.docx](#)

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

Hi Rick, Here is the requested information addressing the 7 areas that needed clarification. I have included the CUP info in a word document and scans of the state and borough business license. Our new DOT driveway permit has been approved, but we are waiting on the signed copy. I will forward that to you when we receive it. Thanks, Pat

1. Site plan and map update submitted.
2. We plan to mount a 4' X 6' sign on the apex of the building. The sign will be made of wood and aluminum with primary colors of green and white.
3. The business will not produce marijuana waste. It will produce only the normal waste associated with a retail business. That waste will be collected in a dumpster and sent to the landfill by the waste management contractor.
4. Attached is the current state and borough business licenses.
5. Estimated maximum per hour vehicle usage for 2803 S. Old Glen Highway, Palmer AK:
The maximum number of vehicles per hour using the driveway at this address is estimated to be 28 vehicles per hour. This number was calculated using a manual vehicle count during the peak sales hour (4:30pm - 5:30pm) over a one month period at the existing business. The maximum number of vehicles observed per hour over this counting period was 22. The addition of a second smaller business at this location is expected to generate an additional business volume of 25%. This would increase the maximum usage by 6 vehicles during the peak business hour. This will result in a total estimate of 28 vehicles an hour for the peak business hour. However, this number may be reduced because some traffic will utilize both businesses.
6. Our new commercial driveway permit has been approved and we are only waiting for the DOT signed copy. The old permit #19811 is being replaced with new permit #33100. I will send the signed copy when we receive it.
7. The site will have two businesses. The existing business is 2400 sq. ft., and the proposed business is 520 sq. ft. There will be 10 parking spaces including 2 handicap spaces.

Alaska Business License # **2153479**

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

Northern Emerald

600 N. Eckert Street, Palmer, AK 99645

owned by

Northern Emerald, LLC

is licensed by the department to conduct business for the period

January 11, 2024 to December 31, 2025
for the following line(s) of business:

44-45 - Retail 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 Sande
Commissioner



Matanuska-Susitna Borough Business License # 45990

Planning Commission Packet - April 1, 2024
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350 E. Dahlia Ave, Palmer, Alaska 99645

Effective Date: Jul 28 2022

Expiration Date: Dec 31 2023

**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

NORTHERN EMERALD

NORTHERN EMERALD, LLC/WILLIAM LITTLE
600 N ECKERT ST
PALMER, AK 99645

Business Location(s): 2803 S OLD GLENN HWY,
BUILDING NO. 2 PALMER

This is to certify that the licensee named above holds a Matanuska-Susitna Borough Business license covering the period listed above.

Detach Here

NORTHERN EMERALD

NORTHERN EMERALD, LLC/WILLIAM LITTLE
600 N ECKERT ST
PALMER, AK 99645

Fee Paid: \$100.00
License No.: MBL **45990**
Effective: Jul 28 2022 To Dec 31 2023

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 change shall surrender his old borough business license to the borough for cancellation. When there is a change of location for the sellers place of business, a new business license is required showing the new address. Application for renewal of license shall be made before February 1 of the license year.

From: [Northern Emerald](#)
To: [Rick Benedict](#)
Subject: CUP info Northern Emerald
Date: Friday, January 12, 2024 7:02:26 AM
Attachments: [NE State Biz License PDF.eml.msg](#)

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

Hi Rick, The signage adjacent to the access gate is for the adjacent business not Northern Emerald. I have attached a copy of the new state business license. The DOT driveway permit has been approved and I have been told that they will have the departmental signatures complete and sent to us by next week. I will forward it to you upon receipt. Thanks, Pat

From: [Northern Emerald](#)
To: [Rick Benedict](#)
Subject: fully executed driveway permit Northern Emerald
Date: Thursday, March 21, 2024 7:09:57 AM
Attachments: [33100 Fully Executed Permit.pdf](#)

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

Here is a copy off the driveway permit. Let me know if you need anything else. Thanks, Pat

Permit No. 33100



State of Alaska
Department of Transportation and Public Facilities

Driveway Permit 33100

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

Owner:	Patrick Patrick and Day LLC
Mailing Address:	1575 N. Golden Hills Circle Palmer, AK 99645
Driveway location (highway, address, subdivision, legal description milepost, etc.)	
Palmer DW - 2803 S. Old Glenn Highway, Lot 2 K&C Subdivision	

Design Criteria

A.	Driveway width	24	Feet
B.	Left edge clearance	50	Feet
C.	Right edge clearance	149	Feet
D.	Left return radius	40	Feet
E.	Right return radius	40	Feet
F.	Shoulder width	5	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	32	Feet (field fit)
M.	Landing grade	2	Percent
N.	Landing length	30	Feet
O.	Culvert size	18	Inches
P.	Culvert type	CMP	
Q.	Ditch depth	2	Feet
R.	Shoulder type	Paved	
S.	Road surface type	Paved	
T.	Driveway surface type	Asphalt	

This permit applies only to the State right of way.

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

A driveway constructed under permit within a highway right-of-way is the property of the State, but all cost and liability arising from the construction, operation, or maintenance of a driveway is at the sole expense of those lands served.

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

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

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

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

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

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

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

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

Permit No. 33100

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

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

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

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

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

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

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

Attachments included as part of this permit are:

- Site Plan

I, John A. O'Neil, acknowledge and accept that Patrick Patrick and Day LLC, will comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

John A. O'Neil
Owner Signature

12/16/23
Date

Melanie O'Neil
DOT&PF Signature *mo*

3/16/2024
Date



SITE PLAN
 SCALE: 1" = 40'-0"

LEGEND

- 500 GAL. SEPTIC RING (SYSTEM INSPECTED AND EPA APPROVED)
- 1000 GAL. SEPTIC TANK
- YARD LIGHT
- SIGN
- ADA PARKING SIGN, MOVEABLE
- DRAINAGE ARROW
- CORRUGATE METAL PIPE



Reference:

LEGAL DESCRIPTION:
 K&C SUBDIVISION, LOT 2
 PARCEL ID: 51226

NORTHERN EMERALD RETAIL SHOP

G0.02

Project No.: 2023050
 Client Project No.:

Date: 08/01/2023



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

www.matsugov.us

MEMORANDUM

DATE: March 21, 2024

TO: Planning Commissioners

FROM: Alex Strawn, Planning and Land Use Director



SUBJECT: Tentative Future PC Items

Upcoming PC Actions

Quasi-Judicial

- Houdini's Herbs – Marijuana Retail Facility; 6298B01L002 (Staff: Peggy Horton)
- The Aardvark – Alcoholic Beverage Dispensary; 1454000L001 (Staff: Peggy Horton)
- Smoke Out Point – Marijuana Retail Facility; 2209B02L001A (Staff: Rick Benedict)
- Craft Cannabis Cabin – Marijuana Retail Facility; 1842B01L007 (Staff: Rick Benedict)
- Ficklin Gravel Products LLC – Earth Materials Extraction; 16N04W03A009 (Staff: Rick Benedict)
- Mountain Gravel Investments – Earth Materials Extraction; 18N01E35C006 (Staff: Peggy Horton)
- Meadow Lakes Holiday – Alcohol Package Store; 17N02W09A014 & 17N02W09A022 (Staff: Rick Benedict)
- Butte Land Co. – Earth Materials Extraction; 17N02E35A024 (Staff: Peggy Horton)
- New Horizons Telecom – Tall Structure; 17N03E30A012 (Staff: Rick Benedict)
- Higher by Bad Gramm3r – Marijuana Retail Facility; 6932B01L001A (Staff: Peggy Horton)
- Shoreline Cannabis – Marijuana Retail Facility; 5274B03L007

Legislative

- Historic Preservation Plan (HPP) (Staff: Gerrit Verbeek)
- MSB Borough-Wide Comprehensive Plan (Staff: Alex Strawn)
- Glacier View Comprehensive Plan Update (Staff: Leda Borys)
- Corridor Studies (Staff: Alex Strawn)
- Public Transit Plan (Staff: Alex Strawn and Maija DiSalvo)
- Amending MSB 17.59 Standardize definitions for lake management regulations (Staff: Alex Strawn)